

PRIVILEGES AND PROCEDURES COMMITTEE

(82nd Meeting)

25th July 2008

(Business conducted by electronic mail)

PART A

All members were present, with the exception of Connétable K.A. Le Brun of St. Mary and Deputy G.C.L. Baudains.

Connétable D.F. Gray of St. Clement - Chairman
 Senator M.E. Vibert
 Deputy S.C. Ferguson
 Deputy J. Gallichan
 Deputy I.J. Gorst

In attendance -

M.N. de la Haye, Greffier of the States
 P. Monamy, Acting Clerk to the Privileges and Procedures Committee

Note: The Minutes of this meeting comprise Part A only.

Draft Public
 Elections
 (Expenditure and
 Donations)
 (Amendment)
 (Jersey)
 Regulations 200-
 424/3(2)

A1. The Committee, with reference to its Act No. B5 of 23rd July 2008, considered the Draft Public Elections (Expenditure and Donations) (Amendment) (Jersey) Regulations 200- which sought to prohibit the publication of advertisements in a newspaper or in the broadcast media on the 2 days preceding an election and on polling day itself.

The Committee accordingly approved the draft Regulations, together with the accompanying explanatory report, and asked that the projet be lodged 'au Greffe' by 29th July 2008, with the States to be requested to take the matter into consideration on 8th September 2008.

Draft States of
 Jersey
 (Amendment
 No. 5) (Jersey)
 Law 200-
 450(8)

A2. The Committee, with reference to its Minute No. B2 of 23rd July 2008, considered the draft States of Jersey (Amendment No. 5) (Jersey) Law 200, the purpose of which was to -

- (a) insert a new Article 21A so as to provide that the duties of a suspended Minister would be carried out by the Chief Minister or be delegated to another Minister;
- (b) substitute the current Article 30 and insert a new Article 30A so as to provide for reporting the delegation of statutory functions to the States Assembly and the establishment and maintenance by the Chief Minister of a list of the functions of each Minister, and of the functions which had been delegated to others;
- (c) amend Article 44 so as to provide for the States members' Remuneration Review Body to consider the provision of pensions for Members of the

States and to make recommendations for consideration by the States when it reports on remuneration levels for 2009 and beyond later in 2008.

The Committee, having authorised the Chairman to sign the necessary statement of compliance of the draft Law with the provisions of the Human Rights (Jersey) Law 2000, accordingly approved the draft Amendment, together with the accompanying explanatory report, and asked that the projet be lodged 'au Greffe' by 29th July 2008, with the States to be requested to take the matter into consideration on 8th September 2008.

Draft
Amendment
No. 9 of the
Standing Orders
of the States of
Jersey.
465/1(105)

A3. The Committee, with reference to its Minute No. B3 of 23rd July 2008, considered the draft Amendment No. 9 of the Standing Orders of the States of Jersey, the purpose of which was to implement the recommendations - primarily those considered to be most urgent to be considered in time for the new Assembly in December 2008 - arising from the review of the first 12 months of the Machinery of Government Reforms following an extensive consultation exercise with the Council of Ministers, the Chairmen's Committee, the Public Accounts Committee and all States members.

The Committee noted that the amendments sought to -

- (a) limit the length of written questions and the number of written questions a member might put at each meeting;
- (b) provide for the questioner to decide whether the Minister must answer in the event that the Minister does not wish the Assistant Minister to respond;
- (c) provide for signature on a vote of no confidence;
- (d) make arrangements for referral to a Minister, rather than to the Council of Ministers;
- (e) provide for an individual member to ask another member to propose an amendment to a draft Law/proposition if he/she would be absent when the amendment was to be debated;
- (f) provide for 24 hours' Notice of nominations for Ministerial office;
- (g) provide for an unopposed Minister to pass to the Greffier a statement of his or her policies for distribution to members;
- (h) provide for the presiding officer to invite the Assembly to pause after appointing Ministers before proceeding to appoint to other positions;
- (i) provide for the constitution of the Privileges and Procedures Committee to include a member from the Chairmen's Committee; and
- (j) provide for the suspension of members from the Assembly.

The Committee accordingly approved the draft Amendment, together with the accompanying explanatory report, and asked that once H.M. Attorney General had confirmed that no human rights issues arose from the proposed changes to the rules on the suspension of a member from the States, the projet be lodged 'au Greffe' by 29th July 2008, with the States to be requested to take the matter into consideration on 8th September 2008.