

**THE STATES assembled on Tuesday,
16th September 2003 at 9.30 a.m. under
the Presidency of Michael Nelson de la Haye Esquire,
Greffier of the States.**

**His Excellency the Lieutenant Governor,
Air Chief Marshal Sir John Cheshire, K.B.E., C.B.,
was present**

All members were present with the exception of –

Francis Herbert Amy, Connétable of Grouville – ill
Philip Francis Ozouf, Connétable of St. Saviour– ill
John Le Sueur Gallichan, Connétable of Trinity– out of the Island
Geoffrey William Fisher, Connétable of St. Lawrence– out of the Island
Jacqueline Jeanette Huet, Deputy of St. Helier– out of the Island

Prayers read by the Deputy Greffier of the States

Subordinate legislation tabled

The following enactments were laid before the States, namely –

Road Traffic (Speed Limits) (Amendment) (Jersey) Order 2003.	R&O 86/2003.
Post Office (General Provisions) (Amendment No. 51) (Jersey) Order 2003.	R&O 90/2003.

Matters presented

The following matters were presented to the States –

States of Jersey Law 1966, as amended: delegation of functions – consolidation of Economic Development Committee arrangements. <i>Presented by the Economic Development Committee.</i>	R.C.41/2003.
States Resource Plan 2004 – 2008 (P.118/2003): amendment (P.118/2003 Amd.)– comments. <i>Finance and Economics Committee.</i>	P.118/2003. Amd.Com.
States Resource Plan 2004 – 2008 (P.118/2003): second amendments (P.118/2003 Amd.(2))– comments. <i>Policy and Resources Committee.</i>	P.118/2003. Amd.(2) Com.
States Resource Plan 2004 – 2008 (P.118/2003): second amendments (P.118/2003 Amd.(2))– comments. <i>Finance and Economics Committee.</i>	P.118/2003. Amd.(2) Com.(2)

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

Matters lodged

The following matters were lodged “au Greffe” –

Draft Policing of Parks (Amendment No. 14) (Jersey) Regulations 200.
Presented by the Environment and Public Services Committee.

P.132/2003.

Draft Protection of Children (Amendment No. 3) (Jersey) Law 200.
Presented by the Legislation Committee.

P.133/2003.

Draft Fire Service (Amendment No. 5) (Jersey) Law 2003 (Appointed Day) Act– P.119/2003 – withdrawn

THE STATES granted leave to the President of the Home Affairs Committee to withdraw the draft Fire Service (Amendment No. 5) (Jersey) Law 2003 (Appointed Day) Act (P.119/2003 lodged “au Greffe” on 12th August 2003).

Projets withdrawn under Standing Order 17(6)

THE STATES noted that, in accordance with Standing Order 17(6), the following matters had been withdrawn –

Health and Social Care Modernisation Fund – P.151/2002.
Lodged: 10th September 2002.
Health and Social Services Committee.

Draft Copyright (Jersey) Law 200- P.160/2002
Lodged: 19th September 2002.
Economic Development Committee.
(Lodged in the name of the former Industries Committee)

Jersey-St. Malo car ferry route– questions and answer (Tape No. 847)

The Deputy of St. John asked Senator Leonard Norman, President of the Harbours and Airport Committee the following question –

“Would the President inform members –

- (a) whether there is a Service Level Agreement in force with Condor Ferries Limited in respect of the Jersey – St.-Malo route? and,
- (b) whether the Committee was aware when it granted a licence to Condor Ferries Limited for the Jersey-St.-Malo route that this would involve certain non-direct services operating via Guernsey, and, if so, did the Committee take into account the inconvenience this might cause to the travelling public?”

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

“(a) No.

- (b) When the Committee granted a limited permit to Condor to utilise the ramp for the Jersey-St. Malo route earlier this year, they were already in possession of a permit for the Jersey-Guernsey and Jersey-U.K. routes.

The permit granted in March of this year allowed Condor to carry cars and passengers on their existing scheduled services thus providing choice and additional capacity for the travelling public.”

**Fief de la Fosse: proposed agreement with Les Pas Holdings Limited – P.117/2003
Committee of the Whole House *in camera***

THE STATES, on the proposition of the President of the Policy and Resources Committee, resolved into a Committee of the Whole House to discuss the proposition of that Committee concerning the Fief de la Fosse: proposed agreement with Les Pas Holdings Limited.

Senator Christopher Gerard Pellow Lakeman, the Connétable of St. Ouen, the Deputy of St. John and Deput Maurice François Dubras of St. Lawrence declared an interest and withdrew from the Chamber during the discussion.

The Deputy of Grouville made a statement in the following terms –

“As members will be aware, the company C.I. Traders Limited has a significant financial stake in Les Pas Holdings Limited. Until Wednesday 10th September 2003, I held a small number of shares in C.I. Traders. This shareholding was derived from my father’s family investing in both Ann Street Brewery and Le Riches Stores Limited, as did many other old Jersey families, to encourage local business and enterprise at the time. I inherited these shares, from my late father’s estate, some 32 years ago, and therefore, do not believe that my holding, could, in any way, be described as speculative. I had held on to these shares more for sentimentality, rather than for prudent, investment reasons. However, more recently, and since successfully, opposing, C.I. Traders’ mercenary attempt to develop Seymour slip car park, I have had reason to question the objects and ethics of a company who, after being supported since incorporation by local people, now seem determined to place the generation of profit, come what may, above any regard for the broader interests, and welfare, of our community.

The most important factor, in my consideration, has been the proper, representation of my constituents, as Deputy of Grouville. As members will realise, I have been the only active, political representative in Grouville, for nearly 10 months now. I was elected to serve the people of Grouville, and I do not believe it would have been good enough for my Parishioners to be under represented in these unusual, and important, circumstances.

I should therefore, like to confirm to the Assembly that I disposed of my shares, last Wednesday, 10th September 2003. Up to that date, I had not taken part in, or attended, any meetings, public or otherwise, concerning Les Pas Holdings Limited. In the circumstances I do not believe it is necessary, or appropriate, for me to withdraw from today’s proceedings.”

The Greffier of the States made a statement in the following terms –

“I am aware that comments have been made publicly to the effect that the States of Jersey holds shares in C.I. Traders Limited and in the interests of transparency I thought it would be proper to clarify the position in this regard.

The States Treasury administers 2 special funds which have holdings in the company.

The Greville Bathe fund has a holding of 6,760,800 shares, which represents approximately 3% of the Company’s issued share capital with a current market value of approximately £5,712,876.

The Greville Bathe Fund was set up in accordance with the terms of the will of the late Greville Inverness Bathe to provide for relief and pensions to persons in need who have given service in an honorary or remunerated administrative or clerical capacity to the Island or relief to sick persons of either sex.

The administration of the Fund is carried out by four Jurats of the Royal Court appointed by the States.

A second Trust Fund, le Don De Faye, has a holding of 515,298 shares, with a current market value of approximately £435,426. This represents less than a quarter of one per cent of the Company’s issued share capital.

Le Don De Faye is a Trust Fund created by the will of the late Jurat P.C. Cabot who died in 1959. The income of fund is to be distributed to needy parishioners of each parish by the Rector and Churchwardens of the parish. The Treasurer of the States administers the Fund and distributes the income annually to the Rectors/churchwardens of each parish, for them to distribute within their respective parish.

Apart from the holdings through these 2 Special Funds the States of Jersey does not hold any shares in

C.I. Traders Limited and neither does the public employees' pension scheme have any investment in the company.”

The Greffier of the States, in pursuance of the decision of the States of 9th September 2003, and in accordance with Standing Order 46(1), then ordered the withdrawal of strangers and the closing of the doors of the Chamber in order that the Committee of the Whole House be held *in camera*.

The discussion in the Committee of the Whole House continued until 6.05 p.m. when the States adjourned, having agreed to meet the following day, Wednesday 17th September 2003, to continue the discussion and to consider the outstanding item of public business.

THE STATES rose at 6.05 p.m.

A.H. HARRIS

Deputy Greffier of the States.