

Price : £3.00

THE STATES assembled on Tuesday,
5th November 1996 at 9.30 a.m. under
the Presidency of the Bailiff,
Sir Philip Bailhache

His Excellency the Lieutenant Governor,
General Sir Michael Wilkes, K.C.B., C.B.E,
was present.

All members were present with the exception of -

Senator Stuart Syvret - suspended
Frank Harrison Walker, Deputy of St.
Helier - out of the Island.

Prayers

Subordinate legislation tabled

The following enactments were laid before the
States, namely -

1. Merchant Shipping (Small Ships
Register) (Amendment) (Jersey) Order
1996. R & O 8988.
2. Island Planning (Tree
Preservation) (Saint Saviour) (No. 3)
(Jersey) Order 1996.
R & O 8994.
3. Import and Export (Control)
(Amendment No. 2) (Jersey) Order 1996.
R & O 8995.
4. Firearms (Amendment No. 2)
(Jersey) Order 1996.
R & O 8996.

5. Public Service Vehicles
(Conditions of Fitness) (Amendment
No. 5) (Jersey) Order 1996.
R & O 8997.
6. Royal Court (Amendment No.11)
Rules 1996. R & O 8998.

Matters presented

The following matters were presented to the States -

1. Land at Ville es Renauds,
Grouville (P.149/96): report -
P.200/96.
Presented by the Planning and
Environment Committee.
2. New public park: an undertaking
to mark the millennium (P.121/95) -
report - P.201/96.
Presented by the Planning and
Environment Committee.
3. Jersey Judicial and Legal
Services Review: report - R.C.28/96.
Presented by the Legislation
Committee.
4. Future of secondary education:
Jersey College for Girls' relocation
(P.165/96) - report - P.203/96.
Presented by the Education
Committee.
5. Public access to official
information: Code of Practice
(P.183/96): comments - P.202/96.
Presented by the Finance and
Economics Committee.

Matters noted - land transactions

THE STATES noted an Act of the Finance and Economics Committee dated 28th October 1996 showing that, in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved -

- (a) as recommended by the Housing
Committee, the sale to Mr. Patrick Noel
Connolly, of an area of approximately

ten square feet of land, located within the curtilage of Lily Cottage, Valley Road, St. Helier, for the sum of £10, with the boundary walls remaining in party ownership and each party being responsible for its own legal costs incurred in the transaction;

- (b) as recommended by the Housing Committee, the leasing to Mr. Nigel Eric Houguet Poole and Mrs. Patricia Mary Poole, née Godfray, of the property No. 76 Colomberie, St. Helier, for a period of seven years, effective from the date of signing, with both parties having the option to break the lease after the expiry of the third year of the term, upon giving six months' prior notice in writing to the other party, at a commencing annual rent of £10,600, payable monthly in advance with rent reviews every two years as per the existing lease. The use clause was to be widened to permit the lessees to trade as a general store and off-licence. The lease was to be on internal repairing and insuring terms with the lessee being responsible for the building insurance, occupier's rates and electricity charges, as per the existing lease;

- (c) as recommended by the Harbours and Airport Committee, the sale to the Parish of St. Peter of land north of the new boundary fence of the airfield required for the establishment of a footpath, following the extinguishment of La Rue du Mont au Guet, for the nominal sum of £1.00;

- (d) as recommended by the Public Services Committee, the renewal of the lease from Mr. Anley John Dorey Richardson of the Shed at Les Tihelles, St. Ouen, for a period of one year from 1st April 1996 to 31st March 1997, at an annual rent of £3,300;

- (e) as recommended by the Committee for Postal Administration, the lease from Mr. Colin Stuart Smith and Mrs. Maureen

Gwendoline Smith, née Barry, of an unfurnished four bedroomed detached house known as 6 Clos des Tours, St. Clement, for a period of one year at an annual rental of £14,950, for occupation by an essential employee who was on secondment. The lessee was to be responsible for the internal repair and maintenance of the building and the lessor responsible for the external repair and maintenance of the building. The lease was to be subject to a preliminary inspection of the premises and the agreement of a schedule detailing the present condition of the property. A refundable deposit of £2,500 was to be made to the lessor.

Matter noted - acceptance of tender

THE STATES noted an Act of the Finance and Economics Committee dated 28th October 1996 showing that, in pursuance of Rule 5 of the Public Finances (General) (Jersey) Rules 1967, as amended, the Committee had noted that the Telecommunications Board had accepted the lowest of two tenders, namely that submitted by Tower Shopfitting Limited, in the sum of £321,068.00 in a contract period of 12 weeks, for the redevelopment of the retail outlet at Telephone House, Minden Place, St. Helier.

Matters lodged

The following matters were lodged ``au Greffe" -

1. Draft Prevention of Terrorism (Jersey) Law 1996 (Appointed Day) (No. 2) (Jersey) Act 199 - P.186/96. Presented by the Defence Committee.
- 2, Draft Prevention of Terrorism (Enforcement of External Orders) (Jersey) Regulations 199 - P.187/96. Presented by the Defence Committee.
3. Draft Amendment (No. 19) to the Tariff of Harbour and Light Dues - P.188/96. Presented by the Harbours and Airport Committee.

4. Draft Harbours (Amendment No. 25) (Jersey) Regulations 199 - P.189/96.
Presented by the Harbours and Airport Committee.
5. Draft Boats and Surf-Riding (Control) (Amendment No. 14) (Jersey) Regulations 199 - P.190/96.
Presented by the Harbours and Airport Committee.
6. Draft Fatal Accidents (Amendment) (Jersey) Law 199 - P.191/96.
Presented by the Legislation Committee.
7. Les Buissons, La Route de Beaumont, St. Peter: dwelling in Aircraft Noise Zone 1 - P.192/96.
Presented by the Planning and Environment Committee.
8. Field 284, La Rue de Maupertuis, St. Mary: agricultural buildings in Green Zone - P.193/96.
Presented by the Planning and Environment Committee.
9. Nil Solitaire, La Grande Route de St. Pierre, St. Peter: zoning and purchase - P.194/96.
Presented by the Planning and Environment Committee.
10. 63 Great Union Road, St. Helier: approval of drawing - P.195/96.
Presented by the Housing Committee.
11. Draft Collective Investment Funds (Recognised Funds) (Compensation for Investors) (Amendment No. 2) (Jersey) Regulations 199 - P.196/97.
Presented by the Finance and Economics Committee.
12. Draft Administrative Decisions (Review) (Amendment) (Jersey) Law 1995 (Appointed Day) Act 199 - P.197/96.
Presented by the Special Committee to consider the Relationship between Committees and the States.

13. Administrative Decisions
(Review) (Jersey) Law 1982, as amended:
Administrative Appeals Panel -
membership - P.198/96.
Presented by the Special
Committee to consider the Relationship
between Committees and the States.
14. Bellozanne waste incinerator:
flue gas cleaning - P.199/96.
Presented by the Public Services
Committee.
15. Springfield redevelopment, St.
Helier: transfer of administration -
P.204/96.
Presented by the Sport, Leisure
and Recreation Committee

Committees of the States: access to information.
P.98/95

THE STATES noted that Deputy Alastair John Layzell of St. Brelade had withdrawn his proposition concerning access to information of Committees of the States (P.98/95 - lodged "au Greffe" on 11th July 1995).

Social Security Scheme: continuity and change -
P.132/96. Deferred

THE STATES acceded to the request of the President of the Employment and Social Security Committee that consideration of the proposition regarding the Social Security Scheme: Continuity and Change (P.132/96 - lodged "au Greffe" on 27th August 1996) be deferred from the present meeting to 19th November 1996. The States agreed that the matter be taken as the first item of matters lodged under Public Business on that date.

La Rocco Apartments, La Pulente, St. Brelade -
P.166/96

THE STATES acceded to the request of the President of the Planning and Environment Committee that consideration of the proposition regarding La Rocco Apartments, La Pulente, St. Brelade (P.166/96 - lodged "au Greffe" on 8th October 1996) be deferred from the present meeting to a later date.

Draft Sea Fisheries (Miscellaneous Provisisons)
(Amendment No. 2) (Jersey) Regulations 199 -
P.174/96

THE STATES acceded to the request of the
President of the Agriculture and Fisheries
Committee that consideration of the draft Sea
Fisheries (Miscellaneous Provisisons) (Amendment
No. 2) (Jersey) Regulations 199 (P.174/96 -
lodged ``au Greffe" on 22nd October 1996) be
deferred from the present meeting to a later
date.

THE STATES confirmed that the following matter
lodged ``au Greffe" would be considered at the
present meeting -

City Disputes Panel Limited: States'
sponsorship - P.182/96.
Lodged: 22nd October 1996.
Finance and Economics Committee.

Arrangement of public business for the
next meeting on 19th November 1996

THE STATES confirmed that the following matters
lodged ``au Greffe" would be considered at the
next meeting on 19th November 1996 (and 20th
November 1996 if required) -

Social security scheme: continuity
and change - P.132/96.
Lodged: 27th August 1996.
Employment and Social Security
Committee.

Channel Islands Electricity
Grid - P.136/96.
Lodged: 3rd September 1996.
Finance and Economics Committee.

Minimum wage - P.154/96.
Lodged: 1st October 1996.
Industrial Relations Committee.

Minimum wage: comments - P.170/96.
Presented: 8th October 1996.
Finance and Economics Committee.

Draft Harbours (Vehicle Ramps)
(Jersey) Regulations 199 - P.162/96.
Lodged: 8th October 1996.
Harbours and Airport Committee.

Draft Electricity Link with France
(Protection of Submarine Cable) (Jersey)
Regulations 199 - P.163/96.
Lodged: 8th October 1996.
Harbours and Airport Committee.

Public access to official
information: Code of Practice - P.183/96.
Lodged: 22nd October 1996.
Special Committee on Freedom of
Information.

Public access to official
information: Code of Practice (P.183/96) -
amendment - P.185/96.
Lodged: 22nd October 1996.
Deputy R.E.R. Rumboll of St. Helier.

Public access to official
information: Code of Practice (P.183/96):
comments - P.202/96.
Presented by the Finance and
Economics Committee.

Draft Prevention of Terrorism
(Jersey) Law 1996 (Appointed Day) (No. 2)
(Jersey) Act 199 - P.186/96.
Lodged: 5th November 1996.
Defence Committee.

Draft Prevention of Terrorism
(Enforcement of External Orders)
(Jersey) Regulations 199 - P.187/96.
Lodged: 5th November 1996.
Defence Committee.

Draft Amendment (No. 19) to the
Tariff of Harbour and Light Dues -
P.188/96.
Lodged: 5th November 1996.
Harbours and Airport Committee.

Draft Harbours (Amendment No. 25)
(Jersey) Regulations 199 - P.189/96.
Lodged: 5th November 1996.
Harbours and Airport Committee.

Draft Boats and Surf-Riding (Control)
(Amendment No. 14) (Jersey) Regulations
199 - P.190/96.
Lodged: 5th November 1996.
Harbours and Airport Committee.

Draft Fatal Accidents (Amendment)
(Jersey) Law 199 - P.191/96.

Lodged: 5th November 1996.
Legislation Committee.

Les Buissons, La Route de Beaumont,
St. Peter: dwelling in Aircraft Noise
Zone 1 - P.192/96.
Lodged: 5th November 1996.
Planning and Environment Committee.

Field 284, La Rue de Maupertuis, St.
Mary: agricultural buildings in Green
Zone - P.193/96.
Lodged: 5th November 1996.
Planning and Environment Committee.

Nil Solitaire, La Grande Route de St.
Pierre, St. Peter: zoning and
purchase - P.194/96.
Lodged: 5th November 1996.
Planning and Environment Committee.

63 Great Union Road, St. Helier:
approval of drawing - P.195/96.
Lodged: 5th November 1996.
Housing Committee.

Draft Collective Investment
Funds (Recognised Funds) (Compensation for
Investors) (Amendment No. 2) (Jersey)
Regulations 199 - P.196/97.
Lodged: 5th November 1996.
Finance and Economics Committee.

Draft Administrative Decisions
(Review) (Amendment) (Jersey) Law 1995
(Appointed Day) Act 199 - P.197/96.
Lodged: 5th November 1996.
Special Committee to consider the
Relationship between Committees and the
States.

Administrative Decisions (Review)
(Jersey) Law 1982, as amended:
Administrative Appeals Panel - membership -
P.198/96.
Lodged: 5th November 1996.
Special Committee to consider the
Relationship between Committees and the
States.

Bellozanne waste incinerator: flue
gas cleaning - P.199/96.
Lodged: 5th November 1996.
Public Services Committee.

Springfield redevelopment, St.
Helier: transfer of administration -
P.204/96.
Lodged: 5th November 1996
Presented by the Sport, Leisure and
Recreation Committee.

Airport extension - questions and answers (Tape
No. 367)

Deputy Philip John Rondel of St. John asked
Senator Antony Beresford Chinn, President of the
Harbours and Airport Committee, the following
questions -

``The recent statement made to the House on
22nd October 1996 by the President of
Harbours and Airports Committee re - the
problems with the new airport extension,
raises a number of questions -

1. Would the President inform the States
of the cost of bringing in the
Cambridge University Glare Assessment
team, the C.A.A. Safety inspectorate,
and other consultative bodies to carry
out these various studies required to
cover the satisfactory completion of
this contract?
2. Would the President inform the House
whether or not the contract for the airport
extension is within budget. If not by how
much is it over budget?"

The President of the Harbours and Airport
Committee replied as follows -

``1. The answer is in three parts.

(a) The Cambridge University Glare
Assessment Study -

The Committee has approached Cambridge
Architectural Research Limited. Their
fee proposal for a preliminary study
based on a rough estimate is £5,200.
However, on further discussion with the
Cambridge team and advice from our
Design Team, the Committee has decided
to test the application of a special
coating to a selected area of the glass
on the roof of the new Departures
Building in order to eliminate glare
from all angles. The study, therefore,

will not take place at the present time.

The cost of applying the coating to all the roof glass is estimated to be less than £30,000 which will be contained within the project budget.

(b) The C.A.A. Safety Inspectorate -

I cannot give the Deputy a precise figure for the cost of the Aircraft Safety Management Audit, as the inspector is visiting the Airport tomorrow in order to assess the work required. However, the C.A.A. carries out a number of inspections at Jersey Airport each year at the Committee's invitation as a matter of routine. The cost of these varies between £9,000 and £18,000 per inspection, although the latter includes the use of a specially equipped aircraft.

(c) Other studies -

Any other studies required in connection with the Airport extension are expected to be part of the normal course of the development. These studies would be commissioned by the Design Team and the costs would be contained within the original estimates.

1. The contract for the new Departures Building extension is within budget.
2. However, if the Deputy is referring to the overall project which includes a new baggage reclaim hall, refurbishment of the existing ground floors in the 1937 and 1966 buildings and the new roads, car parks and infrastructure improvements in addition to the new Departures building extension, then I would advise him that to date only £10m of the overall project budget has been spent.
3. As the House will be aware the project budget today comprises -
 - (a) £10m of States grant;
 - (b) £12m of Samuel Montagu

`leaseback'; and

(c) approximately £1m following this House's decision to provide a larger building to accommodate 25 per cent more check-in desks than originally planned. (P.75/95).

4. Although at present a number of contracts still have to be tendered and let, it is anticipated that the total project will be contained within the agreed budget despite the problems that the project has suffered because of the Consultant Engineers' repudiation of appointment and the resulting five weeks' delay. I can report that my Committee is currently pursuing recovery of consequential losses incurred to the project as a result of the repudiation. A claim has been submitted to the Viscount. This subject is currently under discussion with the Finance and Economics Committee and a meeting is planned for later this month.

5. I would further point out to the House that, within the current project costs, we have had to contain £150,000 of asbestos removal which was also not allowed for under the original budget.

Finally, I would remind the House that the project is much needed and long overdue and would invite any member who has not already visited the project to do so to see what is being achieved under very tight constraints. There are some illustrations of this fine new development in the Members' Room."

United Kingdom contractors - questions and answers (Tape No. 367)

Senator Terence John Le Main asked Senator Pierre François Horsfall, President of the Finance and Economics Committee, the following questions -

``1. Will the President confirm that currently United Kingdom contractors are working on at least four major States'

contracts?

2. Will the President advise the States what conditions are attached to United Kingdom contractors working for States departments in regard to employing skilled and non-skilled labour brought in from the United Kingdom?
3. Will the President confirm that much equipment, machinery and lorries have been brought into Jersey with P30 permits, etc. have been issued on behalf of States departments to United Kingdom contractors by the Vehicle and Driving Standards Department?
4. Will the President confirm that many 'one man' and small haulage contractors who rely on States' contracts for the continuance of their livelihoods and those of their local staff who have lorries and machinery similar to those which United Kingdom contractors have been allowed to import into Jersey for these contracts, are upset and concerned for their livelihoods due to the inaction or otherwise of allowing this practice to continue?
5. Is the President aware that a brief telephone call was made to a very small number of Jersey hauliers and contractors asking for hourly rates by United Kingdom contractors, and that no further negotiations or otherwise took place. Therefore, would the President agree that under the terms of the contract awarded to a United Kingdom contractor all efforts must and should be made by the contractors to use sub-contractors or hauliers in Jersey?
6. Is the President aware that it is common practice for non-local contractors to bring in their own workforce, such as I have highlighted, paying wages to drivers and machine operators at a much lower rate than applies to Jersey employees and that Jersey hauliers, etc. are, and would be pleased to have, the opportunity to negotiate for work on these contracts?
7. Is the President aware that weekly wages are being paid by the 'cavern'

contractors to their employees of between £700 and £1,700 and that some of these employees have been in Jersey for over two years. Will the President state what effort is being made by the Income Tax Department to collect tax from employees of United Kingdom contractors who are working in Jersey?"

The President of the Finance and Economics Committee replied as follows -

1. I am aware that Balfour Beatty, Amec, Mowlem and Trants are United Kingdom contractors working on States' contracts at the present time.
2. In the invitation to tender for engineering contracts, the United Kingdom contractors are asked to use as much local labour and sub-contractors as possible in their contracts. In the main this is complied with. For example, I am informed by the Public Services Department that Balfour Beatty on the 'cavern' contract are at the moment employing 23 United Kingdom site labourers and 58 local site labourers.
3. From January 1996 to date eight vehicles belonging to non-local contractors were issued with P30 permits. Six specialist vehicles were needed to carry out work on the Airport site as there were no local vehicles capable of doing the job. Two front-end loaders were required for the Anne Port sea wall and in 1995 six specialist vehicles and one mobile crane were granted P30s for the Snow Hill contract. When contracts are completed the specialist vehicles and plant are shipped back to the United Kingdom. In general most plant and vehicles are restricted to site use only. All outside applicants are made aware of local specialist equipment and vehicles prior to the granting of any P30 exemption permits.
4. It is not a question of lorries and machinery being allowed to be imported into Jersey, other than where P30 permits are required. When a contract

is awarded to a non-local contractor, like Balfour Beatty or Amec, such firms have their own machinery and plant hire departments and therefore this is included in the contract price, and is not subject to separate licence application under the Regulation of Undertakings and Development Law. In addition, on certain contracts the type of plant and machinery used is of a size and nature not available in the Island.

5. I am not aware of the brief telephone call to which the Senator refers. However, all applications from non-local sub-contractors or main contractors for a licence under the Regulation of Undertakings and Development Law to carry out work in Jersey are considered by the Finance and Economics Committee in accordance with the policy guidelines included as an Appendix to the Strategic Policy Review and Action Plan 1996.
6. When a licence is granted to a non-local contractor, as in the case of Balfour Beatty, a condition is attached that wherever possible local labour is to be used. This situation is continually monitored and firms such as Balfour Beatty send in regular schedules showing the names, addresses and length of residency in the Island of those that they employ. As I have already stated, at the present time Balfour Beatty are employing 58 local site labourers and 23 United Kingdom site labourers. In our experience, when checking with Balfour Beatty and other main contractors on the recruitment of local labour, the reason why local labour has not been employed has owed more to the non-availability of those with the skills required than to any other reason.
7. I am not aware of the amount of wages that are being paid and I do not know if the figures quoted are correct. The Income Tax Department is aware of the amount of wages paid by Balfour Beatty Civil Engineers Limited to its employees who are working in Jersey. Every effort is made by the Income Tax

Department to collect tax from all those who owe it and the employees of United Kingdom contractors, or indeed, the employees of any foreign contractor are treated no differently from other individuals in the same circumstances : the same rules and procedures of tax law and assessment apply equally to all."

Employees of United Kingdom contractors -
question and answer (Tape No. 367)

Senator Terence John Le Main asked the Connétable of St. John, President of the Planning and Environment Committee, the following question -

``Will the President inform the States how many employees of United Kingdom contractors are currently being accommodated on site in portacabins?"

The President of the Planning and Environment Committee replied as follows -

``The Senator will know, having been a member of the former Island Development Committee, that my Committee has no direct involvement in the appointment of contractors to undertake projects that have received development permission. While the erection of contractors' site huts which are not used for habitable purposes is exempt from the need to obtain the permission of the Planning and Environment Committee, we do from time to time, receive requests to use portacabins for accommodation purposes.

To the best of my knowledge, there is only one United Kingdom civil engineering contractor which has employees accommodated on site in portacabins, but it is conceivable that there may be others who have not sought my Committee's permission.

This is AMEC Civil Engineering Limited, the contractors for the new marina and trailer park being built for the Harbours and Airport Committee.

The Public Services Department, which is acting as the agent of the Harbours and Airport Committee, advises me that some 18

employees of AMEC Limited, who are supervisory staff (engineers, foremen and so on) reside in nine portacabins on the site.

These portacabins have been certified as conforming to the requirements of the Environmental Health Section of Health and Social Services, as contained in their 1991 Publication 'Staff Accommodation and Lodging House Standards'. The accommodation also meets the requirements of the Fire Service.

The Planning Department authorised the use of portacabins for habitable purposes as part of the tender documents in March 1994, as had been done on several occasions to allow such accommodation for major civil engineering works, provided they conform to recognised standards.

My Committee's view is that by accommodating staff on site, they do not place unnecessary pressure on either the residential or tourism sectors. For this contract, where the working hours are governed by tidal conditions, it is best for the contractors and Island residents alike that disturbance at night is minimised by staff living on site.

Balfour Beatty, another United Kingdom contractor currently involved in construction works in the Island have no staff resident on site. They applied to the Committee to do so at Snow Hill in June 1994 but we refused permission because of concerns about disturbance to nearby residential properties.

I am informed that AMEC Limited similarly accommodated its workers on site when constructing the second phase of the west of Albert Pier breakwater, Shepherd Hill Limited. had workers resident in portacabins on their sites in Queen's Valley, Elizabeth Harbour and west of Albert Pier phase one, and Tilbury Douglas did likewise in constructing the underpass.

Number of tourism beds and investors developing hotels into luxury apartments - questions and answers (Tape No. 367)

Senator Terence John Le Main asked Senator Richard Joseph Shenton, President of the Tourism Committee, the following questions -

- ``1. Will the President confirm the exact number of Tourism beds which were registered in 1996 and can he inform members how many he envisages will be lost to the industry for 1997?
2. It was reported in the Business Page of the Jersey Evening Post on Thursday, 24th October, that there is much investor demand from outside the Island for commercial property in Jersey. Is the President aware of offers and much interest in buying some of Jersey's prime coastal hotels for redevelopment into luxury apartments and, if the answer is in the affirmative, will the President inform the States of the action being taken by his Committee?"

The President of the Tourism Committee replied as follows -

- ``1. (a) 1996 21,710 beds were registered under the Tourism Law in 1996.

This was made up of 20,460 beds in hotels, guest houses, holiday camps and self-catering and 1,250 on camp sites;

- (b) 1997 Applications for registration have to be made to the Tourism Committee during the month of October. To date 849 less beds have applied to be registered. This makes the currently anticipated registered number of beds for 1997 (including camp sites) 20,861.

Within this anticipated number there are a further 560 bed spaces which may be lost if proprietors get the planning permission they are seeking or proceed with approvals already given. These

losses would result in a total registered number of 20,301 (including camp sites).

2. The Tourism Committee is aware of investors' demand for tourism premises from both inside and outside of the Island.

We have experienced bed losses annually over the last few years to uses such as lodging houses, offices, nursing homes, flats and private dwellings. The States themselves purchased the Continental and Ritz sites for local housing.

The Committee is concerned about the continuing losses and will be seeking a joint meeting with the Policy and Resources, Planning and Environment and Housing Committees to discuss the way forward."

Purchase and occupation of apartments and non-local investors - questions and answers (Tape No. 367)

Senator Terence John Le Main asked Deputy Derek Ryder Maltwood of St. Mary, President of the Housing Committee, the following questions -

1. Will the President inform the States of the current legal position in relation to development companies purchasing hotels, demolishing them and building luxury apartments, and whether these apartments are available to anyone not qualifying under Regulation 1(1)(a)-(h) or (j) of the Housing (General Provisions) (Jersey) Regulations 1970, as amended, to purchase by flying freehold or to occupy these apartments?
2. Will the President advise whether non-local investors require permission to invest large amounts of money in real estate and development in Jersey through intermediaries or agents or companies registered in Jersey?
3. If the answer to Question 2 is in the

negative will the President advise whether his Committee will consider closing this loophole?"

The President of the Housing Committee replied as follows -

1. Any application submitted by a company to the Committee for the purchase of land, which may include buildings, upon which the company intends to construct residential flats, will be likely to be granted a consent, such consent stipulating that any occupants of the flats must be persons specified as qualifying under the Housing Regulations.

Any application by a company to sell a unit of dwelling accommodation by way of flying freehold must be subject to an application to the Committee under the Housing (Jersey) Law 1949. Consent to such an application would not be forthcoming unless the applicant fell within one of the provisions of Regulation 1(1) of the Housing (General Provisions) (Jersey) Regulations 1970, as amended.

2. Strictly speaking, the answer is no. There is nothing in the provisions of the Housing Law or the Regulations which requires the Committee to seek the identity behind company ownership.
3. The Committee does not view investments by non-local persons in companies developing real estate in Jersey as being a loophole. As stated earlier, the Committee does have control as to who can occupy land in the circumstances set out in question 1. My Committee is of the view that it welcomes any investment that encourages the provision of more housing stock for those persons with residential qualifications."

Recent media publicity about the Island and its finance industry - statement

The President of the Finance and Economics Committee made a statement in the following

terms -

“Members of the States will no doubt be well aware of the recent adverse national and international publicity to which the Island has been subject in the context of its finance industry.

My Committee is concerned to ensure with the support of its communication advisers that media comment is accurate and balanced and properly reflects the true Island position and that this position is conveyed world-wide through Jersey features and other promotional activity.

This carries with it a cost for which allowance had not been made in the budgets for 1996 and the estimates for 1997. However certain funds are available exceptionally in other parts of the budgets of the Financial Services Department and my Committee has given that Department authority to employ those funds for this purpose.

The objective of this statement is therefore to make all States members aware that this additional expenditure is being incurred at this time.

It is difficult to quantify the amount involved because we have to react to a certain extent to circumstances as they arise but the sum currently ear-marked is £200,000.”

Manual Workers' Joint Council Employers' Side representative

THE STATES, adopting a proposition of the Establishment Committee and in accordance with their Act dated 9th November 1961, approving the constitution of a Manual Workers' Joint Council, approved the appointment of Mr. Graham Jennings, Chief Executive of the Health and Social Services Department, as an Employers' representative on the Council, in place of Professor John Mulready.

Field 871, La Rue de la Mare, St. Ouen: transfer of administration

THE STATES, adopting a proposition of the Public

Services Committee, approved the transfer of administration from the Public Services Committee to the Agriculture and Fisheries Committee of Field 871, La Rue de la Mare, St. Ouen.

Police Services in Jersey: independent review - P.184/96

THE STATES commenced consideration of a proposition of the Defence Committee regarding the independent review of Police Services in Jersey, and accepted an amendment of Deputy Jeremy Laurence Dorey of St. Helier that -

in sub-paragraph (b) of the proposition, at the end of clause (iii) the word ``and" should be deleted and after clause (iv) there should be inserted the words

``and

(v) any other matters in the report which are considered appropriate;"

THE STATES, adopting the proposition of the Defence Committee, as amended -

- (a) received the report of the Independent Review Body on Police Services in Jersey;
- (b) charged the Defence Committee to set up a Working Party including representatives of the Defence Committee, the Comité des Connétables, the Centeniers Association, the Jersey Vingteniers and Constables Officers' Association and the States of Jersey Police, with power to co-opt additional members as required, to consider whether, and if so to what extent, the following matters -
 - (i) the formation of a Police Authority or Committee in the Island, and its constitution, terms of reference and relationship with other bodies;
 - (ii) the transfer of the Attorney General's function as titular head of the Honorary Police to a new post of Chief of the Honorary Police;

(iii) the cessation of the Connétables' policing functions and the transfer of these functions to a new head of the Honorary Police in each parish;

(iv) the procedures for the conduct of Parish Hall inquiries throughout the Island; and

(v) any other matters in the report which are considered appropriate;

should be implemented and to report back to the States with the Committee's recommendations.

Members present voted on paragraph (b) as follows -

``Pour" (47)

Senators

Shenton, Jeune, Horsfall, Rothwell, Le Main, Le Maistre, Stein, Quérée, Chinn, Bailhache, Tomes.

Connétables

St. Clement, St. Lawrence, St. Mary, St. Brelade, St. Peter, Grouville, St. Helier, St. Saviour, St. Martin, St. Ouen, St. John, Trinity.

Deputies

Rumboll(H), Wavell(S), Norman(C), St. Peter, H. Baudains(C), Le Sueur(H), St. Ouen, Coutanche(L), Huelin(B), S. Baudains(H), Le Geyt(S), Crespel(H), Pullin(S), Carter(H), Johns(H), Duhamel(S), Matthews(B), Routier(H), Dorey(H), Layzell(B), Grouville, Huet(H), St. Martin, St. John.

``Contre" (0)

Sea Fisheries (Licensing of Fishing Boats) (Jersey) Regulations 1996 - P.175/96

THE STATES commenced consideration of the draft Sea Fisheries (Licensing of Fishing Boats)

(Jersey) Regulations 199 and adopted the Preamble.

Regulations 1, 2, 3, 4 and 5 were adopted.

Regulation 6 was adopted, the States having accepted an amendment of the Agriculture and Fisheries Committee that in paragraphs (1) and (2) for the word ``grant'', in each case, there should be substituted the word ``issue'' and in paragraph (3) for the word ``granted'' there should be substituted the word ``issued''.

Regulation 7 was adopted, the States having accepted an amendment of the Agriculture and Fisheries Committee that in paragraph (4) for the word ``have'', in both places where it occurred, there should be substituted the word ``take''.

Regulations 8, 9, 10, 11 and 12 were adopted.

THE STATES, in pursuance of Articles 11, 12 and 22 of the Sea Fisheries (Jersey) Law 1994, made Regulations entitled the Sea Fisheries (Licensing of Fishing Boats) (Jersey) Regulations 1996.

Convention on Social Security between the United Kingdom and the Netherlands - P.176/96

THE STATES, adopting a proposition of the Employment and Social Security Committee, requested the Bailiff to inform the Secretary of State that it was the wish of the Assembly that the Convention on Social Security between the United Kingdom and the Kingdom of the Netherlands should apply to Jersey.

Bankruptcy (Désastre) (Amendment No. 4) (Jersey) Law 199 - P.177/96

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Bankruptcy (Désastre) (Amendment No. 4) (Jersey) Law 199 .

Vienna Document (Privileges and Immunities) (Jersey) Law 1996 (Appointed Day) Act 1996 - P.178/96

THE STATES, in pursuance of Article 4 of the

Vienna Document (Privileges and Immunities)
(Jersey) Law 1996, made an Act entitled
the Vienna Document (Privileges and Immunities)
(Jersey) Law 1996 (Appointed Day) Act 1996.

Jersey Airport: lease of hangar to JEA
Engineering (UK) Limited - P.179/96

THE STATES, adopting a proposition of the
Harbours and Airport Committee -

- (a) approved the lease to JEA Engineering
(UK) Limited of approximately 25,000
square feet of floorspace at the
western end of Number 4 Hangar, Jersey
Airport, for a period of nine years
from 1st July 1996 to 30th June 2005 at
an annual rent of £49,000 for the first
year, £52,000 for the second year and
£56,000 for the third year with rent
reviews on 1st July 1999 and 1st July
2002, up to a maximum increase of five
per cent for each year of the review
period;
- (b) authorised the Greffier of the States
to sign the necessary lease;
- (c) authorised the Treasurer of the States
to receive the rent as it becomes due.

Le Jardin des Carreaux, Queen's Road, St.
Helier: approval of drawings - P.180/96

THE STATES, adopting a proposition of the
Housing Committee -

- (a) approved drawings Nos. 1173/02 and 03
showing the road and landscaping
improvements at Le Jardin des Carreaux,
Queen's Road, St. Helier;
- (b) authorised the Greffier of the States
to sign the said drawings on behalf of
the States.

Le Geyt Flats, St. Saviour - Phase II: approval
of drawings - P.181/96

THE STATES, adopting a proposition of the
Housing Committee -

(a) approved drawings Nos. 2966/08-11/12A/14-21 showing Phase II of the refurbishment of Le Geyt Flats, St. Saviour;

(b) authorised the Greffier of the States to sign the said drawings on behalf of the States.

City Disputes Panel Limited: States' sponsorship P.182/96

THE STATES, adopting a proposition of the Finance and Economics Committee -

- (a) approved the use of the City Disputes Panel Limited as a means of financial dispute resolution within the Island;
- (b) to that end agreed that the States should become a sponsor of the Panel;
- (c) charged the Finance and Economics Committee to determine the form of sponsorship (whether by financial grant or otherwise) and the amount of any financial contribution and the period over which it would be paid.

THE STATES rose at 12.56 p.m.

G.H.C. COPPOCK

Greffier of the States.