

**THE STATES assembled on Wednesday,
13th September 2000 at 9.30 a.m. under
the Presidency of the Deputy Bailiff,
Michael Cameron St. John Birt, Esquire.**

All members were present with the exception of -

Senator Jean Amy Le Maistre - out of the Island
Carlyle John Le Herissier Hinault, Connétable of St. John - out of the Island
Alastair John Layzell, Deputy of St. Brelade - out of the Island
Jacqueline Jeannette Huet, Deputy of St. Helier - out of the Island
Roy George Le Hérisssier, Deputy of St. Saviour - out of the Island

Prayers

Anti-inflation strategy - P.125/2000

Amendments - P.131/200, second amendment - P.146/2000; third amendments - P.147/2000 and fourth amendments - P.153/2000; fifth amendment

THE STATES resumed consideration of the proposition of the Finance and Economics Committee concerning the Anti-Inflation Strategy and adopted an amendment of Senator Stuart Syvret that for paragraph (g) there should be substituted the following paragraph -

“to charge the Industries Committee to develop policies for the creation of a more competitive commercial environment in the Island and to this end to bring forward proposals for a competition policy which shall include specific measures to -

- (a) monitor and regulate monopolistic practices;
- (b) monitor and regulate restrictive trade practices;
- (c) monitor and regulate restrictive agreements;
- (d) monitor and regulate anti-competitive practices;
- (e) monitor and regulate mergers;
- (f) monitor and regulate cartels;

and to bring forward draft legislation for this purpose by the end of 2001; and”

THE STATES accepted an amendment of Deputy Jeremy Laurence Dorey of St. Helier that for paragraph (h) there should be substituted the following paragraph -

“to charge all Committees of the States to produce a prioritised list of their current activities, with a view to identifying core services and thereby making more efficient use of States’ financial and manpower resources.”

Members present voted as follows -

“Pour” (25)

Senators

Stein, Syvret, Norman, Kinnard, Le Claire.

Connétables

Grouville, St. Helier, St. Martin, St. Lawrence, St. Mary.

Deputies

H. Baudains(C), S. Baudains(H), Trinity, Duhamel(S), Breckon(S), St. Martin, St. John, St. Ouen, G. Baudains(C), Dorey(H), Troy(B), Scott Warren(S), Fox(H), Bridge(H), Martin(H).

“Contre” (21)

Senators

Horsfall, Quérée, Bailhache, Walker, Le Sueur.

Connétables

St. Peter, St. Ouen, St. Saviour, St. Clement, St. Brelade.

Deputies

St. Mary, Routier(H), Grouville, Le Main(H), Crowcroft(H), Vibert(B), St. Peter, Dubras(L), Voisin(L), Farnham(S), Ozouf(H).

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

- (a) agreed that reducing the rate of inflation in Jersey should be a very high strategic priority, requiring concerted and sustained action on many fronts, by all sections of the Island’s community whilst accepting the continuing strategic importance of limiting population growth;
- (b) adopted an inflation target of 2.5 per cent based on the RPI (X) measure of inflation;
- (c) agreed that the overall level of construction activity in Jersey, excluding small projects and civil engineering works, should be limited to approximately £120 million a year (at December 1999 prices) initially for the years 2001-2003 and accordingly during those three years -
 - (i) the States capital construction programme should be limited to £60 million a year; and
 - (ii) the Industries Committee should be requested to apply Part III of the Regulation of Undertakings and Development (Jersey) Law 1973, as amended, to limit private sector construction to approximately the same amount.

- (d) agreed that increases in States charges should be limited to a maximum of 2.5 per cent a year, with any exceptions, in extremely compelling cases only, to be subject to prior approval by the Finance and Economics Committee;
- (e) charged the Policy and Resources Committee to produce plans for modernising the public service, so as to achieve an annual increase in productivity of at least one per cent a year starting in 2001;
- (f) charged the Finance and Economics Committee to restrict growth in total States revenue expenditure for the years 2001 and 2002 to no more than six per cent a year, and in 2003 to no more than five per cent subject to being able to fund adequately essential public services from within these percentage increases;
- (g) charged the Industries Committee to develop policies for the creation of a more competitive commercial environment in the Island and to this end to bring forward proposals for a competition policy which shall include specific measures to -
 - (i) monitor and regulate monopolistic practices;
 - (ii) monitor and regulate restrictive trade practices;
 - (iii) monitor and regulate restrictive agreements;
 - (iv) monitor and regulate anti-competitive practices;
 - (v) monitor and regulate mergers;
 - (vi) monitor and regulate cartels;
 and to bring forward draft legislation for this purpose by the end of 2001; and
- (h) charged all Committees of the States to produce a prioritised list of their current activities, with a view to identifying core services and thereby making more efficient use of States' financial and manpower resources.

Members presented voted as follows -

“Pour” (42)

Senators

Horsfall, Stein, Qu  r  e, Bailhache, Syvret, Norman, Walker, Kinnard, Le Sueur, Le Claire, Lakeman.

Connétables

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

Deputies

H. Baudains(C), St. Mary, S. Baudains(H), Trinity, Routier(H), Breckon(S), St. Martin, Le Main(H), Crowcroft(H), Vibert(B), St. Peter, Dubras(L), St. Ouen, G. Baudains(C), Voisin(L), Scott Warren(S), Farnham(S), Ozouf(H), Fox(H), Bridge(H), Martin(H).

“Contre” (3)

Deputies

St. John, Dorey(H), Troy.

Standing Order No. 44 - Declaration of financial interest

During consideration of the proposition of the Finance and Economics Committee on an Anti-Inflation Strategy Senator Frank Harrison Walker, President of the Finance and Economics Committee, raised a point of order as to whether Deputy Peter Nicholas Troy of St. Brelade, who was a director of a local construction company, should be addressing the Assembly on paragraph (c) of the proposition concerning the limiting of total private sector construction activity in the Island.

The Deputy Bailiff ruled as follows -

“Standing Order No. 44 is what governs the position, which is that a member shall declare an interest where that member has a ‘direct pecuniary interest, being an interest which is immediate and personal and not merely of a general or remote character, in the subject matter of the proposition’.

The proposition in this case is concerned with limiting the total level of construction activity at approximately £120 million and therefore I do not think that Deputy Troy, if he has an interest in a construction company, is someone who has an immediate personal interest - I think his interest is of a more general or remote nature and it would therefore be open to him to speak on the matter. May I nevertheless add two things -

The first is that members quite often declare an interest and withdraw from the Chamber even where, strictly speaking, they do not have to under Standing Order No. 44 - that is entirely a matter for individual members.

Secondly, where a member stays to speak but it might be thought that he could have some interest, even though it is not one which falls within Standing Order No. 44, I would suggest that good governance, openness and transparency require the member to state the nature of his interest at the beginning of his speech so that everyone knows his position. He can then continue and make his points. I hope this is of assistance to members.”

Policy and Resources Committee membership - P.145/2000

THE STATES commenced consideration of a proposition of Senator Pierre François Horsfall on the Policy and Resources Committee membership and adopted a proposition of Senator Wendy Kinnard to suspend Standing Order No. 23(5) to allow Senator Stuart Syvret to speak more than once during consideration of this matter.

THE STATES, adopting a proposition of Senator Pierre François Horsfall -

- (a) rescinded their decision of 14th December 1999 appointing Senator Stuart Syvret as a member of the Policy and Resources Committee;
- (b) agreed that the membership of the Policy and Resources Committee should revert to a President and six other members of the States.

Members present voted as follows -

“Pour” (30)

Senators

Horsfall, Stein, Qu  r  e, Bailhache, Norman, Le Sueur, Lakeman.

Conn  tables

Grouville, St. Ouen, St. Saviour, St. Clement, St. Brelade, St. Lawrence.

Deputies

H. Baudains(C), St. Mary, S. Baudains(H), Trinity, Routier(H), Le Main(H), Crowcroft(H), Vibert(B), St. Peter, Dubras(L), St. Ouen, Dorey (H), Voisin (L), Farnham (S), Ozouf (H), Fox (H), Bridge(H).

“Contre” (11)

Senators

Syvret, Kinnard, Le Claire.

Conn  table

St. Mary.

Deputies

Breckon(S), St. Martin, St. John, G. Baudains(C), Troy(B), Scott Warren (S), Martin (H).

Following a request from Deputy Gerard Clifford Lemmens Baudains of St. Clement the Bailiff ruled that there was a procedural defect with the proposition in that it should have been signed by three other elected members of the States in accordance with Standing Order No. 18C. The Bailiff further ruled that as it would be unfair on both Senator Horsfall and Senator Syvret to cease consideration of the proposition he was prepared to allow consideration to continue if three elected members indicated a willingness to support it. Senator Leonard Norman, Senator Terence Augustine Le Sueur and Deputy Maurice Fran  ois Dubras of St. Lawrence indicated their willingness to support the proposition.

Change of Presidency

The Deputy Bailiff retired from the Chamber during the consideration of the proposition of Senator Pierre Fran  ois Horsfall on the Policy and Resources Committee membership and the meeting continued under the Presidency of the Bailiff.

THE STATES rose at 5.45 p.m.

C.M. NEWCOMBE

Greffier of the States Designate