

Price : £1.25

THE STATES assembled on Tuesday,
25th July 1995 at 9.30 a.m. under
the Presidency of the Bailiff,
Philip Martin Bailhache, Esquire

All Members were present with the exception of -

Senator Richard Joseph Shenton - out of the
Island.
Jack Roche, Connétable of St. Saviour -
ill.
Terence Augustine Le Sueur, Deputy of St.
Helier - out of the Island.
David Leon Crespel, Deputy of St. Helier -
ill.
James Thomas Johns, Deputy of St. Helier -
out of the Island.

Prayers

Jersey's Island Games Team - congratulations

The Bailiff, on behalf of the States,
congratulated the Jersey Island Games team on
winning the championship trophy for the second
time in succession at the Games held in
Gibraltar.

Subordinate legislation tabled

The following enactments were laid before the
States, namely -

1. Diseases of Animals (Importation
of Live Fish) (Amendment No. 2)
(Jersey) Order 1995. R & O 8844.
2. Immigration (Work Permits)
(Jersey) Rules 1995. R & O 8845.
3. Battle of Flowers (Jersey) Order

1995. R & O 8846.

Matter presented

The following matter was presented to the States -

International Covenant on Economic, Social and Cultural Rights: report for Jersey - R.C.19/95.
Presented by the Policy and Resources Committee.

Matters noted - land transactions

THE STATES noted an Act of the Finance and Economics Committee dated 17th July 1995 showing that, in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved -

- (a) as recommended by the Harbours and Airport Committee, the lease to George Troy and Sons of the northern unit of the maintenance shed at the end of the Albert Pier, Port of St. Helier (Letting No. A43b, measuring 1,380 square feet) for use as a maintenance base for their vehicles used in connexion with the loading and discharge of cargo in the port area, for a period of three years from 1st July 1995, at an annual rent of £5,865 (representing a rate of £4.25 a square foot);
- (b) as recommended by the Harbours and Airport Committee, the lease to Channel Islands Marine (Jersey) Limited of the southern unit of the maintenance shed at the end of the Albert Pier, Port of St. Helier (Letting No. A43a, measuring 1,380 square feet) for use as a maintenance base for their vehicles used in connexion with the loading and discharge of cargo in the port area, for a period of three years from 1st July 1995, at an annual rent of £6,044.40 (representing a rate of £4.38 a square foot);
- (c) as recommended by the Public Health Committee, the lease to Mrs. Jean Patricia Roche, née Geary, of the florist shop at the General Hospital for a period of three years from 1st July 1995, at an annual rent of £4,750, and subject to annual review;

(d) as recommended by the Agriculture and Fisheries Committee, the sale to Mr. Harold Vautier of part of Field No. 865, Trinity (measuring approximately 1,980 square feet), required for the purpose of constructing a new driveway to the property "L'Abri", Trinity, for the sum of £10, subject to the Education Committee meeting the costs of constructing a new turning area, blocking up the extinguished road (being the southern part of the un-named road between Les Ruelles and La Rue du Mont Pellier, Trinity), and being responsible for all the legal fees associated with the transaction;

(e) as recommended by the Education Committee, the purchase from the Parish of Trinity of the southern part of the un-named road between Les Ruelles and La Rue du Mont Pellier, Trinity, required to enlarge the playground of Trinity School, upon the extinguishment of that road, for the sum of £10, subject to the Committee being responsible for the legal fees associated with the transaction. (The Committee, with reference to paragraphs (d) and (e) above, rescinded its Act No. 1(c) of 3rd July 1995 which was presented to the States on 11th July 1995).

Matters noted - acceptance of tenders

THE STATES noted an Act of the Finance and Economics Committee, dated 17th July 1995, showing that, in pursuance of Rule 5 of the Public Finances (General) (Jersey) Rules 1967, as amended, the Committee had noted that -

- (a) the Planning and Environment Committee had accepted the lowest of three tenders, namely that submitted by R. and R. Building Contractors Limited in the sum of £76,016 in a contract period of 16 weeks for the new Conservation Centre, La Mielle de Morville, St. Ouen;
- (b) the Education Committee has accepted the lowest of five tenders, namely that submitted by Regal Construction (Jersey) Limited in the sum of £214,978.77 for the temporary classrooms at Le Squez School, St.

Clement;

- (c) the Education Committee has accepted the lowest of nine tenders, namely that submitted by J.F. Marett and Son Limited in the sum of £1,492,032 for the construction of a car park on two levels and a school bus service drop-off collection area on part of Field 798, Le Mont Millais, St. Saviour.

Matters lodged

The following matters were lodged ``au Greffe" -

1. Housing legislation - review:
(a) Draft Housing (Amendment No. 8) (Jersey) Law 199 ; (b) Draft Housing (General Provisions) (Amendment No. 11) (Jersey) Regulations 199 - P.100/95.
Presented by the Housing Committee.
2. Parish Rate Appeal Board:
appointment of members - P.101/95.
Presented by the Finance and Economics Committee.

Arrangement of public business for the present meeting

THE STATES acceded to the request of the Connétable of St. Helier that his amendment of the proposition of the Defence Committee regarding the establishment of a town police station at 11 Royal Square and Picquet House, St. Helier (P.99/95 - lodged ``au Greffe" on 11th July 1995) be withdrawn.

Nuclear shipments: petition and proposition - P.102/95

Senator Stuart Syvret presented to the States a petition on behalf of the Concerned People of Jersey that the States of Jersey should oppose nuclear shipments unless they can demonstrate no significant threat to public safety or to the environment of the Channel Islands.

The States referred the petition to the Policy and Resources Committee and lodged ``au Greffe" a proposition of Senator Stuart Syvret to the effect that the prayer of the petition be granted.

French nuclear weapons testing in the Pacific - questions and answers (Tape No. 291)

Deputy Gary Matthews of St. Brelade asked Senator Reginald Robert Jeune, President of the Policy and Resources Committee, the following questions -

1. Given Jersey's proximity to France, and to the nearby French nuclear plants at La Hague and Flamanville, does the President agree that the States of Jersey have a particular reason to be concerned about the testing of French nuclear weapons?
2. What steps are the Policy and Resources Committee, as the Committee charged with constitutional and international matters, able to take to relay the States of Jersey's formal objection to the renewal of French nuclear bomb testing in the Pacific?
3. Is the President aware that international opinion is against President Chirac's decision to resume nuclear weapons testing at the Mururoa Atoll? Is he also aware that any unilateral decision by the French is likely to endanger the proposed ratification of a comprehensive test ban treaty, due to be signed by all the world's nuclear powers in 1996?"

The President of the Policy and Resources Committee replied as follows -

1. I am sure that the members of this House will share in the general concern at the testing of nuclear weapons by any country. I do not think this concern should be affected by the Island's distance from or proximity to the country carrying out the tests.
2. In answering the Deputy's question I believe it would be helpful for me to remind the House of the Island's constitutional position vis-a-vis the United Kingdom. The Insular Authorities have autonomy in respect of domestic affairs but have no separate status in respect of international affairs from that of Her Majesty's Government. This is because it is Her Majesty's Government that is responsible for the

Island's international affairs. The Policy and Resources Committee in carrying out its responsibilities for constitutional and international matters bearing on the Island can only make representations to a foreign country through Her Majesty's Government. Likewise, when the Policy and Resources Committee is concerned with international conventions, agreements or treaties, it either responds to approaches from Her Majesty's Government or makes approaches to Her Majesty's Government through official channels.

Accordingly, if the States decided to approve a formal proposition of the Deputy to convey to the French Government a concern at the renewal of French nuclear bomb testing in the Pacific, such a view would have to be conveyed to Her Majesty's Government with a request for its onward transmission. Whether it would be passed to the French Government would depend in my view on the position Her Majesty's Government wish to adopt on the matter. For example, where a matter does not have a direct impact on the Island and its residents, I consider it unlikely that Her Majesty's Government in exercising its responsibility for the Island in international matters would be prepared to convey to the French Government a view other than one which it shared. Her Majesty's Government's current position is that, while it recognises and understands the concern which the French decision to resume nuclear testing has caused in a number of countries, it does not believe it would be appropriate for Her Majesty's Government to comment on France's national security arrangements, and how they are met.

3. I am sure that members of the House like me have read in the press of the protests mounted against the renewal of French nuclear bomb testing in the Pacific, particularly in New Zealand and Australia. As far as the second part of the question is concerned, I am not able to comment on whether any unilateral decision by the French is likely to endanger the proposed ratification of a Comprehensive Test Ban Treaty due to be signed by all the World's nuclear powers in 1996. The

Island authorities have not been a party to any discussions in this respect. However, I understand that France remains committed to the negotiations for a Comprehensive Test Ban Treaty and that France has indicated that it would be prepared to sign the Treaty in Autumn 1996 if a text has been agreed. I also understand that Her Majesty's Government does not accept that a strictly limited programme of nuclear tests should call into question the prospects for the early conclusion of the Treaty."

Jersey Consumer Council: appointment of member - statement

The President of the Policy and Resources Committee made a statement in the following terms -

``The House will recall that on 25th April 1995 the establishment of a Jersey Consumer Council was approved. The membership of the Council consists of a chairman appointed by the States, namely Deputy Alan Breckon, and eight other members appointed by the Policy and Resources Committee as provided for in the report of the Committee dated 23rd February 1995 (P.37).

I wish to inform the House that Mr. Robert Parker, a member of the Jersey Hotel and Guest House Association, is no longer able to serve on the Council because of work commitments. He has been replaced by Mr. Robyn Lapidus, who is also a member of the Jersey Hotel and Guest House Association.

The Policy and Resources Committee is most grateful to Mr. Lapidus for agreeing to serve on the Council."

Secondary education in Jersey: re-organisation - P.84/95 (Revised)

THE STATES commenced consideration of a proposition of the Education Committee regarding the re-organisation of secondary education in Jersey.

THE STATES adjourned, having agreed previously to continue consideration of the proposition on the re-organisation of secondary education in Jersey and other outstanding items of public

business on Wednesday, 26th July 1995 at
9.30 a.m.

Senator R.J. Shenton - attendance

Senator Richard Joseph Shenton, having returned to the Island during the debate on secondary education in Jersey, was present for the remainder of the meeting.

THE STATES rose at 5.40 p.m.

G.H.C. COPPOCK

Greffier of the States.