

**THE STATES assembled on Friday,
28th September 2001 at 9.30 a.m. under
the Presidency of the Bailiff,
Sir Philip Bailhache.**

**His Excellency the Lieutenant Governor,
Air Chief Marshal Sir John Cheshire, K.B.E., C.B.,
was present**

All members were present.

Prayers read by the Deputy Greffier of the States.

United States of America terrorist atrocities - letter

The Bailiff informed the Assembly that he had received a letter in the following terms from Mr. William S Farish, Ambassador of the United States of America in London, in response to the Bailiff's letter regarding the terrorist atrocities which occurred in the United States of America on 11th September 2001 -

“Dear Sir Philip,

Thank you and the States and people of Jersey for your kind expression of comfort and support to the American people following the terrorist attacks on September 11th. We have been overwhelmed by the outpouring of sympathy from all parts of the United Kingdom and have been deeply touched by it. The horrors of last week have left us all shocked and saddened.

Our two nations have often stood together in tough times and your personal message will strengthen our resolve to bring peace and security to the world.”

**Machinery of Government: proposed reforms - P.122/2001
Amendments (1) to (5) and comments**

THE STATES resumed consideration of proposition of the Policy and Resources Committee regarding the Machinery of Government: proposed reforms, and, adopting the proposition as amended -

- (a) agreed that the Island's present committee system of government should be replaced by a ministerial system, combined with a system of scrutiny, as set out in the report of the Policy and Resources Committee dated 26th July 2001 and that this objective should be achieved in the following manner -
 - (i) the committee system of government would be abolished;
 - (ii) the States would appoint a Chief Minister of Jersey from among their number, by a process to be agreed, who would nominate a team of ministers to form the Council of Ministers, with the executive function of government vested in the Chief Minister and the Council of Ministers;
 - (iii) not more than ten departments of government would be established, each headed by a minister, with power to appoint up to two other members of the States to assist in his or her executive work, subject to the approval of the Chief Minister and to the condition set out in paragraph (vii) below, with such members being able, if appropriate, to be so involved in the work of more than one department;

- (iv) the States would form a Privileges and Procedure Committee to be responsible to the States for all aspects of Assembly procedure including, in particular, scrutiny arrangements, facilities, remuneration, services for members of the States, the production of a Hansard-type transcript of States' proceedings, public information services, and an appropriate code of conduct for all members;
 - (v) the States would establish, upon the basis of conditions and terms of reference to be drawn up by the Privileges and Procedure Committee, a small number of scrutiny committees, comprised of members of the States not involved in the Executive, the function of such committees being, in support of the overriding role of the States Assembly in such matters, to contribute to the development of policy, to scrutinise legislation (including subordinate legislation), and to examine the performance of government;
 - (vi) the States would establish a Public Accounts Committee, comprised of the chairmen of the scrutiny committees together with at least one other member of the States not involved in the Executive, charged with the scrutiny of public expenditure and supported by an Auditor General accountable directly to the States Assembly;
 - (vii) the revised structure would be designed to ensure that the number of members of the States who are not involved in the Executive would be greater than those who are by a margin equivalent to at least ten per cent of the total membership of the States, with any resulting fraction of one being regarded as one;
 - (viii) the Council of Ministers would be supported by a Chief Executive who would be the head of the civil service, which would be unified at senior level; and heads of departments would form a management board under the leadership of the Chief Executive;
 - (ix) the States would establish an independent Appointments Commission, comprising persons who are not members of the States, with responsibility for ensuring that senior appointments to the civil service and autonomous and quasi-autonomous public bodies are properly made, and which as its first task would recommend to the States a person for appointment as Chief Executive;
 - (x) the Policy and Resources Committee, after consultation with the Comité des Connétables, would bring forward for approval by the States proposals on the future relationship between the Parishes and the other areas of public administration and, in particular -
 - (i) the provision of services;
 - (ii) resource allocation and financing;
 - (iii) a review of the Parish institutions; and
 - (iv) the position of the Parish of St. Helier;
- (b) requested the Policy and Resources Committee to present to the States, before the end of November 2001, an implementation plan showing how and when these changes should be brought into effect.

Members present voted as follows -

“Pour” (31)

Senators

Horsfall, Stein, Bailhache, Norman, Walker, Le Sueur, Lakeman.

Connétables

St. Saviour, St. Brelade, St. Lawrence, St. Peter.

Deputies

H. Baudains(C), St. Mary, Trinity, Routier(H), Layzell(B), Grouville, Huet(H), St. Martin, Crowcroft(H), St. Peter, Dubras(L), Dorey(H), Troy(B), Voisin(L), Scott Warren(S), Farnham(S), Le Hérissier(S), Ozouf(H), Fox(H), Bridge(H).

“Contre” (21)

Senators

Le Maistre, Quérée, Syvret, Kinnard, Le Claire.

Connétables

Grouville, St. Helier, St. Martin, St. Ouen, Trinity, St. Clement, St. Mary.

Deputies

S. Baudains(H), Duhamel(S), Breckon(S), St. John, Le Main(H), Vibert(B), St. Ouen, G. Baudains(Martin(H)).

Adjournment

THE STATES then adjourned, having agreed to defer consideration of the draft Gambling (Amendment No. 5) (Jersey) Law 200- (P.133/2001 lodged ‘au Greffe’ on 4th September 2001) and the draft Food and Drugs (Amendment No. 3) (Jersey) Law 2000 (Appointed Day) Act 200 (P.134/2001 lodged ‘au Greffe’ on 11th September 2001) until the next meeting on 9th October 2001 when they would be considered as the first items of public business.

THE STATES rose at 6.06 p.m.

M.N. DE LA HAYE

Deputy Greffier of the States.