

ST. HELENA
LEGISLATIVE COUNCIL

THE SPEAKER

Mrs Margaret Anne Catherine Hopkins MBE

EX-OFFICIO MEMBERS

The Honourable Chief Secretary	-	Mr Andrew Ronald Wells
The Honourable Financial Secretary	-	Mr Paul Blessington
The Honourable Attorney General	-	Mr Kenneth Ian Baddon

ELECTED MEMBERS

The Honourable Rodney Garth Buckley	-	East Electoral Area
The Honourable John Gilbert Cranfield	-	“ “ “
The Honourable Cyril Keith Gunnell	-	“ “ “
The Honourable Brian William Isaac	-	“ “ “
The Honourable Bernice Alicia Olsson	-	“ “ “
The Honourable Michael Anthony Benjamin	-	West Electoral Area
The Honourable Stedson Graham Francis	-	“ “ “
The Honourable Anthony Arthur Green	-	“ “ “
The Honourable Derek Franklin Thomas	-	“ “ “
The Honourable Raymond Kenneth Williams	-	“ “ “
The Honourable Tara Thomas	-	East Electoral Area (Overseas)
The Honourable Mervyn Yon	-	West Electoral Area (Overseas)

CLERK OF COUNCILS

Miss Gina Benjamin

PROCEEDINGS OF THE LEGISLATIVE COUNCIL

Friday, 19th March, 2010

The Council met at 10.00 am
in the Court House, Jamestown

(The Speaker in the Chair)

ORDER OF THE DAY

1. PRAYERS

(The Rt. Rev. Bishop John Salt)

2. ADMINISTRATION OF OATHS

Mr Andrew Ronald Wells	-	Honourable Chief Secretary
Mr Paul Blessington	-	Honourable Financial Secretary

3. ADDRESS BY THE PRESIDENT

My Lord Bishop, Honourable Members, members of the public, both here and at home listening to the radio relay of this the first sitting of the second meeting of this Council; welcome to you all. Before I give my address to this Honourable House, I shall pay tribute to two former members. Firstly, the late Michael John Clancy, former Governor, but also a former member of Legislative Council as the Chief Secretary. Michael served St. Helena well; he worked hard and always had the island's interests at heart. He continued to keep in touch after leaving the island and we would wish to record our thanks to him for his service and extend our sympathy to his wife Clare and their family. It is the first opportunity for this House to pay tribute to the late John Wainwright Newman. We have already, of course, extended our condolences privately to Ann and her family, but this is the first formal meeting of the Council and I speak on behalf of the Council, the elected Legislative body of St. Helena. It was with great sadness that we learnt of John's death following a short period of illness which he managed, as he did his life, with dignity and with the strength that comes from a deep faith. He lived his faith in a direct way, contributing invaluable service to St. Helena in his many roles; as Registrar of the Diocese and chorister in St. James Church,

Chief of Police, Lay Advocate, Councillor, Speaker and through active involvement in various non-governmental charitable organisations, all of which reflected his deep affection for the island and its people. Three of his non-governmental organisations comes to mind; the RSPCA, the St. Helena Heritage Society and the Citizenship Commission, for which organisations he made invaluable contributions over many years, and, until shortly before his death, he was still an active contributor to the last two mentioned organisations. John's impact on the island's government through his work as a Councillor and then as Speaker cannot be measured. He was quiet, determined, thoughtful, considerate, a good listener and far seeing when it came to making difficult decisions about the way forward for the island. As Speaker, he guided the Council firmly and fairly. At the most recent of the Commonwealth Parliamentary Association's Conferences, the Speakers and Presiding Officers held earlier this year, it was recorded that the Speaker's role, and I quote here, "the Speaker's role is pivotal in safeguarding the pride and prestige of the Legislative body. The Speaker acts as a bridge between the people and the elected members on the one side and the government on the other and one of the Workshops concluded that the most important factor on looking at the role of Speaker was trust." Honourable Members, John was a good example to us all in both his work as a Councillor and then as Speaker. He had the trust of the people, the elected members, government and the administration. He was highly respected by everyone who came in contact with him. There will have been many tributes paid to him privately and publicly and I put it to you, Honourable Members, that perhaps the greatest tribute we can pay him is to work together for the benefit of this island and its people in the same way he worked, maintaining the same high standards he upheld and seeking at all times to achieve the best we can for St Helena and her people. On a personal note, I should like to say it was a privilege to know John, both as a colleague on Council, on various NGO's and a much loved and highly respected friend. He will, indeed, be sadly missed by family, friends and the island as a whole. Only this week, the Lord Bishop said to me that whenever he hears the words "the aye's have it, the aye's have it" John comes to mind. Should you choose to listen to today's proceedings My Lord Bishop you are indeed going to recall John a great deal today. We will all carry our own special memories of John and I suspect they are all good ones. To Ann and all of her family here and overseas may God's blessings continue to be with you as you come to terms with life without his presence among you and may God bring you every comfort. I would now like to ask everyone to stand for a prayer which will be read by the Lord Bishop.

The Rt. Rev. the Lord Bishop –

Let us pray. Almighty God, you are the source of all good thoughts and deeds, we praise you for the lives of Michael John Clancy and John Wainwright Newman for their concern for others and for their many acts of kindness and we commend them to your love and mercy, through Jesus Christ our Lord, Amen. May they rest in peace.

All -

And rise in Glory, Amen.

The Speaker –

Thank you, My Lord Bishop. We will now remain standing for a minute's silence in respect for both John Wainwright Newman and Michael John Clancy.

A Minute's Silence is observed.

The Speaker –

Thank you, Honourable Members. Please be seated.

I should like to continue by saying a thank you to our former Mace Bearer, Mr Maxwell Fuller, better known to us all as Maxie. Sadly he has decided that it is time to step down. I should like to thank him for always being dignified in carrying out the role of Mace Bearer and for his long service in this role. Thank you, Maxie. It falls to me now to welcome two newcomers to the Chamber. Firstly, the Honourable Financial Secretary, Mr Paul Blessington, for whom it is his first formal meeting of the Council. You, Sir, are most welcome and I'm sure the public as well as the Members are looking forward to hearing your budget speech during the course of today's proceedings. And without Mr Fuller, we welcome our new Mace Bearer, Mr Reggie Legg. Thank you, Sir, for agreeing to take on this duty; we look forward to having you with us at these formal meetings of Council.

Honourable Members, we have before us today a full agenda with statements from the Portfolio Chairmen, Questions, Motions and Bills as well as a number of Sessional Papers. For the benefit of the public, I should like to explain that Sessional Papers are laid on the table but can become matters for a Motion in this Session. My thanks go to the Administration for issuing most of the papers early enough for Members to be able to consider Motions on their contents ahead of the meeting. I would, however, remind Honourable Members that should you wish to raise a Motion on one of these papers, it has to be done immediately after I have ordered it to lie on the table. It is my understanding of Standing Orders that you cannot raise a Motion on a Sessional Paper at a later stage in the meeting. I will, therefore, pause after ordering a paper to lie on the table before calling the next item of business.

During this morning's business, we will also be looking at new Standing Orders which govern how business in this House is conducted and also as a new Code of Conduct for Members. The public may be a little surprised to find that I address you initially as Honourable Chairman of whichever portfolio you hold or as Honourable Financial Secretary and then if the new Standing Orders are passed, and I cannot, of course, anticipate that this will happen, hence my use of the word "if", if the new Standing Orders are passed I will then change to the new practice contained in them of addressing all Members by their names preceded by the words "The Honourable" which is also how you will address each other from that point. It is hoped that this will be more meaningful for public and it simplifies the form of address somewhat. I daresay we will all make a few slips until we get used to the new form of address.

Another change, which cannot be seen by the listening public, is that elected members are seated in alphabetical order around the table and not grouped into ExCo and non ExCo members, which was the custom previously. This, in itself, I feel suggests the oneness of the Council. All Members share the responsibility for the government of the island and although I expect lively and informed debates and searching questions on the strategic issues facing St. Helena at this difficult time, I would remind Honourable Members that you are all part of the one team leading the island. You will have your differences of opinion and that is to be expected, but it is important to retain respect for one another even when your views may be very divergent on a particular issue.

The new portfolio system sees nearly all Government activity coming under the scrutiny of a portfolio as well as Civil Society recognised within the portfolio for Civil Society, Tourism and Leisure. For the first time, we find heritage and culture mentioned and we find new groupings of departmental activities under the one portfolio, such as, Education and Employment. It is early days for the system, but the Chairmen are going to report briefly about their portfolios in statements which will follow my address to the House. The annual

departmental reports, usually brought to the budget session, are being held back until later in the year when the full 2009/10 year's activities will be reported on.

Since the elections in November of last year, Honourable Members have met regularly in informal sessions and I believe that the introduction of issuing a Press Release at regular intervals is a good mechanism to have introduced to keep the public informed of what issues have been raised and discussed. Honourable Members have also held constituency meetings around the island with a good number of the public coming out to them. It is my intention, Honourable Members, to attend one constituency meeting in each area and I apologise for not getting to any of the meetings held in the East area during the last round of meetings, but as you know I was away from the island during January and I must pause here to thank the Honourable Deputy Speaker, Mr Eric Benjamin for holding the fort for me during my absence, thank you, Sir.

One of the most important items which the Council has had to take forward has undoubtedly been the next three-year budget and the discussions with the Development Aid Planning Mission which took place early in January about the Aide Agreement to support St. Helena over the next three years. I was not here for those discussions, but I am reliably informed that they were productive and they led to an Aide Memoire being signed. Getting the balance right with so many priorities to be met is never easy. Indeed, it is perhaps doubly difficult when working in what, I would term, limbo land. The island will clearly not have an airport for another five years or even longer and the ongoing prevarication by Her Majesty's Government in London is taking its toll. I have no doubt the Honourable Members will be referring to the effects of the lack of any clear decision during this week. There have, however, been some positives and these I would hope will enable some steps to be taken towards reaching the vision of a safe, secure and economically sound future for the island.

Honourable Members, although it is customary for you catch my eye to indicate when you wish to speak, an additional aid for me would be if you would turn your name board up on one end, I can hardly fail to see that if you do it. You can then put it down as soon as you know I've noted your wish to speak. Regrettably, the new furniture for the Court House is still awaited although we can see progress has been made since we last met in November. As a result, it still remains a little difficult for me to see those of you sitting at the corners of the table, or very close to this end.

I shall, Honourable Members, call short breaks fairly frequently during the meeting, as, in spite of the addition of a second air conditioning unit today, I think we're going to find it very warm in here. When we call these breaks, I should be grateful if all Honourable Members would keep to time and I shall continue the meeting at the time I state using the clock in here as the timekeeper.

I look forward to a productive meeting of this Council, informed debates and respect shown to the Standing Orders for each and every Member around the table as besets this Honourable House. I will now ask the Clerk to call the next item of business. Thank you.

4. STATEMENTS BY PORTFOLIO HOLDERS

The Chairman, Access and Transport Committee (The Hon. John Cranfield) –

Thank you very much indeed, Madam Speaker. The Access and Transport Committee's Mission Statement is to develop, deliver and operate access and transportation facilities and services for St. Helena, valuing the cost effective, safe and efficient movement of people and goods in a manner that protects and enhances all natural environments and quality of life. The Committee has oversight for air and sea access and inland public transport. The Committee consists of myself as Chairman; the Honourable Anthony Green as Deputy

Chairman; the Honourables' Derek Thomas and Tara Thomas as Members; and Clare Harris as Secretary.

The Committee has cross-cutting issues with Civil Society, Tourism and Leisure, Economy and Finance, Home and International and Infrastructure and Utilities. This, Madam Speaker, is a broad portfolio, encompassing the complexity of airport planning, the operations of the RMS and the more mundane problems of transport to work and public transport. Cross-cutting with roads network and with the Governor's shipping responsibility is also relevant. The portfolio has a wide range of objectives to work to that are linked to the Strategic Development Plan. Subject to relevant laws and to policies of the Governor in Council, the Committee has policy responsibility except insofar as these affect special responsibilities of the Governor which cannot, in terms of section 58(2) of the Constitution, be made a responsibility of a Council Committee for Government business concerning air and sea access and inland public transport. In particular, the Committee has policy responsibility for legislation pertaining to Airport Development Ordinances, Harbours Ordinance and the Port Security Ordinance. It is common knowledge that the airport is currently on pause and hopefully we will get a decision in June. With regard to the RMS, Sue Wardell of DfID who visited the island recently, proposed that we concentrate the ship on bringing more tourists to the island and in order to give more flexibility in doing so, she said that DfID felt that we should no longer regard the RMS as the only ship capable of carrying freight to the island. The offer she made was that even though this may cost a bit more in subsidy it could be a worthwhile step in the right direction if benefits and economic growth were achievable. The Governor will be organising radio programmes, including discussions and phone-ins over the next couple of weeks prior to having a public meeting which will give everyone a chance to express their views. I will conclude, Madam Speaker, by saying that there will have to be some hard and tough decisions made regarding the future of the RMS and undoubtedly some of those decisions will not please everyone. However, when decisions are made, they will be made in the best interests of the island as a whole. Thank you, Madam Speaker.

The Speaker –
Thank you.

The Chairman, Civil Society, Tourism and Leisure Committee (The Hon. Bernice Olsson) -
Thank you, Madam Speaker. The Civil Society, Tourism and Leisure Committee encompass the broad spectrum of tourism services and non government organisations, including leisure services. It is responsible for setting policies and recommending legislation related to these products and services.

The pause on the airport development was a major setback for St. Helena, especially to those who have already invested in tourism business. It is therefore crucial that we concentrate on developing our seaborne tourism to attract more visitors, ensuring that we improve the tourism product that we have to offer and that marketing activities are increased.

Another essential component of tourism development is to continue training staff that are working in tourism sector so that we can offer a world class standard of service to our visitors. This has started with AVES and the Tourism Department offering the UK accredited Welcome to Excellence training programmes to all and later this year the accreditation will change to City and Guilds.

We also need more support for festivals and events like the Governor's Cup Yacht Race and the Festival of Running. The benefits are positive and they bring more visitors and the marketing opportunities are high.

This coming financial year is unprecedented in that tourism will have more funding at their disposal and so long-awaited projects can be implemented. In this current financial year, we

had £100,000 for short-term tourism projects, but much more is needed to bring our tourism facilities up to an acceptable standard. Some small scale promotional activities overseas are also necessary to attract more people to come to the island and experience its uniqueness. From 2010 to 2013, tourism will have funds amounting to £400,000 per annum to enhance the tourist product. The yearly funding will be divided between institutional arrangements, including the recruitment of tourism and marketing expertise, the marketing aspect of our tourist industry and destination development. The latter will include improvement and access of our visitors' attractions such as our thirty-plus walks and heritage sites. Madam Speaker, a large proportion of these funds will be used for marketing the island internationally and at Travel Shows, advertising and to increase the visitor's Information Package that we currently offer. We also have a strong Civil Society in the Tourism and Leisure Sector. These organisations should be encouraged to take part in this development and some support should be given to projects initiated from the Civil Society creating a strong partnership between SHG and the Civil Society. It could be the key to an effective and successful tourism development, and, Madam Speaker, I beg every Department to work together for the sake of St. Helena. Thank you.

The Speaker –
Thank you.

The Deputy Chairman, Economy and Finance Committee (The Hon. Michael Benjamin) –
Thank you, Madam Speaker, for the opportunity to address this House.
My name is Michael Benjamin and I am the Deputy Chairman for the Finance and Economy Committee. The Chairman, Miss Tara Thomas, is currently overseas on Government business.
My Committee has oversight for the Government's economic policy and public finances, including taxation, grant in aid, development aid, public expenditure, economic development and planning, economic and financial structures and their regulations, including mutual organisations, companies, banks, the Post Office, charities, monopolies as well as investment policies. The Departments that are directly involved with my Committee include the Office of the Chief Secretary, Finance, Economic Development, Access and Shipping Office, Audit, Policy Unit and Employment and Planning. We crosscut with all other Committees, including Access and Transport, Civil Society, Tourism and Leisure, Education and Employment, Health and Social Services, Infrastructure and Utilities as well as Natural Resources, Development and the Environment. Our Committee consists of five Councillors, the Chairman Miss Tara Thomas, myself as Deputy Chairman, the Honourable Rodney Buckley, the Honourable John Cranfield and the Honourable Stedson Francis.
Our mission is to identify and develop economic and fiscal policies that are conducive to the creation of wealth and our regular meetings indicate that we are on target towards reaching our goals. Thank you, Madam Speaker.

The Speaker –
Thank you.

The Chairman, Education and Employment Committee (The Hon. Anthony Green) –
Madam Speaker, in this short presentation I will give an overview of the activities and the basic role of my Committee, the Education and Employment Committee.
Before the General Election, Education and Employment were under different committees. As part of the change to the structure for Council Committees, two portfolios, Education and

Employment have become the responsibility of a newly created Education and Employment Committee.

The members of the Committee are the Honourable Bernice Olsson, the Honourable Mervyn Yon, the Chief Education Officer and Mr Nicky Stevens, a representative from Civil Society. The Honourable Stedson Francis is the Deputy Chairman and I'm the Chairman. Although only elected members of the Legislative Council have a vote, should this ever become necessary, it is anticipated that most decisions will not require a vote to be taken. Each Committee Member carries a responsibility for cross-cutting issues. The Committee holds separate meetings to deal with Education and Employment matters. When discussing Education, Miss Lilla Oliver, the Chief Education Officer, is added to our Committee and when discussing Employment, Mr Ronald Coleman, Employment, Benefits and Administration Officer and Miss Ann Muir, Social Development Planner are the officials that make up the Employment Committee.

More detailed terms of reference for employment will be developed as necessary over time but currently the Employment Committee has decided that apart from considering a legislative framework for employment matters further information is required before we can finalise our draft terms of reference for the Governor's approval. On the other hand, the Education Committee's terms of reference are very clear. The 2008 Education Ordinance makes the Education Committee responsible for education on St. Helena.

The Chief Education Officer, who is a member of the Education Committee, has the responsibility for delivering the educational services in terms of the Ordinance and subject to any directions given by the Committee. The Department's mission statement is 'to inspire generations to undertake a lifelong learning voyage and discovery by providing an effective and efficient education programme'. The Committee has an important role to play in guiding future education policy. In addition to dealing with routine matters, the Education Committee is working with and supporting the Department with planning to improve standards of education. In January 2010, three Education Advisers came to the island. They were David Levesque, John Sullivan and Pat Flett. David is the new DfID Education Adviser; John a secondary trainer/adviser who specialises in secondary education; and Pat Flett is the Programme Manager of the Education Service Support Programme Number Two from the Centre of International Development and Training, which I'll refer to from time to time as CIDT. Against the background of the island experiencing a decline in population and a loss of experienced teachers, the Advisers worked with the Department to plan how best to improve achievement standards in schools, properly develop post compulsory education and a broader skills strategy and to help strengthen the planning, management and leadership across the whole sector of education. I will now highlight some key features of education, much of which featured in the discussions during the time the Education Advisers were here and are ongoing topics which the Committee is supporting the Department to achieve.

Primary Schools. Two Primary Schools have completed two years of being an amalgamated Primary School with vertically grouped classes which was brought on by falling numbers. The third school will complete their two-year milestone in August 2010. The Audit Department is planning to conduct a comprehensive review of each school to assess the effectiveness of the amalgamation and to target set for improvements. The Education Sector Support Programme, ESSP 2, which I will refer to again shortly, is providing support to the Primary Sector in the curriculum development and in training and the continued professional development of staff.

I turn now to Secondary School. Prince Andrew School, our only Secondary School, underwent a reform process from September 2009 with the aim of improving the quality of teaching and learning and consequently raising standards of education and attainment levels. The curriculum framework has been revised along with a new pastoral plan for the entire

school. The management structure has been revised and streamlined and there is a rigorous performance management system in place for teachers. The Education Sector Support Programme, which I mentioned before, is a three-year support programme which we recently signed with CIDT, that's the Centre for International Development and Training, with the intention of (a) improving achievement standards in schools, having properly developed post compulsory education and broader skills strategy; and, (c) strengthening planning, management and leadership in education.

Under teacher training, the ESSP 2, the Education Sector Support Programme, will provide advice, guidance, training and staff development to enable continued professional development involving training and re-training of staff.

On to Scholarships. Previously, only two places could be funded from Overseas Scholarships. DfID has now allocated additional funding so that additional scholarships can be awarded. This extra money is included in the recurrent budget which we will later bring before this House for approval. The Scholarships/Awards Committee will be tasked with exploring ways of how this extra financial provision could better be utilised.

Distance learning. Through additional funding from DfID again and continued financial support from Cable and Wireless, for which we are extremely grateful, increased bandwidth speed and capacity are likely to become available. Current distance learning courses in electronics and sociology, which involves video conferencing, are currently being run and this affects all other internet access at the school. Plans provided by Cable and Wireless on a way forward have now been finalised and we are waiting approval of the budget to facilitate the increased bandwidth at Prince Andrew School.

I now turn to AVES, the Adult and Vocational Educational Services. It is planned from 1st April to bring the Development Aid Project DfID funding into our current budget. This will allow us to have a new look at a way forward to take account of the changing needs of St. Helena. This will involve discussions with the public service, the Legislative Council, the private sector and the wider public. AVES would also benefit from any increase in bandwidth.

I turn now to DfID funding, I've made reference to DfID funding earlier. If all planned expenditure is approved, it will provide much needed, additional resources to develop what is seen as life-long learning on St. Helena. The additional funding in the Education budget will amount to an extra £519,000 for which we are very grateful and express our sincere thanks to DfID for their support of education on St. Helena. There is also £153,000 for AVES in the Development Estimates.

I've not mentioned routine topics that come before the Committee for discussion, but there is one in which the public will be interested. It's the Duke of Edinburgh Playground in Jamestown. At our last meeting, my first, it was decided that this Playground may be better placed and managed under a different portfolio. Further discussions will be needed before any firm decisions can be taken.

In bringing this to a conclusion, I should also mention that the Education Committee is planning to visit all schools. We are very interested in what goes on in schools and as a member of the previous Education Committee, it is always gratifying to see the work of our pupils and how many of our young people are actually making us proud. The Committee wishes also to show support for our hardworking teachers.

Finally, I wish to pay tribute to Miss Lilla Oliver and her staff for the tremendous efforts in providing very good educational services and not least for providing real support to our newly-appointed Education Committee. Our island's future lies with our youth, please help us to help them continue to make St. Helena a proud place to live.

Thank you, Madam Speaker.

The Speaker –
Thank you.

The Chairman, Health and Social Welfare Committee (The Hon. Cyril Gunnell) –

Thank you. Madam Speaker and Honourable Members, the new Health and Social Welfare portfolio, along with the various other portfolios, was created following the commencement of the new Constitution.

The composition of the Health and Social Welfare Committee is as follows:- Myself, Cyril Gunnell, is Chairman, the Honourable Brian Isaac is Deputy Chair and the other individual members are the Honourables Rodney Buckley, Bernice Olsson and Raymond Williams.

The Health and Social Welfare portfolio has oversight of:- Health, including Health Services, Preventive Health Services, Public Health and Environmental Health; Social Services – Social Security and Pensions, Health and Safety, including petroleum and other hazardous substances and policy in relation to the allocation of Government Landlord Housing.

In creating the new portfolio, the Public Health and Social Services Department, PHSSD, and Employment and Social Security Department, ESSD, have been linked as Health and Social Welfare. Although they are individual Departments with separate budgets, they have the same Committee, the Health and Social Welfare Committee.

The PHSSD mission is to improve the population's health status, the social wellbeing of vulnerable and at risk groups and to ensure a healthy environment for all.

The ESSD mission is: - to provide social protection by means of social security welfare programmes, training for the unemployed and affordable housing for the people of St. Helena, especially the vulnerable, to improve their quality of life. Each Department works towards clear objectives set out in their Strategic Plan.

The new Committee system has not been in place long enough for Committee Chairpersons to give meaningful, historical reports in any event, however, I felt it would be useful to report on just some of the activities that have taken place over the last few months.

In an attempt to be as open and transparent as possible, the Health and Social Welfare Committee regular meetings are open to the public where possible. The open part of the agenda is advertised in advance. Once the Minutes have been confirmed, a report on the meeting is published in the Independent and St. Helena newspapers. The Chief Administrative Health and Social Services Officer, Mrs Carol George, and Employment, Benefits and Administration Officer, Ronald Coleman, are expected to attend all meetings at which they report on activities and give an expenditure update in respect of their respective Departments for the previous month. To date, the Social Welfare Committee have held two regular meetings and three special meetings and carried out two site visits. Also, I have chaired one meeting of the Nurses and Midwives Board on which I represent the public.

It might be useful to give you some statistics, starting with the ESSD. Around 800 people receive some form of benefit. This represents about 20% of the current population of around four thousand. For the month of February, 63 people received unemployment benefits with the total amount being £6,465.96. Also in February, 750 people received income related benefits with the total amounting to £101,707.16. Disability allowance in February amounted to £3,780 paid out to 99 people. Altogether the Department paid out £113,953.12 in benefits in February.

As you are aware, the benefits system is being reviewed by Mr Alan Thompson, Finance Welfare Adviser; this started in January. Mr Thompson has discussed his initial findings with the Health and Social Welfare Committee. They point to the fact that there are significant inequalities in the way IRB operates in practice with some people, both IRB and non IRB, being left on very low levels of income as a result. What is coming out of the

review is that IRB recipients are not the only poor people, or, in some cases, not even the poorest and we have to address that inequality.

Turning to some of the PHSSD statistics for the month of February, one patient was referred to Cape Town, bringing the total number of medical referrals abroad for the current year to 59. The Pathology Lab has, as usual, been very busy carrying out 3,373 tests, 564 samples were referred to Cape Town during the same month, 54, I beg your pardon. February was another hectic month for the Pharmacy. A main order consignment of supplies arrived on 28th. With the RMS wet-docking in Cape Town for six weeks; this will be the last consignment of medicines to arrive until 24th April. The total number of prescriptions filled for this period was 2,824 with the number of items

.....A massive 77 bags of litter was picked up island-wide with 10 bags collected from the Jamestown Run. Also, the Section dealt with 14 special collections for the month. One of the main aims of the Department is caring for people in their own homes for as long as possible before they may have to move into Sheltered Accommodation or the CCC. This involves home helpers and carers of which there is a shortage. Plans are well in hand with reviewing the home helpers and carers policies with a view to combining them to one with the possibility of employing home help on a full-time basis.

A full report detailing the whole of the PHSSD activities/achievements for the previous financial year will be given at the end of May or early June.

In conclusion, Madam Speaker, may I take this opportunity to publicly thank the Heads of Department PHSSD and ESSD and their staff for the good work that they do, sometimes under very trying circumstances given the constraints they have to work under. May I also thank the members of the Health and Social Welfare Committee for their wisdom and the enthusiastic and positive way in which they carry out their work. It is early days yet and a long way to go helping the Department achieve their objectives, but we will get there.

Thank you.

The Speaker –

Thank you.

The Chairman, Home and International Committee (The Hon. Derek Thomas) –

Thank you, Madam Speaker.

My portfolio holder is for Home and International.

The Committee is made up of myself, Derek Thomas, as Chairman, and other members Tara Thomas, Deputy Chair and Honourable Members, John Cranfield and Mervyn Yon.

The mission of the Committee is to achieve a safe community with a fair and appropriate legal system and strong links with St. Helenians, the diaspora and relevant international bodies.

The Committee has oversight of the Legal system, including the Constitutional affairs, non government organisations, media, disaster preparedness, advising the Governor on overseas relations and the diaspora. These areas were not covered in any of the previous Committee structures. In support of these activities, the Committee has introduced a set of objectives which supports the island's strategic objectives and the three over-arching strategic goals. Our meetings are held on the second Wednesday of each month and since January we have held three meetings, including an extra emergency meeting. Our relevant partners to our objectives have provided the Committee with updates as to where they are and future progress and as a result we have written to our partners informing them of our objectives and inviting them to make contributions in forming our policies.

Two of our Committee Members, Honourable Tara Thomas and Mervyn Yon will be meeting with our UK and South African representatives to discuss details of our policy. I am also

liaising with the representative on the Falkland Islands, John Clifford, for his contributions to the policy in ensuring that the legislature and public receives regular updates on issues pertaining to the island, including the diaspora, in order to achieve best value. We also hope to introduce a similar type of representative on Ascension Island to support the diaspora. We are working to achieve a policy with colleagues from other overseas territories and islands with a view to establishing information sharing, sharing resources, capital projects and joined up conferences with a view of achieving best value and practices in supporting each other. We will work with the new Media Board to strengthen the Code of Conduct and Media Ordinance, to ensure that best value is achieved in the delivery of media content.

We have also made progress in reviewing the Immigration Ordinance and policies and, together with the relevant agencies we hope that the Immigration rules can be strengthened in order to make it easier for people to do business here in St. Helena.

Progress has been made in respect of disaster preparedness under the leadership and direction of the Disaster Management Coordinator, the Chief of Police and his Disaster Management Committee. Contingency plans are being updated and plans are in place to update the volunteer network and provide the appropriate training. This will lead to providing a live exercise involving the whole island.

Under the leadership of the Access and Infrastructure Manager, Sharon Wainwright, the sum of £2.2M has been made available for the Jamestown Rockfall Protection project. The project has been contracted to Fairhurst under the supervision of Stacy English. Works are expected to be completed by December of this year. This project will be closely monitored by the Home and International Committee to ensure the deadlines are met and best value is achieved.

Recently the Committee advised the Attorney General's Chambers on recommendations pertaining to legislation which is felt will be of benefit to this island.

Madam Speaker, the Committee will be working to a plan of action over the coming months which will bring about benefits in support of the objectives and mission we have set.

Thank you.

The Speaker –

Thank you.

The Chairman, Natural Resources, Development & Environment Committee (The Hon. Raymond Williams) –

Madam Speaker, Honourable Members.

The mission of the Natural Resources Development and Environment Committee is to encourage, through partnership with the private sector, the development of sustainable food provision and use of natural resources, and to support economic development through the effective management of the Land Control and Development Policy.

The Committee has political oversight of the Agriculture & Natural Resources Department, the Development and Economic Planning Department and the Legal, Lands and Planning Department, giving us responsibility for Government business concerning agriculture, forestry, fishing, lands (including Crown Estates and land use and development, including housing) and the environment.

We have held some meetings related to agriculture and land use which has produced informative and positive results as a guide to leading the way forward to improved success. To date we have visited various types of farms under different activities. These visits included fulltime farmers involved in arable production, market gardeners, livestock owners and syndicates – poultry farmers, sheep farmers, coffee producers and their plantations and on one occasion we were given a cup of coffee to round off the day, that is percolated coffee,

of course. It is without doubt that we do have people who can still turn out local production, but have various constraints in doing so. We have listed farmers concerns and look forward to joining with them in a challenge which was once thought impossible. To improve in all agricultural aspects we need to have one thing in common – team work. We feel that St. Helena can provide more of its foods if we work together – if we don't sow we can't reap – if we sit and look it may never happen and if we don't know where we are going – we'll never get there. Our aim therefore is not to subsidise other countries by buying their foods, but why not let us provide our own.

The Committee is currently reviewing policies pertaining to Agriculture & Forestry, Land Planning Control and Environment. This is being undertaken in view of future development. Thank you, Madam Speaker.

The Speaker –
Thank you.

The Deputy Chairman, Infrastructure and Utilities Committee (The Hon. Brian Isaac) –
Madam Speaker, Honourable Members.

I will give a brief overview of the portfolio of the Public Works and Services Department in the absence of the Honourable Mervyn Yon who is away on Government business. The Utilities and Infrastructure Portfolio Group is responsible for the investigations and recommendation of policies and priorities to Government and for communicating the adopted policies to the relevant Heads of Department and staff so that they can deliver as effectively as possible within the available resources.

The Committee clearly links directly with the Public Works and Services Department and ensure the effective investment in physical infrastructure including improved access to the island.

The Committee comprises of the Honourable Chairman, Mervyn Yon, the Honourable Raymond Williams, The Honourable John Cranfield and the Honourable Tony Green. The Department is organised into three principle divisions under the Head of Department, Mr Derek Richards. They are the Energy, Water and Roads and Building, each led by a professional Chartered Engineer: Mr Martin Squibs, Water; Mr Rob Forbes, Roads and Buildings; and the Head of Energy, Mr Barry Hubbard, also currently oversees the Transport Section. The Head of Roads and Buildings has responsibility for both highways and works, and the latter, comprises the Technical Services Division and the Rock Guards. The Department's establishment is 205.

Over the next four years, in addition to continuing to deliver the utilities and services to the island, the Department will be involved with delivering of several of the key components of the Infrastructure Plan. Procurement of plant will be a big step for the Public Works and Services Department and the process is commencing as we speak. The Department has also compiled a list of technical standards and in the coming weeks a report on the Project Memorandum will be produced.

In the Water and Drainage Division, recent successes have been approved; a renewed planning application for the raw water mains between Levelwood and Hutts Gate; the construction of a new storage tank in Willowbank in support of water supplies to farming areas of the island; and implementation of a proactive maintenance programme.

Work on the Infrastructure Project has taken priority, but the Department has a large workload of day to day reactive activities.

The Energy Division continues to progress. The proactive maintenance programme has contributed greatly to the statistics that there were no major failures/events in January. January was the first month since the HV callout contract was initiated and there were no

callouts out of office hours. The Electricity Distribution Project budget has been reviewed. The project is over a year ahead of programme. There was approval given to spending an additional £112,572 this financial year. The remainder of the project will be phased over the following two financial years and spending been restricted to approximately £250,000 each. Work progress will need to be slowed accordingly. The EU Consultant has commenced work and arrangements are being made to get the Consultant on island so that detailed surveys can be carried out prior to tendering being sought for the new generators. Concept notes for the EU funding of an additional wind capacity generator has been developed and submitted. The Energy Division expenditure budget is on track showing a positive variance of £44,346. The revenue is currently under collected by £3,200. This under collection is the result of poor modelling when the budget was initially set up but has been offset by over collection within the Public Works and Services Department overall. Ownership of the wind turbines was transferred to the Generation Engineer. Hourly performance monitoring has commenced and alignment with the current arrangements for the diesel generation plant. The remaining five of the six wind turbines is operational and wind turbine generator number two awaits a new generator which is scheduled to arrive in April. The overall contribution from the wind generation in January was 11% and results in twenty-one thousand litres of diesel being saved.

Thank you, Madam Speaker.

The Speaker –

Thank you. I believe the Honourable Bernice Olsson, the Honourable Chairman Civil Society, Tourism and Leisure Committee wishes to speak?

The Hon. Bernice Olsson –

Thank you, Madam Speaker. A point of information, I would just like to apologise to my Committee; I didn't mention your names for the Civil Society, Tourism and Leisure Committee. I am the Chairman of that portfolio; the Honourable Cyril Gunnell is the Deputy Chair, the Honourable Brian Isaac, the Honourable Michael Benjamin and the Honourable Derek Thomas are members. I apologise for not naming you before. Thank you.

The Speaker –

Thank you, Honourable Member. Next item of business, Clerk.

5.

PAPERS

The Hon. Financial Secretary –

Madam Speaker, I beg to present Sessional Paper No. 33/2009 entitled Pensions and Benefits for over sixties Value for Money Report V05 August 2009.

Ordered to lie upon the table.

The Hon. Financial Secretary –

Madam Speaker, I beg to present Sessional Paper No. 34/2009 entitled Public Health and Services Value for Money Report V06 September 2009.

Ordered to lie upon the table.

The Hon. Financial Secretary –

Madam Speaker, I beg to present Sessional Paper No. 01/2010 entitled St. Helena News Media Services Financial Statements for the year ended 2008.

Ordered to lie upon the table.

The Hon. Chief Secretary –

Madam Speaker, I beg to present Sessional Paper No. 02/2010 entitled FLITS and High Level Indicators Value for Money Report V07 November 2009.

Ordered to lie upon the table.

The Hon. Financial Secretary –

Madam Speaker, I beg to present Sessional Paper No. 03/2010 entitled St. Helena Development Agency Financial Statements for the year ended 31 March 2009.

Ordered to lie upon the table.

The Hon. Financial Secretary –

Madam Speaker, I beg to present Sessional Paper No. 04/2010 entitled St. Helena National Trust Financial Statements for the year ended 31 March 2009.

Ordered to lie upon the table.

The Hon. Financial Secretary –

Madam Speaker, I beg to present Sessional Paper No. 07/2010 entitled Schedule of Special Warrants 2009/10.

Ordered to lie upon the table.

The Hon. Financial Secretary –

Madam Speaker, I beg to present Sessional Paper No. 08/2010 entitled Bulk Fuel Installation Financial Statement and Chief Auditor's Management Letter for the year ended 31st March 2009.

Ordered to lie upon the table.

The Hon. John Cranfield –

Madam Speaker, I beg to present Sessional Paper No. 09/2010 entitled Codes of Conduct for Members of Legislative Council.

Ordered to lie upon the table.

The Hon. Rodney Buckley –

Madam Speaker, I beg to present Sessional Paper No. 10/2010 entitled Standing Orders for the Legislative Council.

Ordered to lie upon the table.

The Hon. Attorney General –

Madam Speaker, I beg to present Sessional Paper No. 11/2010 entitled The Statutory Report on English Law for 2009. As you know, it is permissible to make a short statement in support of a Sessional Paper, I take that opportunity, therefore, to mention to Honourable Members that two years ago when I presented the corresponding paper I indicated that I had doubts about whether this annual exercise actually represents value for money and I shall be trying to find the time during the coming months to raise that issue with Honourable Members to see whether we can discontinue the practice.

Ordered to lie upon the table.

Clerk –

Sessional Paper No. 12/2010 Independent Commission for the Review of Remuneration, Allowances and Expenses for Councillors, the Speaker and the Deputy Speaker. The Honourable Chief Secretary.

The Speaker –

The Honourable Attorney General has the floor first please.

The Hon. Attorney General –

Madam Speaker, on a point of order, that Sessional Paper was presented to the Clerk less than five days ago. I therefore beg to move the suspension of Standing Order 7, Rule 1 to allow the presentation of both this Paper and Paper No. 13/2010. Both papers were delivered to the Clerk later than five days ago. In the case of Paper No. 12, although it was formally delivered to the Clerk less than five days ago Honourable Members were first aware of its contents earlier than that. In the case of Paper 13, it is a purely technical paper which will allow a matter which could not otherwise have been presented to Council later in this sitting to be presented. It doesn't involve a decision on that matter it simply allows the matter to be brought before the Council. Madam Speaker, I beg to move that the specified Standing Order be suspended to allow the next two items to proceed.

The Speaker –

Thank you. Is there a seconder to the Motion?

The Hon. Chief Secretary –

Madam Speaker, I beg to second the Motion.

The Speaker –

Thank you. Under Order 21, Rule 2, the Motion to suspend Standing Orders is to be decided without amendment or debate.

Question that Standing Orders be suspended to allow Sessional Papers 12 and 13 to proceed, put and agreed to.

The Speaker –

We can therefore move to the Sessional Paper No. 12/2010. The Honourable Chief Secretary.

The Hon. Chief Secretary –

Thank you, Madam Speaker. Madam Speaker, I beg to present Sessional Paper No. 12/2010 entitled Independent Commission for the Review of Remuneration, Allowances and Expenses for Councillors, The Speaker and the Deputy Speaker.

Ordered to lie upon the table.

The Speaker –
Next item of business?

Clerk –
Sessional Paper No. 13/2010 Certificate of Urgency. The Honourable Chief Secretary.

The Hon. Chief Secretary –
Madam Speaker, I beg to present Sessional Paper No. 13/2010 entitled Certificate of Urgency. Madam Speaker, the purpose of this paper is to indicate His Excellency the Governor's agreement that the enactment of the Legislative Council Remuneration and Allowances Bill 2010 is a matter of urgency in the interests of good government.

Ordered to lie upon the table.

The Speaker –
Honourable Members, I think this is an opportune moment to take an adjournment for a coffee or tea or whatever refreshment you'd like to partake of. We will resume in formal Council at half past eleven, by this clock.

Council adjourned.

Council resumed.

The Speaker –
I am aware that it is considerably uncomfortable in this House, even with the air conditioning units running. I'm extremely warm up here, but I don't have the privilege of being able to say to myself to take my robe off. On the other hand, I do have the privilege of being able to suggest to you, Honourable Members, if you do wish to remove your jackets please feel free to do so. And one other matter before we resume business, I am advised that some of the people listening over radio are actually finding it quite difficult to hear what is being said and I would suggest that perhaps you raise your voices slightly and speak a bit more slowly and hopefully what you're saying will then be heard. Thank you. I'll let you get your jackets sorted out and then I'll ask the Clerk to call the next item.

The Speaker –
Thank you, Clerk.

6. MOTIONS

Motion 1. The Honourable Rodney Buckley.

The Hon. Rodney Buckley –

Madam Speaker, I beg to move that this Council makes, in accordance with section 68 of the Constitution, new Standing Orders in the form of the draft set out in Sessional Paper No. 10/2010.

The Speaker –

Thank you. Is there a seconder to this Motion?

The Hon. Stedson Francis –

Madam Speaker, I beg to second.

The Speaker –

The Honourable Mover wishes to speak?

The Hon. Rodney Buckley –

Very briefly, Madam Speaker, this revised Standing Orders brings Council proceedings in line with our new Constitution. It also makes some amendments to bring proceedings up to date with modern practices. It is not controversial since it was revised with the full input from this Council as one of their earlier pieces of work following their election in November and is presented as the first Motion on the Order Paper to allow this Council proceedings to proceed under this revised procedures. Madam Speaker.

The Speaker –

Thank you. Honourable Members, the Motion is open for debate. The Motion before the House is, that this Council makes, in accordance with section 68 of the Constitution, new Standing Orders in the form of the draft set out in Sessional Paper No. 10/2010. Does any Honourable Member wish to speak? The Honourable Attorney General.

The Hon. Attorney General –

Thank you, Madam Speaker. I rise to propose an amendment, which is necessary because of a clerical error, for which I accept responsibility. If Honourable Members would like to look at page 21 of the draft which is in Sessional Paper No. 10/2010, Honourable Members will find at the bottom of the page that the document is still dated as if the Orders were being made last August. We actually have on the front cover space for the Clerk to certify that the Orders have been made and that can be added and dated today. I therefore beg to move that the Motion be amended by adding at the end of the Motion the words “subject to the amendment of the draft by deleting the words from “made by” to “speaker” where they appear after Order 23.” I hope this will be uncontroversial; it’s simply correcting an administrative error.

The Speaker –

I’m sure it will be uncontroversial, but perhaps I’d better not be sure it will be uncontroversial. I don’t happen to have a copy of that wording; I don’t know where I’ve put it. Could I just have it, please? The amendment has to be seconded, please, and the amendment reads, at the end of the Motion the words “subject to the amendment, sorry, by deleting the words from “made by” to “speaker” where they appear after Order 23”. Is there any Honourable Member who wishes to second the amendment?

The Hon. Rodney Buckley –

Madam Speaker, I’ll second this amendment.

The Speaker –

Thank you, Honourable Member. The AG has already spoken to his amendment, I doubt it very much he wishes to say anything else. Does any other Honourable Member wish to comment?

Question on amendment, put and agreed to.

The Speaker –

Does any Honourable Member wish to speak to the Motion as amended? The Honourable Stedson Francis.

The Hon. Stedson Francis –

Madam Speaker, I fully support this Motion. I think it is well understood that you cannot operate under a new Constitution without having Standing Orders that is compatible. The current Standing Orders of the Legislative Council originated from a thorough overhaul that was carried out in November 2005 after the General Election. Other minimum changes were made in August of last year and these, along with other minor amendments, were discussed recently at informal LegCo with the current Council. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Does any other Honourable Member wishes to speak? In which case I invite the Honourable Mover to wind up the debate.

The Hon. Rodney Buckley –

Madam Speaker, there is no controversial issue and it simply brings us in line with modern day practice.

The Speaker –

Thank you, Honourable Member.

Question put and the Motion, as amended, is carried.

The Speaker –

The Ayes have it, the Ayes have it, and as of this moment in time, the new Standing Orders are the Standing Orders which will apply for the remainder of this meeting of this Council and all future formal meetings of Council. If, like me, you have your old Standing Orders, I suggest you put them out of the way. Thank you. Clerk, next item of business?

Motion 2. The Honourable John Cranfield.

The Hon. John Cranfield –

Madam Speaker, I beg to move that this Council approves, in accordance with section 71 of the Constitution, a Code of Conduct in the form of the draft set out in Sessional Paper No. 9/2010.

The Speaker –

Thank you, Honourable Member. Is there a seconder to this Motion?

The Hon. Anthony Green –

Madam Speaker, I beg to second.

The Speaker –

Thank you, Honourable Member. Honourable Mover?

The Hon. John Cranfield –

Madam Speaker, just briefly, the Motion seeks approval by the Legislative Council to provide guidance to members as to the standards of conduct expected of them in the discharge of their duties as members of the Legislative Council.

The Speaker –

Thank you. Does any other Honourable Member wish to speak to this Motion which is now open for debate? The Honourable Stedson Francis?

The Hon. Stedson Francis –

Yes, Madam Speaker, I can support this Motion. The previous Council adopted informally a Code of Conduct for its members and amongst other things it deals with the establishment of a Register of Interests. With the passage of time and the election of a new Council, it is timely to review the Code in any event, but the 2009 Constitution contains provisions which require specific attention to the process. Section 53 of the Constitution requires an Ordinance-based Register of Interests and section 71 requires the establishment of a Code of Conduct which must be approved by Legislative Council. The Code of Conduct that we are asked to approve today is based on the existing informal one but modified to take account of changes suggested by the previous Council last year, previous informal discussions of the current Council and the new Constitutional environment. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Does any other Honourable Member wish to speak? Does the Honourable Mover wish to wind up the debate?

The Hon. John Cranfield –

Yes, Madam Speaker, just to say that this is a necessary Motion to work in accordance with the new Constitution. Madam Speaker.

The Speaker –

Thank you, Honourable Member.

Question put and the Motion is carried.

The Speaker –

Just by way of explanation to the public, these two Motions were brought up the Order Paper. As Speaker, I have the right to organise the business of the day, normally we would have gone straight on to having questions, but I felt it was important that we dealt with the issue of Standing Orders and the Code of Conduct before we got on any further into the meeting, so we will now move on to the next item of business. Thank you, Clerk.

Question 1. The Honourable Derek Thomas to ask the Chairman, Health and Social Welfare Committee.

The Hon. Derek Thomas –

Thank you, Madam Speaker. Will the St. Helena Government investigate and establish whether Departments have or can obtain adequate resources to meet basic health and safety standards and maintenance requirements?

The Speaker –

Thank you, Honourable Member. The Honourable Cyril Gunnell, Chairman of Health and Social Welfare Committee?

The Hon. Cyril Gunnell –

Madam Speaker, the Health and Social Welfare portfolio does have oversight of health and safety and I would imagine this is why the question has been given to me to respond to, but health and safety standards within Departments are the responsibility of Heads of Department who should ensure that budget provision is made to cover reasonable needs. The question is quite extensive, but the way it is worded allows me to just give a ‘yes’ answer and then get on with the obligation. However, health and safety is very important and I believe a more substantial answer would be more beneficial to the questioner. Therefore, briefings have been sought from four of the Departments. If I am allowed, Madam Speaker, I will read these out and hopefully the Honourable Derek Thomas will find the answer to his question from therein.

The Speaker –

Thank you.

The Hon. Cyril Gunnell –

From the Finance Department: Finance does hold a health and safety budget of £10,000 which is used mainly for fire safety equipment throughout Government Departments. Requirements are assessed by the Fire Service who is also responsible for procuring and installing such equipment. A list of buildings already serviced from this budget is as follows:- Ogborn House, Brick House, Hospital (including Admin, Dental and Labs); Disaster Management Community Beat, Prison, A&NRD, Sheltered Accommodation, Canister, Post Office, all Primary Schools (although some need replacing again), Sundale, Customs, Fire Station, Human Resources. This is an ongoing exercise and the Fire Station’s aim is to focus on high risk areas first and their focus is now on the Government Garage. In addition, this budget has contributed to the installation of fire escapes at the Radio Station, the Audit Office and the Public Health and Social Services Department.

From the Public Health and Social Services Department: Under the Code of Management, it is SHG’s objective to minimise the number of incidences of occupational accidents, illnesses and injury and ultimately to achieve an accident and injury free workplace. According to the policies therein, all employees should be equipped with such equipment along with information, instruction, training and supervision as necessary to implement the policy and achieve the stated objective. Whilst it is the aim of SHG to do all that is reasonably practicable to ensure the health and safety of its employees, it is the duty of the employee to take reasonable care of themselves and other people’s welfare and to stop and report any situation which may pose a threat. The persons in SHG that are responsible for overseeing, implementing and monitoring such policy is currently the Heads of Departments and to answer the question to some extent, an audit of the Health and Safety Management of the

relevant Department or Departments can be carried out to ascertain whether the Code of Management is being followed. It is not clear what resources this question refers to as adequate resources could include basic health issues, such as personal, protective equipment, signage, ventilation, lighting, welfare facilities, etc. It is hoped that the policies within SHG are followed and all is done so far as is reasonably practicable to meet basic health and safety standards. By this, it means that SHG should not have to take measures to avoid or reduce risks if they are technically impossible or if the time, trouble or cost of the measures would be grossly disproportionate to the risk. On the other hand, what is required is good management and common sense in looking at what the risks are and taking measures to tackle them. It is the regulatory duty of inspectors to investigate whether parties meet basic health and safety requirements; however, whether Departments have the necessary resources in relation to the budget such numbers etc is not the remit of the Public Health and Social Services Department.

From PW&SD, very short: PW&SD are continually striving to meet requirements and Members will notice significant increases in budget lines for this purpose over the years. The Department is also seeking to put in place a Health and Safety Officer.

And finally, Madam Speaker, from Legal, Lands and Planning Department, a contribution from Crown Estates: Crown Estates is now responsible for the maintenance of SHG buildings generally, but current resources are inadequate for the size of the built estates to be maintained. Essentially, this has come about as a result of an ever growing built estate and a static maintenance budget. A consequence of this has resulted in demands on the maintenance budget thus far exceeding the funding available, resulting in a predominantly reactive maintenance process which has to be prioritised. Resources in Crown Estates are very limited and therefore its management is reliant on occupying Government Departments to report their maintenance requirements on a needs basis. In turn, Crown Estates is totally dependent on PWSD to deliver the required service, either using their own maintenance team or private sector contractors, but there are difficulties with supply and demand for these services. Structures like bus shelters have predominantly been erected as a result of public pressure, requiring Councillors to secure funding from Miscellaneous Minor Works, with the expectation that the maintenance budget will automatically deliver maintenance as necessary. It is often the case that the need to redecorate or repair is as a result of public irresponsibility. Additionally, many other new buildings have been added to the Crown Estates through projects and other departmental requirements thereby putting more pressure on an already overstretched budget. Related to this, recent experience has shown that these buildings require maintenance far beyond the expected teething problems within the first year of opening. All of this put a huge burden on Crown Estates management and the Building Maintenance Fund and as a result it is severely compromised.

Thank you Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Derek Thomas?

The Hon. Derek Thomas –

Thank you, Madam Speaker. I thank the Honourable Member, Cyril Gunnell, for a comprehensive response. Can the Honourable Member tell me then who is responsible for road and drainage clearance and general maintenance and repairs of public buildings?

The Speaker –

I believe the Honourable Member has actually answered the very last part of your question in terms of maintenance to public buildings, but I'm happy for him to answer the first part of your question about roads and drainage.

The Hon. Derek Thomas –
Thank you, Madam Speaker.

The Speaker –
Thank you. Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –
Madam Speaker, I would imagine roads are the responsibility of PW&SD.

The Speaker –
Honourable Derek Thomas

The Hon. Derek Thomas –
Thank you, Madam Speaker. Can the Honourable Member say whether there is a sustainable plan in place to ensure that road clearance and drains can be cleaned and maintained as and when necessary?

The Hon. Cyril Gunnell –
Madam Speaker, as I said, the question was extensive, but I can actually take that up with the Department concerned and if Mr Thomas, the Honourable Derek Thomas would like me to, I can report back to him.

The Hon Derek Thomas –
Thank you, Madam Speaker. The Honourable Members said that.....I just need to follow up on the bus shelters. Bus Shelters er...

The Speaker –
Honourable Member, please make sure you're framing a question and not a statement.

The Hon. Derek Thomas –
Right. Thank you, Madam Speaker. Will the Honourable Member not agree that the maintenance and upkeep of bus shelters should be somebody's responsibility?

The Speaker –
Honourable Chairman?

The Hon. Cyril Gunnell –
Madam Speaker, I would agree that it ought to be somebody's responsibility, but as Crown Estates have pointed out bus shelters have come into place because of pressure from the public and have been put in place by Miscellaneous Minor Works funding. If I could just go on a bit, as you know, Madam Speaker, I used to run a programme at Radio St. Helena called "In Focus" and we had that question come up on "In Focus" many a time asking who is responsible for bus shelters. We have been trying to find out exactly who is responsible for bus shelters and so far, Madam Speaker, we have not been able to answer that question.

The Speaker –

Thank you, Honourable Chairman. Honourable Derek Thomas?

The Hon. Derek Thomas –

Thank you, Madam Speaker. Will the Honourable Member take onboard to find out who is responsible for the maintenance and repair of bus shelters, please?

The Speaker –

Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Madam Speaker, I said earlier we have been trying but so far have not been able to, but I will gladly continue doing that.

The Speaker –

Thank you, Honourable Member. Honourable Derek Thomas?

The Hon. Derek Thomas –

The final question, Madam Speaker, I think. Can the Honourable Member tell me then, what plans are in place, if any, to repair and decorate the bus shelter at Rosemary Plain that's been in a terrible state for more than a year?

The Speaker –

Honourable Member, I think you really cannot expect the Honourable Chairman to give you any positive response to that question having just established that he at the moment doesn't even know who's responsible for the bus shelters.

The Hon. Derek Thomas –

Madam Speaker, can he investigate and find out please?

The Speaker –

Honourable Chairman?

The Hon. Cyril Gunnell –

I think I've already said that, Madam Speaker.

The Speaker –

Yes, thank you. Honourable Stedson Francis?

The Hon. Stedson Francis –

Thank you, Madam Speaker. I believe we have £1.56M in the current year's....

The Speaker –

Question please, Honourable Member.

The Hon. Stedson Francis –

I'm coming to it. Could we not ask those who is responsible for the Infrastructure Project, £1.56M for this year and two point whatever million pounds for next year, if we could have a hundred pounds out of that to put some paint on the bus shelters please?

The Speaker –

I'm not quite sure who you're addressing the question to.

The Hon. Stedson Francis –

The Utilities and Infrastructure Committee, I would imagine.

The Speaker –

....the Acting Chairman. I think this particular question should be treated in the same way as the last one. I'm quite sure the Chairman will have noted your concern and it will perhaps become part of an investigation into who is responsible for these shelters and how maintenance is going to be funded and carried out. Please, you must remember that your supplementary questions can only be directly related to the original question. Honourable Bernice Olsson?

The Hon. Bernice Olsson –

Thank you, Madam Speaker. Madam Speaker, the Honourable Chairman mentioned in his response about fire escapes, can this House be told, people who are living in Government Flats will be given fire escapes for safety?

The Speaker –

Honourable Chairman?

The Hon. Cyril Gunnell –

Madam Chairman, I'm not certain who that is directed to, but the original is to me. Once again though, as I said, the answer, the question is extensive and I imagine we could go on all day with supplementary questions coming up, but personally, Madam Speaker, I don't know who that is, but I could try and find out.

The Speaker –

Thank you. I'm sure the Honourable Member will provide you with information you require. Honourable Tony Green?

The Hon. Anthony Green –

Madam Speaker, regarding the original question about health and safety, may I ask if Government has in place an overall policy to do basic risk assessments throughout all Departments?

The Speaker –

Thank you, Honourable Member. The Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Madam Speaker, I am not aware that there is such a thing in place, but once again I can find out and report back to the Honourable Anthony Green.

The Speaker –

Thank you. Honourable Brian Isaac?

The Hon. Brian Isaac –

Madam Speaker, on a point of information in connection with the statement made by the Honourable Stedson Francis for the bus shelter at Rosemary Field, I will, as Deputy

Chairman, assist with the Honourable Cyril Gunnell to see what can be done to improve the standards of the bus shelter at Rosemary Field. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Next item of business, please?

Question 2. The Honourable Raymond Williams to ask the Honourable Chief Secretary.

The Hon. Raymond Williams –

Thank you, Madam Speaker. Will the Honourable Chief Secretary tell this House why outsourcing of Government services has ceased?

The Speaker –

Thank you, Honourable Member. The Honourable Andrew Wells?

The Hon. Andrew Wells (Chief Secretary) –

Madam Speaker, I thank the Honourable Member for his question. The outsourcing of Government services programme has not ceased.

The Speaker –

Thank you, Honourable Chief Secretary.

The Hon. Raymond Williams –

Thank you, Madam Speaker.

The Speaker –

Any supplementary questions? The Honourable Rodney Buckley?

The Hon. Rodney Buckley –

Thank you, Madam Speaker. Will the Chief Secretary say if there is any plans to review the list of proposed services for outsourcing?

The Speaker –

Honourable Andrew Wells?

The Hon. Andrew Wells –

Thank you, Madam Speaker. A review is currently underway in consultation with the Department for International Development with the aim of enhancing the Outsourcing Programme. This review is part of a broader evaluation of the business environment taking place this year to ensure that local policy, legislation and initiatives actively promote and do not hinder private sector growth as well as local and overseas investment on island. I understand that this review will be completed as soon as early May this year.

The Speaker –

Thank you, Honourable Member. The Honourable Rodney Buckley

The Hon. Rodney Buckley –

Can the Chief Secretary say what is the involvement of DfID in this review process?

The Speaker –

Thank you, Honourable Member. The Honourable Andrew Wells?

The Hon. Andrew Wells –

Thank you, Madam Speaker. The Department for International Development's involvement in the review will relate to their concern over the business environment and the fact that they have set as a FLIT or performance target for the Government the improvement of business environment. They therefore have a legitimate interest in observing the course of the review although, of course, the details of the review will be conducted by SHG.

The Speaker –

Thank you, Honourable Chief Secretary. Next item of business, please?

Question 3. The Honourable Rodney Buckley to ask the Honourable Attorney General.

The Hon. Rodney Buckley –

Madam Speaker, will the Government inform this Council about its proposals for the Attorney General's Chambers to move swiftly with its legislation drafting programme in order that outstanding legislation can be brought forward during 2010?

The Speaker –

Thank you, Honourable Member. The Honourable Ken Baddon, Attorney General?

The Hon. Ken Baddon –

Thank you, Madam Speaker. One or two preliminary observations first of all, the first being that I note that the Honourable Member's question refers to moving swiftly with our legislative drafting programme and on reading the question I was immediately put in mind that I'm repeatedly told by Honourable Members that I'm going too fast and that if I go too fast we will make mistakes. There is a balance to be struck between moving swiftly and moving accurately. That said, Madam Speaker, there has been progress in the short time since this Council was elected. One has only to look at what we are intending to achieve during this sitting to see that the reviewing of Standing Orders and the Code of Conduct, which were on the list which the member saw shortly after the election, have been completed, and, indeed, have been approved earlier this morning. We have also processed the legal instruments necessary to constitute the new Council Committees and defined their functions, we have revised the Council Committees rules of procedure, we have processed two sets of complex regulations to enable the Welfare of Children Ordinance to be brought into force on 1st March, a complex set of amendments to the Income Tax Ordinance which we shall be debating during this sitting. The Honourable Members received shortly after the election a list which was headed "Possible items for legislation in 2010", and, as I say, it included as a footnote the Standing Orders and the Code of Conduct. Amongst the other matters which were mentioned were Employment legislation; there has been progress on that in that revised drafts have been submitted to the Education and Employment Committee, so there is progress in train; amendments to the Audit Ordinance and the Financial Management Ordinance will be the subject of a discussion amongst officials once the relevant officials have completed the budget process, which has been something of a preoccupation in recent weeks. There was mention of a Criminal Procedure Ordinance and the Criminal Code; that is a project intended to last one year and FCO funded it. It had begun shortly before the election, it is ongoing and it is on schedule, but it is not likely to bring anything before the Council as distinct perhaps from before some of the Committees until early in 2011. An Ordinance to fix the remuneration and allowances for Members was one of the items listed, that also is on the

Order Paper for this meeting. There were three related items relating to media. I can tell the House that an ExCo Memorandum will go to the Executive Council before the end of this month with a view to moving forward on the question of establishing a proper regulatory framework for the media. Another item which was listed was banning smoking in public places, progress has been made on that, it was considered by the Public Health and Social Welfare Committee last month and was approved for publication for public consultation. At the same meeting, that Committee discussed implementing new Food Hygiene Regulations, that matter has since been to Executive Council and they will come into force on 1st April and a new item of business also emerged from that meeting which was a review of the Nurses and Midwives Ordinance on which work is about to start. Madam Speaker, there were, of course, a number of items on the list on which there has not yet been any progress since it was seen by Members in about December of last year, but in that context I have respectfully to remind Honourable Members that the Law Offices do not draft laws on our own initiative, we act on policy directions from the relevant policy managers and I will circulate to Honourable Members, because the list is too lengthy to read out in the Chamber, a revised version of the list circulated last year, with notes as to what has happened since and those areas where policy directions are still awaited before anything can be done by my office. I will also circulate, at the same time, an updated copy of a document first prepared about five years ago reminding Departments, and, in particular, the policy managers within Departments, of the process leading to preparation of legislation involving various stages of consultation and policy formulation. The same document will also be re-issued to Departments early next week. The only other point I would add, Madam Speaker, is, apart from the matters which we had on that list in December new items keep coming up all the time, I have mentioned the Nurses and Midwives Ordinance, we have also been having discussions about the appointment of a District Judge, which will require some legislative work, the Finance Department wish to have a fundamental review of the Customs legislation; that is a big task and was not on the original list and I have already initiated consideration by the Home and International Committee of the question whether we should follow the example of Ascension in relation to amending our drink/driving laws. The Island Council on Ascension has given certain advice to the Governor concerning fairly radical amendments to the way drink/driving offences are dealt with. We do, of course, continue to work on the new Fish Processing legislation in consultation with the Public Health and Social Services Department. That legislation is needed if we are to continue to comply with EU requirements in respect of selling fish abroad. That work is at an advanced stage and will be discussed between my office and the relevant officials on a date next week; I can't remember exactly which day it is. And finally, of course, Madam Speaker, apart from the projects which I've already mentioned concerning Criminal Procedure and the Criminal Code, we do have ongoing work month in month out concerning generally updating the laws under the broad heading of Law Revision. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Ken Baddon. The Honourable Rodney Buckley?

The Hon. Rodney Buckley –

Thank you, Madam Speaker. May I thank the Attorney General for his refreshing remarks. The question was brought to the House because there were worries of that long list that the Honourable Attorney General refers to and it has been known that it is impacting on some of the other Departments, but I will have to congratulate the Honourable Attorney General for all the work he's done in the past three months that this new Council has been in House and I

am sure my colleagues will join me to that congratulations. But it is refreshing to hear that so much has been done on the list.....

The Speaker –

Honourable Member, are you asking another question?

The Hon. Rodney Buckley –

No, not quite, Madam, I just wanted to congratulate the Honourable Attorney General on the amount of work on the list that he gave me, Honourable Members, can he say please if he is satisfied that he have enough human resources in his Department to deliver all that is on that list in 2010?

The Speaker –

Thank you. Honourable Ken Baddon?

The Hon. Ken Baddon –

Madam Speaker, thus far since the Election we have managed to process all requests for legislation for drafting very promptly indeed; we have no significant backlog. If we get to the point at which the demand exceeds the resources then it will be for the Executive Council to determine how to prioritise the work and which we do first and which has to wait.

The Speaker –

Thank you. Next item of business, please?

Question 4. The Honourable Cyril Gunnell to ask the Honourable Chief Secretary.

The Hon. Cyril Gunnell –

What plans are there for reducing the cost of transport that is currently used by St. Helena Government?

The Speaker –

Thank you, Honourable Member. The Honourable Andrew Wells, Chief Secretary?

The Hon. Andrew Wells –

Madam Speaker, I thank the Honourable Member for his question. The cost of the Government's vehicle fleet is now being reviewed, in particular, the supply of service parts. The intention is to increase the stock levels of parts with a high likelihood of use to reduce vehicle downtime and to minimise the cost of supplying alternative transport. In addition, the intention is to tap into the well established second-hand refurbished spares market in the United Kingdom. Madam Speaker, I'm not an expert in these matters but I understand, for example, that a second-hand Landrover engine can be sourced for £550 there compared to a new one at £5,000. Madam Speaker, I am confident that these initiatives will contribute to reducing vehicle maintenance costs. I should like to add that over the last couple of decades the size of the Government's vehicle fleet has fallen from between thirty and forty vehicles historically to eleven today.

The Speaker –

Thank you, Honourable Andrew Wells. Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Madam Speaker, will the Honourable Chief Secretary say how SHG's transport is monitored to ensure that costs are kept down?

The Speaker –

Honourable Andrew Wells?

The Hon. Andrew Wells –

Thank you, Madam Speaker. The monitoring of the vehicle fleet is the responsibility of the Public Works and Services Department. It is also a concern of Internal Audit to ensure that normal procedures and best practices are followed. Thank you.

The Speaker –

Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Madam Speaker, including home to duty vehicles, to what extent is SHG coordinating the use of vehicles and ensuring that vehicles are shared to get people and goods to their destinations?

The Speaker –

Honourable Andrew Wells?

The Hon. Andrew Wells –

Thank you, Madam Speaker. The coordination of vehicle use, which is obviously highly desirable in order to obtain maximum efficiency, is something which is of continuing concern to the Administration. The current system is under review, as part of the review which I already referred to, and it will feed in to the comprehensive transport review, which, as the Honourable Member will be aware, is planned for 2010/11. The results of this will be shared with the relevant Council Committees and in due course with the Council as a whole.

The Speaker –

Thank you, Honourable Andrew Wells. Honourable Derek Thomas?

The Hon. Derek Thomas –

Thank you, Madam Speaker. Will the Chief Secretary agree that the review will take account of the Departments sharing vehicles instead of having dedicated vehicles in Departments, sharing vehicles on a needs basis, i.e. mainly weekends, there might not be the need for certain Government Departments to use vehicles, instead of vehicles sitting there, there might be the need for other Departments to have the vehicle.

The Speaker –

Thank you, Honourable Member. I think you have asked your question and are now making rather a long clarification on it.

The Hon. Derek Thomas –

What I'm asking, Madam Speaker, if would the review take account of Departments sharing vehicles as opposed to hiring from the private sector?

The Speaker –

Absolutely, thank you Honourable Member. The Honourable Andrew Wells?

The Hon. Andrew Wells –

Madam Speaker, before I reply to the Honourable Member's question, I have been informed that my reference to eleven vehicles was an error for which I apologise; it refers to hire drive vehicles, of course. To respond to the Honourable Member's question, I'm entirely of his view that the need to share vehicles where practicable is important, obvious cost efficiency and certainly will be taken into account in the review.

The Speaker –

Thank you, Honourable Andrew Wells. Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Still on costs, Madam Speaker, to what extent are checks made to make sure that every individual journey that an SHG vehicle makes is correctly recorded in the log books?

The Speaker –

Honourable Andrew Wells?

The Hon. Andrew Wells –

Madam Speaker, I am happy to supply a written answer on the details of the administrative system in place to the Honourable Member.

The Speaker –

Thank you. Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Thank you, Madam Chairman. When that is received, I will pass it round to all of the other Members, and, indeed, as this is a public meeting today, I will actually share it with the public, but my question now, Madam Speaker, is, what are the penalties for not recording individual journeys?

The Speaker –

Honourable Andrew Wells?

The Hon. Andrew Wells –

Madam Speaker, that question I take to be part of the previous question, certainly my answer to it is the same.

The Speaker –

The Honourable Stedson Francis?

The Hon. Stedson Francis –

No, sorry Madam, I was just going to query the figures that the Honourable Andrew Wells gave, but that's been rectified.

The Speaker –

Thank you. The Honourable Brian Isaac?

The Hon. Brian Isaac –

Madam Speaker, on a point of information, as Deputy Chairman of the Infrastructure and Utilities Committee, I would have some concern of importing second-hand spares for vehicles in respect of value for money, I'm not sure how appropriate that would be, Madam Speaker.

The Speaker –

Thank you. The Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Thank you, Madam Speaker. How many private vehicles are on hire currently by SHG and what is the reason for this when SHG has its own adequate stock of fleet vehicles?

The Speaker –

Honourable Andrew Wells?

The Hon. Andrew Wells –

Madam Speaker, I believe I have already inadvertently answered his question. I understand that there are some eleven vehicles on hire. The reason for vehicles being on hire is where a particular Department has an urgent need to go on site and Government transport is unavailable. That does happen, unavoidably, our task must be to ensure it only happens when it is avoidable and that all use of vehicles is properly logged and the additional vehicles are only hired when they need to be. Thank you.

The Speaker –

Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Thank you, Madam Speaker. Will the Honourable Chief Secretary say then how many private vehicles have been on long-term hire and why?

The Speaker –

Honourable Andrew Wells?

The Hon. Andrew Wells –

Madam Speaker, I should like to reply to that supplementary question as part of my follow-up written answer.

The Speaker –

Thank you. Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Coming to the end, Madam Speaker. To what extent will the purchase of four Landrovers that arrived to the island recently cut down on the cost of transport?

The Speaker –

Your original question does ask about plans for reducing the costs, I'm not sure whether the Honourable Chief Secretary will take note of that supplementary question perhaps and investigate?

The Hon. Andrew Wells –

Certainly, Madam Speaker.

The Speaker –

The Honourable Anthony Green?

The Hon. Anthony Green –

Madam Speaker, on a point of information, I think my Honourable Colleague, that's Mr Cyril Gunnell, has stolen my baton so I don't have a question to ask.

The Speaker –

In which case, I'll call upon the Clerk to call the next item of business, please?

Question 5. The Honourable Anthony Green to ask the Honourable Chief Secretary.

The Hon. Anthony Green –

Madam Speaker, will the Honourable Chief Secretary explain how the role of the Infrastructure Advisory Group is seen viz a viz that of the Infrastructure and Utilities Committee?

The Speaker –

Thank you, Honourable Member. The Honourable Andrew Wells, Chief Secretary?

The Hon. Andrew Wells –

Madam Speaker, I thank the Honourable Member for his question. The role of the Infrastructure and Utilities Committee is well known to all Honourable Members and has, indeed, been clearly set out earlier this morning by the Honourable Brian Isaac. In brief, it's responsible for the strategic policy oversight of the island's infrastructure, utilities and communications in a way that supports the achievement of our national goals. Madam Speaker, it is normal practice in this as in other jurisdictions for there to be a committee or committees of officers to deal with cross-cutting operational matters in support of the strategic role of elected members. The Infrastructure Advisory Group is no exception. It's remit is to keep under review the priority accorded to different projects within our Infrastructure Plan. It provides guidance in the event that projects deviate in terms of budget or work programme for the original targets agreed within the Plan. The Infrastructure and Utilities Committee has, of course, by contrast, a much wider remit, encompassing the overall business plan of the current Public Works and Services Department, review of Utility Charges, and, indeed, all strategic policies relating to this important portfolio.

The Speaker –

Thank you, Honourable Andrew Wells. The Honourable Tony Green?

The Hon. Anthony Green –

Madam Speaker, is the Honourable Chief Secretary aware that last month it was explained to me that the Infrastructure Advisory Group, the IAG, is a higher level group than the Infrastructure and Utilities Council Committee?

The Speaker –

Honourable Andrew Wells?

The Hon. Andrew Wells –

Thank you, Madam Speaker. In response to the Honourable Tony Green, I may say that I was not aware that such an explanation had been proffered to him and that I would certainly take issue with it. There is no question of there being a higher level of Committee. The two Committees are different in composition and serve, as I have explained, different functions.

The Speaker –

Honourable Anthony Green?

The Hon. Anthony Green –

I thank the Honourable Chief Secretary for that and I just wonder whether the Honourable Chief Secretary could now make it clear please what are the intentions when the IAG's terms of reference which similarly he was involved in drafting, states, "The IAG will be the body responsible for providing strategic direction for the Infrastructure Plan"?

The Speaker –

Honourable Andrew Wells?

The Hon. Andrew Wells –

Thank you, Madam Speaker. The current terms of reference of the Infrastructure Advisory Group were, of course, drafted before the coming into being of the new Committee system. It was necessary at that time, and it remains necessary up to an extent today, to coordinate the different executive agencies that are involved in our Infrastructure Plan, including the Public Works and Services Department as well as the Access and Infrastructure Project Office. The Honourable Member may be aware that the duration of the IAG is fixed until 31st August of this year. At that time, the Administration has undertaken that a review of the Group's remit, makeup and deliverables will be carried out by His Excellency the Governor and myself.

The Speaker –

Honourable Tony Green?

The Hon. Anthony Green –

I thank the Honourable Chief Secretary for that, but I would ask if he would consider adding to the Group, because he's not on there now, the Chairman of the Infrastructure and Utilities Committee who is not even a member at the moment of the IAG?

The Speaker –

Honourable Andrew Wells?

The Hon. Andrew Wells –

Madam Speaker, I will do more than consider it, subject to the approval of the Governor, I will undertake to ensure that that happens with immediate effect.

The Speaker –

Thank you, Honourable Andrew Wells.

The Hon. Anthony Green –

Thank you, Madam Speaker.

The Speaker –

The Honourable Stedson Francis?

The Hon. Stedson Francis –

Thank you, Madam Speaker, I was going to ask if the Utilities and Infrastructure and Utilities Committee was represented on the Infrastructure Group, but that has been answered now, but can I ask who has political oversight or control of the £1.5/6M used for Infrastructure Projects?

The Speaker –

Honourable Andrew Wells?

The Hon. Andrew Wells –

Thank you, Madam Speaker. In terms of political oversight, authority must rest with the concerned Council Committee.

The Speaker –

Thank you. Next item of business, please?

Question 6. The Honourable Stedson Francis to ask the Honourable Chief Secretary.

The Hon. Stedson Francis –

Will the Honourable Andrew Wells confirm that Saints who have the appropriate qualifications and are appointed to senior posts in the Public Service whilst resident in the UK are eligible for the same pay and conditions of service as expatriates?

The Speaker –

Thank you, Honourable Member. The Honourable Andrew Wells, Chief Secretary?

The Hon. Andrew Wells –

Thank you, Madam Speaker, I thank the Honourable Member for his question. Any person who is domiciled overseas and who is successful in obtaining a post in the St. Helenian Public Service will receive the terms and conditions applicable to that post irrespective of whether he or she is of St. Helenian or any other origin.

The Speaker –

Thank you Honourable Andrew Wells. Honourable Stedson Francis?

The Hon. Stedson Francis –

Can I ask the Honourable Andrew Wells for how long has this been the case?

The Speaker –

Honourable Andrew Wells?

The Hon. Andrew Wells –

Madam Speaker, it has been the case for as long as I have been on island, although I claim no credit for that fact. I cannot give a precise date as to when some other policy may have applied.

The Speaker –

Honourable Stedson Francis?

The Hon. Stedson Francis –

Can I ask that some research be looked into, because dare I say it, I declare an opinion, that this hasn't been the case for many years?

The Speaker –

Honourable Andrew Wells?

The Hon. Andrew Wells –

I'm happy to undertake that research.

The Speaker –

Honourable Tony Green?

The Hon. Anthony Green –

Madam Speaker, where Saints are appropriately qualified and suitable would they be given preference for any job?

The Speaker –

That isn't contained in the original question. I will allow the Honourable Chief Secretary to decide whether he wishes to answer that.

The Hon. Andrew Wells –

Thank you, Madam Speaker. It's a very general question, albeit important one, so I think it would be appropriate for me to answer it in equally general terms. Before doing so, I would, of course, point out that there are various categories of appointment with different terms and conditions of service attached to the particular source of funding, including, for example, Technical Cooperation posts, Support Nurses and so on, but as a general point, where there are, for example, two equally qualified applicants for a particular post in the service, one of whom is St. Helenian and one of whom is expatriate, the preference would be given to the St. Helenian.

The Speaker –

Honourable Bernice Olsson? I'm sorry, could the other two Honourable Members put their name boards down Thank you.

The Hon. Bernice Olsson –

Madam Speaker, can I stand on a point of information about Saints getting first over an expatriate if they are qualified in certain jobs?

The Speaker –

I would urge you not to be referring to any individual cases.

The Hon. Bernice Olsson –

No, no, but I knew of one..... I just want to say it.

The Speaker –

Please make your point of information if it's relevant.

The Hon. Bernice Olsson –

The Honourable Chief Sec said as long as he's been here Saints get first choice if they are qualified, I am sorry to say that between an expat and a Saint, the expat seems to get the first choice, not the Saint.

The Speaker –

I don't believe the Honourable Chief Secretary said that.

The Hon. Bernice Olsson –

Well, he don't get the first choice, but the Saints will always come first and it's not the case, Madam Chairman, Madam Speaker.

The Speaker –

The Honourable Andrew Wells, Chief Secretary?

The Hon. Andrew Wells –

Madam Speaker, my reference to past practice was in respect of the terms and conditions of service which are applied to applicants, successful applicants of different origins, that's what the specific reference was, I was subsequently asked a supplementary general question about choices between expatriates and St. Helenians, that was a separate question which I replied to in a general way.

The Speaker –

Next item of business.

Question 7. The Honourable Cyril Gunnell to ask the Honourable Chairman, Infrastructure and Utilities Committee.

The Hon. Cyril Gunnell –

Madam Speaker, what plans does PW&SD have for reviewing the policies for collecting revenue from Standing Charges for electricity and water so that revenue collected from Standing Charges does not impact adversely on the vulnerable?

The Speaker –

Thank you, Honourable Member. The Honourable Brian Isaac, Deputy Chairman, Infrastructure and Utilities Committee.

The Hon. Brian Isaac –

Madam Speaker, all proposed changes to fees and charges in respect of utilities are considered by the Infrastructure and Utilities Committee. The key part of the consideration of any proposed changes to fees and charges is the social impact assessment prepared by the Social Development Planner. The social impact assessment is considered alongside financial and economical phases so that the issues raised can be best addressed. From a financial and economic viewpoint, standing charges can be a useful mechanism in that they reflect the cost of some of the FLITS costs providing a service. It is worthwhile noting that alternative mechanisms will need to be subjected to giving financial, economic and social impact. When reviewing policies for collection of revenue, it is now possible to have a social impact study undertaken. This information can be provided by the Social Development Planner who is currently employed by SHG to protect the vulnerable and that any increases in revenue do not adversely impact on the vulnerable. The island also has the support of an independent Welfare Adviser who is undertaking a review of the Social Security Benefits system which

will provide protection for the vulnerable when reviewing policies for collection of revenue. This support has not been available in the past and has been most welcomed by all Departments involved and it is hoped that following recommendations will be made and will achieve greater protection for the vulnerable in our society. Madam Speaker, as a former member of Council I've very often sat in debates when we have to increase revenue and the vulnerable is always at the top of the list when debating this issue. I remember Members often referring to the little old lady who lives alone and has a minimum income. We all don't like to increase revenue but we as a responsible Government at times have to take on such measures, but we always ensure that in some form or the other the vulnerable is protected and the Social Security Department in some cases are able to offer such support. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Madam Speaker, would the Honourable Brian Isaac say to what extent is he aware that many people on low incomes are having great difficulty paying the Standing Charges and suffering hardship as a result?

The Speaker –

Thank you, Honourable Member. The Honourable Brian Isaac?

The Hon. Brian Isaac –

Madam Speaker, I am aware that there are people who are suffering hardship on the island and having difficulties in paying their utilities account. The Social Security Department offers a loan in some cases, but this also has an impact on their income. Thank you, Madam Speaker.

The Speaker –

Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Madam Speaker, a loan is always available, but a loan has to be repaid. Can I ask the question then, Madam Speaker, what plans are there to increase these rates and why is this necessary?

The Speaker –

Thank you, Honourable Member. The Honourable Brian Isaac?

The Hon. Brian Isaac –

Madam Speaker, as I earlier said, we as a responsible Government must be sure that we are able to collect revenue, but we must also ensure that the vulnerable are able to survive when these charges are implemented.

The Speaker –

Thank you. The Honourable Rodney Buckley?

The Hon. Rodney Buckley –

Thank you, Madam Chairman. Can the Deputy Chairman say if he knows if the Department have any plans to offer the Committee policy suggestions on modernising collection of revenue at the same time reducing expenditure?

The Speaker –

Thank you, Honourable Member. The Honourable Brian Isaac?

The Hon. Brian Isaac –

Madam Speaker, this is the process we are going through at the moment and I don't think it would be fair for me to speak on behalf of the Committee in this House, but in due form whatever decisions are made the Council will be informed as and when. Thank you,

The Speaker –

The Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Thank you, Madam Speaker. I'm not quite certain if my question is the same as the Honourable Rodney Buckley's, but may I ask it anyway, to what extent has consideration been given to collecting the same amount of revenue that is collected from Standing Charges using a fairer system?

The Speaker –

Honourable Brian Isaac?

The Hon. Brian Isaac –

Madam Speaker, as the Deputy Chair of the Committee, we are exploring all aspects in any way we can reduce the increase in revenue, but when you reduce the increase in revenue we will have to find it from somewhere else. Thank you.

The Speaker –

Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Madam Speaker, I was thinking that the revenue could be.....

The Speaker –

.....question please?

The Hon. Cyril Gunnell –

Found from within their own budget, but Madam Speaker, could I finally ask, will the Honourable Brian Isaac, as Deputy Chairman now of Infrastructure and Utilities give an undertaking that the current Standing Charges rates for electricity and water are looked into with a view to decreasing the rates so that people that are made vulnerable because of the current rates will not be asked to pay more than they can afford?

The Speaker –

Honourable Brian Isaac?

The Hon. Brian Isaac –

Madam Speaker, I will undertake the suggestion made by my Honourable Friend, can I ask what was your first part of the question again?

The Speaker –

It wasn't, it was a statement.

The Hon. Brian Isaac –

It was a statement, well, I wasn't sure.

The Speaker –

Perhaps the Honourable Member will supply you with his final question in writing so that you can offer.....

The Hon. Brian Isaac –

I will accept that, Madam Speaker, and to the point of finding money within the current budget to supplement any revenues, that would be fine for the current year, but we're not sure what the following years would entitle, though we could find money, possibly within this year, but there's got to be the continuity that that money remains for the following years. Thank you, Madam Speaker.

The Speaker –

Thank you. Before I call the next item of business, if this Council, all Members please, you are expected to ask questions, not tostatements. Half the sentence might get away with it, but when it becomes rather a longer statement you're not going to get away with it. Next item of business, please?

Question 8. The Honourable Derek Thomas to ask the Honourable Chairman, Health and Social Security Committee.

The Hon. Derek Thomas –

Madam Chairman, will the Health and Social Welfare Committee introduce a policy to ensure that care can be provided to those vulnerable persons in the community who are in need of such care?

The Speaker –

Thank you, Honourable Member. The Honourable Cyril Gunnell, Chairman of Health and Social Welfare Committee.

The Hon. Cyril Gunnell –

Thank you, Madam Speaker and I thank the Honourable Derek Thomas for his question. A long answer I'm afraid. St. Helena has an ageing population and the expectation is that this will lead to an increased demand on social care services. There are also a significant amount of disabled adults who are cared for by their parents and as the parents age the disabled adults may require increased amounts of care to be provided for by professional services. At present, social care for older persons, those over the age of 65, is co-ordinated and provided by the Older Persons Services, which is based at the Community Care Centre. Social care for people under the age of 65 is co-ordinated and provided by Social Services at Brick House. The Public Health and Social Services Department has a policy of accepting referrals for social care. Anyone who is referred is then assessed by a member of staff and if required a care package is put in place. This ranges from providing home care to placing the person in

residential care. Care needs are assessed using a standardised form to ensure that the process is objective and transparent. While the assessment is based on the person's ability to complete activities of daily living, other factors, such as the level of informal support and the living environment are also taken into consideration. These factors have a bearing on the outcome of an assessment. For example, two people with the same level of functional disability may have completely different care packages. One may require a residential placement as there is no support or the home is unsuitable and one maybe able to stay at home as there is support and accessible housing. Current policy allows for the provision of Carer's allowance to a member of the family of a person assessed as requiring care and the provision of a Home Help service where care is assessed as being required, but cannot be provided by a member of the family. This policy is currently under review with the intention simplifying the process. The key is the assessment of what care is required and who is willing and able to provide that care.

The Speaker –

Thank you, Honourable Member. The Honourable Derek Thomas?

The Hon. Derek Thomas –

Thank you, Madam Speaker. I thank the Honourable Member for his answer. Can I ask the Honourable Member why is it then if the policy is in place why is it then that the Home Care section of the Public Health Department cannot always readily find available carers to care for some vulnerable people who is in need of such care?

The Hon. Cyril Gunnell –

.....does its best and most times they are able to find a suitable carer, but there are many things to take into consideration, districts, where people live, who they can get to care for them and so on. I think it will all be more simplified later on when two policies are joined together; Home Help and Carers policies will be joined together to be one policy and I think we will be able to hire people just to be Home Helpers and I think that will be easier, they can work as many hours as they can or at least they could have a full time job provided they have sufficient hours to give them that job. I think it will all be simplified and be made much easier as time goes on, Madam Chairman.

The Speaker –

Thank you, Honourable Member. Honourable Derek Thomas?

The Hon. Derek Thomas –

Yes, Madam Speaker, can the Honourable Member say when these policies will be reviewed and changed?

The Speaker –

Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Madam Speaker, we are very aware of the need to change the policies, they are being looked at as we speak and we hope that some information will be brought to us at the regular meeting in April for us to look at the proposal. Thereafter, I'm not certain how long it will take to implement them, but we'll look at the proposal in April.

The Speaker –

Thank you, Honourable Chairman. Honourable Derek Thomas?

The Hon. Derek Thomas –

Thank you, Madam Speaker. Will the Honourable Member not agree that there are vulnerable people out in the community who have been assessed by the Older Care Persons Service and care can simply not be provided for these people?

The Speaker –

I believe the Honourable Chairman has already indicated that in an earlier answer, but I will allow him to clarify.

The Hon. Cyril Gunnell –

Thank you, Madam Speaker. I don't have all the answers available to me, I would have needed notice of that particular question.

The Speaker –

Honourable Derek Thomas?

The Hon. Derek Thomas –

Well, my question, Madam Speaker, to the Honourable Member was, is the Honourable Member aware that there are currently vulnerable people out in the community who have already been assessed by the Older Persons Services and care simply cannot be provided to those persons?

The Speaker –

Thank you. As I say I think.....

The Hon. Cyril Gunnell –

My answer is the same, Madam Chairman, I would need to have known beforehand to look into that. There may well be people like that, but at the moment I am not aware of it.

The Speaker –

But you will undertake to investigate?

The Hon. Cyril Gunnell –

I certainly will, Madam Chairman.

The Speaker –

Honourable Members, we will, I think take a very short five minute comfort break, as I am extremely hot and sticky and I don't know about anybody else, and it is my intention then that we resume at a quarter to one and we'll continue until a quarter past one or thereabouts at which point we'll take a lunch break.

Council suspended.

Council resumed.

The Speaker –

.....row of the public who are in the Court House with us today that they are having difficulty hearing me. It makes me wonder whether the radio is broadcasting us clearly and I'm quite sure that they're totally unable to hear any Councillor who is facing in this direction, if you can't hear me you certainly can't hear what they're saying. Perhaps during the lunch break we can check that what is being broadcast is audible to the public and in the meanwhile I will now endeavour to think that I am in Prince Andrew School Hall and speaking to a little old lady at the back of the Hall who doesn't really want to hear what I'm saying. You may wave a hand at me if you can't hear me. Thank you. Next item of business, please.

Question 9. The Honourable Rodney Buckley to ask the Honourable Deputy Chairman, Infrastructure and Utilities Committee.

The Speaker –

The Honourable Brian Isaac I believe is going to answer this question. Sorry, the Honourable Rodney Buckley, you haven't asked your question yet, we're doing well.

The Hon. Rodney Buckley –

Thank you, Madam Chairman. Will Government inform this Council of its programme planning for expenditure of funds for the period 2010 to 2013 in respect of roads, water and energy?

The Speaker –

Thank you, Honourable Member. The Honourable Brian Isaac.

The Hon. Brian Isaac –

Madam Speaker, over the past few years, SHG are expecting to implement a number of projects to improve the existing infrastructure to achieve adequate levels of service throughout the island. This will provide a strong basis from which we can expand the service to accommodate growth in the tourism and economic development. DfID has agreed to the disbursement of funds through the overall budget support rather than from the **street** projects as in the past. The new approach leads to the setting up of a Infrastructure Program Office which is able to take a strategic overview of all projects and budgets and enabling SHG to implement more effective planning. I will give the Honourable Member a summary of the Infrastructure Projects managed by the Access and Infrastructure Program Office. Project E1 is intended to reduce our reliance on diesel by minimising consumption and wastage and to reduce the unit cost of electricity generated. This project includes the procurement of energy saving light bulbs for SHG and the public, solar street lights for Jamestown and other areas if funding is available, plus solar water panels for SHG's facilities, such as the Hospital, the CCC unit, Prison and other buildings. This project is expected to provide cost savings for SHG and the public and will also promote a greener environment which will increase the use of renewable energy. The project cost over the next three years is £994,000. Project E2 is intended to upgrade the power system to meet further needs and improve efficiency. This project includes the replacement of four generators at the Power Station, also it is planned that the switchgear at the Station be automated, along with the replacement of the Optimum Remote network communications. It is important that these assets are being replaced at this time to ensure current and future demands can be met. Fuel is the largest proportion of generation costs so the efficiency of the new machines should help to reduce this. Projected cost over the next three years - £3,000,404. Project W1 is intended to develop and implement the framework for suitable water resources management and water supply. This project will

ensure our water resources are better understood and protected with plans in place to meet future development. It will develop and implement plans for the restructuring and modernisation of the Water Division as well as the operational and health and safety standards and procedures. Project projected costs over the next three years - £397,000, plus £82 in the fourth year. Project W2 is intended to upgrade water collection, storage and distribution infrastructure to meet immediate needs and to improve operational performance. This project will cover significant infrastructure works to Red Hill, Hutts Gate and improvement to Jamestown, Levelwood, Blue Hill and Sandy Bay areas. It is also to ensure adequate training leading to sustainable capacity within the Water Division and the local contracting sector. Combined with Project 1, this project is expected to result in improved water quality, reliable supply and access to new connections as well as the better working conditions for the Water Division staff. Project projected cost over the next three years - £5,914,000. Project R1 is intended to address the roads maintenance backlog and to improve planning and implementation of future preventive road maintenance. This project will include the procurement of appropriate road maintenance and quality control equipment and the contracting of a 'hands on' Roads Maintenance Adviser who will carry out local training programmes to produce quality road surfacing and patching. The road maintenance backlog is expected to be removed. The last major road rehabilitation project was undertaken in the late 1990's and an annual road maintenance programme was implemented. This project will halt deterioration of the island's road network and will provide positive benefits in terms of reducing operational costs, reduce roads maintenance costs and ongoing employment opportunities. Project projected cost over the next three years - £5,215,000, but only £2M will be funded by DfID and £3,215,000 funded by the EEF 10 funding. Improvement to the Field Road and Sidepath Road. This project is intended to improve access and road safety between the new proposed harbour facility at Ruperts Bay and the wharf and businesses in Jamestown. Project projected cost over the next three years - £2,020,000. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Brian Isaac. The Honourable Rodney Buckley?

The Hon. Rodney Buckley –

A point of information to start with, Madam Chairman, the Deputy Chairman started off by saying over the past few years, we are ...?.... over the next few years, not the past few years, Madam Speaker, but anyway.....

The Hon. Brian Isaac –

Madam Speaker, a point of information. We have to reflect on where we have done things in the past which haven't been quite up to standard and we use that as an example to improve for the future years to come. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Rodney Buckley.

The Hon. Rodney Buckley –

Madam Chairman, that's okay. The question asked of programme planning, programme planning, Madam Speaker, was expected to give how we are going to deal with the money that has been approved for the next three years. In my books, that is programme planning. However, since

The Speaker –

Your question, Honourable Member.

The Hon. Rodney Buckley –

So my question is, are the Department confident that they have the resources to meet the targets of this planned expenditure?

The Speaker –

Thank you, Honourable Member. The Honourable Brian Isaac?

The Hon. Brian Isaac –

Madam Speaker, at this current time we have some chartered Engineers on the island with the expertise to take such issues forward, we have funding to be able to support these proposals, but one of the constraints we will encounter as we go along will be manpower, but I'm sure that within time and proper management we will overcome this problem.

The Speaker –

Thank you, Honourable Chairman. Honourable Rodney Buckley?

The Speaker –

Thank you, Madam Chairman. Can the Deputy Chairman say if the Department have built in any incentives in their programme planning to improve the output of our local staff to meet these targets?

The Hon. Brian Isaac –

Madam Speaker, I understand that incentives would come under the Human and Resources Department with recommendations from the Public Works and Services Department when people meet criteria andDepartment within. Thank you.

The Speaker –

Honourable Rodney Buckley?

The Hon. Rodney Buckley –

My question, Madam Chairman was whether the Department have any incentives built in to their budget for the programme planned?

The Speaker –

Thank you. Honourable Brian Isaac?

The Hon. Brian Isaac –

Madam Speaker, I cannot be precise when giving an answer to that, but I'm sure that I could supply the Honourable Member, and all Members for that matter, with a written statement in the near future, once it's been explored. Thank you.

The Speaker –

Thank you, Honourable Member. The Honourable Stedson Francis?

The Hon. Stedson Francis –

In the programme, the Honourable Brian Isaac stated that the Power Station is to be automated. Can I ask how would the health and safety aspect be catered for, for example, oil leaks can cause fires and has caused fires in the past?

The Speaker –

I think you really are straying from the programme.....

The Hon. Stedson Francis –

I'm talking about the programme.....

The Speaker –

Well, the programme planning for expenditure of its funds in respect of roads, water and energy, it is a long way from the original question. I will, however, allow the Honourable Deputy Chairman to answer if he wishes to.

The Hon. Brian Isaac –

Madam Speaker, I would have liked to have had notice of that question, but in any functional plans or anything, these things are expected and I'm sure that safety measures will be in place to accommodate such activities as and when they arise, but it's very difficult for me without the expert engineering background to give such commitment that these issues will not happen, but these things will be explored as the programme is being implemented. Thank you, Madam Speaker.

The Speaker –

Honourable Chief Secretary?

The Hon. Andrew Wells –

A point of information, Madam Speaker. I'm not certain whether the Honourable Rodney Buckley was referring to staff incentives in his supplementary question, but on the assumption that he was I can confirm that as part of the ongoing pay and grading review for which DfID has provided an additional £1.5M that staff incentives for good performance in this area, as in other areas, will be available.

The Speaker –

Honourable Stedson Francis, you wanted to ask a question or you....., thank you. Next item of business, please.

Question 10. The Honourable Cyril Gunnell to ask the Honourable Chief Secretary.

The Hon. Cyril Gunnell –

Madam Speaker, what progress has been made to date with replacing the bridge in lower Sandy Bay that was washed away during the heavy floods over two years ago?

The Speaker –

Thank you, Honourable Member. The Honourable Andrew Wells, Chief Secretary?

The Hon. Andrew Wells –

Thank you, Madam Speaker, I thank the Honourable Member for his question. I have visited the bridge to which, I believe, he refers, in company with the Honourable Mervyn Yon, Chairman of the Utilities and Infrastructure Committee and I understand that the original

bridge was installed using Miscellaneous Minor Works funding. A&NRD does provide maintenance to ensure that the Agricultural Station below stream from the household concerned is protected from flash flooding and storm water problems and this will continue to be the case. That Department also sought quotations for works to assist the stability of the stream that runs near to the household served by the bridge. Unfortunately, the quotations obtained were prohibitively high and the Department does not have the funding within its budget to undertake these works at this time.

The Speaker –

Thank you, Honourable Andrew Wells. Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

What then are the plans for reinstating the embankments at both ends of the bridge?

The Speaker –

Honourable Andrew Wells?

The Hon. Andrew Wells –

Thank you, Madam Speaker. In view of the lack of funds, because I believe that the quotation obtained was in the order of a hundred thousand pounds (£100,000) excluding the bridge itself, I think it would be wrong of me to take a view or certainly to make a policy pronouncement based on an individual case. I think that in view of the Honourable Member's concern, a way forward might be to cost and assess this and other comparable cases and to consider all the implications of taking this on as a responsibility of the Government. If I may, Madam Speaker, I will add that this is an excellent example, in my opinion, of how elected Members will be able in the coming year as we roll forward our strategic planning and our three-year budget cycle, to exercise political judgement in prioritising the different and competing ...??nes that we have to face. Thank you.

The Speaker –

The Honourable Derek Thomas?

The Hon. Derek Thomas –

Thank you, Madam Speaker. The Honourable Chief Secretary said the costings were far too high, would the Honourable Chief Secretary explore other possibilities, other quotes in relation to having this bridge reinstalled at Sandy Bay?

The Speaker –

Honourable Chief Secretary?

The Hon. Andrew Wells –

Thank you, Madam Speaker. I would be happy to seek the professional advice the Department has to, first, whether such quotes have already been sought, second, if not, whether it will be practical to obtain alternative quotations.

The Speaker –

Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Madam Speaker, am I to understand that depending on the cost that the bridge may not be replaced at all?

The Speaker –

Honourable Andrew Wells?

The Hon. Andrew Wells –

Madam Speaker, I have tried to address that question already by saying that the cost of £100,000 did not even include the bridge. If it were to be decided that this case, and by implication, other cases of a similar nature should be a charge to the Government, then that will be a prioritisation decision that it is, of course, free for elected Members to make, but there is not the funding in the budget at the current time.

The Speaker –

Next item of business, please?

Question 11. The Honourable Stedson Francis to ask the Chairperson, Access and Transport Committee.

The Hon. Stedson Francis –

Will the Honourable Chairperson, Access and Transport Committee tell this Council when will a decision be made about the future of the RMS and its replacement?

The Speaker –

Thank you, Honourable Stedson Francis. The Honourable John Cranfield, Chairman, Access and Transport Committee.

The Hon. John Cranfield –

Thank you, Madam Speaker and thank you Honourable Stedson Francis for his question. DfID has made it quite clear that the RMS with refurbished engines will be capable of providing service until 2015. If there is no airport by then, it now seems likely that the service currently provided by the RMS will be carried out by separating freight and passenger requirements. However, there is no specific date for the taking of such a decision.

The Speaker –

Thank you, Honourable John Cranfield. Next item of business, please?

Question 12. The Honourable Anthony Green to ask the Honourable Chairperson, Civil Society, Tourism and Leisure Committee.

The Hon. Anthony Green –

Madam Speaker, will the Honourable Chairperson, Civil Society, Tourism and Leisure Committee provide a full update on the status of the Ruperts archaeological project that was undertaken last year?

The Speaker –

Thank you, Honourable Member. The Honourable Bernice Olsson, Chairman, Civil Society, Tourism and Leisure Committee.

The Hon. Bernice Olsson –

Thank you, Madam Speaker. Madam Speaker, archaeological digs were carried out in Ruperts Valley in 2008. These works were carried out by professional, qualified archaeologists as part of the Airport Project heritage mitigation excavation resulted in the recovery of 325 complete human skeletons and a considerable quantity of disarticulated human bones. The human remains have been cleaned, boxed and catalogued and are currently stored in a secure storage. The re-interment of these human is a key issue. A purpose-built Osiary is proposed in Ruperts Valley i.e. building that will provide a permanently closed burial place for the remains or one that is accessible for further re-interment. The Osiary contents could also be accessible to future scholars under strict conditions over the long term. Madam Speaker, £90,000 has been approved by DfID for the Osiary. During her time in the UK, Sharon Wainwright, Access and Infrastructure Programme Manager, will be meeting with the Project's Leader Archaeologist and DfID's Environment Adviser to agree the next steps in the moving of the construction of the Osiary forward. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member.

The Hon. Anthony Green –

Madam Speaker, I just want to thank the Honourable Member. I just have one final question, just to seek confirmation that does the Ruperts site still feature as a potential attraction for future tourists?

The Hon. Bernice Olsson –

Madam Speaker, yes it does.

The Speaker –

Thank you. Next item of business, please?

Question 13. The Honourable Raymond Williams to ask the Honourable Chairman, Access and Transport Committee.

The Hon. Raymond Williams –

Thank you, Madam Speaker. In view of the fact that the island has an ageing population, will Government give consideration to granting people over the age of seventy years free use of the public transport bus service?

The Speaker –

Thank you, Honourable Member. The Honourable John Cranfield?

The Hon. John Cranfield –

Thank you, Madam Speaker. A review of the public transport system was undertaken in 2009 when consideration was given to the possibility of offering free bus passes to pensioners. As part of the review, a mini survey of passengers was conducted to profile the typical users of transport system. The survey covered all routes and from a total of thirty-three passengers, forty-eight and a half percent were over the age of sixty years. The review recommended that free passes should not be issued because it would have resulted in an increase in the annual subsidy of some nine and a half thousand pounds which would have been needed to compensate the public transport operators for the loss of revenue. However,

the Honourable Member is now asking for consideration to be given to allowing persons over the age of seventy years free use of the public transport. I can say that consideration will be given to this request and various factors will have to be taken into account. These will include the social benefits of being able to get to town, especially for those not able to drive; the number of people who would make use of the service if it was free and also the loss of revenue to SHG.

The Speaker –

Thank you, Honourable Chairman. Honourable Raymond Williams?

The Hon. Raymond Williams –

Madam Speaker, the age of sixty years, as previously stated, was probably rather low. I'm now speaking about seventy years and I'm wondering why can't senior citizens have the benefit of such a subsidised service. Thank you.

The Speaker –

Honourable Member, the Honourable Chairman has already indicated that he will give consideration to what you are asking.

The Hon. Raymond Williams –

Thank you, Madam Speaker.

The Hon. John Cranfield –

Can I just add, Madam Speaker, that a comprehensive review of the transport is planned for 2010/11 and the Public Transport Service will be considered within this review.

The Speaker –

Thank you, Honourable Chairman. Next item of business, please?

Question 14. The Honourable Stedson Francis to ask the Honourable Deputy Chairman, Infrastructure and Utilities Committee.

The Hon. Stedson Francis –

Will the Honourable Deputy Chairman of the Infrastructure and Utilities Committee inform this House as to when the new generators will be installed in the Power Station?

The Speaker –

Thank you, Honourable Member. The Honourable Brian Isaac, Deputy Chairman, Infrastructure and Utilities Committee.

The Hon. Brian Isaac –

Madam Speaker, a Consultant has been commissioned to prepare the specifications and manage the tendering process for the new generators and this work is underway. The programme is for the site work to be undertaken in 2011. Although the project will need to be dovetailed with other projects planned under the Infrastructure Plan, all possible issues have been addressed. The Honourable Member would probably like to know what are the other Infrastructure Projects that the work will need to be dovetailed. All other Infrastructure Projects since the funding of?.... water more specifically, since it will form a higher priority within the Infrastructure Plan. Replacement of the generators is the core remit and specification processes will assess if we can increase capacity within the current budget.

Madam Speaker, with your permission, I would like to refer back to a statement made earlier on Project E2 to further inform the Member. Thank you. Again, I will repeat, Project E2 is intended to upgrade the power system to meet future needs and improve efficiency. This project includes the replacement of four generators at the Power Station, also it is planned that the switch gear at the station is automated along with the replacement of the Optimum Remote Network Communication. It is important that these assets are being replaced at this time to ensure current and future demands can be met. Fuel is the largest proportion of generating cost so efficiency of these machines should help to reduce it. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Stedson Francis?

The Hon. Stedson Francis –

Is it too early to ask the Chairman whether or not the four engines that will be replaced will be the same type as those two originally installed and will the engines be of the same speed?

The Speaker –

Honourable Chairman?

The Hon. Brian Isaac –

Madam Speaker, I understand that to be correct, but I would stand to be corrected if it's not the case, but I think at the moment that is what's been proposed. Thank you. But this will depend on the Commissioner who has been commissioned to undertake that study for us and he will be visiting shortly to do the groundwork and put his recommendations forward. Thank you.

The Speaker –

Honourable Stedson Francis?

The Hon. Stedson Francis –

Do you not have the expertise on the island to carry out that work?

The Speaker –

Honourable Brian Isaac?

The Hon. Brian Isaac –

There are expertise on the island to carry out part of the work, but it would also need the input professional advice on this as this is a big project and we need to have it correct. Thank you, Madam Speaker.

The Speaker –

Honourable Members, I think this is the right time to break since I said we would break for lunch at a quarter past one. In view of the amount of business we still have facing us for today, I suggest that we reconvene at 2 o'clock. Thank you, Honourable Members.

Council suspended.

Council resumed.

The Speaker –

Honourable Members, I've been asked if I would relay to you the fact that some of you are still not being picked up clearly on the microphones. Part of the problem is that the air conditioning units, the noise that they're making, is being picked up. All I can suggest is that you make a conscious attempt to talk a little bit closer to the microphone when you are talking please. Honourable Stedson Francis?

The Hon. Stedson Francis –

When you stand you're quite a way from the mic if there's no extension on there.

The Speaker –

I'm going to, before I call the next item of business, allow the Honourable Cyril Gunnell to raise a point of information. Thank you.

The Hon. Cyril Gunnell –

Thank you, Madam Speaker. Just that, on a point of clarification, the Honourable the Chief Secretary said that £5,000 made available for the bridge at Sandy Bay, lower Sandy Bay, came from Miscellaneous Minor Works and I'm reliably informed that the money actually came from Governor's Discretionary Fund, I just wish to make that point. Madam Speaker.

The Speaker –

Thank you, Honourable Member. In which case we'll now move to the next item of business please Clerk.

Question 15. The Honourable Derek Thomas to ask the Deputy Chairman, Infrastructure and Utilities Committee.

The Hon. Derek Thomas –

Madam Speaker, will the Honourable Chairman, Infrastructure and Utilities inform this Council when the roads policy will be reviewed and updated to take into account the increase in cost of labour and materials?

The Speaker –

Thank you, Honourable Member. The Honourable Brian Isaac, Deputy Chairman, Infrastructure and Utilities Committee.

The Hon. Brian Isaac –

Madam Speaker, the roads policy is one of the areas currently under review by the Infrastructure and Utilities Committee. This policy was discussed at the last meeting and will be given a high priority in the forthcoming meetings. In order to best inform the review, the Public Works and Services Department activities are planned within the Department. Practicals and surveys. Preliminary ...?...hour accounting will be completed this week which is undertaken manually. For further collection of this kind of information in future, loop detective equipment are being ordered to validate the data over a longer period. This information is essential for future planning of road works. Road testing programme. This is approximately two to three months work. Equipment currently being ordered to assist in this required information. Road inspection programme. This will commence immediately after the access register data collection is completed. The review of the roads policy will therefore only be completed once the mentioned activities have taken place so that the information obtained can be incorporated into the review and incorporated into the revision of the roads

policy. The current roads policy will be used as intended to support ongoing requests from the public until the new policy is reviewed. Although labour costs may currently be increasing, the cost of labour per square metre of road maintenance undertaken will drop dramatically, meaning, once the equipment that is currently being ordered are on island and is operational we should see a drop in the labour costs. It is likely that the material costs will depend on market forces. The Department and the Committee is in full support of the new way that roads works will be undertaken in the future and to see that these measures in future will provide better value for money and the savings will be used to extend the improvement of roads on the island. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Brian Isaac. Honourable Rodney Buckley?

The Hon. Rodney Buckley –

Can the Deputy Speaker say what type of equipment is being ordered?

The Speaker –

I think you probably meant the Deputy Chairman, but that's fine.

The Hon. Rodney Buckley –

Deputy Chairman, I beg your pardon.

The Speaker –

Honourable Brian Isaac?

The Hon. Brian Isaac –

Madam Speaker, I will refer it to the Engineer. Madam Speaker, I understand that the equipment that's on order will replace some of the manual work that is done in respect of the asphalt spreading and the way things are done now, it will be done more mechanically. I'm not sure if that answers your question, Honourable Member?

The Hon. Rodney Buckley –

No, not, Madam Speaker. Would the Deputy Speaker undertake to give us some information, written information to the Members so that we can keep abreast of what's happening with our island development?

The Hon. Brian Isaac –

Madam Speaker, I thank the Honourable Member for his request and I'm sure that the Department will as soon as applicable supply that to all members in writing. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Chairman. I think the Honourable Deputy Speaker is relieved to know that he wasn't actually answering the question.

The Hon. Rodney Buckley –

I do beg your pardon.

The Speaker –

It's quite alright, we're all likely to make mistakes. Next item of business, please?

Question 16. The Honourable Rodney Buckley to ask the Honourable Chairman, Civil Society, Tourism and Leisure Committee.

The Hon. Rodney Buckley –

Madam Speaker, what are the constraints preventing the implementation of the proposed Main Street project?

The Speaker –

Thank you, Honourable Member. The Honourable Bernice Olsson, Chairman of Civil Society, Tourism and Leisure Committee.

The Hon. Bernice Olsson –

Thank you, Madam Chairman and thank you Honourable Member. Madam Speaker, the SHDA led a local visioning exercise in November 2008 on behalf of SHG, SHNT and the SHDA. Some great local ideas emerged, exhibitions displayed and an action plan was produced in November 2008 primarily for implementation by SHG due to its key role as the Planning Agency, enforcer of local regulations and ownership of many buildings and land and parcels in that vicinity. The Main Street Project was an exercise in creating awareness and bringing forward ideas for lifting the imagined and future use of the town centre, its streets, buildings and open spaces. It did not in itself comprise a specific funded project, the intention being that the ideas brought forward would be incorporated in policies and budgets as they came up for review. At the time, there was no funding to supplement the project. Within the short-term Tourist Funding a hundred thousand of which twenty thousand was allocated for various elements of Main Street, i.e. pavements, curving, but unfortunately there have been delays and issues with seeing this through. Difference of aesthetic and heritage, lack of capacity and departmental support resulted in sourcing private contractors to achieve the work. Bureaucracy in particular long awaited approvals being required from various Committees, such as Highways. The same applied for other Tourism projects, such as the installation of the Jamestown Noticeboard, which was delivered here almost a year ago. A start is being made now on draft revision to the Land Development Control Plan Policy which will include review of the Jamestown Conservation Area, policies along the National Trust Historic Environment Record and conservation management plans, including, as they affect Main Street. The policy revision are intended to come forward for public consultation later this year. The Market and its setting from part of the SHDA Main Street project study area, the Physical Urban Planner prepared early in 2009 a plan to enhance the Market Square, the Bridge, in the context of the move of the Bank of St. Helena to the corner of the Market Street, the intention being to give the area the feeling of pedestrian priority area, both for its appearance and for pedestrians safety. Madam Speaker, unfortunately agreement has not been reached. The Physical Urban Planner has also prepared draft proposals for restoration of the Market building itself and with the assistance of the Financial Secretary and administrative assistance of SHDA funding is being reserved for this work. It is also proposed, if agreement can be found, to include in this work some of the proposed improvements to the Market Square in order to provide proper areas for seating and planting. More immediately, it was hoped that improvements to Main Street could have been incorporated in the DfID short-term Tourism grant-aided works January to March this year to improve the state of the curves. Unfortunately, agreement has not been possible. The Tourist Department also have plans to enhance the area on the East side of the Canister and purchased last summer cast iron bollards to replace the chain link fencing. Also, as part of the DfID short-term Tourist works, some improvements to the Run are proposed to tidy it up and remove trip hazards from the pathways. Madam Speaker, improvements to signage

across the island from another part of the DfID short-term Tourism works, and these include new street name signs for the Jamestown Centre. Initial heritage training began in 2009, collectively, therefore, small improvements are being made and where agreement can be reached more should be possible to be scheduled under the £1.2M Tourism allocation over the next three years. In addition, SHDA has put back its budget allocation for a private sector focused town grant scheme to 2010/2011. This can only be implemented in partnership with SHG once the planning framework and design guidance is in place. A draft scheme would be drawn up in partnership with SHNT and SHG and members will be consulted on the draft proposals. Thank you, Madam Speaker.

The Speaker –

Thank you, Madam Chairman. The Honourable Rodney Buckley?

The Hon. Rodney Buckley –

Thank you, Madam Speaker. Can the Chairman say is the Tourism portfolio have now taken responsibility for this project?

The Speaker –

Honourable Bernice Olsson?

The Hon. Bernice Olsson –

No, Madam Speaker.

The Hon. Rodney Buckley –

Madam Speaker, can you say please who does the ownership of this project falls under?

The Speaker –

The Honourable Bernice Olsson?

The Hon. Bernice Olsson –

Madam Speaker, it will be a collective thing with all stakeholders being involved, I would imagine that would be SHDA and the portfolio holder.

The Speaker –

Honourable Rodney Buckley?

The Hon. Rodney Buckley –

Madam Speaker, will the Chairman take onboard please that ownership of a project really needs to fall to one body rather than a collective number of bodies, we're already experiencing that with the Run.

The Hon. Bernice Olsson –

Madam Speaker, I thank the Honourable Member for that and I couldn't agree more with him and I think it should just go to one portfolio.

The Speaker –

Thank you. Next item of business, please?

Question 17. The Honourable Raymond Williams to ask the Honourable Chairman, Access and Transport Committee.

The Hon. Raymond Williams –

Thank you, Madam Speaker. Honourable Chairman, Access and Transport Committee, will Government inform this House when the freight charges on the RMS will be reviewed?

The Speaker –

Thank you, Honourable Member. The Honourable John Cranfield, Chairman, Access and Transport Committee?

The Hon. John Cranfield –

Thank you, Madam Speaker. As the Honourable Member knows, under our Constitution the responsibility for shipping lies with His Excellency the Governor. However, the members of the Access and Transport Committee are involved in advising His Excellency on such matters and we are aware that a great deal of thought is being given to this very issue. When the DfID Director, Sue Wardell, was with us recently, she indicated that DfID would be prepared to pay any loss incurred by the RMS as a result of freight being carried by alternative ships. A move such as this has significant implications for local traders and consumers and can only take place if the schedule of the ship is amended to enable more tourists to reach the island. It is a complex matter and it is fair to say in the light of Sue Wardell's offer freight charges are currently being reviewed.

The Speaker –

Thank you, Honourable Chairman.

The Hon. Raymond Williams –

I thank the Honourable Chairman. Thank you, Madam Speaker.

The Speaker –

Next item of business, please?

Question 18. The Honourable Anthony Green to ask the Honourable Chairman, Health and Social Welfare Committee.

The Hon. Anthony Green –

Madam Speaker, will the Health and Social Welfare Committee agree to provide free examinations to drivers seventy years of age and over who require a medical when renewing their driving licences?

The Speaker –

Thank you, Honourable Member. The Honourable Cyril Gunnell, Chairman, Health and Social Welfare Committee?

The Hon. Cyril Gunnell –

Thank you, Madam Speaker. We believe that everyone should contribute to their medical costs where they are able to do so. Medicals are currently free to all IRB recipients and the current review of Welfare benefits is looking at the position of those families who have a low income but fail to qualify for IRB. That review will also take account of the provision of medical benefits for such families and the question of free medicals for over seventies. Renewing their driving licences can be considered as part of the overall review.

The Speaker –

Thank you, Honourable Chairman. Thank you. That brings us to the end of the questions for today. We move on to the next item of business, please?

8.

MOTIONS

Motion 3. The Honourable Paul Blessington, Financial Secretary.

The Hon. Paul Blessington –

Madam Speaker, I beg to move that the Appropriation Bill 2010 be approved in principle and referred to a Committee of the whole Council.

The Speaker –

Thank you, Honourable Member. Does any Honourable Member wish to second this Motion?

The Hon. Brian Isaac –

Madam Speaker, I beg to second.

The Speaker –

Honourable Mover?

The Hon. Paul Blessington –

Madam Speaker, in accordance with Standing Order 9, Rule 3, I confirm that this Bill is presented on the Governor's recommendation.

The Speaker –

Thank you.

The Hon. Paul Blessington –

Madam Speaker, Honourable Members, a wise commentator once observed that a budget is just a method of worrying before you spend money as well as afterwards. This budget is about how we should spend money to develop the economy of St. Helena. In comparison to many places around the world, St. Helena hasn't had too many worries over the past twelve months. Whilst we have had to put up with the frustration of a continued airport pause, and households have had to tighten their belts as inflation has eaten away at our spending power, we have so far escaped the far more serious problems of rising unemployment, growing budget deficits and shrinking output which have bedevilled most of the developed world.

That is not to say that the economic conditions facing the island are easy. Until St. Helena can develop an industry where it can earn revenue from wealthy overseas customers, I believe the private sector will find it difficult to expand and the island will remain heavily dependent on UK aid to sustain the current standard of living. Tourism potentially offers one way to bring overseas revenue to the island. Internet-based services may in time offer another avenue to earn revenue from abroad. And traditional industries such as coffee-growing and fishing may also present some scope for export-led development. The question is, what must St Helena do to harness such opportunities?

So far, many of us have pinned our development hopes on the prospect of the UK funding an airport. That still remains a possibility, but given the serious financial difficulties facing the UK, a positive decision cannot be assumed. And even if the airport should get the green light, it will be at least another 4 to 5 years before the first passenger plane can land. We

need to find a way to make progress right now. I intend to return to this theme throughout this speech.

I would now like to consider in more detail how St. Helena's economy has actually performed over the past 12 months. Despite the prolonged recession in the UK, USA and other major economies, this has not yet had a dramatic impact on St Helena. Two of the most obvious effects of external economic factors on St. Helena are the exchange rate and the oil price. The St. Helena pound, which is tied directly to sterling, has weakened substantially against the South African Rand, as a result of the very low interest rates being maintained by the Bank of England to help stimulate the UK economy. With South Africa being a major supplier of imported goods, this means that we are paying 22% more in pounds for South African goods today than we were 12 months ago.

The crude oil price is another item over which St. Helena has no control, but where we feel the impact very keenly. A number of factors affect the price we pay for petrol and diesel, including the dollar price of crude oil which has risen by 52% over the past 12 months, the exchange rate of the pound against the dollar, which has actually strengthened in our favour, and the freight cost for delivery to St. Helena. The overall effect is that the price paid for fuel by St. Helena has only risen by 2% over the past year. The price of oil affects many things on St. Helena – petrol and diesel prices, the cost of generating electricity, even the cost of fares, and bunker surcharges, on the RMS.

Oil prices and exchange rates feed into the inflation rate. In March this year, the annual rate of inflation was running at 5.2%. This represents a stabilisation in the inflation rate, which trended downwards throughout 2009, despite the weakness of the pound and the firming up of the oil price, after peaking at 11.4% at the end of 2008. I expect our local inflation rate to remain at or slightly below this level over the next 12 months as inflation in South Africa moderates, although the World Cup this year may keep it higher than it otherwise would be, and the fall in the pound against the rand tapers off.

Unemployment, which has risen in the UK and elsewhere as the private sector has reduced staffing levels, remains low on St. Helena. Some of you may recall during the last major world recession in the early 1980's when unemployment on the island soared. Since then, of course, many Saints have used their right to travel and find work abroad, especially in Ascension, the Falklands and the UK, with the result that unemployment today is very low on the island at only 1.7%. Indeed, it is often difficult to fill posts – especially those requiring specialist skills – on the island.

The outlook for unemployment over the next 12 months is more difficult to judge. We know of staffing cuts in Ascension and the Falklands, but whether Saints affected will choose to return here or seek work elsewhere is not clear.

Savers have seen a fall in the interest rate offered by the Bank of St Helena from 4% to 3% per annum, as investment returns on overseas money markets have fallen. However, this still remains a competitive return by world standards. Borrowers, both domestic and business, continue to benefit from relatively low borrowing costs, linked to the low levels of international interest rates.

Government expenditure continues to dominate activity on St. Helena. Total government expenditure for the 2009-10 year is budgeted to reach £34.9m, £23.5m in recurrent expenditure, that is, the day to day cost of running government and £11.4m in development expenditure, the new investment in capital projects such as wind turbines or the electricity network. Compared to total government spending of £28.5m in 2008-09, 2009-10 represents an increase of 22%. This increase has been financed by DfID, £4.7m and from St. Helena Government income, an additional £1.7m.

The decline in population of St. Helena appears to be tapering off after the 20% fall over the past decade. The resident population has remained steady over the past year and is currently

estimated at 4,030. This is particularly welcome news given the uncertainty surrounding the airport decision, and means that private sector businesses can anticipate more stable trading conditions.

Given the very difficult economic conditions prevailing elsewhere, I believe that St. Helena is weathering the storm better than most places. This encourages me to believe that we are actually in a stronger position than I thought we would be twelve months ago. Our economic and demographic base has not declined in spite of the international recession. Even though there has been no decision on the airport, we still have an opportunity to start the process of preparing the island for future tourism-based growth.

I would now like to look at the role which government plays in St. Helena. Government activity remains the largest single influence on the local economy. Until St. Helena manages to develop external sources of revenue on which to build the private sector, government is almost certain to remain the dominant force. It is important therefore that government seeks to use its resources both efficiently and effectively in order to maximise the benefits which we obtain from its services.

I would not deny that there is plenty of scope to improve both the efficiency and the effectiveness of government, and, indeed, that is an essential step in securing a more prosperous future for St Helena. Inefficient and ineffective government can only act as a drag on wealth creation by the private sector.

I am encouraged however by clear signs of progress over the past 12 months. Government has made a significant commitment to the public sector modernisation programme, known as PSMP for short. One of the first changes as a result of PSMP is actually this budget. When you look at the 'Pink Book' which contains the 2010-11 Estimates, you will notice a significant difference from last year's edition. This year, the Pink Book shows not only what public money is spent on, e.g. employees, property or transport, but more importantly, why it is being spent, e.g. to promote sustainable management of the use of natural resources, for example. Councillors and officials met last year to set the strategic priorities for the island, and this budget is now showing where public money will be spent to achieve those priorities. There is more to come next year with further budget reform. The aim is to make departments more clearly responsible for delivering the services they are funded for. I expect that will start to make a significant difference to the effectiveness of our public service.

Another area where government is trying hard to improve is with public service pay. There has been a major exercise carried out to evaluate every government job and grade it according to a common set of criteria. The end result will be a fairer pay scheme, where staff doing similar work in different departments will earn similar levels of pay. Also, progression up the pay scale will no longer be based on length of time in post, but by performance achieved on the job. Again, this will help to increase efficiency, by rewarding staff for diligence and initiative.

Getting rid of the distinction between 'established' and 'unestablished' staff is another example of how government has been working to improve the way it operates. From 1st April this year, there will no longer be established or unestablished posts. Instead, everyone will just be SHG staff, with broadly similar working conditions.

Pension reform has been another 'sleeping' that at long last government has begun to tackle. In common with many other countries, St. Helena Government has put no money aside over the years to pay for the pensions of its staff when they retire. As the working age population has dwindled, this means that fewer and fewer tax payers have to support more and more ex-government retirees. That is a very unfair burden to place on future generations of taxpayers. So from 1st April this year, new starters with SHG will join a new, funded pension scheme. When they eventually retire, their savings will pay for their pension, rather than the unfortunate taxpayers.

Closely linked to pension reform is welfare reform, and SHG currently has a project underway to review and revamp the welfare system. Our welfare system here is comparatively costly, because many people rely on Income Related Benefits, or IRB, to live on when they retire. As we encourage more people to save for their own retirement, so less money will be needed to pay IRB, and we can eventually put more taxpayer's money towards improving public services for everyone.

I think you can see from these examples that SHG is serious about changing the way that it works. Periods of change are always challenging, and not everyone will initially feel comfortable about what is happening. But I am confident that these changes are vitally necessary if St Helena is to improve the efficiency and effectiveness of government and provide a better environment in which the private sector can develop.

It is now time for me to turn to the question of finances. As Financial Secretary, I have a particular interest in monitoring the financial position of the government. Over the years, many countries, just like many households, have run into trouble by failing to keep their financial situation under control. It can be very easy to increase spending when times are prosperous, but much harder to cut it back again when times get harder. As the great 18th Century English writer Dr Johnson once said, "Resolve not to be poor: whatever you have, spend less" Even in the short time I have been in this job, I have noted a constant stream of requests by departments, and private citizens and civil society, for more money for various worthy but unforeseen causes. Rarely, in fact I believe never, has anyone come to me offering to return funds because they had got too much. But the fact is we have got to learn to budget realistically and live within our means. I intend to keep a tight rein on unnecessary spending.

So far, we appear to be travelling close to budget. Although the February accounts predicted a healthy recurrent budget surplus at year-end of over £1.1m, the underlying result is in reality close to zero as most of that surplus is already committed to repair work on the RMS which is due to be spent in the next financial year. As an overseas territory in budgetary aid, we are not permitted to borrow funds to finance the deficit, so it is all the more important that we are careful in how we spend our money.

In January 2010, we had the visit of the Development Aid Planning Mission, or DAPM for short. A team of advisers from DFID, the Department for International Development, came to review our budgetary and development aid requirements over the next three years. The funding negotiated by Councillors through the Aide Memoire at the end of that visit forms the basis for the budget allocation for 2010-11 and the following two years.

On the whole, St. Helena can feel pretty satisfied with the outcome of the DAPM meeting. DFID agreed to increase grant-in-aid from £9.5m in 2009-10 to £12.6m in 2010-11, the shipping subsidy from £2.9m in 2009 to £3.9m in 2010-11 whilst development funding rose from £4.1m in 2009 to £12.6m in 2010-11. Total DFID aid in 2009-10 amounted to £16.5m whilst the Aide Memoire provides for £89.8m over the next three years, an average of £29.9m per year. That is an increase of 81% over 2009-10, but it comes with conditions attached. St. Helena is expected to do its part in continuing to reform and to perform.

I must also raise a point of caution here. Only the first year of the DAPM agreement is set in stone. The second and third years have not been confirmed. We understand that the UK public finances are set to undergo a Comprehensive Spending Review before next year. Given the fragile condition of the UK's accounts and the uncertainty of a general election, it is a possibility that DfID may be required to adjust its plans for 2011-12 and 2012-13.

The additional funding commencing in 2010-11 will cover a range of new initiatives which will help to achieve SHG's policy priorities. Total recurrent expenditure from all services is forecast to reach £25.7m and development expenditure £22.1m. These initiatives include:

- Funding for the renovation of clinics and sheltered accommodation;

- A new sea rescue craft;
- Playground maintenance and agricultural clearance;
- Airport related infrastructure (such as a new fuel farm) which is needed anyway;
- Improvements to electricity, water, roads, waste and drainage facilities;
- Enhanced broadband provision to assist with more distance learning opportunities;
- Insurance cover to protect RMS fares against severe fuel price fluctuations;
- More money for scholarships; and
- Funding for pensions;

In addition, next year's budget includes:

- a cost of living adjustment for all SHG staff and further increases related to the pay and grading review;
- Rockfall protection work; and
- Major capital expenditure on the RMS.

Of course, St. Helena is expected to contribute to the cost of running government through its own revenue generating activities. As an unknown wit once remarked: "After the government takes enough to balance the budget, the taxpayer has the job of budgeting the balance". In 2010-11, we plan to raise £9.1m in local revenue, an increase of just over 4% from the 8.7m target last year. That represents just over one third of the total recurrent budget of SHG.

Of the £9.1m, £2.2m (or 24%) comes from income taxes, £2.7m (or 30%) comes from indirect taxes (customs, wharfage, etc) and £3.2m (or 36%) comes from government fees and charges while the remaining 10% comes from SHG's investment income, stamp duties and drawdown on the Consolidated Fund.

Improving our basic infrastructure, including utilities, is essential if we are to encourage private sector development. One of the reasons for the big increase in funding from DAPM this year has been because SHG has continued to demonstrate a commitment to fundamental reform. One important area has been SHG's willingness to continue to earn revenue for government-provided goods and services in order to maintain its facilities and to keep subsidies at current levels. As a result, there are some small increases in fees proposed next year, with rises averaging 2% in electricity, medical and prescription costs, while government landlord rents will increase by £1 per week. Rises amounting to 5% have been proposed for water, where standing charges have not been raised for two years and usage charges have not changed in ten years and new charges are proposed for drainage.

Whilst increasing fees and charges is never going to be popular, small increases are necessary if SHG is gradually to wean itself off grant in aid and stand on its own feet. And I believe the island risks losing much more in the withdrawal of future DfID development funding if we do not show our determination to run our utilities in a businesslike manner.

Wages and Benefits. This year's budget makes provision for increase in SHG wages, SHG pensions and IRB benefits that will lift spending power and provide a helpful boost to the local economy. SHG staff will receive a 4% cost of living adjustment from 1st April this

year, whilst those whose jobs have been regraded upwards as a result of the pay and grading review will get additional increases. That means that even a worker currently on the lowest grade will receive an extra £143 per year before tax. Those receiving SHG pensions will also get a 4% increase. Income related benefits will be increased by 4%, giving a rise of £83 per year for single people and £124 per year for couples.

Taxes. Taxes are always a subject of particular interest in a budget speech and I would like to give some more details about the changes that are proposed in this year's budget. There is a fine balance to be struck between raising enough tax revenue to be able to provide vital government services, whilst keeping the burden of taxation low enough and simple enough to promote business development and encourage individual enterprise. As Jean-Baptiste Colbert, the famous finance minister of King Louis XIV of France once said "The art of taxation consists in so plucking the goose as to obtain the largest amount of feathers with the least amount of hissing".

In order to support sustainable growth through balanced public and private sector development, continued reform of the tax system will be necessary. This year's budget sees some initial steps towards that goal. However, I intend to ask Councillors to consider plans for more far-reaching reform of the tax system in the course of the next year.

A new income tax ordinance, approved in LegCo last year, is due to come into effect from 1st April 2010. Over the past six months a number of amendments to the ordinance have been proposed to improve the operation of the new ordinance. These changes are being considered at the current meeting of LegCo.

I would now like to highlight some of the main changes being proposed to our tax system from 1 April this year:

The Personal Allowance will increase by £500 to £3,500, worth an extra £85 per year to individuals earning £3,500 to £6,000 and £135 for those earning £6,500 or more;

The Lower Rate 17% tax band will also increase by £500 to £3,500, which will benefit anyone earning over £6,500 and is worth an extra £50 per year to workers earning £7,000 or more; This means that for two-income households, no income tax will be paid on the first £7,000 and in some circumstances, households may earn up to £14,000 before higher rate tax becomes payable;

A new allowance of £500 for income derived from farming activity will provide an extra stimulus to farming;

For businesses which provide rental accommodation services, it is proposed to introduce a depreciation allowance of 2% per annum on the capital value of the building. This allowance is proposed to be backdated to the 2009-10 tax year. In addition, the assets contained within the rental property will become eligible for a depreciation deduction. I hope that these measures will increase profitability and encourage further development of the rental market sector in St Helena;

A capital gains tax will come into effect from 1st April in order to broaden the tax base. However, in recognition that many Saints with a property on St. Helena live and work overseas for a substantial part of their careers, an amendment is proposed that will provide an exemption for one residence per individual, regardless of whether the residence is lived in, rented or left vacant. This will ensure that Saints will not have to pay capital gains tax on their principal place of residence;

For private pension scheme members, it is proposed to enable them to receive a lump sum of 25% free of tax;

Under the new ordinance, employers and employees will be encouraged to save for retirement by being eligible to contribute 20% of salary under an approved scheme (up to a limit of £20,000 per year) from their pre-tax income;

An instalment system of tax payments by businesses is being introduced which will replace the annual tax bill with a series of smaller, quarterly tax payments. This will bring the timing of tax payments by business more into line with tax paid by employees, as well as removing the problem of budgeting for one large annual tax bill.

Some changes are also proposed to duties on alcohol and tobacco with immediate effect. From today, 19th March 2010, duties will rise by 5%. This will have the effect of raising the cost of a packet of 20 cigarettes by 8p, a 340ml bottle of beer under 4.5% alcohol by 2p a bottle, and a 750ml bottle of spirits by 38p.

There are no other changes to customs duties or to wharfage at this time.

In conclusion, Madam Speaker, in presenting this budget, I am very aware of the need for St. Helena to continue to prepare for further economic development, in spite of the uncertainty surrounding the UK government decision on air access. As I mentioned at the start of this speech, I believe the key to greater prosperity and reduction in our level of aid dependency is tied to our ability to develop an industry where St. Helena can earn revenue from wealthy overseas customers. Even without a decision on air access, we can continue to prepare the ground for business to take root and prosper on St. Helena. There is still plenty more to be done to create the right conditions to attract businesses to St/ Helena. The DAPM settlement is a good start, and our construction industry should be one of the first to benefit from the increased level of activity. Ultimately, however, St. Helena must be able to generate its own business, rather than rely on aid funding. We are starting that process by laying the foundations - improving government efficiency and effectiveness, broadening the tax base and setting up the public finances to be more sustainable in the future. We need individuals and businesses with the imagination, the drive and the appetite for risk to build on these foundations. Madam Speaker, I beg to move.

The Speaker –

In accordance with Standing Order 13, Rule 1, paragraph 3, the Motion stands adjourned until the next sitting. Thank you. Next item of business, please.

Motion 4. The Honourable Paul Blessington, Financial Secretary.

The Hon. Paul Blessington –

Madam Speaker, I beg to move that the Income Tax (Amendment) Bill 2010 be approved in principle and referred to a Committee of the whole Council.

The Speaker –

Thank you. Is there anyone who wishes to second, any Honourable Member who wishes to second?

The Hon. Michael Benjamin –

I beg to second. Thank you.

The Speaker –

Before I call on the Mover to speak to the Motion, could I remind you that you do need to mention the full title of the Bill at least once during your movement, yes? Thank you.

The Hon. Paul Blessington –

Madam Speaker, Honourable Members, you will recall that since the Income Tax Ordinance 2009 was passed last year, a number of amendments have been proposed which will make the new law more equitable and administratively effective when it comes into force from 1st April 2010. The proposed changes and the reasons for them have already been discussed in some detail by this Council, but I would briefly like to remind Honourable Members of the main elements of the Income Tax (Amendment) Bill 2010. The main changes comprise, first, some clarification of the definitions of certain words used, including port, employee and income. Secondly, giving the Commissioner discretion to modify the 183-day residency rule to allow for the shipping schedules. Thirdly, introducing a 28-day timeframe for the provision of information to the Commissioner. Fourthly, allowing depreciation to be claimed on property from which an owner earns rent. Fifth, wording changes to ensure private sector employees are treated the same as public sector employees in receiving lump sum pension gratuity payments. Sixth, an extension to the capital gains tax exemption for an owner's principle residence. Seventh, allowing electronic or fax lodgement of information. Eighth, revised rules on the payment and collection of unpaid tax or penalties. Ninth, a requirement for deregistered companies to keep records for seven years. Tenth, adding a Commissioner's discretion to exempt charitable organisations from tax if they are not registered charities. Eleventh, transitional rules, including one to enable depreciation on rental property to be applied to the 2009/10 tax year; and, twelfth, changes to certain rates to taxes and allowances, including withholding tax and personal allowances. All of the above amendments represent minor adjustments made to improve the operation of the 2009 Income Tax Ordinance without affecting its underlying principles. I therefore recommend that Honourable Members support this Amendment Bill in order to make the Income Tax Ordinance 2009 work more effectively when it comes into operation from 2010.

The Speaker –

Thank you, Financial Secretary. I put the question that a Bill for an Ordinance to amend the Income Tax Ordinance 2009 be approved in principle and referred to a Committee of the whole Council. I trust I have used the right title, Honourable Attorney General, because it was not used in full by the Honourable Mover.

The Hon. Ken Baddon (Attorney General) –

Thank you, Madam Speaker, for correcting the oversight on behalf of my Friend.

The Speaker –

.....be approved in principle and referred to a Committee of the whole Council. The question is open for debate. Does any Honourable Member wish to speak? Sorry, I'm getting signals that I can't be heard again.

The Hon. Anthony Green –

Madam Speaker, the Bill makes a number of amendments as the Honourable Paul Blessington, the Financial Secretary says, to the principle Income Tax Ordinance of 2009. The 2009 Ordinance, as we've just heard about, will come into effect on 1st April, that's just a few days time. Well, let's start by saying that no-one likes paying taxes, but paying taxes is a fact of life wherever you live in the world. Today, we will be dealing with an Ordinance to

amend that main Ordinance, the principle Ordinance and it is to enable, as we've heard, to make some very necessary changes. One reason why the principle Ordinance was welcomed by me last year was because one of its main intentions were to provide a much fairer tax system for everyone in St. Helena so we might not like paying taxes, but we might feel that much better if we know it's a fair system. It is also based on the premise that those who can afford to pay should pay. One of the proposed amendments before this House will enable the Commissioner, as we've heard, to exercise discretion in determining whether someone is, for tax purposes, deemed to be resident or not in St. Helena. The discretion proposed would allow the Commissioner to disregard a period not exceeding one tenth of the relevant number of days due to the infrequency of opportunities to travel to and from St. Helena. If one uses, say, the figure of 183 days, then one tenth would be 18 days, nearly three weeks. I have been party so far to accepting what's now being proposed, but I still ask myself, is this fair? No island taxpayer is given any leeway for any unavoidable circumstances but simply just has to pay. It's not only important to be fair, but it also needs to be seen to be fair. Another proposed change will, I think, that will be welcomed by everybody, or many people, and here I think I'd like to declare my interest, this relates to an amendment proposed that would allow depreciation to be claimed on land and buildings which the owner now earns rent. A query on this has been running ever since last September, but dealing with this amendment now does show that Councillors do listen and do take action where this is seen to be necessary. Other welcome amendments include where the capital gains tax exemptions for owners of principle residence is to be extended so that more people can claim. Another amendment is to prevent a Company owner without the Commissioner's consent from destroying Company records for up to seven years after a Company is wound up. The intention to prevent people from simply dissolving one Company to avoid tax and then setting up a new one is, I think, very correct. We will later discuss the details of section 11 of the Bill. This amendment would allow the Commissioner to have flexibility to exempt an organisation which is charitable in nature although not registered as a charity. Now I fully understand the reasons for this, although I'd personally much prefer to see such discretion decided by ExCo by regulation, which would then allow all twelve Councillors to have an input. All ExCo papers, as you know, are seen by all elected Members and discussed before each ExCo meeting. At one point I thought we had that as our preferred solution. The possibility of filing tax returns electronically has to be welcomed and would speed up the process. The proposed increase in tax allowances has to be welcomed. This, I believe, has been made possible through the collection of additional tax revenue since the principle Ordinance was agreed last year, so an Ordinance that hasn't yet come into force has already had an impact. Allowances have and will be mentioned several times during this meeting, but it will be of interest to many, some repeats may be welcome. What is proposed, as I understand it, is that the personal allowance will increase from £3,000 to £3,500 while the rate of 17% will still be payable on the first £3,500 of chargeable income which will mean that a couple can earn up to £7,000 without having to pay any tax. After paying 17% on the first £3,500 of chargeable income, that's after your allowances have been taken into account, you then have to pay 27% on the remainder of your chargeable income. The dependent child allowances haven't changed in the Ordinance. While this will be disappointing to some, I've been involved in some discussions where it has been thought necessary to provide for better allowances across the board this time. Incidentally, it might be something to consider in the future if we want to see a drastic increase in the population. There's a new farming allowance which will allow a further £500 to be tax free for those who are eligible. Some of you may recall that last year this started off as a grower's allowance, but again, Council, having received feedback; it's now become a farming allowance. Before I finish, I must mention withholding tax. Up until the eleventh hour, this subject has consumed too much energy. The proposal in this Bill is to

set the withholding tax rate at 0% will mean that short-term consultants will not pay any tax. My elected colleagues believed that this is not fair and we've attempted to fix it, but alas, this will not be possible immediately. However, as of yesterday, and because the start of this meeting was fast approaching, it has been accepted perhaps that whilst all parties would like to see this addressed, it would be wise to seek a proper fix, so it is intended to examine this in detail and if possible bring back a workable amendment to the next LegCo which will be about June. So we have a commitment if not an immediate solution. Finally, I would say that there are many benefits that I believe are in the new Tax Ordinance which will be of great benefit to the island. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Attorney General?

The Hon. Attorney General –

Thank you, Madam Speaker. I originally caught your eye simply to mention, because I thought Honourable Members might find it useful to know, that business managers have been discussing how to manage the business for the remainder of the day and it is the intention of my Honourable Friend the Financial Secretary to propose the adjournment of Stage 2 over the weekend because, of course, we need to complete Stage 1 first. While I'm on my feet, however, and without wishing to pre-empt the discussions in Stage 2, which will take place on Monday, I did note what the Honourable Tony Green said about the 10% discretion on the 183 day rule, and if I noted correctly what he said, he said that this would only benefit non Saints. In fact, it is totally non discriminatory and I'd be happy to explain that in Committee.

The Hon. Anthony Green –

Madam Speaker, on a point of information, no, I didn't say..... I said if you used the figure of 183 then you would get 10% would give you 18 days which is nearly three weeks, I made no reference, as you'd read in my text, to Saint or non Saint.

The Hon. Attorney General –

I'm sorry if I misunderstood.

The Speaker –

Thank you. Any other Honourable Member wishes to speak to the Motion? Honourable Derek Thomas?

The Hon. Derek Thomas –

Madam Speaker, the Income Tax amendments fits in with SHG's strategic objectives for promoting economic growth and development. Although I declare my interest on this particular issue, it does provide tax benefits for rental property owners where they quite rightly be able to claim on depreciation assets; this should be encouraging for people to invest further in rented accommodation for tourists. The personal allowance is increased from £3,000 to £3,500; this will be encouraging to taxpayers. Dependent child allowance needs to be increased and the public is generally concerned about the levels. The first child allowance is £330, yet the allowance of the third child is only £80.00 and I have given an undertaking to the public that I would look into this particular issue, Madam Speaker. Capital gain tax is also seen as an incentive allowing persons temporarily absent from St. Helena tax exemption on the principle residence in St. Helena. The additional £500 on the farmers allowance is also seen as an incentive for local farmers, hopefully encouraging them to remain in business and develop their farming. In support of the Honourable Councillor Anthony Green, I have

concern over short-term consultants not paying tax. Tax, Madam Speaker, the Tax Law should be applied fairly and equally to everyone, those persons who can afford to pay should simply pay. We are aware that most short-term consultants earn large sums of money and the principle, in my view, they should pay tax. Madam Speaker, before we go into this issue, there will be further investigations carried out in order for this particular issue to be properly explored. Thank you, Madam Speaker.

The Speaker –

Honourable Members, I think perhaps, in view of the heat, which I'm feeling even if you're not, the air conditioning doesn't quite seem to reach us here, we will take a short break for refreshment and resume at twenty-five past two. Thank you, Honourable Members.

Council suspended.

Council resumed.

The Speaker –

.....on Stage 1 of the Income Tax (Amendment) Bill and the Motion is open for debate. Is there any Honourable Member who wishes to speak to the Motion, please? The Honourable Stedson Francis?

The Hon. Stedson Francis –

Madam Speaker, Honourable Members, income tax has been the topic of discussion for at least two years now, at least since February 2008 when the then Tax Adviser, John Hayes arrived on island to review as specified by the Sustainable Development Plan the tax system to rationalise the tax structure, systems and connection machinery and ensure that funds are raised effectively and equitably. The main reason for the tax reform was to update the existing Ordinance so it was nothing new, merely to replace the one which was outdated and been in existence over twenty years since 1986. The new Income Tax Ordinance was approved by LegCo on 27th March last year, 2009 with the understanding that a transitional period of a year for certain provisions to take effect from 1st April this year, 2010. The Ordinance before us today also makes amendments to the 2009 Ordinance, including extending the capital gains tax for the owner's principal residence and also allows tax returns to be filed electronically and very importantly it makes a series of technical amendments to the way in which allowance can be claimed for depreciation of assets used by businesses and also the main effect, being allowing claims for depreciation of land and buildings from which the owner earns rent. If the Bill is approved today then the new rates of allowances will also come into play, like the personal allowance will increase from £3,000 to £3,500, that's a tax saving of £85.00; there is also a farming allowance of £500, that coupled with the personal allowance means that's a tax saving of £170 and as has been said before, a couple claiming or earning £7,000 can earn £134 a week before paying tax. A couple claiming the farming allowance can earn £144 per week before paying tax. Rates of income tax have also been increased, after the first £3,500 free allowance the other £3,500 at 17% and the remainder at 27%. Rates of withholding tax, which was mentioned earlier, was set at 0%, but I hope that at a later date this zero percentage can be increased to non residents, including short-term consultants. I believe if they don't pay here they will pay at home. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Any other Honourable Member wishes to speak? The Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Yes, Madam Speaker, I just want to say something about the principle of taxing short-term consultants in an effort to raise money. I actually agree with that principle, but tax should be fair and I am not certain it would be fair to tax short-term consultants if they do not have in place already double taxation; I just wanted to make that point myself.

The Speaker –

Thank you, Honourable Member. Does any other Honourable Member wish to speak? In which case, I will invite the Honourable Mover to wind up the debate.

The Hon. Paul Blessington –

Madam Speaker, Honourable Members, I've listened with interest to the points that my fellow members have made with regard to the Income Tax (Amendment) Bill and I'm glad that in general Councillors appear to be in favour of the adjustments to the Ordinance that are being proposed. I've noted a number of concerns that you will ask to be looked at over the course of the next few months, including to look at how the withholding tax can be adjusted to make it possible and fair to introduce it at a rate above zero percent, particularly on short-term income earned on island. I note the comment made about the existing child allowance regime and we can certainly look at that and I also noted a comment about the Commissioner having the discretion with regard to whether charitable activities should be given charitable status even if they're not registered charities and I would certainly look forward to discussing that point in more detail as to whether it should be an ExCo decision. I believe there are fairly guidelines about the types of activity that the Commissioner's discretion is allowed to consider when exempting charitable type organisations from income tax. So I think the amendments and the further investigation that has been asked for are all reasonable points and I certainly undertake from my perspective as Commissioner of Taxation to look at those in more detail and report back to Council members before the next formal LegCo. Thank you, Madam Speaker.

Question that the Bill be approved in principle and referred to a Committee of the whole Council, put and agreed to.

The Hon. Paul Blessington –

Madam Speaker, I beg to move that further procedure on the Bill be adjourned until Monday, 22nd March, 2010.

The Speaker –

Thank you. Is there a seconder?

The Hon. Ken Baddon (Attorney General) –

Madam Speaker, I beg to second.

Question that further procedure on the Bill be adjourned until Monday, 22nd March, 2010, put and agreed to.

The Speaker –

Next item of business?

Motion 5. The Honourable Andrew Wells, Chief Secretary.

The Hon. Andrew Wells –

Madam Speaker, I beg to move that the Legislative Council Remuneration and Allowances Bill, 2010, be approved in principle and referred to a Committee of the whole Council.

The Speaker –

Thank you, Honourable Member. Is there any Honourable Member wish to second this, please?

The Hon. Paul Blessington (Financial Secretary) –

Madam Speaker, I beg to second.

The Speaker –

Thank you, Sir. The Honourable Mover?

The Hon. Andrew Wells –

Thank you, Madam Speaker. Madam Speaker and Honourable Members, this Bill, the full title of which is A Bill for an Ordinance to make provision pursuant to section 72 of the Constitution for the remuneration, allowances and other benefits of members of the Legislative Council, provides for the remuneration and payment of certain allowances and benefits for elected members, the Speaker and the Deputy Speaker as required under section 72 of the Constitution set out in the St. Helena, Ascension and Tristan da Cunha Constitution Order 2009. Honourable Members will be aware that the Constitution requires that the House should not proceed with the Bill unless a report by an independent body appointed by the Governor, recommending such payments, has been laid before this House and published. Madam Speaker, that report was presented by me as Sessional Paper No. 12/2010 earlier today. The new Constitution also provides for much greater transparency and accountability than previously in relation to the remuneration and allowances of Councillors. An independent Commission was appointed by His Excellency the Governor at the end of last year comprising Mr John Styles as Chairman and with Mrs Anne Dillon, Mrs Barbara Ann George and Mrs Ethel Yon OBE as members. Their report took account of the different levels of responsibility and workload that are assigned to members of the Executive Council, Chairmen of Council committees, Members of Legislative Council, the Speaker and Deputy Speaker. On this basis, as recommended by the independent commission, this Bill provides for the following levels of remuneration:- elected members of the Executive Council £14,500 per annum; Chairmen of Council Committees £12,000 per annum; elected members of Legislative Council £10,000 per annum; Speaker £5,000 per annum; Deputy Speaker £2,500 per annum if required to attend all meetings of the Legislative Council or £1,250 per annum if he or she is not required to attend all meetings. Madam Speaker, the Bill also provides for the payment of allowances and benefits which include the reimbursement of telephone rental, contributions to local calls, cost of internet broadband, connection at broadband level, mileage allowance for committee and constituency meetings together with the provision of personal computers and consumables. It also provides for overseas allowances and expenses when attending conferences and the like. Finally, Madam Speaker, the Ordinance alone does not give authority for these payments, provision has to be made in the Appropriation Ordinance and I confirm that such provision continues to be made under Head 12 of the budget estimates. Thank you.

The Speaker –

Thank you, Honourable Member. The Honourable Attorney General?

The Hon. Attorney General –

Madam Speaker, I rise simply in an attempt to assist with the proceedings. To avoid the risk that a Member might inadvertently fail to declare interest, I wonder if it would be sensible to have on the record that all of the elected members have an interest in this matter.

The Speaker –

Thank you, Sir. Yes, as does the Speaker and the Deputy Speaker. We will take it as read that everybody has declared their interest before they speak. Thank you, Honourable Mover. The question before the House is that the Legislative Council Remuneration and Allowances Bill 2010 be approved in principle and referred to a Committee of the whole Council. The question is open for debate. Does any Honourable Member wish to speak? I think I fully appreciate their reticence. In which case I turn to the Honourable Mover if he wishes to wind up a non-existent debate.

The Hon. Andrew Wells –

Madam Speaker, as you say, the debate has not been extensive and I therefore am unable to add anything of substance.

Question that the Bill be approved in principle and referred to a Committee of the whole Council, put and agreed to.

The Speaker –

Honourable Chief Secretary?

The Hon. Chief Secretary –

Madam Speaker, I beg to move that further procedure on this Bill be adjourned until Monday, 22nd March, 2010.

The Speaker –

Is there a seconder?

The Hon. Attorney General –

Madam Speaker, I beg to second.

The Speaker –

Thank you. Honourable Members, there is a proposal before the House to adjourn further proceedings on this Bill until Monday, 22nd March.

Question on adjournment put and agreed to.

The Speaker –

Honourable Attorney General?

The Hon. Attorney General –

Madam Speaker, on a point of order, I rise to move the adjournment of the Council. I formally therefore beg to move that the Council do now adjourn until 8.45 am on Monday,

22nd March, 2010. Since that time is earlier than 10.00 am you will need formally to make a direction that Standing Order 1, Rule 3 (2) allowing the Council to sit before 10.00 am.

The Speaker –

Thank you, Honourable Attorney General. I am more than happy to make that allowance in order that the Council can meet earlier. I think it's only right that we attempt to avoid some of the worst of the heat of the day. So is there a seconder to the Motion to adjourn, please?

The Hon. Chief Secretary –

Madam Speaker, I beg to second.

The Speaker –

Thank you, Honourable Chief Secretary.

Question on adjournment, put and agreed to.

The Speaker –

Council stands adjourned until 8.45 on Monday, 22nd March.

Council adjourned.

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