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THE STATES assembled on Tuesday,  
9th July 1996 at 9.30 a.m. under  
the Presidency of the Deputy Bailiff,  
Francis Charles Hamon, Esquire

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

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All members were present with the exception of -

Carlyle John Le Herissier Hinault,  
Connétable of St. John - out of the Island  
John Nicolle Le Fondré, Deputy of St.  
Lawrence - ill.

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Prayers

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Speaker of the House of Assembly, Parliament of  
Saint Lucia - welcome

The Deputy Bailiff welcomed to the States the  
Honourable Wilfred St. Clair-Daniel, C.B.E,  
C.S.T.J, J.P, M.P, Speaker of the House of  
Assembly in the Parliament of St. Lucia.

Subordinate legislation tabled

The following enactments were laid before the  
States, namely -

1. St. Clement Fête (Jersey) Order  
1996. R & O 8946.
2. Gorey Fête (Jersey) Order 1996.

R & O 8947.

3. Health Insurance (Pharmaceutical Benefit) (General Provisions) (Amendment No. 6) (Jersey) Order 1996.  
R & O 8952.

Housing Committee: appointment of President

THE STATES, on the proposition of Deputy Leonard Norman of St. Clement, appointed Deputy Derek Ryder Maltwood of St. Mary as President of the Housing Committee.

THE STATES, on the proposition of Deputy Maltwood, appointed the following as members of the Committee -

Leonard Hamel, Connétable of St. Clement  
Thomas John Du Feu, Deputy of St. Peter  
Shirley Margaret Baudains, Deputy of St. Helier  
David Leon Crespel, Deputy of St. Helier  
Paul Francis Routier, Deputy of St. Helier.

Employment and Social Security Committee:  
appointment of member

THE STATES appointed Deputy Jeremy Laurence Dorey of St. Helier as a member of the Employment and Social Security Committee.

Matter presented

The following matter was presented to the States -

- . Health and Social Services towards 2000: Strategy 1997 - 2000.  
Presented by the Health and Social Services Committee.

Matters noted - land transactions

THE STATES noted an Act of the Finance and Economics Committee dated 1st July 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 purchase from the Reverend Michael George St. John Nicolle of the freehold interest in the property No. 8 Lempriere Street, St. Helier, for a sum of £80,000, in order to provide a replacement to one of the four properties at the entrance to Clarence Court, St. Helier, which are to be demolished to provide access for the proposed new Archive Centre, on the basis that each party would be responsible for their own legal fees;
- (b) as recommended by the Public Services Committee, the lease to Mr. Justin Richard Lloyd-Jones of approximately 4,233 square feet of land at Ramadi, Beaumont Pumping Station, Beaumont, St. Peter, for a period of nine years from 1st January 1996 at an annual rent of £850 increasing annually for the first six years to bring it into line with open market values and, thereafter, to be reviewed on an annual basis to open market rentals, subject to the conditions outlined in a report of the Property Management Office, dated 2nd May 1996;
- (c) as recommended by the Health and Social Services Committee, the lease from Bellman Properties Limited of Flats 1-4, 53-55 Bath Street, St. Helier, for a further period of six months from 1st June 1996, with an option to renew, at an annual rent of £5,330 for each flat, payable quarterly in advance, on the existing terms and conditions;
- (d) as recommended by the Education Committee, the grant to the Jersey Electricity Company Limited of a wayleave across Field No. 1207, Mont à l'Abbé, St. Helier, (the site of St. Anne's School), free of charge, to allow rights of access with or without workmen or material in order to repair, replace, maintain and upkeep the existing electricity cable and to carry out the works as quickly as possible so as to cause the public the least inconvenience as possible and to reinstate any affected area to the same state as they were before the works were carried out, subject to the

exercise of the abovementioned rights of access requiring two weeks' written notice being given to the Committee except in the case of an emergency;

- (e) as recommended by the Education Committee, the relinquishment to the Parish of St. Martin of the Committee's right of enjoyment over 2,660 square feet of land at St. Martin's School, St. Martin, in order that the Parish might construct an extension to the Public Hall.

#### Matters lodged

The following matters were lodged "au Greffe" -

1. Health and Social Services towards 2000: Strategy 1997 - 2000 - P.106/96.  
Presented by the Health and Social Services Committee.
2. Committees of the States: reorganisation - P.107/96.  
Presented by the Policy and Resources Committee.
3. Draft Advocates and Solicitors (Jersey) Law 199 - P.108/96.  
Presented by the Legislation Committee.
4. Joint Advisory Council: constitution and terms of reference - P.109/96.  
Presented by the Finance and Economics Committee.
5. Draft Health Insurance (Medical Benefit) (Amendment No. 46) (Jersey) Regulations 199 - P.110/96.  
Presented by the Employment and Social Security Committee.
6. Draft Health Care (Registration) (Jersey) Regulations 199 - P.111/96.  
Presented by the Health and Social Services Committee.
7. Draft Establishments for Massage or Special Treatment (Licensing)

(Repeal) (Jersey) Law 199 - P.112/96.  
Presented by the Health and  
Social Services Committee.

8. Draft Amendment (No. 17) of the  
Standing Orders of the States of  
Jersey. P.113/96  
Presented by the House  
Committee.

9. Jersey Arts Trust: future  
funding - P.114/96.  
Presented by the Finance and  
Economics Committee.

10. Draft Advocates and Solicitors  
(Jersey) Law 199 (P.108/96):  
amendment - P.115/96.  
Presented by Senator C.  
Stein.

Draft Advocates and Solicitors (Jersey) Law 199  
- P.68/96. Withdrawn.

The President of the Legislation Committee  
withdrew the draft Advocates and Solicitors  
(Jersey) Law 199 (P.68/96 - lodged ``au  
Greffe" on 30th April 1996) and the draft  
Advocates and Solicitors (Jersey) Law 199 :  
amendments (P.87/96 - lodged ``au Greffe" on  
21st May 1996) having lodged a revised Bill  
(P.108/96) at the present meeting.

Arrangement of public business for the  
next meeting on 23rd July 1996

THE STATES confirmed that the following matters  
lodged ``au Greffe" would be considered at the  
next meeting on 23rd July 1996 -

Belle Vue Pleasure Park and Fields 91, 91A  
and 92, St. Brelade: development - P.72/96.  
Lodged: 30th April 1996.  
Planning and Environment Committee.

Draft Royal Court (Amendment No. 8)  
(Jersey) Law 1996 (Appointed Day) Act  
1996 - P.103/96.  
Lodged: 2nd July 1996.  
Legislation Committee.

Chelsea Flower Show - P.104/96.  
Lodged: 2nd July 1996.  
Deputy A. Breckon of St. Saviour.

Joint Advisory Council: constitution  
and terms of reference - P.109/96.  
Finance and Economics Committee.

Draft Health Insurance  
(Medical Benefit) (Amendment No. 46)  
(Jersey) Regulations 199 - P.110/96.  
Lodged: 9th July 1996.  
Employment and Social Security  
Committee.

Draft Health Care  
(Registration) (Jersey) Regulations  
199 - P.111/96.  
Lodged: 9th July 1996.  
Health and Social Services Committee.

Draft Establishments for Massage or  
Special Treatment (Licensing) (Repeal)  
(Jersey) Law 199 - P.112/96.  
Lodged: 9th July 1996.  
Health and Social  
Services Committee.

Draft Amendment (No. 17) of the  
Standing Orders of the States of  
Jersey. P.113/96.  
Lodged: 9th July 1996.  
House Committee

Draft Limited Liability Partnerships  
(Jersey) Law 199 - P.84/96.  
Lodged: 21st May 1996, Preamble adopted 2nd  
July 1996.  
Finance and Economics Committee.

States' Members Remuneration Board:  
membership. - P.105/96.  
House Committee.

Jersey Arts Trust: future funding -  
P.114/96.  
Finance and Economics Committee.

International Conventions - questions and  
answers (Tape No. 348)

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

1. What progress has been made with respect to the inclusion of Jersey in the United Kingdom Government's ratification of the United Nations Convention on the Rights of the Child?
2. What progress has been made with respect to the inclusion of Jersey in the United Kingdom Government's ratification of the European Convention on the Legal Status of Children born out of Wedlock?
3. On 14th June 1994, Senator R.J. Shenton lodged 'au Greffe' a proposition P.81/94, concerning a Social Charter; I lodged 'au Greffe' amendments of that proposition (P.100/94), on 26th July 1994, and the States referred the proposition and amendments to the Policy and Resources Committee for a report. Would the President inform the States what progress the Policy and Resources Committee has made in the intervening two years in preparing its report for the States?
4. On 29th April 1995, I lodged 'au Greffe' a proposition, P.53/95 on Racism and Racial Discrimination, which the States referred to the Policy and Resources Committee for a report. Would the President inform the States what progress the Committee has made during the intervening 14 months in preparing its report for the States."

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

1. In 1994 the Insular Authorities were asked whether the United Kingdom's ratification of the Convention should be extended to Jersey. The matter was referred to the Education Committee and that Committee was of the view that ratification should be extended to Jersey and that the necessary legislation to enable that ratification should be enacted. A draft Order, entitled the Employment of Children (General Provisions) (Jersey) Order was

approved in principle by the Education Committee and that Committee then sought the views of the Policy and Resources Committee before making the Order.

The Policy and Resources Committee at its meeting on 20th December 1994 considered the draft Order and queried certain of the proposals contained in the Order - for example, that the employment of children under the age of 12 should be prohibited, a provision that would have prevented children under the age of 12 from being allowed to deliver newspapers. The Committee also noted at that time that there was no evidence to suggest that children in the Island were being exploited, a point which had been accepted by the Education Committee in its Act of 9th November 1994.

The current position is that the Health and Social Services Committee, which has taken over responsibility for the Children's Office, is reviewing the draft Order and the opinion of the Solicitor General has been sought on certain legal aspects of the Convention. Once the views of the Solicitor General are known, the Policy and Resources Committee will welcome further discussions with the Health and Social Services Committee on the position of the Island in respect of the Convention.

2. The Legislation Committee decided on 14th March 1994 that it would be prepared to seek the approval of the States to the principle of the proposed amendments to the Island's legislation to enable the Island to be included in the United Kingdom's ratification of the European Convention, but before doing so the Committee sought more background information from the Attorney General. I am informed that information requested by the Attorney General from the Home Office has now been received and that he will be presenting a report to the Legislation Committee shortly.
3. The Policy and Resources Committee in



the Strategic Policy Review 1995 `2000 & Beyond' referred to the fact that reports being prepared by the Employment and Social Security, Health and Social Services and Industrial Relations Committees were expected to include much of what the Policy and Resources Committee had in mind to cover when charged by the States in 1994 to prepare `a comprehensive report and proposition proposing policies and recommendations which would assist in the introduction of a Social Charter for all the people of Jersey'. To the extent that matters included in the proposition presented to the States on the subject of a Social Charter, and the amendments to that proposition, are not covered by the reports of the other Committees, the Policy and Resources Committee stated in the Strategic Policy Review 1995 that it would prepare a supplementary report.

The reports which were referred to in the Strategic Policy Review 1995 are -

- (a) The reports which the Employment and Social Security Committee will be bringing to the States following the responses to their Social Security and Health Insurance policy review consultative document.
- (b) A report to be prepared by the Employment and Social Security Committee in conjunction with the Connétables and other interested parties on what steps are required to support or enhance the Parish welfare system.
- (c) A report prepared by the Health and Social Services Committee on the review of Social Services in Jersey, which has been lodged today, entitled `Health and Social Services towards 2000: Strategy 1997 - 2000'.
- (d) A report to be prepared by the Industrial Relations Committee on employment protection matters and on what that Committee's economic non-discrimination policy

objectives will be for the remainder of the decade and beyond.

- (e) A joint report to be prepared by the Employment and Social Security, Health and Social Services and Education Committees on the steps that can be taken to improve the availability and affordability of child care arrangements.

Progress on any reports that have not yet been presented to the States will be covered in the Strategic Policy Review Action Plan 1996 which will be presented to the States for consideration on 10th/11th September 1996.

- 4. Following the request of the States for a report the Committee sought the views of the relevant States' departments and the Law Officers. In particular the Committee in preparing its report wished to present a clear picture to the States on what remedies presently exist against racist conduct and racial discrimination and it was on this matter that the Committee wished to have the views of the Law Officers.

The Committee met with the Solicitor General at its meeting on 28th May of this year to discuss the current position on the response to the matters raised by Deputy Matthews. At the same time the Committee considered a letter from the Home Office that asked the Insular Authorities to consider what further action, if any, they needed to undertake in order to meet the obligations under the International Convention on the elimination of all forms of Racial Discrimination, which Convention was extended to the Island in 1969. The Solicitor General agreed also to cover this requirement in responding to the Committee's request for information.

The Solicitor General was asked to ensure that the Committee received these comments by the end of July 1996, as was indicated in the minute of the

Committee's meeting of 28th May which all members of the House will have seen. The Committee is assured by the Solicitor General that this request will be met, and the Committee would hope to be able to respond to Deputy Matthews' report and proposition before the States are asked to debate the 1996 Strategic Policy Review and Action Plan."

Telephone House, Minden Place, St. Helier - redevelopment of retail outlet: approval of drawings

THE STATES, adopting a proposition of the Telecommunications Board -

- (a) approved drawings Nos. 1164/05 and 1164/06 showing the redevelopment of the retail outlet at Telephone House, Minden Place, St. Helier; and
- (b) authorised the Greffier of the States to sign the said drawings on behalf of the States.

Draft Termination of Pregnancy (Jersey) Law 199 - P.93/96

THE STATES commenced consideration of the draft Termination of Pregnancy (Jersey) Law 199 , having noted that Deputy David Leon Crespel of St. Helier had withdrawn his proposed amendments to the draft Law.

The Preamble was adopted.

Members present voted as follows -

``Pour" (34)

Senators

Horsfall, Rothwell, Le Main, Le Maistre, Stein, Qu  r  e, Chinn, Bailhache, Syvret, Tomes.

Conn  tables

St. Lawrence, St. Mary, St. Peter, St. Helier, St. Saviour, Trinity.

Deputies

Wavell(S), Norman(C), H. Baudains(C), St. Ouen, Coutanche(L), Huelin(B), St. Mary, Le Geyt(S), Walker(H), Trinity, Johns(H), Matthews(B), Dorey(H), Breckon(S), Grouville, Huet(H), St. Martin, St. John.

``Contre" (17)

Senators

Shenton, Jeune.

Connétables

St. Clement, St. Brelade, Grouville, St. Martin, St. Ouen.

Deputies

Rumboll(H), St. Peter, Le Sueur(H), S. Baudains(H), Crespel(H), Pullin(S), Carter(H), Duhamel(S), Routier(H), Layzell(B).

Article 2 was adopted, the States having rejected amendments of Deputy Robin Ernest Richard Rumboll of St. Helier that at the end of sub-paragraph (b) the word ``or" be deleted and that sub-paragraph (c) be deleted.

Members present voted on Deputy Rumboll's amendments to Article 2 as follows -

``Pour" (23)

Senators

Shenton, Jeune, Horsfall, Le Maistre, Bailhache.

Connétables

St. Clement, St. Mary, St. Brelade, St. Peter, Grouville, St. Martin, St. Ouen.

Deputies

Rumboll(H), St. Peter, H. Baudains(C), Le Sueur(H), S. Baudains(H), Crespel(H), Pullin(S), Carter(H), Duhamel(S), Routier(H), Layzell(B).

``Contre" (28)

Senators

Rothwell, Le Main, Stein, Quérée, Chinn, Syvret, Tomes.

## Connétables

St. Lawrence, St. Helier, St. Saviour,  
Trinity.

## Deputies

Wavell(S), Norman(C), St. Ouen,  
Coutanche(L), Huelin(B), St. Mary,  
Le Geyt(S), Walker(H), Trinity, Johns(H),  
Matthews(B), Dorey(H), Breckon(S),  
Grouville, Huet(H), St. Martin, St. John.

Articles 3, 4, 5, 6, 7 and 8 were adopted.

Article 9 was adopted, the States having accepted an amendment of the Health and Social Services Committee that after Article 8 there should be inserted the following Article -

### ``ARTICLE 9

#### Duty of the Medical Officer of Health

The Medical Officer of Health shall lay before the States, every calendar year, a report upon the operation of this Law in the preceding calendar year which shall include such information as may be prescribed."

The subsequent Articles were renumbered.

The renumbered Articles 10 and 11 and the Schedule were adopted.

Article 1 was then adopted.

The Bill was adopted, as amended, in Second Reading and lodged ``au Greffe" (P.116/96).

## Adjournment

THE STATES adjourned, having agreed that consideration of the proposition of the Connétable of St. Brelade regarding land reclamation at St. Aubin (P.73/96 - lodged ``au Greffe" on 30th April 1996) be deferred until the meeting on 23rd July 1996 when it would be taken as the first item of matters lodged under Public Business. Any other items would also

stand over until the next meeting.

THE STATES rose at 5.30 p.m.

G.H.C. COPPOCK

Greffier of the States.