

STATES OF JERSEY



DRAFT AMENDMENT (No. 28) OF THE STANDING ORDERS OF THE STATES OF JERSEY

Lodged au Greffe on 24th February 2015
by the Chief Minister

STATES GREFFE



Jersey

DRAFT AMENDMENT (No. 28) OF THE STANDING ORDERS OF THE STATES OF JERSEY

REPORT

This minor amendment to Standing Orders is being brought for debate by the Chief Minister with the agreement of PPC, to facilitate debates on propositions lodged by the Chief Minister. If adopted, this amendment will allow any Minister to act as 'rapporteur' in the Assembly for any proposition lodged by the Chief Minister.

The change will be particularly relevant for propositions that arise as a result of matters considered by the Legislation Advisory Panel (LAP), which is not entitled to lodge propositions in its own name as it is only an advisory body and not a Panel established under Standing Orders. At present, draft legislation and other propositions considered by the LAP are lodged in the name of the Chief Minister, even if he has had no direct involvement in the initial consideration of the matter. This amendment will allow the Chief Minister to ask another Minister, for example the Minister for External Relations who chairs the LAP, to propose propositions on his behalf.

Standing Order 68A(2) as currently drafted was introduced into Standing Orders through an amendment in 2011. The provision as currently drafted only allows the Chief Minister to ask any other Minister to act as 'rapporteur' for him in relation to a proposition brought under Article 31 of the States of Jersey Law 2005.

Article 31 of the Law requires the Chief Minister to bring a proposition to the States whenever it is proposed that an Act of the UK Parliament should apply to Jersey or that an Order in Council should be made extending an Act of Parliament or Church Measure to Jersey. The 2005 Law requires the Chief Minister to lodge any such propositions because of his responsibility for international relations. In practice it is nevertheless the case that many of the matters covered by a proposition brought under Article 31 fall within the remit of another Minister, for example immigration and asylum matters that are normally the responsibility of the Minister for Home Affairs.

This fact was recognised in 2011 when Standing Order 68A(2) was introduced to allow any proposition lodged by the Chief Minister under Article 31 of the Law to be proposed by any other Minister. The present amendment will simply extend the same principle to all propositions lodged by the Chief Minister, whether they are under Article 31 of the 2005 Law or not. The change should ensure that the Minister with the most direct knowledge of the proposition in question will act as 'rapporteur', and this should facilitate debates in the Assembly.

Financial and manpower implications

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

Explanatory Note

This amendment would allow any Minister to propose any proposition that has been lodged by the Chief Minister. Currently, the only propositions lodged by the Chief Minister that may be proposed by another Minister are propositions lodged under Article 31 of the States of Jersey Law 2005 (proposal that an Act of Parliament should apply, or an Order in Council be extended to, Jersey).



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Made [date to be inserted]
Coming into force [date to be inserted]

THE STATES, in pursuance of Article 48 of the States of Jersey Law 2005¹, have made the following Amendment to the Standing Orders of the States of Jersey² –

1 Standing order 68A amended

In standing order 68A(2) of the Standing Orders of the States of Jersey³, the words “under Article 31 of the Law” shall be deleted.

2 Citation and commencement

This Amendment may be cited as Amendment (No. 28) of the Standing Orders of the States of Jersey and shall come into force on the day it is made.

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- ¹ *chapter 16.800*
² *chapter 16.800.15*
³ *chapter 16.800.15*