

# STATES OF JERSEY ORDER PAPER

Tuesday, 14th September 1999

## A. COMMUNICATIONS BY THE BAILIFF

## B. TABLING OF SUBORDINATE LEGISLATION

*(Explanatory note attached)*

Health Insurance (Pharmaceutical Benefit) (General Provisions) (Amendment No. 13) (Jersey) Order 1999. R & O 9428.

*Employment and Social Security Committee.*

Civil Service Administration (General) (Jersey) Rules 1949 (Amendment No. 12) (Jersey) Order 1999. R & O 9429.  
*Establishment Committee.*

Gorey Fête (Jersey) Order 1999. R & O 9430.

*Public Services Committee.*

Post Office (Foreign Post Provisions) (Amendment No. 24) (Jersey) Order 1999. R & O 9431.

Post Office (General Provisions) (Amendment No. 43) (Jersey) Order 1999. R & O 9432.

*Committee for Postal Administration.*

Battle of Britain Air Display (Jersey) Order 1999. R & O 9433.

Road Traffic (Saint Helier) (Amendment No. 7) (Jersey) Order 1999. R & O 9434.

Road Traffic (Saint Saviour) (Amendment No. 8) (Jersey) Order 1999. R & O 9435.

*Public Services Committee.*

## C. MATTERS RELATING TO COMMITTEE MEMBERSHIP

## **D. PRESENTATION OF PAPERS**

### **(a) Papers for information**

#### **Matters presented under Standing Order 6A(1)(a)**

Alphonse Le Gastelois: ex gratia payment (P.111/99): comments. P.111/99  
*Finance and Economics Committee.* Com.

Succession rights for children born out of wedlock. R.C.32/99  
*Legislation Committee.*

Report of the Board of Administrative Appeal relating to the complaint by Token Limited against  
a decision of the Planning and Environment Committee. R.C.33/99  
*Special Committee to Consider the Relationship between Committees and the States.*

A report into the States of Jersey service review programme. R.C.34/99  
*Policy and Resources Committee.*

Immigration and Nationality Department: 1998 Annual Report.  
*Defence Committee.*

Driver and Vehicle Standards Department: 1998 Annual Report.  
*Defence Committee.*

States Audit Commission: The Proper Conduct of Government.  
*Finance and Economics Committee.*

## **Matters presented under Standing Order 6A(1)(b)**

Presented on 7th September 1999

Administrative Decisions (Review) (Jersey) Law 1982, as amended: report of the Administrative Appeals Panel regarding complaints received between 1st January and 31st December 1998.  
R.C.31/99  
*Special Committee to Consider the Relationship between Committees and the States.*

### **(b) Notification of Standing Order decisions**

Decisions under delegated functions.

### **(c) Notification of acceptance of tenders**

Route de Maufant: foul sewer extension scheme.

Goose Green Marsh: foul sewer upgrade Phase II.  
*Public Services Committee.*

### **(d) Papers to be lodged “au Greffe” under Standing Order 17A(1)(a)**

Draft Road Traffic (No. 51) (Jersey) Regulations 199 . P.127/99  
*Defence Committee.*

Draft Age of Majority (Jersey) Law 1999 (Appointed Day) Act 199 . P.128/99  
*Legislation Committee.*

Draft Criminal Justice (Standard Scale of Fines) (Jersey) Regulations 199 . P.129/99  
*Legislation Committee.*

Draft Advocates and Solicitors (Amendment No. 2) (Jersey) Law 199 . P.130/99  
*Legislation Committee.*

Draft Currency Notes (Variation of Maximum Amount of Issue) (Jersey) Regulations 199 . P.131/99  
*Finance and Economics Committee.*

Parish Rate Appeal Board: appointment of members. P.132/99  
*Finance and Economics Committee.*

### **(e) Notification of Papers lodged “au Greffe” under Standing Order 17A(1)(b)**

Lodged on 10th August 1999

Alphonse Le Gastelois: ex gratia payment. P.111/99  
*Senator J.S. Rothwell.*

Lodged on 17th August 1999

St. Helier Waterfront: conference hotel -rescindment. P.112/99  
*Deputy G.C.L. Baudains of St. Clement.*

Lodged on 24th August 1999

Draft Electricity Link with France (Protection of Submarine Cables) (Jersey) Regulations 199 . P.113/99  
*Harbours and Airport Committee.*

Draft States of Jersey (Amendment No. 7) Law 199 . P.114/99

*Legislation Committee.*

Greville Bathe Fund: appointment of trustees. P.115/99  
*Finance and Economics Committee.*

Field No. 588, St. Ouen: Village Green and Dwellings. P.116/99  
*Senator J.A. Le Maistre.*

Lodged on 31st August 1999

La Mare Common Car Park, St. Clement: parking charges. P.117/99  
*Senator R.J. Shenton.*

Draft Community Provisions (Freezing of funds and prohibition on investment relating to the Federal Republic of Yugoslavia and the Republic of Serbia) (Jersey) Regulations 199 . P.118/99  
*Finance and Economics Committee.*

Lodged on 7th September 1999

Draft Licensing (No. 14) (Jersey) Regulations 199 . P.119/99  
*Tourism Committee.*

Draft Stamp Duties and Fees (No. 2) (Jersey) Regulations 199 .P.120/99  
*Finance and Economics Committee.*

Draft Proceeds of Crime (Designated Countries and Territories) (Jersey) Regulations 199 .  
P.121/99  
*Finance and Economics Committee.*

Committees of the States: delegation of functions to sub-committees. P.122/99  
*Deputy T.J. Le Main of St. Helier.*

Cupressus Leylandii Trees. P.123/99  
*Deputy T.J. Le Main of St. Helier.*

Draft Organisation for Economic Co-operation and Development (Immunities and Privileges)  
(Jersey) Regulations 199 . P.124/99  
*Policy and Resources Committee.*

Draft European Bank for Reconstruction and Development (Immunities and Privileges) (Jersey) Regulations 199 . P.125/99  
*Policy and Resources Committee.*

Inn on the Park site, St. Helier: future use. P.126/99  
*Deputy T.J. Le Main of St. Helier.*

**(f) Papers for consideration by the States in Committee under Standing Order 38A**

**E. STATEMENTS AND PROPOSITIONS RELATING TO THE ARRANGEMENT OF PUBLIC BUSINESS AT THIS OR ANY SUBSEQUENT MEETING**

THE STATES are asked to agree that the following matters lodged “au Greffe” will be considered at the present meeting -

Field 961, St. Mary (part of): rezoning for an interim extension of La Gigoulande Quarry.  
P.95/99  
Lodged: 6th July 1999.  
*Planning and Environment Committee.*

Draft Legislation (Amending Power) (Jersey) Law 199 . P.104/99  
Lodged: 20th July 1999  
*Legislation Committee.*

Draft Food Safety (Miscellaneous Provisions) (Jersey) Law 199 .P.107/99  
Lodged: 27th July 1999  
*Health and Social Services Committee.*

Fantastic Tropical Gardens, La Dimerie, St. Peter: development in the Green Zone. P.109/99  
Lodged: 27th July 1999  
*Planning and Environment Committee.*

Alphonse Le Gastelois: ex gratia payment. P.111/99  
Lodged: 10th August 1999.  
*Senator J.S. Rothwell.*

Alphonse Le Gastelois: ex gratia payment (P.111/99): comments. P.111/99  
Presented: 14th September 1999. Com.  
*Finance and Economics Committee.*

Draft Electricity Link with France (Protection of Submarine Cables) (Jersey) Regulations 199 . P.113/99  
Lodged: 24th August 1999  
*Harbours and Airport Committee.*

Greville Bathe Fund: appointment of trustees. P.115/99  
Lodged: 24th August 1999  
*Finance and Economics Committee.*

La Mare Common Car Park, St. Clement: parking charges. P.117/99  
Lodged: 31st August 1999.  
*Senator R.J. Shenton.*

Draft Community Provisions (Freezing of funds and prohibition on investment relating to the Federal Republic of Yugoslavia and the Republic of Serbia) (Jersey) Regulations 199 . P.118/99  
Lodged: 31st August 1999.  
*Finance and Economics Committee.*

THE STATES are asked to agree that the following matters lodged "au Greffe" will be considered at the next meeting on 28th September 1999 -

Genetically Modified Organisms. P.33/99  
Lodged: 2nd March 1999.  
*Deputy A.S. Crowcroft of St. Helier.*

Introduction of work permits. P.105/99  
Lodged: 20th July 1999  
*Deputy P.V.F. Le Claire of St. Helier.*

Field No. 588, St. Ouen: Village Green and Dwellings. P.116/99  
Lodged: 24th August 1999  
*Senator J.A. Le Maistre.*

St. Helier Waterfront: conference hotel - rescindment. P.112/99  
Lodged: 17th August 1999.  
*Deputy G.C.L. Baudains of St. Clement.*

Draft Licensing (No. 14) (Jersey) Regulations 199 . P.119/99  
Lodged: 7th September 1999  
*Tourism Committee.*

Draft Stamp Duties and Fees (No. 2) (Jersey) Regulations 199 .P.120/99  
Lodged: 7th September 1999  
*Finance and Economics Committee.*

Draft Proceeds of Crime (Designated Countries and Territories) (Jersey) Regulations 199 . P.121/99  
Lodged: 7th September 1999  
*Finance and Economics Committee.*

Draft Organisation for Economic Co-operation and Development (Immunities and Privileges) (Jersey) Regulations 199 . P.124/99

Lodged: 7th September 1999  
*Policy and Resources Committee.*

Draft European Bank for Reconstruction and Development (Immunities and Privileges) (Jersey) Regulations 199 . P.125/99  
Lodged: 7th September 1999  
*Policy and Resources Committee.*

Draft Road Traffic (No.51) (Jersey) Regulations 199 . P.127/99  
Lodged: 14th September 1999.  
*Defence Committee.*

Draft Age of Majority (Jersey) Law 1999 (Appointed Day) Act 199 . P.128/99  
Lodged: 14th September 1999  
*Legislation Committee.*

Draft Currency Notes (Variation of Maximum Amount of Issue) (Jersey) Regulations 199 . P.131/99  
Lodged: 14th September 1999  
*Finance and Economics Committee.*

Parish Rate Appeal Board: appointment of members. P.132/99  
Lodged: 14th September 1999  
*Finance and Economics Committee.*

## **F. PRESENTATION OF PETITIONS**

Southampton Hospital: petition.  
*Deputy of St. Peter.*

At the time of presenting the petition the Deputy of St. Peter will present and lodge “au Greffe” a proposition relative thereto - P.133/99.

## **G. QUESTIONS**

The Deputy of St. John will ask questions of the President of the Prison Board about the supervision of prisoners on life licences.

The Deputy of St. John will ask questions of the President of the Health and Social Services Committee about the dental health of local schoolchildren and fluoridation of the water supply.

Senator S. Syvret will ask the President of the Finance and Economics Committee about the level of public spending in the Island.

Senator S. Syvret will ask the President of the Employment and Social Security Committee about research into the minimum budgetary requirements of households in Jersey.

Senator R.J. Shenton will ask questions of the President of the Planning and Environment Committee about matters arising from the report of the Committee of Inquiry: Beauvoir, Trinity.

## **H. MATTERS OF PRIVILEGE**

## **I. PERSONAL STATEMENTS**

Senator P.A. Bailhache will make a statement about pedestrian safety on Victoria Avenue.

## **J. COMMITTEE STATEMENTS**

The President of the Policy and Resources Committee will make a statement about the development of an Information Communications Technology strategy.

## K. PUBLIC BUSINESS

Convention on social security between the United Kingdom and Australia: amendments.  
*Employment and Social Security Committee.*

### *Subject to E*

Field 961, St. Mary (part of): rezoning for an interim extension of La Gigoulande Quarry. P.95/99  
Lodged: 6th July 1999.  
*Planning and Environment Committee.*

Draft Legislation (Amending Power) (Jersey) Law 199 . P.104/99  
Lodged: 20th July 1999  
*Legislation Committee.*

Draft Food Safety (Miscellaneous Provisions) (Jersey) Law 199 .P.107/99  
Lodged: 27th July 1999  
*Health and Social Services Committee.*

Fantastic Tropical Gardens, La Dimerie, St. Peter: development in the Green Zone. P.109/99  
Lodged: 27th July 1999  
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Alphonse Le Gastelois: ex gratia payment. P.111/99  
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*Senator J.S. Rothwell.*

Alphonse Le Gastelois: ex gratia payment (P.111/99): comments. P.111/99  
Presented: 14th September 1999. Com.  
*Finance and Economics Committee.*

Draft Electricity Link with France (Protection of Submarine Cables) (Jersey) Regulations 199 .  
P.113/99  
Lodged: 24th August 1999  
*Harbours and Airport Committee.*

Greville Bathe Fund: appointment of trustees. P.115/99  
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La Mare Common Car Park, St. Clement: parking charges. P.117/99  
Lodged: 31st August 1999.  
*Senator R.J. Shenton.*

Draft Community Provisions (Freezing of funds and prohibition on investment relating to the Federal Republic of Yugoslavia and the Republic of Serbia) (Jersey) Regulations 199 .P.118/99  
Lodged: 31st August 1999.  
*Finance and Economics Committee.*

**C.M. NEWCOMBE**

**Deputy Greffier of the States**

9th September 1999

**Explanatory Note regarding subordinate legislation  
tabled at this Meeting**

(See Item B)

**R & O 9428**

The effect of this Order is to increase the standard prescription charge for a pharmaceutical benefit from £1.55 to £1.80 per item. It also increases from 55p to 60p per item the charge for a pharmaceutical benefit that may be supplied for up to ninety days on a medical prescription. The increases will apply from 1st October 1999.

The Order was made by the Employment and Social Security Committee on 30th July 1999.

**R & O 9429**

The purpose of this Order is to amend further the Civil Service Administration (General) (Jersey) Rules 1949 so as to -

- (1) increase from 5 working days to 6 the maximum number of days in a year to be allowed as special leave to care for a sick dependent; and
- (2) revise the special leave arrangements in the event of the death of a close relative.

The Order was made on 2nd August 1999 and comes into force on 9th August 1999.

**R & O 9430**

The purpose of this Order is to provide for the closing of public roads and places and temporary traffic arrangements in connection with the Gorey Fête on Thursday 19th August 1999.

The Order was made on 2nd August 1999.

**R & O 9431**

This Order further amends the Post Office (Foreign Post Provisions) (Jersey) Order 1973 so as to increase certain postage rates for letters, air letters, postcards, small packets and printed packets addressed to destinations outside the British Islands.

The Order was made on 13th August 1999 and comes into force on 5th October 1999.

**R & O 9432**

The purpose of this Order is to increase the postal charge for cut flower packets with effect from 5th October 1999.

The Order was made on 13th August 1999 and comes into force on 5th October 1999.

**R & O 9433**

This Order is to provide for the closing of public roads and places to view the Battle of Britain air display on Thursday 16th September 1999.

The Order was made on 16th August 1999.

**R & O 9434**

The purpose of this Order is to make certain roads in St Helier one-way roads and to prohibit waiting on certain roads.

The Order was made on 16th August 1999 and comes into force on 5th September 1999.

**R & O 9435**

The purpose of this Order is to make certain roads in St Saviour one-way roads, to prohibit waiting on one of them and to prohibit parking on certain roads in St. Saviour for periods exceeding 12 hours in any continuous period of 24 hours.

The Order was made on 16th August 1999 and comes into force on 5th September 1999.

**NOTIFICATION OF STANDING ORDER DECISIONS -  
FINANCE AND ECONOMICS COMMITTEE  
(delegated functions)**

9th August 1999

- (a) as recommended by the Housing Committee, the entering into of a Deed of Arrangement with Mr. Peter Paul Foley and Mrs. Dolcie Phyliss Foley, née Le Gros, owners of the property known as “The Fairway”, La Rue Horman, Grouville, for the purpose of enabling a prospective developer to purchase and develop the property with access rights over La Rue de la Poterie, which is a private road in public ownership, on the basis of terms and conditions set out in an Act, dated 14th June 1999, of the Housing Committee, and for a consideration of £10,000 with Mr. and Mrs. Foley to be responsible for both parties' legal fees arising from this transaction;
  
- (b) as recommended by the Planning and Environment Committee, the assignment from Mr. Brian Herbert Langlois and Mrs. Pearl Doreen Langlois, née Luce, to Mr. Martin John Barette and Mrs. Michelle Barette, née Birtwistle, of Fields Nos. 1609A and 1609B, 1610 and part of Field No. 1459, Le Mont Vautier, St. Ouen (for the purpose of grazing horses), at an annual rent of £300, with the lease due to expire on 28th September 2000, on the basis that Mr. and Mrs. Langlois were to be responsible for the public's reasonable legal costs arising from this transaction;
  
- (c) as recommended by the Sport, Leisure and Recreation Committee, the lease to the Jersey Archery Society of Field No. 91, Crabbé, St. Mary (measuring 4.08.07 vergées, including the levée and offset) for a period of nine years from 1st April 1999, at an annual rent of £200 payable six monthly in advance, to be reviewed annually at the end of each year of the term of the lease (1st April) in line with the Jersey Retail Prices Index, with terms and conditions as set out in a letter dated 21st June 1999 from the Director of Property Services, on the basis that each party would be responsible for its own legal fees.

27th August 1999

- (d) as recommended by the Planning and Environment Committee, the sale to the Parish of St. Brelade of an area of land forming the spine roads and pavements at the Belle Vue housing development, for a consideration of £10, on the basis that the parish was to be permitted to name the roads, with the Committee to be responsible for both parties' reasonable legal costs arising from the transaction;

6th September 1999

- (e) as recommended by the Health and Social Services Committee, the renewal of the lease to Mrs. Jean Patricia Roche, née Geary, of the Flower Shop, at the General Hospital, with effect from 1st July 1998 until 31st May 2001, at an annual rent of £5,250 payable quarterly in advance, reviewed annually in line with the Jersey Retail Price Index or 10 per cent of gross takings if this were greater;
- (f) as recommended by the Public Services Committee, the purchase from Mr. Bruce Hepburn de la Mare of 131.835 square metres (1,419 square feet) of land within Field 203, Le Bourg, Grouville, detailed on drawing No. 726/31B, for a pumping station, for the sum of £1,419, with a further sum of £478 payable for the rent of 181.265 square metres of land (1,951 square feet), required for a temporary working area, for a period of 26 weeks, with the public being responsible for all reasonable legal costs and the agreed accommodation works, including the construction of a new entrance to Field 203.

**NOTIFICATION OF ACCEPTANCE OF TENDER UNDER RULE 5 OF THE PUBLIC FINANCES  
(GENERAL) (JERSEY) RULES 1967, AS AMENDED -  
FINANCE AND ECONOMICS COMMITTEE**

27th August 1999

The Public Services Committee has accepted the lowest tender received for the Route de Maufant Foul Sewer Extension Scheme, (which would provide drainage to 51 properties which were not currently connected at a cost per property of £7,366) namely that submitted by M.J. Gleeson (Jersey) Limited in the sum of £375,678.03 in a contract period of 52 weeks.

The other tenders received were from -

<b>Contractor</b>	<b>Tender</b>
P. Trant (Jersey) Limited	£380,814.70
Jayen (Jersey) Limited	£391,527.00

The Public Services Committee has accepted the lowest tender received for the Goose Green Marsh Foul Sewer Upgrade Phase II, (which would cover the area from Tesson Mill to La Route de la Haule) namely that submitted by Jayen (Jersey) Limited in the sum of £238,474.70 in a contract period of 16 weeks.

The other tenders received were from -

<b>Contractor</b>	<b>Tender</b>
P. Trant (Jersey) Limited	£245,076.69
M.J. Gleeson (Jersey) Limited	£258,406.06
Queghan Civil Engineering	£286,224.85

## **PROPOSITION**

### **CONVENTION ON SOCIAL SECURITY BETWEEN THE UNITED KINGDOM AND AUSTRALIA**

**THE STATES are asked to decide whether they are of opinion -**

to request the Bailiff to inform the Secretary of State that it is the wish of the Assembly that the amendments\*, proposed in the draft Exchange of Notes, of the Social Security Convention between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Australia should apply to Jersey.

### **EMPLOYMENT AND SOCIAL SECURITY COMMITTEE**

\* a copy of the draft Exchange of Notes and of the Convention are available for inspection in the States' Bookshop, Morier House, St. Helier.

## **Report**

An Agreement on Social Security between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Australia entered into force on 29 June 1992. The States of Jersey agreed that the provisions of the Agreement should apply to Jersey through the Family Allowances and Social Security (Reciprocal Agreement with Australia) (Jersey) Act, 1992.

The Australian Social Security System has been amended to prevent migrants from the UK and other countries from receiving most Australian benefits until they have completed a two year waiting period. This means that the existing Agreement has to be amended as genuine reciprocity with Australia is impossible with regard to sickness, invalidity and unemployment benefits (unemployment benefit provisions do not apply to Jersey). An Exchange of Notes has been agreed upon to amend the Agreement and at the same time revise the Agreement further to correct technical difficulties with the payment of family benefits, the appeals and claims procedures and to provide for better transfer of information between the Social Security Authorities.

This proposition is brought to the States for the in principle decision of Jersey being party to the Exchange of Notes amending the Agreement.

**STATES MEMBERS LUNCHEON**

**No.3 Committee Room**

**I will require lunch at today's meeting.**

**Signed.....**

**Named.....**

**Please hand this slip to an usher before 10.00 a.m. today**