

# STATES OF JERSEY



## **DRAFT STATES OF JERSEY (AMENDMENT) LAW 200- (P.83/2005): AMENDMENT (P.83/2005 AMD.)– COMMENTS**

---

**Presented to the States on 7th June 2005  
by the Policy and Resources Committee**

---

**STATES GREFFE**

## COMMENTS

The States has decided on no less than 4 previous occasions that it is the Chief Minister who should nominate members for appointment as ministers, and the Policy and Resources Committee therefore strongly opposes this amendment.

The first occasion on which this matter was considered by the Assembly was in September 2001, when the decision was taken to move to a ministerial system of government (*'Machinery of Government: Proposed Reforms'*, P.122/2001). As part of this decision, it was agreed that the Chief Minister should nominate a team of ministers for approval by the States. This decision was confirmed by the Assembly in November 2002 when it approved a report and proposition on the 'Machinery of Government: Structure of the Executive' (P.191/2002). The Assembly also gave separate consideration to this matter in October 2002, when it considered and rejected a proposition of Senator S. Syvret in which it was proposed that individual members should be able to nominate other members for appointment as ministers (P.149/2002). In November 2004, the States rejected a similar proposition of Senator Syvret that was presented in the form of an amendment to the States of Jersey Law (P.124/2004).

The right of the Chief Minister to make nominations for the Council of Ministers is based on the premise that the Council of Ministers will work together as a team, with individual members bringing a diversity of talent and interests. Indeed, the Council of Ministers will only be truly successful if its members can work together as a team in developing and implementing States-approved policies.

In bringing forward its Amendment to the States of Jersey Law, the Policy and Resources Committee is proposing that the element of choice for States members should be widened, so that members will be able to vote for individual candidates proposed by the Chief Minister designate rather than *en bloc*. The Committee is of the view that this is a big step forward in giving members flexibility in selecting ministers, and that it goes further than previous arrangements endorsed by the States.

The Committee notes that Senator Syvret has not advanced any new arguments to support his amendment, even though this is a matter which, as noted above, has previously been considered and rejected by the States.

The Committee does not accept the view expressed in the report accompanying the Senator's amendment that its proposals will create a system of 'patronage' by the Chief Minister. The final say on the appointment of the Council of Ministers will rest with the Assembly, which will decide whether or not to accept the nominations put forward by the Chief Minister.