

PRIVILEGES AND PROCEDURES COMMITTEE

(96th Meeting)

2nd March 2011PART A

All members were present, with the exception of Senator B.I. Le Marquand and Deputy J.A. Martin.

Connétable J. Gallichan of St. Mary, Chairman
 Connétable P.F.M. Hanning of St. Saviour
 Deputy J.B. Fox
 Deputy M.R. Higgins
 Deputy T.M. Pitman

In attendance -

M.N. de la Haye, Greffier of the States
 Mrs. A.H. Harris, Deputy Greffier of the States
 Miss A-C. Heuston, Clerk to the Privileges and Procedures Committee

Note: The Minutes of this meeting comprise Part A and Part B.

Draft States of
 Jersey
 (Miscellaneous
 Provisions)
 (Jersey) Law
 201-: request to
 Privy Council.
 P.26/2011
 450/1(16)

A1. The Committee, with reference to its Minute No. A1 of 18th February 2011 received a briefing note prepared by the Greffier of the States in respect of the forthcoming debate on the proposition, 'Draft States of Jersey (Miscellaneous Provisions) (Jersey) Law 201-: request to Privy Council,' lodged *au Greffe* on 16th February 2011 by the Deputy of Grouville (P.26/2011 refers).

The Committee recalled that the proposition asked the States to agree that it was no longer the wish of the Assembly for the draft States of Jersey (Miscellaneous Provisions) (Jersey) Law 201- to receive the sanction of Her Most Excellent Majesty in Council and for the Law to be withdrawn. The Committee had presented a comment to the States on 18th February 2011 stating its opposition to the proposition. A note had since been circulated to States members in respect of the proposition which had asserted that the Committee would be able to bring transitional arrangements back to the States for debate in the near future so that 6 Senators could be elected for 3 years, rather than 6, the autumn of 2011. The Committee noted that the adoption of P.26/2011 would not only cancel the decision of the States to move from 12 Senators to 10 in the autumn 2011 elections, but would cancel the entire reform package. It was noted that it would be out of order for the Bailiff to allow any proposition which sought to re-instate elements of the draft States of Jersey (Miscellaneous Provisions) (Jersey) Law 201- to be lodged until 3 months had passed, in accordance with Standing Order 20 of the Standing Orders of the States of Jersey. The Standing Order would need to be suspended, as would Standing Order 104 'Contents of speech' in order to allow the Assembly to debate any such proposition. Also, should such a proposition receive prompt debate and adoption by the States, there remained no guarantee that Privy Council sanction would be obtained for the draft legislation in advance of the autumn 2011 elections.

The Committee maintained its strong opposition to P.26/2011 and **agreed** that the Chairman should advise the Assembly of the substantial timescale and procedural difficulties should it be adopted with an expectation that certain elements of the draft States of Jersey (Miscellaneous Provisions) (Jersey) Law 201- would be brought back for debate, adoption and implementation in advance of the scheduled October 2011 elections.