

# STATES OF JERSEY



## DRAFT AMENDMENT (No. 32) OF THE STANDING ORDERS OF THE STATES OF JERSEY

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Lodged au Greffe on 6th June 2017  
by the Privileges and Procedures Committee

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STATES GREFFE





Jersey

## **DRAFT AMENDMENT (No. 32) OF THE STANDING ORDERS OF THE STATES OF JERSEY**

### **REPORT**

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This Amendment makes a number of changes to the Standing Orders of the States of Jersey.

Firstly, it amends Standing Order 30, which concerns the arrangement of public business for meetings of the States, to the effect that where a proposition that the States have no confidence in any person, or body of persons, has been lodged, it shall be listed for debate at the first meeting after the minimum lodging period, which is currently 2 weeks, has expired. This shall equally apply to a proposition for the censure of any person or body.

At the present time, there is nothing within Standing Orders to prevent a Member from deferring consideration of a vote of no confidence, or censure, proposition, although it is customary practice for such propositions to be taken as the first item of business at the next meeting of the States after they have been lodged '*au Greffe*' for 2 weeks.

The Committee feels that it is desirable for this practice to be formally enshrined within Standing Orders and, consequently, Standing Order 30 is amended to this effect. For the same reason, Standing Order 31, which relates to the order in which public business will be debated at meetings, is also amended.

The Amendment also makes a change to Standing Order 106, which relates to declarations of interest. Standing Order 106(1) requires Members of the States to declare an interest in the subject matter of a proposition if they, or their spouse, civil partner, or cohabitee have an interest therein. Standing Order 106(2) requires a member of the States who is asking or answering an oral question, and who (or whose spouse, civil partner, or cohabitee) has a financial interest in the subject matter of the question, to declare the same. However, this requirement does not extend to oral questions, and the Committee feels that this lacuna should be addressed.

The Amendment further inserts a new Standing Order – 109A – into Part 5 of Standing Orders, which deals with the rules of order, conduct and debate in meetings. The new Standing Order 109A will set out the Presiding Officer's powers in relation to the use of visual aids within the States Assembly.

The Committee has noted that, since the debate on the Medium Term Financial Plan, Members have increasingly made use of visual aids during their speeches, and it feels that some guidance is required in respect of this, particularly as meetings of the States Assembly are now filmed. Research undertaken on the way in which Presiding Officers in other jurisdictions deal with the use of visual aids has shown that their use is to be tolerated, but not encouraged.

The Committee agrees with the view expressed by the Speaker of the New Zealand House of Representatives that: *“Members must exercise good sense in how they conduct themselves in the Chamber. How they conduct themselves includes what objects they bring with them into the Chamber. It does not contribute to the dignity of the Chamber, or the esteem in which this institution is held, to bring in objects that trivialise parliament.”*

Standing Order 109A affords the Presiding Officer discretion to allow Members to use visual aids as a useful complement to the delivery of their speech, provided that the items displayed are not offensive, objectionable or unparliamentary, either by themselves, or by implication.

**Financial and manpower implications**

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

## **Explanatory Note**

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These Amendments of the Standing Orders of the States of Jersey would make 2 types of changes: first, they would amend standing order 30 to prevent that provision being relied upon for deferral of a proposition of no confidence in, or censure of, any person or body, and amend standing order 31 to add such a proposition to the list of propositions which must be taken as the first item of public business at a meeting. Second, they would add further provisions for the good conduct of the Assembly, by amending standing order 106 to require declarations of interest to be made where members ask or answer written, as well as oral, questions; and by introducing a new standing order 109A to regulate the use of visual aids in the Chamber.





Jersey

## **DRAFT AMENDMENT (No. 32) OF THE STANDING ORDERS OF THE STATES OF JERSEY**

### **Arrangement**

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#### **Amendment**

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Jersey

## **DRAFT AMENDMENT (No. 32) 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<sup>3</sup>.

### **2 Standing order 30 amended**

In standing order 30 –

- (a) in paragraph (1), for the word “A” at the beginning of that paragraph there shall be substituted the words “Except in the case of a proposition that the States have no confidence in, or censure, any person or body, a”; and
- (b) after paragraph (1) there shall be inserted the following paragraph –  
“(1A) In the case of a proposition that the States have no confidence in, or censure, any person or body, the proposition shall be listed for debate at the first meeting after the expiry of the minimum lodging period applicable to the proposition, and paragraphs (2) to (4) shall not apply.”.

### **3 Standing order 31 amended**

In standing order 31(2) –

- (a) for the full stop at the end of sub-paragraph (c) there shall be substituted a semi-colon; and
- (b) at the end there shall be added the following sub-paragraph –

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“(d) a proposition that the States have no confidence in, or censure, any person or body.”.

#### **4 Standing order 106 amended**

In standing order 106(2) after the words “an oral” there shall be inserted the words “or written”.

#### **5 Standing order 109A inserted**

After standing order 109 there shall be inserted the following standing order –

##### **“109A Presiding officer’s powers in relation to use of visual aids**

- (1) The presiding officer may, subject to paragraph (2), permit the use of an item as a visual aid by a member of the States, whilst that member is speaking in the Chamber.
- (2) The presiding officer shall not permit the use or display in the Chamber of any item which, in his or her judgment, is offensive, objectionable or unparliamentary either in itself or by implication, having regard in particular to all or any of the following considerations, namely whether –
  - (a) the use of the item may trivialise the proceedings of the States or may bring those proceedings into disrepute;
  - (b) the item visibly displays the name of a manufacturer or brand;
  - (c) the item or its use obstructs the proceedings of the States or the normal business of members in entering, leaving and using the Chamber.”.

#### **6 Citation and commencement**

These Amendments may be cited as Amendment (No. 32) of the Standing Orders of the States of Jersey and shall come into force on the day after the day on which they are made.

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- <sup>1</sup> *chapter 16.800*  
<sup>2</sup> *chapter 16.800.15*  
<sup>3</sup> *chapter 16.800.15*