

STATES OF JERSEY



MACHINERY OF GOVERNMENT: ESTABLISHMENT OF MINISTERIAL BOARDS AND REVISED SYSTEM OF SCRUTINY (P.120/2010) – AMENDMENT (P.120/2010 Amd.) – AMENDMENT

**Lodged au Greffe on 8th October 2010
by the Privileges and Procedures Committee**

STATES GREFFE

MACHINERY OF GOVERNMENT: ESTABLISHMENT OF MINISTERIAL
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For the words “shall be referred to as” substitute the words “may be referred to as”.

PRIVILEGES AND PROCEDURES COMMITTEE

REPORT

This minor amendment makes a small change to the amendment to P.120/2010 brought by Deputy P.V.F. Le Claire of St. Helier.

PPC welcomes the Deputy's amendment because it draws attention to the importance of the power of delegation to future members of Boards under the revised system of government proposed by Senator Breckon in P.120/2010. PPC believes that, if the proposed new system of ministerial boards is to work well and be genuinely inclusive, it will be necessary for Ministers to be willing to formally delegate statutory powers to members of their Boards as many do at present to their Assistant Ministers. Once a power has been formally delegated, the Board member concerned will be able to take full responsibility for taking decisions in that area of responsibility in the name of the Minister under arrangements agreed with the Minister. For example, a Home Affairs Board member with delegate responsibility for prison matters may be given formal delegated powers to take decisions on the temporary release of prisoners under the Prison Law.

As drafted, Deputy Le Claire's amendment makes it mandatory that Board members with delegated responsibilities "shall" be referred to as the "Member with special responsibility for X". PPC considers that this rather lengthy title may not be appropriate in all cases, and the purpose of this amendment is to allow some flexibility during the implementation stage so that, if an alternative title is identified, the States are not formally bound by the decision taken in this amendment.

In summary, PPC fully supports the concept of Board members with delegated responsibility being able to refer to that responsibility in a suitable title, and the purpose of this amendment is simply to retain more flexibility in relation to the precise wording of that title as the relevant legislation to implement P.120/2010 is brought forward. PPC is happy to support Deputy Le Claire's amendment as amended by this amendment.

Financial and manpower implications

There are no financial or manpower implications arising from this amendment to the amendment.