

PRIVILEGES AND PROCEDURES COMMITTEE

(33rd Meeting)

28th August 2009

(Business in respect of Item No. A2 conducted by electronic mail)

PART A

All members were present, with the exception of Senator B.I. Le Marquand, Deputy J.A. Martin and Deputy M.R. Higgins, from whom apologies had been received.

Connétable J. Gallichan of St. Mary, Chairman
 Deputy J.B. Fox
 Deputy C.H. Egré
 Deputy M. Tadier

In attendance -

Mrs. A.H. Harris, Deputy Greffier of the States (Item No. A1 only)
 Miss A-C. Heuston, Clerk to the Privileges and Procedures Committee

Note: The Minutes of this meeting comprise Part A only.

Draft Freedom of
 Information
 (Jersey) Law
 200-: discussion
 paper.
 670/1(14)

A1. The Committee, with reference to its Minute No. A3 of 19th June 2009, considered a draft Green Paper entitled "Draft Freedom of Information Law 2009, Discussion Paper".

The paper set out the work which had been undertaken to develop the draft Freedom of Information Law 200-, the key policies upon which the draft Law had been based, and the proposals currently being considered by the Committee. The Committee discussed a number of matters, including whether an information tribunal or the Royal Court should hear appeals. The Committee considered which quasi public bodies and more remote public authorities should be covered by the legislation, discussed restricted and qualified information, and noted that any fees in respect of applications would be covered by Regulations.

The Committee was minded to establish an information tribunal and the Deputy Greffier of the States was requested to write to Mrs. E. Martins, Data Protection Commissioner, to request her comments in this regard. The Deputy Greffier was also directed to consult with the States of Jersey Police in respect of Article 40 'Law enforcement'.

The Committee, having considered and discussed the content of the paper, agreed a number of amendments. It also agreed that, once finalised, the document should be presented to the States as a White Paper, rather than a Green Paper, and that the public and stakeholders should be invited to comment on the proposals.

The Deputy Greffier of the States was requested to make the necessary amendments to the draft.

States of Jersey
Complaints
Board: findings.
1386/2/1/2 (290)

A2. The Committee received a report of the States of Jersey Complaints Board detailing its findings in connexion with a complaint against a decision of the Minister for Planning and Environment.

In accordance with Article 9(9) of the Administrative Decisions (Review) (Jersey) Law 1982, as amended, the Committee agreed to present the report entitled ‘States of Jersey Complaints Board: findings – Complaint against a decision of the Minister for Planning and Environment regarding the refusal for permission to change a dormer window into a bi-folding door and balcony,’ to the States on 3rd September 2009.

The Committee Clerk was directed to take the necessary action.