

CHAIRMEN'S COMMITTEE

**Meeting of Chairmen held on 5th October 2007
Amended**

Meeting Number 61

Present	Deputy S C Ferguson, President Deputy R.G. Le Hérissier, Vice President Deputy R C Duhamel Deputy G P Southern Deputy A Breckon Deputy P J D Ryan Deputy J G Reed Deputy D.W. Mezbourian
Apologies	
Absent	
In attendance	Mrs. A. Harris, Deputy Greffier of the States Mrs. E. Kingston-Walsh, Scrutiny Officer

Ref Back	Agenda matter	Action
1.	<p>Minutes</p> <p>The Minutes of meetings held on 7th and 21st September 2007 were approved and signed.</p> <p>Retrospective apologies were given by Deputy Ryan for his absence from the meeting of 7th September 2007.</p>	
2.	<p>Panel reports</p> <p>The Committee received and noted Panel Activity Reports. It further noted additional oral reports from the Chairmen as follows:</p> <p>Corporate Services</p> <p>Senator J. Perchard had resigned from the Panel following his appointment as Assistant to the Minister for Health and Social Services. The Panel advised that it intended to appoint a new member and to appoint a new Vice-Chairman.</p> <p><u>Zero-Ten Sub-Panel:</u> the Panel intended to close-down the Sub-Panel and bring the review back to the main Panel due to the reduction in Sub-Panel numbers.</p> <p><u>GST:</u> 2 areas of contention have been raised.</p> <ol style="list-style-type: none"> 1. de-minimis levels. The Sub-Panel was advised that de-minimis levels could be managed by Order. However, the Sub-Panel has been informed that the Order would be brought to the States for debate next year. It noted that the Customs Law was also due to be debated early next year. 2. A decision had been made to waive GST on the Tourism sector for the first year. The Sub-Panel understood that the decision was made due to the industries need to set prices a year in advance. However, the Panel considered that the industry had known about the introduction of GST for a 	

considerable length of time and have had the opportunity to take this into account. The Sub-Panel feels that the waiver should be considered as an industry subsidy. The Chairman considered making a Statement to the States.

Economic Affairs

Telecoms: Senator Shenton resigned from the Sub-Panel following his appointment as Minister for Health and Social Services.

The Sub-Panel had received the Sale Proposition in advance as promised by the Treasury department. The Sub-Panel had agreed to meet on Friday 12th October 2007 to discuss the proposition.

Draft Price and Charge Indicators (Jersey) Law 200- (GST): The Minister had noted the Panel's recommendations and brought the Law back for debate.

Jersey Finance Limited (JFL): The Panel had received notification of an internal review of JFL and a review of the Finance Industry to be undertaken by London Business School on behalf of JFL and the Economic Development Department.

Skills and Training Initiatives: The Panel was considering a possible review in this area and had noted a need to avoid the issues of migration. The Panel Chairman agreed that if such a review was to be commissioned a Sub-Panel in conjunction with the Education and Home Affairs Panel would be considered.

Education & Home Affairs

Kathy Bull Report: The Panel had considered a review of Kathy Bull's recommendations in relation to the Departments under the remit of the Panel. The Committee noted that the Panel's intentions had been superseded in the immediate future due to the review by Mr Williamson of child protection arrangements in Jersey. The Panel had written to Mr Williamson regarding our concerns that children are absconding from Heathfield Children's Home.

Skills Initiative: The Panel had been invited to attend Highlands College to view the facilities and speak in particular about the delivery of the proposed Skills Initiative; the Panel Chairman advised that this visit may be delayed until early in the New Year.

User Pays: The Jersey Live organisers had supported the Panel's call for evidence and had asked their supporters to contact the Panel.

Health, Social Security and Housing

Income Support: The Report and Propositions had been published.

It was noted that Senator Shenton had resigned from all Scrutiny Sub-Panels following his appointment as Minister for Health and Social Services.

	<p>Environment</p> <p><u>Water Quality:</u> The Transport and Technical Services Minister had declined to attend the suggested meeting.</p> <p><u>Environmental Taxation:</u> Discussions had taken place regarding the replacement of VRD, despite assurances that there would not be any additional taxation. The Panel was of the opinion that the money raised was to be used to increase recycling rates. The Chairman advised that this conflicted with the Transport and Technical Services Departments plans for a large incinerator.</p> <p><u>Liquid Waste Strategy:</u> The Panel reported that the Liquid Waste Strategy was still outstanding.</p> <p>PAC</p> <p>The Chairman of the Education and Home Affairs Panel had asked the Chairman of to the PAC when its proposed meeting with the Education Department would be held.</p>	
<p>3.</p> <p>Item 9</p> <p>07.09.07</p>	<p>Scrutiny Newsletter</p> <p>The Committee noted and approved the costs of the newsletter totalling £8825. It further noted that there may be an additional charge for artwork. It agreed that the total costs would be met by the General Scrutiny Budget.</p> <p>The Chairmen undertook to provide Panel contributions before close of business on Tuesday 16th October 2007.</p> <p>Deputy D. Mezbourian was thanked for her hard work.</p>	<p>All Panels</p>
<p>4.</p> <p>Item 2</p> <p>07.09.07</p>	<p>Standing Order 121 amendment - appointment of President of Chairmen's Committee</p> <p>The Committee received a draft report to accompany the proposed amendment 7 of the Standing Orders. It approved the report and the lodging of the amendment to empower the Chairmen's Committee, rather than the States, to appoint its own President.</p> <p>Deputy P. J. D. Ryan requested that his dissent from this decision be recorded.</p> <p>The Committee requested that the draft Proposition be lodged and set down for debate as soon as practicable.</p>	
<p>5.</p> <p>Item 12</p> <p>07.09.07</p>	<p>Access to Legal Advice</p> <p>The Committee noted and considered the briefing paper titled 'Scrutiny – access to legal advice' dated 5th October 2007 that had been prepared by the Scrutiny Manager.</p> <p>The Committee discussed the issues relating to legal advice given by H.M Attorney General. The Chairman of the Economic Affairs Panel informed the committee that once H.M Attorney General had advised a Minister on a matter of legal opinion it appeared that he was unprepared to offer advice to Scrutiny Members on the same matter. However, the Committee noted that this had only occurred once to date. It further noted that matters of 'fact' did not pose any</p>	

	<p>similar problems. The President of the Committee agreed to amend the briefing paper in light of these discussions before circulating to Scrutiny Members prior to the proposed meeting with H.M Attorney General.</p> <p>The Committee approved the meeting with H.M Attorney General and all Scrutiny Members to be held on 12th October 2007 in Le Capelain Room at 2.30pm.</p>	SF/KTF
<p>6. Item 13 07.09.07</p>	<p>Internal review of Working Practices</p> <p>The Committee received and considered a report titled 'Scrutiny Internal Review into Working Practices'. It noted that this document was a consensus of opinion and did not provide a unanimous viewpoint. The Committee discussed the contents of the document with particular reference to the section relating to the Chairmen's Committee. It was decided to defer further discussions until the key findings and recommendations had been prepared.</p>	RleH/JR
<p>7. Item 7a) 07.09.07</p> <p>Item 7b) 07.09.07</p>	<p>Scrutiny of the States Business Plan</p> <p>a) Report on Business Planning process - The President of the Committee requested that all Chairmen submit a report in writing, before 17th October 2007, detailing what worked and what didn't work during the review of the 2008 Annual Business Plan.</p> <p>The Committee noted that there was a need to meet with the Chief Minister's Department to discuss plans for the commencement of the 2009 Business Plan review process.</p> <p>Deputy Reed requested records of the meetings held between the Corporate Services Panel, the Chief Minister and the Minister for Treasury and Resources pertaining to the 2008 Business Plan. The Chairman of that Panel explained that as the meetings in question had been held in private session, the Minutes had been recorded as such.</p> <p>b) PAC amendment to the Business Plan 2008 – The view was expressed by some Chairmen that the amendment to the Business Plan lodged by PAC (Amendment 9) should not have been withdrawn and should have been put to the vote.</p> <p>c) PAC and CAG efficiency review of States expenditure – The Committee was advised by the Chairman of the PAC that the CAG proposed a review of the effectiveness and efficiency of States expenditure. Concern was expressed that such a review may overlap with the Scrutiny remit. The Chairman of PAC agreed to provide the Committee Members with discussion papers on the proposed review.</p> <p>The Chairmen agreed to meet with the CAG on Tuesday 9th 2007 to discuss the proposed review.</p>	<p>All Panels</p> <p>SF</p> <p>All Panels</p>
8.	Quorum at Panel Hearings	

<p>Item 14 07.09.07</p>	<p>The Committee received and considered a briefing paper titled 'Quorum for Hearing' dated 5th October 2007, prepared by the Scrutiny Manager.</p> <p>The Deputy Greffier of the States agreed to prepare a note on the pros and cons of amending Standing Orders to reduce the quorum requirements for public hearings.</p> <p>Sub-Panels Presentation of reports/rapporteurs</p> <p>The Committee discussed the need for Sub-Panel Members to act as rapporteur for the Sub-Panel.</p> <p>The Deputy Greffier of the States was asked to prepare a note on the pros and cons of amending Standing Orders to enable any Sub-Panel Member to act as rapporteur for the Sub-Panel.</p>	<p>DGOS</p> <p>DGOS</p>
<p>9.</p>	<p>Centeniers in the Magistrates Court Draft Report</p> <p>The Committee received an oral report of a recent unauthorised release of a draft report by the former Chairman of the Education and Home Affairs Scrutiny Panel.</p> <p>The Committee also noted the release to the media of a letter from H.M. Attorney General to the Panel, dated 17th May 2007 as it was extensively quoted in the Jersey Evening Post.</p> <p>The Committee noted that the Law Officers' Department subsequently issued a message to the media that stated '<i>the advice of the Attorney General to any Minister or Scrutiny Panel on legal issues is confidential.</i>'</p> <p>The Committee discussed issues related to ownership of draft reports and appropriate methods of raising concerns.</p> <p>The Committee agreed that the President would make a Statement to the States expressing the Committee's dismay.</p> <p>Deputy R. C. Duhamel requested that his dissent from this decision be recorded.</p> <p>The President was requested to prepare a Statement for circulation to the Committee prior to the States Assembly on Tuesday 9th October 2007.</p>	<p>SF</p>
<p>10.</p>	<p>Date of next meeting – 2nd November 2007</p>	

Signed

Date:

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President, Chairmen's Committee