

# STATES OF JERSEY



## **BUS SERVICE TENDERING PROCESS: COMMITTEE OF INQUIRY – TERMS OF REFERENCE AND MEMBERSHIP (P.99/2004) – AMENDMENT (P.99/2004 Amd.) – COMMENTS**

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**Presented to the States on 29th June 2004  
by the Policy and Resources Committee**

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**STATES GREFFE**

## COMMENTS

In paragraph (d)(i) of his amendment to P.99/2004, Deputy R.H. Le Hérisssier is proposing that the Chairman and members of the Committee of Inquiry should not be remunerated for their services. The Policy and Resources Committee opposes this proposal, and believes that it is both necessary and desirable that the Chairman and members should be remunerated. The Committee has taken this view because the work of the Committee of Inquiry will be both exacting and time-consuming, involving the detailed scrutiny of hundreds of documents. In addition, the Committee hopes that the Committee of Inquiry will be in a position to report back on its investigation within 3 months, and a significant amount of work would therefore have to be carried out within a relatively short timeframe.

States members will be aware that the proposed members of the Committee of Inquiry have decided to withdraw because of the controversy about remuneration, and the Policy and Resources Committee has accordingly decided to withdraw parts (a) and (b) of the proposition P.99/2004, thereby removing the references to these individuals. The Committee is nonetheless maintaining that part of the proposition which asks the States to approve the terms of reference of the Committee of Inquiry. This means that the principle of remuneration can be considered in the light of Deputy Le Hérisssier's amendment. Once this principle has been debated by the States, the Policy and Resources Committee would hope to come back to the Assembly shortly thereafter with nominations for a Chairman and members of the Committee of Inquiry.

In relation to the second part of the amendment (paragraph (d)(ii)), the Committee does not support the proposal that the sum of no more than £50,000 should be made available to the Committee of Inquiry to enable it to fund the provision of expert advice if required. The Committee was fortunate in that it had been able to find 3 individuals who would have been eminently qualified to carry out the work as members of a Committee of Inquiry, and it had not been envisaged that an additional budget would have been needed for expert advice. Deputy Le Hérisssier's amendment would appear to be limited solely to the provision of expert advice, but the Committee's own estimate of up to £91,000 had also made allowance for the costs of employing an administrator for up to 6 months at a maximum cost of £17,500, plus administration costs of £5,000, e.g. preparation of transcripts, recording of hearings. The total budget also included a contingency sum of up to £30,000 in legal costs, in the event that one or more of those persons called before the Committee of Inquiry should decide to make a claim for legal expenses.

These further items would not appear to have been accounted for in Deputy Le Hérisssier's amendment, and yet they would represent potential additional expenditure of £52,500, taking the total budget for the Committee of Inquiry up to £102,500, i.e. more than the Committee's own estimate of a maximum cost of £91,000.

In conclusion, therefore, the Policy and Resources Committee opposes both parts (i) and (ii) of Deputy Le Hérisssier's amendment.