**THE STATES assembled on Tuesday,
8th July 2003 at 9.30 a.m. under
the Presidency of the Bailiff,
Sir Philip Bailhache.**

All members were present with the exception of –

Senator Terence Augustine Le Sueur – out of the Island
Francis Herbert Amy, Connétable of Grouville – ill.

Prayers

Connétable of St. John – welcome

The Bailiff, on behalf of all members, welcomed back the Connétable of St. John after a period of illness.

Subordinate legislation tabled

The following enactments were laid before the States, namely –

Battle of Flowers (Jersey) Order 2003.	R&O 54/2003.
St. Clement Fête (Jersey) Order 2003.	R&O 55/2003.

Matters presented

The following matters were presented to the States –

Probation and After-Care Service Annual Report for 2002 and Business Plan for 2003. *Presented by the Home Affairs Committee.*	
Population policy: provision of information and alternatives (P.40/2003) – comments. *Presented by the Policy and Resources Committee.*	P.40/2003. Com.
Draft Employment (Jersey) Law 200- (P.55/2003): comments. *Presented by the Policy and Resources Committee.*	P.55/2003. Com.
La Collette Fuel Farm, St. Helier: lease to Shell U.K. Limited and Esso Petroleum Company Limited (P.60/2003) – comments. *Presented by the Economic Development Committee.*	P.60/2003. Com.
La Collette Fuel Farm, St. Helier: lease to Shell U.K. Limited and Esso Petroleum Company Limited (P.60/2003) – comments. *Presented by the Environment and Public Services Committee.*	P.60/2003. Com.(2).
Housing Regulations: reductions in qualifying periods (P.73/2003) – comments. *Presented by the Policy and Resources Committee.*	P.73/2003. Com.(2)
Public and Private Sector Housing Rental Subsidy Schemes (P.74/2003): comments. *Presented by the Finance and Economics Committee.*	P.74/2003. Com.

Benefits paid by the Housing and Employment and Social Security Committees: protection (P.75/2003) – comments. *Presented by the Employment and Social Security Committee.*	P.75/2003. Com.
Benefits paid by the Housing and Employment and Social Security Committees: protection (P.75/2003) – comments. *Presented by the Housing Committee.*	P.75/2003. Com.(2)
Machinery of Government: Establishment of Scrutiny Panels and Public Accounts Committee (P.79/2003) – comments. *Presented by the Finance and Economics Committee.*	P.79/2003. Com.
Machinery of Government: Establishment of Scrutiny Panels and Public Accounts Committee (P.79/2003) – comments. *Presented by the Policy and Resources Committee.*	P.79/2003. Com.(2).
Gorseland, La Rue de la Corbière, St. Brelade: proposed sale (P.88/2003) – comments. *Presented by the Finance and Economics Committee.*	P.88/2003. Com.
Waterfront Shop Units, Albert Pier, St. Helier: sale (P.92/2003)– comments. *Presented by the Finance and Economics Committee.*	P.92/2003. Com.
Draft Transfer of Functions (Environment and Public Services Committee) (Jersey) Act 200- (P.100/2003): comments. *Presented by the Environment and Public Services Committee.*	P.100/2003. Com.
Former St. Aubin's Market, St. Aubin, St. Brelade: transfer of administration (P.101/2003) – comments. *Presented by the Environment and Public Services Committee.*	P.101/2003. Com.

THE STATES ordered that the said reports be printed and distributed.

Matters noted – land transactions

THE STATES noted an Act of the Finance and Economics Committee dated 2nd July 2003, 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 entering into of a Deed of Arrangement with Bashfords Limited, (the owner of the Maison des Prés housing development), in respect of foul sewerage rights for seven houses over La Rue de Carteret, St. Saviour on the basis of payment by the company of the sum of £45,000, with each party to be responsible for its own legal costs arising from this transaction. It was noted that there currently existed drainage rights for one house on the site and that a drain was already in place, so that no work would need to be undertaken by the company on La Rue de Carteret;

(b) as recommended by the Environment and Public Services Committee, the lease to Mr. Michel George Vaughan Le Blond of Archirondel Bunker, St. Martin for a period of six years from 1st July 2003, at an annual rent of £364, subject to annual increases in line with the Jersey Retail Price Index, on the basis that Mr. Le Blond had agreed to put a new door on the bunker in exchange for a rent-free period for the first year, with the bunker to be used only for the purpose of non-commercial storage, and on the basis that each party was to be responsible for the payment of its own legal costs arising from this transaction and no deposits were to be paid; and,

(c) as recommended by the Environment and Public Services Committee, the renewal of the lease to Mr. James William Webster of Bouley Bay Bunker, Trinity for a period of one year from 25th December 2002, at an annual rent of £431.95, on the basis that the bunker would only be used for the purpose of storing diving equipment, with each party to be responsible for its own legal costs arising from

the transaction and no deposits were to be paid.

Matters lodged

The following matters were lodged "au Greffe" –

States' Expenditure: reduction in cost of public sector workforce (P.90/2003) – amendments. *Presented by the Connétable of St. Helier.*	P.90/2003. Amd.
Draft Public Library (Jersey) Regulations 200-. *Presented by the Education, Sport and Culture Committee.*	P.95/2003.
La Collette, St. Helier: transfer of administration of roadway. *Presented by the Environment and Public Services Committee.*	P.96/2003.
Draft Health Care (Registration) (Amendment) (Jersey) Law 2002 (Appointed Day) Act 200-. *Presented by the Health and Social Services Committee.*	P.97/2003.
Catherine Quirke House, 6 Gloucester Street, St. Helier: redevelopment. *Presented by the Health and Social Services Committee.*	P.98/2003.
Public Lotteries Board: appointment of members. *Presented by the Economic Development Committee.*	P.99/2003.
Draft Transfer of Functions (Environment and Public Services Committee) (Jersey) Act 200-. *Presented by the Economic Development Committee.*	P.100/2003.
Former St. Aubin's Market, St. Aubin, St. Brelade: transfer of administration. *Presented by the Economic Development Committee.*	P.101/2003.
Migration Policy. *Presented by the Policy and Resources Committee.*	P.102/2003.
Waterfront Enterprise Board: re-appointment of members. *Presented by the Policy and Resources Committee.*	P.103/2003.
Meeting the cost of welfare in 2004 – 2005. *Presented by the Connétable of St. Helier, and referred to the Policy and Resources and Finance and Economics Committees.*	P.104/2003.
Public Sector Housing: establishment of a management company. *Presented by Deputy A. Breckon of St. Saviour, and referred to the Policy and Resources, Finance and Economics, and Housing Committees.*	P.105/2003.
Waterfront Enterprise Board Limited: provision of information by the Policy and Resources Committee. *Presented by Senator S. Syvret.*	P.106/2003.

Arrangement of public business for the next meeting on 22nd July 2003

THE STATES rejected a proposition of Senator Stuart Syvret that the proposition of the Privileges and Procedures Committee concerning the establishment of Scrutiny Panels and a Public Accounts Committee, (P.79/2003 lodged "au Greffe" on 10th June 2003), be not considered on 22nd July 2003.

Members present voted as follows –

"Pour" (15)

Senators

Le Maistre, Syvret, Le Claire, E. Vibert.

Connétables

St. Martin, St. Peter.

Deputies

Breckon(S), St. John, Baudains(C), Dorey(H), Troy(B), Martin(H), Southern(H), Grouville, De Fay (H).

"Contre" (36)

Senators

Norman, Walker, Kinnard, Lakeman, Routier, M. Vibert, Ozouf.

Connétables

St. Ouen, St. Saviour, St. Brelade, St. Mary, St. John, St. Clement, St. Helier, Trinity, St. Lawren

Deputies

Trinity, Duhamel(S), Huet(H), St. Martin, Le Main(H), Dubras(L), Voisin(L), Scott Warren(S Farnham(S), Le Hérissier(S), Fox(H), Bridge(H), Bernstein(B), Ferguson(B), St. Mary, St. Oue Ryan(H), Taylor(C), St. Peter, Hilton(H).

THE STATES confirmed that the following matters lodged "au Greffe" would be considered at the next meeting on 22nd July 2003, and agreed to meet on 23rd and 24th July 2003, if necessary, to complete consideration of the matters set down for consideration –

Waterfront Enterprise Board Limited: dissolution. P.33/2003.
Lodged: 25th March 2003.
Senator S. Syvret.

La Collette Fuel Farm, St. Helier: lease to Shell U.K. Limited and Esso Petroleum Company Limited. P.60/2003.
Lodged: 13th May 2003.
Harbours and Airport Committee.

La Collette Fuel Farm, St. Helier: lease to Shell U.K. Limited and Esso Petroleum Company Limited (P.60/2003) – comments. P.60/2003. Com.
Presented: 8th July 2003.
Economic Development Committee.

La Collette Fuel Farm, St. Helier: lease to Shell U.K. Limited and Esso Petroleum Company Limited (P.60/2003) – comments. P.60/2003. Com.(2).
Presented: 8th July 2003.
Presented by the Environment and Public Services Committee.

Benefits paid by the Housing and Employment and Social Security Committees: protection. P.75/2003.
Lodged: 10th June 2003.
Deputy G.P. Southern of St. Helier.

Benefits paid by the Housing and Employment and Social Security Committees: protection (P.75/2003) – comments. P.75/2003. Com.

Presented: 8th July 2003.
Employment and Social Security Committee.

Benefits paid by the Housing and Employment and Social Security Committees: protection (P.75/2003) – comments. P.75/2003. Com.(2)
Presented: 8th July 2003.
Presented by the Housing Committee.

Machinery of Government: Establishment of Scrutiny Panels and Public Accounts Committee**.** P.79/2003.
Lodged: 10th June 2003.
Privileges and Procedures Committee.

Machinery of Government: Establishment of Scrutiny Panels and Public Accounts Committee (P.79/2003) – comments. P.79/2003. Com.
Presented: 8th July 2003.
Finance and Economics Committee.

Machinery of Government: Establishment of Scrutiny Panels and Public Accounts Committee (P.79/2003) – comments. P.79/2003. Com.(2).
Presented: 8th July 2003.
Presented by the Policy and Resources Committee.

Machinery of Government: Establishment of Scrutiny Panels and Public Accounts Committee (P.79/2003) – amendments. P.79/2003. Amd.
Lodged: 24th June 2003.
Senator S. Syvret.

Machinery of Government: Establishment of Scrutiny Panels and Public Accounts Committee (P.79/2003) – second amendments. P.79/2003. Amd.(2)
Lodged: 1st July 2003. *(re-issue)*
Deputy J.L. Dorey of St. Helier.

Draft Investigation of Fraud (Amendment No. 2) (Jersey) Law 200-. P.80/2003.
Lodged: 10th June 2003.
Legislation Committee.

Draft Hire Cars (Repeal) (Jersey) Law 200-. P.86/2003.
Lodged: 24th June 2003.
Home Affairs Committee.

Former School, Clearview Street, St. Helier: transfer of administration. P.87/2003.
Lodged: 24th June 2003.
Education, Sport and Culture Committee.

Gorseland, La Rue de la Corbière, St. Brelade: proposed purchase. P.88/2003
Lodged: 24th June 2003.
Home Affairs Committee.

Gorseland, La Rue de la Corbière, St. Brelade: proposed sale (P.88/2003)– comments. P.88/2003. Com.
Presented: 8th July 2003.
Finance and Economics Committee.

Draft Regulation of Investigatory Powers (Jersey) Law 200-. P.89/2003.
Lodged: 24th June 2003.
Home Affairs Committee.

Waterfront Shop Units, Albert Pier, St. Helier: sale. P.92/2003.
Lodged: 1st July 2003.

Housing Committee.

Waterfront Shop Units, Albert Pier, St. Helier: sale (P.92/2003)– comments. P.92/2003. Com.
Presented: 8th July 2003.
Finance and Economics Committee.

Appointments Commission: re-appointment of member. P.93/2003.
Lodged: 1st July 2003.
Policy and Resources Committee.

Draft Health Care (Registration) (Amendment) (Jersey) Law 2002 (Appointed Day) Act 200-. P.97/2003.
Lodged: 8th July 2003.
Health and Social Services Committee.

Catherine Quirke House, 6 Gloucester Street, St. Helier: redevelopment. P.98/2003.
Lodged: 8th July 2003.
Health and Social Services Committee.

Public Lotteries Board: appointment of members. P.99/2003.
Lodged: 8th July 2003.
Economic Development Committee.

Draft Transfer of Functions (Environment and Public Services Committee) (Jersey) Act 200-. P.100/2003.
Lodged: 8th July 2003.
Economic Development Committee.

Draft Transfer of Functions (Environment and Public Services Committee) (Jersey) Act 200- (P.100/2003): comments. P.100/2003. Com.
Presented: 8th July 2003.
Presented by the Environment and Public Services Committee.

Former St. Aubin's Market, St. Aubin, St. Brelade: transfer of administration. P.101/2003.
Lodged: 8th July 2003.
Economic Development Committee.

Former St. Aubin's Market, St. Aubin, St. Brelade: transfer of administration (P.101/2003) – comments. P.101/2003. Com.
Presented: 8th July 2003.
Presented by the Environment and Public Services Committee.

Waterfront Enterprise Board: re-appointment of members. P.103/2003. *(re-issue)*
Lodged: 8th July 2003.
Policy and Resources Committee.

Waterfront Enterprise Board Limited: provision of information by the Policy and Resources Committee. P.106/2003.
Lodged: 8th July 2003.
Presented by Senator S. Syvret.

Population Policy – P.205/2003 withdrawn

THE STATES noted that in accordance with Standing Order 22(3), the President of the Policy and Resources Committee had instructed the Greffier of the States to withdraw the proposition regarding a Population Policy, (P.205/2002 lodged "au Greffe" on 5th November 2002), the Committee having lodged a revised proposition at the present meeting.

Meeting the cost of welfare in 2004 – 2005 – P.91/2003 withdrawn

THE STATES noted that in accordance with Standing Order 22(3), the Connétable of St. Helier hac instructed the Greffier of the States to withdraw the proposition regarding meeting the cost of welfare in 2004-2005, (P.91/2003 lodged "au Greffe" on 24th June 2003), the Connétable having lodged a revised proposition at the present meeting.

Statistics User Group – question and answer (Tape No. 830)

Deputy Roy George Le Hérissier of St. Saviour asked Senator Frank Harrison Walker, President of the Policy and Resources Committee, the following question –

> "Would the President advise members whether the Committee will be reviewing the functions of the Statistics User Group established under P.142/99, adopted by the States on 17th November 1999, in the light of the inaccuracies announced in the calculation of the last House Price Index, with a view to strengthening procedures, if necessary?"

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

> "The Statistics User Group is an independent body set up by the States, in line with international best practice, to review and comment upon any official statistics prepared, or proposed to be prepared by, or on behalf of, the States of Jersey and to make such recommendations to the Policy and Resources Committee as are appropriate. As part of its terms of reference, the Group is charged with reviewing, commenting upon and making recommendations on the methodology by which those statistics are compiled and their resultant accuracy and reliability.
>
> In relation to the Jersey House Price Index, the Group reviewed the Index early this year and concluded that the Index was based upon too small and narrow a range of properties. It recommended a substantially revised methodology for use, which the Policy and Resources Committee supported. The new methodology was immediately implemented and data collected to enable the updated index to be published as soon as possible.
>
> The new Index has now been published as has a full comparison with the old Index. The new Index shows that between the first quarter of 2002 and the first quarter of 2003 the average price of dwellings sold in Jersey decreased by 1.6%. (the comparable figure for the old Index was a decrease of 0.6%) and the comparison shows that the old and new indices also tracked each other closely over that period.
>
> On 26th June 2003, the Committee met with Professor Holt, Chairman of the Statistics User Group, to review the Index in detail. We were satisfied that there is no evidence to suggest that the old Index provided a misleading reflection of changes in dwelling prices. However, the old Index did understate the average price of dwellings overall. This latter point is not surprising in that the old Index only measured a limited number of 3-bedroomed properties.
>
> The Committee considers that the Statistics User Group is fulfilling a very vital rôle and has fully met its terms of reference. In relation to the House Price Index, it recommended the need for a new methodology which was quickly implemented by the Statistics Unit. I therefore believe there is no need to review the function of the Statistics User Group at this time. However, the Committee will of course keep it under review and, if it were ever to prove necessary, the Committee would not hesitate to take the required action."

Public service personnel savings related to the implementation of a ministerial system of government – question and answer (Tape No. 830)

Senator Edward Philip Vibert asked Senator Frank Harrison Walker, President of the Policy and Resources Committee, the following question –

> "Would the President identify any savings to date in public service personnel and the value of these savings as a result of the re-organisation in preparation for the final stage of implementing ministerial

government?"

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

"Significant savings will be achieved through the restructuring of States departments and from the concurrent work being undertaken to deliver more responsive, effective and efficient public services, but such savings will not become truly meaningful until the beginning of 2005 when the new structures are in place.

To date, a number of Committees have identified specific staff savings of about £477,000 per annum which are being put into effect during this transitional period. The Education, Sport and Culture Committee is on course to save five posts within its administration by the end of this year, which will save approximately £260,000 per annum and the Economic Development Committee has identified a further five posts, one of which is the Chief Officer of the Agriculture and Fisheries Department, which will save approximately £217,000 per annum. Work in this area is ongoing and further savings will be achieved over the next 18 months or so.

However, members will be aware that there is now a target for the States to be making real savings of £8 million in 2005 rising to £33 million per annum by 2008. In setting such a target, we will all have to work hard to ensure that it is delivered in the short term. Continuing to deliver savings and improvement of this magnitude will only be possible once we have moved to the new system of government and its supporting structures."

Employment of a finance industry executive – question and answer (Tape No. 830)

The Deputy of St. John asked Deputy Francis George Voisin of St. Lawrence, President of the Economi Development Committee, the following question –

"Will the President explain the reasons why the Committee has decided to employ its own Finance Industry Executive, and at what cost in salary, rather than utilise existing resources employed through Jersey Finance Limited, such as the Chief Executive and Chairman?"

The President of the Economic Development Committee replied as follows –

"P.176/99, entitled 'Industries Committee: terms of reference and transfer of functions', sets the overall mandate of the Industries Committee, which has been inherited by the Economic Development Committee and includes a responsibility to form, through Strategic Development Boards, a comprehensive, integrated, industrial and economic strategy for the Island, encompassing responsibility for economic policy as it relates to all industries and the Island's workforce, and to oversee its implementation, once agreed by the States as one of a set of government strategies contained in the States' strategic plan; also to ensure that the Island's economic and commercial strategies are portrayed accurately and to promote and enhance the image of the Island as a place to do business.

The former Industries, and Finance and Economics Committees agreed to defer the transfer of responsibility for the finance industry. In due course, it became clear that the Finance and Economics Committee did not have the appropriate resources to undertake these functions and so that Committee appointed a Finance Industry Executive.

The current postholder has, in fact, worked almost exclusively on international issues since his appointment and has therefore been transferred to the Policy and Resources Committee and re-designated Director – International Finance. The Policy and Resources Committee will continue to play the lead role in issues relating to international relations.

The three Committees involved, namely the Policy and Resources, Finance and Economics and Economic Development Committees, are very conscious of the work that has not been done in relation to what might be called the 'domestic' side of the industry, including responsibility for financial legislation and the Jersey Financial Services Commission.

It has been agreed that this 'domestic' responsibility should properly be placed with the Economic

Development Committee. The three Committees involved have agreed that an additional post is required within the Economic Development Committee to take on the work that was originally envisaged for the Finance Industry Executive within the Finance and Economics Committee. During the current transitional Committee and Department structure, the relevant officers of the Policy and Resources and Economic Development Departments will work closely together as a team to ensure that proper attention is paid to the future of the finance industry in Jersey. The new Finance Industry Executive will have a crucial rôle to play in contributing towards the development of a strategy for a sector which is, by some distance, the major contributor to the success of the Island's economy.

There will be much to be done by the Economic Development Committee in fulfilling its role on the 'domestic' finance industry which without the proposed post would not be possible.

The post will be filled by using a vacancy within the Economic Development Department. There will thus be no additional manpower implications. The post has been Hay evaluated and the salary for this post is proposed to be £47,471 a year.

Jersey Finance Limited was set up as a marketing organisation to promote Jersey as an international finance centre. Although it does not have a direct role in the development of strategy and modern commercial financial legislation, which is clearly a government responsibility, it will play an important part in the consultative process leading to the development of such strategy and legislation."

Introduction of computerised tax submissions – question and answer (Tape No. 830)

Deputy Celia Joyce Scott Warren of St. Saviour, asked Senator Philip Francis Cyril Ozouf, VicePresident of the Finance and Economics Committee, the following question –

"Will the Vice-President inform the Assembly whether his Committee has discussed and considered with the Income Tax Department the introduction of computerised tax submissions, and, if so, how soon this introduction is planned?

If the answer is negative, could the Vice-President state the reasons why the matter has not been pursued?"

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

"Yes.

There are a number of ways in which income tax submissions could be made electronically.

The Comptroller of Income Tax introduced, some 9 years ago, a facility to allow employers to submi employees earnings electronically, i.e. by 'floppy disk' and, 2 years ago, devised a new and updatec package to enable any employer with a computer to submit employee earnings electronically.

The software developed by the IS Division of the Income Tax Office for this latest initiative was made available free to all employers and a 'hot line' help desk was set up within that Division to give assistance and advice to any employer. This initiative has been a considerable success and has increased efficiency and effectiveness within the Income Tax Office both in terms of the assessing process and also in lessening the amount of paper that has to be sorted, referenced and worked.

It will also be possible for employers to submit details of employees benefits in kind electronically when this system comes into force in 2004 as new systems are currently being developed for that purpose.

The Comptroller initiated a project in 2002 to determine the cost and feasibility of on-line internet submission of Income Tax Returns and trials will be carried out this year and it is expected that the specifications for tax agents to submit Income Tax Returns electronically will be available by the end of this year. However, the Committee is aware, in the current climate of budget constraints, of the considerable cost such a system would entail. The Comptroller is anxious not to proceed with such a project in haste and without adequate resources. Furthermore, the Committee would not wish the Income Tax Office to have the serious and embarrassing problems recently encountered by the United Kingdom

Inland Revenue, whose internet self assessment system had to be taken offline line for a number of months because of security breaches which allowed taxpayers to browse the tax files and tax affairs of others."

Accident and Emergency Department – question and answer (Tape No. 830)

Deputy Roy George Le Hérissier of St. Saviour asked Senator Stuart Syvret, President of the Health and Social Services Committee, the following question –

"(a) Would the President identify the percentage of visits to the Accident and Emergency Department in the last two full years that were considered non-urgent?

(b) What is the estimated cost of this non-urgent use?

(c) What steps are proposed to significantly reduce this non-urgent use?"

The President of the Health and Social Services Committee replied as follows –

(a) On arrival at the Accident and Emergency Department, (A&E), the degree of clinical urgency for each patient is categorised using the nationally accepted Manchester Triage System, as follows –

Number	*Colour*	*Name*
1	Red	Immediate
2	Orange	Very urgent
3	Yellow	Urgent
4	Green	Standard
5	Blue	Non-urgent

In the eighteen months since 1st January 2002, 2.7% of attendances have been non-urgent.

It should be noted that many patients can only be fully classified as non-urgent after a complete medical assessment. Some patients who are properly triaged as non-urgent may turn out to have a serious condition. For example, a painful lower leg is likely to be the result of some minor strain, but doctors need to exclude the possibility that it is a deep vein thrombosis.

(b) There are around 38,000 attendances in a year at the Accident and Emergency Department and the average direct cost of an attendance is £46. On an average cost basis, the 1,085 non-urgent attenders in a year could be viewed as costing around £50,000 per annum.

However, costs are skewed towards the highly skilled areas of emergency medicine and the resources deployed in the non-urgent work are comparatively small. For example, a major accident may occupy a team of 8 doctors and nurses for a couple of hours in A&E, whereas a typical non-urgent patient will spend 10 minutes with a doctor, receive advice only and possibly be referred onwards. Such a patient would cost no more than £20 in staff time compared with the many hundreds of pounds deployed on treating an accident victim.

(c) As the Accident and Emergency Department is staffed at all times for urgent work, the additional costs of the non-urgent work are comparatively very small and relocating this work would not allow the staffing establishment to be reduced.

The Health and Social Services Committee has considered the introduction of charges for a number of services in the context of meeting its financial obligations. Amongst the possible charges considered was the introduction of a charge for non-urgent A&E attendances.

The impact of charging on the volume of non-urgent attendances depends on why people are attending A&E for non-urgent problems. This is, at present, unsupported by research evidence but it seems likely that if the cost to the patient were similar to attending the GP, then fewer patients might attend A&E for non-urgent problems.

However, there is concern that some people who are in need of treatment may not choose to seek medical care at all and put their health at risk. It is also the case that some of the people who attend A&E for non-urgent reasons do so because they genuinely cannot afford to see a General Practitioner, and that some people have motives other than cost.

It is difficult to imagine putting in place a charging regime to deter such people until other social safeguards are established such as Low Income Support.

The Committee is presently reviewing, in co-operation with others, the future of health care services in Jersey, with particular attention to the interfaces between primary care, and the health and social care functions provided by the Department. This work is a natural progression of the recent Health Funding Review which examined the medium and long term funding of health care provision in Jersey. It is worth noting that this independent report recommended a combination of funding from central taxation and social insurance rather than a raft of separate charges or 'co-payments' such as a charge for attending Accident and Emergency."

Refurbishment work of Philip Le Feuvre House – question and answer (Tape No. 830)

The Deputy of St. John asked Senator Paul Francis Routier, President of the Employment and Social Security Committee, the following question –

"It has recently been reported that the refurbishment of Philip Le Feuvre House cost in the region of £3.5 million. Can the President give details of the works undertaken and the date that the building was previously re-built?"

The President of the Employment and Social Security Committee replied as follows –

"The building was designed and built in the late 1970s and has had very little spent on it since then. Current works largely consist of the replacement of mechanical services and electrical services which were failing, were not safe and, basically, had reached the end of their life cycle. In addition, other worn out components have been repaired or replaced, such as windows, an adequate ventilation system is being installed and general refurbishment of the whole building carried out. We have taken the opportunity to remove partitions so that floors are largely open plan, which enables more flexible use of space and put in provision for new services such as a call centre. We have also put a very small extension on the front of the building so that all customer services are provided in one area rather than the previous five, thus creating a one-stop-shop."

Refurbishment work of Philip Le Feuvre House – question and answer (Tape No. 830)

Deputy Roy George Le Hérissier of St. Saviour, asked Senator Paul Francis Routier, President of the Employment and Social Security Committee, the following question –

"Would the President identify the source of funding for the refurbishment and extension of Philip Le Feuvre House which is currently nearing completion?"

The President of the Employment and Social Security Committee replied as follows –

"Philip Le Feuvre House is an asset of the Social Security Fund and, as such, its refurbishment, extension and maintenance is funded by the Social Security Fund. Costs incurred are capitalised as assets of the Fund, and on completion will be depreciated as an administration cost over a number of years depending on the specific type of asset (fixture, fitting, services, etc.). All costs to the Social Security Fund are reflected in the Annual Report and Accounts and therefore open to scrutiny."

Draft Water Resources (Jersey) Law – question and answer (Tape No. 830)

The Deputy of St. John asked Deputy Maurice François Dubras of St. Lawrence, President of the Environment and Public Services Committee, the following question –

"Under the proposed draft Water Resources (Jersey) Law 200-, could the President give details of the charge for a licence to extract water, if any?"

The President of the Environment and Public Services Committee replied as follows –

"The Deputy of St. John will be aware that the draft Water Resources Law is currently undergoing a period of consultation that continues until the end of August 2003. I can confirm that the Law, at Article 24 as currently drafted, does provide the Committee with the ability to recover the reasonable costs incurred in implementing it by way of charging for licences. However the detail of any such charges is not yet known as it will depend on the result of consultations with appropriate bodies that have yet to take place.

It is therefore premature to discuss such an outcome at this stage in the consultative process. I will be pleased to receive his feedback and will read carefully any written comments which the Deputy has in this regard as part of the specific purpose of circulating the draft law during this consultation period. In proper course the matter will be brought to this Assembly for debate."

Balconies of the Waterfront flats – question and answer (Tape No. 830)

The Deputy of St. John asked Deputy Maurice François Dubras of St. Lawrence, President of the Environment and Public Services Committee, the following question –

"Would the President inform members whether the Health and Safety Inspectorate was consulted in relation to the design of the balconies of the Waterfront flats prior to planning permission being granted and whether the issues of privacy and decency were addressed at that stage, and, if not, the reasons why?"

The President of the Environment and Public Services Committee replied as follows –

"I understand that the question primarily concerns the floors of the balconies, which are of timber slats.

When the application was submitted, the Health and Safety Inspectorate of the Employment and Social Security Department were not consulted in relation to the design of the balconies by the Planning Department, because there was no reason to do so. Health and Safety's predominant rôle is safety in the workplace. Its officers do receive copies of the lists of applications and would have had the opportunity of viewing the plans and putting forward any pertinent comments, if they wished. However, they have informed us, in researching this answer, that they would have had no interest in this matter.

As far as the building control assessment of the balconies is concerned, structurally they are safe and meet the building bye-laws.

As for the planning assessment, issues of privacy are considered only in respect of the impact of a development on the amenities of surrounding properties. 'Decency' has never been a criterion against which applications are assessed.

On this development, the applicant chose to have balconies with timber slats. There were no reasons why 'in the best interests of the community' (extract from Article 2 of the Island Planning (Jersey) Law 1964 – 'Purposes of the Law') the applicant should not have been entitled to construct them in that way."

Population policy: provision of information and alternatives – P.40/2003
Comments – P.40/2003 Com.

THE STATES commenced consideration of the proposition of Senator Stuart Syvret concerning the provision of information and alternatives on a population policy, and Deputy Jeremy Laurence Dorey of St. Helier sought leave to propose that the States move on to the next item on the Order Paper. The Bailiff ruled that, in accordance with Standing Order 27(1), it appeared to him that the proposition was an abuse of the procedure of the States and it was therefore disallowed.

THE STATES, adopting a proposition of Senator Stuart Syvret requested the Policy and Resources Committee to prepare and present to the States –

(a) a report detailing the different population policy options considered by both the previous and present Policy and Resources Committees, setting out the advantages and disadvantages of each, the factual data and expert advice used throughout and the Committee's reasons for rejecting the different policy options;

(b) a detailed response to the report entitled 'Jersey into the Millennium: a Sustainable Future';

(c) a report detailing the impact upon that section of the housing market presently described as 'qualified' of enabling participation in the housing market of all people resident in the Island from a given date; and,

(d) a report detailing the environmental and sustainability implications of the population policies considered by both the previous and present Policy and Resources Committee.

Members present voted as follows –

"Pour" (45)

Senators

Le Maistre, Syvret, Norman, Walker, Kinnard, Le Claire, Routier, M. Vibert, E. Vibert.

Connétables

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

Deputies

Trinity, Duhamel(S), Breckon(S), Huet(H), St. Martin, St. John, Le Main(H), Dubras(L), Baudain (C), Dorey(H), Troy(B), Voisin(L), Scott Warren(S), Le Hérissier(S), Fox(H), Bridge(H), Martin(H) Southern(H), Bernstein(B), Ferguson(B), St. Mary, St. Ouen, Ryan(H), Grouville, St. Peter, Hilto (H), De Faye(H).

"Contre" (0)

Draft Employment (Jersey) Law 200- P.55/2003
Amendment – P.55/2003.Amd., second amendments – P.55/2003.Amd.(2)

THE STATES commenced consideration of the draft Employment (Jersey) Law 200-, and adopted the preamble.

Members present voted as follows –

"Pour" (47)

Senators

Le Maistre, Syvret, Walker, Kinnard, Lakeman, Routier, M. Vibert, Ozouf, E. Vibert.

Connétables

St. Martin, St. Ouen, St. Saviour, St. Brelade, St. Mary, St. Peter, St. Clement, Trinity, St. Lawren

Deputies

Trinity, Duhamel(S), Breckon(S), Huet(H), St. Martin, St. John, Le Main(H), Dubras(L), Baudain (C), Dorey(H), Troy(B), Voisin(L), Scott Warren(S), Farnham(S), Le Hérissier(S), Fox(H), Bridg

(H), Martin(H), Southern(H), Bernstein(B), Ferguson(B), St. Mary, St. Ouen, Ryan(H), Taylor(C) Grouville, St. Peter, Hilton(H), De Faye(H).

"Contre" (0)

Articles 1 and 2 were adopted.

THE STATES commenced consideration of Articles 3 to 9 and of amendments presented by Senator Edward Philip Vibert that in Article 3, for paragraph (1) there be substituted the following paragraph–

> "the employer shall give to the employee a written statement of the terms of employment in the prescribed format"

and that paragraphs (6) and (7) be deleted. After discussion the amendments were lodged "au Greffe" by Deputy Patrick John Dennis Ryan of St. Helier.

THE STATES resumed consideration of Articles 3 to 9 and the Bailiff refused leave to Deputy Guy William John de Faye of St. Helier that the Articles be referred back to the Employment and Social Security Committee.

Article 3 to 9 were adopted.

Articles 10 to 60, together with Schedules 1 and 2, were adopted, the States having adopted amendments of the Employment and Social Security Committee, that in Article 56 there be inserted the words "subject to paragraphs (4) and (5)" at the beginning of paragraph (9), and that paragraph (10) be deleted.

THE STATES commenced consideration of Articles 61 to 63 and of amendments of Senator Edward Philip Vibert that in Article 63 there be deleted "(1)" in paragraph (1) and all of paragraphs (2) to (5). After discussion the amendments were lodged "au Greffe" by Deputy Patrick John Dennis Ryan of St. Helier.

Articles 61 to 63 were adopted.

THE STATES commenced consideration of Articles 64 to 78 and of amendments of Senator Edward Philip Vibert that in Article 73 there be deleted paragraphs (1) to (3) and"(4)" in paragraph (4). After discussion the amendments were lodged "au Greffe" by Deputy Patrick John Dennis Ryan of St. Helier.

Articles 64 to 78 were adopted.

Members present voted as follows –

"Pour" (26)

Senators

Walker, Lakeman, Routier, Ozouf.

Connétables

St. Martin, St. Brelade, St. Peter, St. Clement, Trinity, St. Lawrence.

Deputies

Trinity, Breckon(S), Huet(H), Baudains(C), Dorey(H), Troy(B), Scott Warren(S), Fox(H), Bridge(H) Bernstein(B), Ferguson(B), St. Mary, St. Ouen, Ryan(H), Grouville, Hilton(H).

"Contre" (15)

Senators

Syvret, Le Claire, E. Vibert.

Connétables

St. Ouen, St. Saviour, St. Mary.

Deputies

Duhamel(S), St. Martin, St. John, Le Main(H), Le Hérissier(S), Martin(H), Southern(H), St. Pe De Faye(H).

Articles 79 to 108 and Schedules 3 and 4 were adopted, the States having adopted amendments of the Employment and Social Security Committee that for Article 101 there be substituted the following Article–

"101 Application

(1) Subject to paragraph (2), this Law shall only apply to employment where the employee works wholly or mainly in Jersey.

(2) Articles 51, 52 and Part 7 shall apply to a person employed to work on board a ship registered in Jersey unless –

(a) the employment is wholly outside Jersey; or

(b) the person is not ordinarily resident in Jersey.",

and that in Article 102 there be deleted"(1)" in paragraph (1) together with the whole of paragraph (2).

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Employment (Jersey) Law 200-.

Draft Criminal Justice (Suspension of Prison Sentences) (Jersey) Law 200- P.66/2003

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Criminal Justice (Suspension of Prison Sentences) (Jersey) Law 200-.

Jersey Heritage Trust and Public Records (Jersey) Law 2002 – transfer of functions to the Education, Sport and Culture Committee – P.85/2003

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

(a) agreed that responsibility for the Jersey Heritage Trust should pass from the Finance and Economics Committee to the Education, Sport and Culture Committee;

(b) agreed that the Jersey Heritage Trust should be permitted to amend clauses 4.2, 5.3.1 and 5.3.3 of its Constitution so that all references to the Finance and Economics Committee be changed to the Education, Sport and Culture Committee;

(c) approved the draft Transfer of Functions (Education, Sport and Culture Committee) (Jersey) Act 2002, attached at Appendix 2, to enable the functions of the Finance and Economics Committee in respect of the Public Records (Jersey) Law 2002, to be transferred to the Education, Sport and Culture Committee;

(d) approved the Public Records Law 2002 (Appointed Day) (Jersey) Act 2002, attached at Appendix 3 and,

(e) authorised the entering into of a deed of arrangement with the Jersey Heritage Trust to amend references in the Deed of Cession of the perpetual usufruct of Elizabeth Castle and Mont Orgueil Castle from the Finance and Economics Committee to the Education, Sport and Culture Committee and authorised the Attorney General and the Greffier of the States to pass the necessary Deed before the Royal Court.

Draft Terrorism (Jersey) Law 2002 (Appointed Day) Act 200- P.83/2003

THE STATES, in pursuance of Article 68 of the Terrorism (Jersey) Law 2002, made an Act entitled the Terrorism (Jersey) Law 2002 (Appointed Day) Act 2003.

Adjournment

THE STATES then adjourned, having agreed to meet on 15th July 2003, to consider the outstanding items of public business.

THE STATES rose at 5.55 p.m.

M.N. DE LA HAYE

Greffier of the States.