

**MINIMUM WAGE LEGISLATION (P.227/98):
AMENDMENTS**

**Lodged au Greffe on 16th February 1999
by the Policy and Resources Committee**



STATES OF JERSEY

STATES GREFFE

MINIMUM WAGE LEGISLATION (P227/98):
AMENDMENTS

(i) *For sub-paragraph (b) of the proposition substitute the following -*

“(b) to agree that the minimum wage will be introduced as soon as the necessary financial and manpower resources, as detailed in the said report, can be made available in accordance with States’ prioritisation processes;”;

(ii) *delete sub-paragraph (d).*

POLICY AND RESOURCES COMMITTEE

Notes:

1. The Finance and Economics Committee supports this amendment.
2. The Establishment Committee supports this amendment.

Report

The Policy and Resources Committee recognises that the States have approved in principle the introduction of a statutory minimum wage as soon as possible, and the Committee itself supports the principle. The Committee recalls that this proposal was adopted by way of an amendment to the Strategic Policy Review and Action Plan 1997 moved by Senator R.J. Shenton. As an amendment, it was not presented through the intermediary of the Finance and Economics Committee as required by Rule 4 of the Public Finances (General) (Jersey) Rules 1967, so that members were not advised of the financial implications, nor was the amendment referred to the Establishment Committee in accordance with States' procedure to assess manpower implications, as would have been the case had a separate proposition been lodged.

The States therefore considered and accepted the principle of introducing a minimum wage without the benefit of information and comments from those two Committees, the mechanism of an amendment to a proposition having side-stepped normal procedures. This is an unusual position given the long-standing procedures in place for propositions, and the Committee will be asking the House Committee to review procedures for amendments to propositions so that they are treated on an equal footing with propositions.

The States are now being asked to disregard approved States' procedures for resource prioritisation, and to approve the introduction of the minimum wage and the necessary financial and manpower resources, without submitting an application for resources to the annual prioritisation process.

The Policy and Resources Committee supports the principle of introducing a minimum wage as soon as possible, and believes in this context that the proposals put forward by the Employment and Social Security Committee represent a balanced package. However, the Committee believes it is inappropriate for this new proposal to take priority for financial and other resources over other, equally worthy, proposals which have been approved in the normal way, and which have been subjected to the rigorous prioritisation process for funds. The Committee opposes the wording in sub-paragraph (d) of the proposition which, if adopted more generally, could permit Committees and

individual States' members to circumvent the resource prioritisation processes, and could jeopardise the efficient and effective management of States' resources. Accordingly, the Committee would wish to propose the deletion of sub-paragraph (d) of the proposition of the Employment and Social Security Committee.

Sub-paragraph (b) of the Employment and Social Security Committee's proposition seeks to introduce the minimum wage with effect from 1st January 2000. The States should be made aware that, even if the proposed legislation obtained priority for law drafting under the established procedure for dealing with urgent and unforeseen items, and received law drafting priority over all other legislation in the pipeline, it would be impossible to have the legislation drafted, approved by the States and sanctioned by Privy Council (a process which can take six months alone), in time for introduction on 1st January 2000. This date is therefore impracticable.