

# STATES OF JERSEY



## AMENDMENTS TO STANDING ORDERS – LAND TRANSACTIONS

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**Lodged au Greffe on 10th March 2022  
by the Privileges and Procedures Committee  
Earliest date for debate: 25th April 2022**

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**STATES GREFFE**

## **PROPOSITION**

**THE STATES are asked to decide whether they are of opinion to make the following amendment to the Standing Orders of the States of Jersey, with immediate effect –**

After paragraph (3), insert –

“(3A) If the action described in paragraph (1)(a) to which the document relates is not pursued after a document is presented as required by paragraph (3), the Minister for Infrastructure must notify the Greffier who must inform the members of the States.”.

**PRIVILEGES AND PROCEDURES COMMITTEE**

## **REPORT**

The Privileges and Procedures Committee is proposing an amendment to Standing Order 168 of the States of Jersey which governs land transactions. Standing Order 168 requires the Minister for Infrastructure to present a report to the States if (following a recommendation from Jersey Property Holdings) the Minister has approved the acquisition, disposal, letting or rental of land on behalf of the public of Jersey. States approval of this transaction is then assumed once 15 working days have passed and if there has been no objection from members. The contract may then be finalised.

The Committee noted that there is currently no provision within Standing Order 168 to cover circumstances where a relevant transaction does not proceed. This happened early in 2021 when a report ([R.4/2021](#)) was presented to the Assembly outlining the intention to enter into a lease on buildings in Broad Street and Commercial Street for the purpose of the Office Accommodation Project. However, this transaction did not ultimately proceed.

The Committee also noted that, although the story of what happened would no doubt be discernible from researching media reports, there would potentially be a gap in the public record before the Assembly. The Committee is proposing this amendment to address the issue.

The Committee sought the views of the Minister for Infrastructure before pursuing this matter further. The Minister was supportive of the proposed solution to this potential gap in the public record (albeit that this scenario occurs rarely). The Minister commented that any obligation on the Minister should be the simple notification of the failure to complete the transaction, as the details of any land transaction that did not proceed at such a late stage in the process would almost certainly be exempt from disclosure under the Freedom of Information (Jersey) Law 2011.

In the Committee's proposed amendment, there is no obligation on the Minister to provide reasoning but simply to inform the Greffier that the proposed action has not taken place. If members were interested to know more, it would be open to them to submit questions for the Minister. The Minister could then respond accordingly, taking into account the sensitivity of any information relating to the action.

Once informed by the Minister, it would be the responsibility of the Greffier to notify members accordingly that the transaction in question had not proceeded. Practically speaking, this could be achieved through a re-issue by the States Greffe of the original report with a note to explain that the action had ultimately not taken place.

### **Financial and manpower implications**

There are no financial and manpower implications for the States arising from adoption of these amendments to Standing Orders.