

**WRITTEN QUESTION TO THE MINISTER FOR TRANSPORT AND TECHNICAL SERVICES BY
DEPUTY T. M. PITMAN OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 24th MARCH 2009**

Question

Would the Minister explain why the standard practice of securing Vesting Certificates as guarantees for all equipment/materials ordered and paid for, was not adhered to in relation to the Energy from Waste Plant, and advise whether any alternative approach used by the Transport and Technical Services Department offered Jersey taxpayer's equivalent protection?

Answer

The Contract does allow for Vesting certificates to be provided by the Contractor but only when identifiable equipment has been constructed within the Contractor's (or sub-contractor's) premises until final delivery on site to ensure that the value of the equipment is available to the Department in the event of damage or loss during transfer of liquidation of the contractor/sub-contractor.

Clause 25 of the Institute of Chemical Engineers Red Book contract, clearly sets out the process by which equipment, once constructed, passes title to the client, the States.