

# STATES OF JERSEY



## DRAFT AMENDMENT (No. 30) OF THE STANDING ORDERS OF THE STATES OF JERSEY

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Lodged au Greffe on 24th November 2016  
by the Privileges and Procedures Committee

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STATES GREFFE





Jersey

## **DRAFT AMENDMENT (No. 30) OF THE STANDING ORDERS OF THE STATES OF JERSEY**

### **REPORT**

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On 14th June 2016, the States Assembly unanimously approved a proposition of Deputy S.M. Wickenden of St. Helier ([P.40/2016](#) – *Collective Responsibility Statements: propositions lodged by a Minister*, as amended by [P.40/2016 Amd.](#)). The proposition sought to modify the Standing Orders of the States of Jersey to require that any proposition, lodged by a Minister, would include a statement detailing which Ministers and Assistant Ministers were bound to vote in accordance with collective responsibility in respect of the proposition.

Collective responsibility was brought into force by virtue of Articles 2 and 5 of the States of Jersey (Amendment No. 7) Law 2014 ([L.19/2014](#)), with the detail set out in the Code of Conduct for Ministers.

The Proposition tasked the Privileges and Procedures Committee with bringing forward, for approval, the necessary amendments to Standing Orders to give effect to the proposal.

Standing Order 21 sets out how a proposition is lodged and includes, *inter alia*, at paragraph (2) a requirement for the proposer to highlight any financial or manpower implications associated with the draft proposition; and at paragraph (4) a requirement to accompany the proposition with a report, which sets out why the proposer considers that it should be adopted.

This draft Amendment has the effect of amending Standing Order 21 to include an obligation for any proposition lodged by a Minister to also include a statement which details whether the principle of collective responsibility has been waived in relation thereto and, if not, which Ministers and Assistant Ministers would be required to vote in accordance with collective responsibility.

#### **Financial and manpower implications**

There are no additional financial or manpower implications arising from the adoption of this Amendment to Standing Orders.

## Explanatory Note

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These Amendments to the Standing Orders of the States of Jersey would add a requirement, to Standing Order 21, for a statement to be made in relation to any proposition as to whether or not the principle of collective responsibility (set out in paragraphs 4 and 5 of the Code of Conduct and Practice for Ministers and Assistant Ministers (R.11/2015)), has been waived in whole or in part in respect of the proposition. If the principle has not been waived, the statement should also identify the Ministers and Assistant Ministers bound by collective responsibility to support the proposition.



Jersey

## **DRAFT AMENDMENT (No. 30) OF THE STANDING ORDERS OF THE STATES OF JERSEY**

*Made* [date to be inserted]  
*Coming into force* [date to be inserted]

**THE STATES**, in pursuance of Article 48 of the States of Jersey Law 2005<sup>1</sup>, have made the following Amendments to the Standing Orders of the States of Jersey<sup>2</sup> –

### **1 Interpretation**

In these Amendments, a reference to a standing order by number is a reference to the standing order of that number in the Standing Orders of the States of Jersey.

### **2 Standing Order 21 amended**

In Standing Order 21 after paragraph (3) there shall be inserted the following paragraph –

“(3A) The draft must be accompanied by a statement –

- (a) as to whether or not the principle of collective responsibility, as expressed in paragraphs 4 and 5 of the Code of Conduct and Practice for Ministers and Assistant Ministers (R.11/2015, presented to the States on 10th February 2015) has been waived in respect of the whole or any specified part of the proposition; and
- (b) if and to the extent that the principle has not been waived, setting out the Ministers and Assistant Ministers who are bound by that principle to support the proposition.”.

### **3 Citation and commencement**

These Amendments may be cited as Amendment (No. 30) of the Standing Orders of the States of Jersey and shall come into force forthwith.

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- <sup>1</sup> *chapter 16.800*  
<sup>2</sup> *chapter 16.800.15*