

Deputy T. Vallois

## Machinery of government P1/2018

Comments by T Vallois

How will the new role of the Principle Accounting Officer work in conjunction with the role of the Treasurer who is defined under article 30 of the public finances law as being independent?

In particular, regarding the amendment to the article for functions of pao paragraph 4? Page 20

Article 38 paragraph 6 refers to financial directions specifying the application of pao functions and how to be carried out. Does this mean the Treasurer will be able to dictate to pao and what checks and balances are there for the formulation of the financial directions?

How will the new accounting officers be made known to states members in order for them to carry out their functions?

What dialogue will be had with the Public Accounts Committee in order for them to carry out their function in holding accounting officers to account?

Amendment to Article 18 of the public finance law on page 22 of the proposition appears to be tidying up the current requirements but also includes the PAO in the consultation and adding in primary law the requirement to give the states assembly notice

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Amendment to article 26 of the states of jersey law refers to an official seal. This is defined as a ministers signature in the current article 26 but there is no definition in the replacing article. What will the official seal be?

In general, this in my view, would be appropriate to align with the role of the PAO and encourage participation by ministers in strategic working and hopefully better organised and co-ordinated working at a political level. I'm not sure whether I agree with the assistant ministers being party to this because they are not elected by the assembly to be a minister.

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Amendment to Article 27 removes the requirement to have another minister to temporarily discharge another ministers function. I would assume this is because they have become a body corporate rather than corporate soles.

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Amendment to Article 28 paragraph 4 would appear to remove or reduce accountability of the officer making a decision because of a problem with delegations. Surely this cant be right?

Removal of collective responsibility in primary law is appropriate but it will only be changed for creating the body corporate of jersey ministers and therefore some code of practice will have to continue to exist.

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Changing Article 29 and insertion of article 29 (A) of the states of jersey law gives the ability to the chief minister to move around ministers as and when he would like to as long as he gives the states 2 weeks notice. I do not agree with this because of the inflexibility of the scrutiny role as it currently stands. I'm more than happy to have a more flexible system as long as the appropriate checks and balances are in place and maybe a limit on the number of times such a move can be made.

Changes to Standing order 112, I would prefer for the appointment of the chief minister to take place much closer to the election as I believe 19 days is still too long for unelected persons to continue to be able to carry out a role they have not been elected for following an ordinary election.

#### General comments

I have tried to write this with trying to be constructive in mind. Ultimately, there needs to be a shake up of the machinery of government as previous reports have alluded to there are various ways of dealing with many of the issues that continue to arise R.105/2013 and R.39/2013. Of course the ultimate question remains as to whether members wish to continue with ministerial government or whether there is something better to work with.