

PRIVILEGES AND PROCEDURES COMMITTEE

(81st Meeting)

13th October 2010PART A

All members were present.

Connétable J. Gallichan of St. Mary, Chairman
 Senator B.I. Le Marquand
 Connétable P.F.M. Hanning of St. Saviour
 Deputy J.B. Fox
 Deputy J.A. Martin
 Deputy C.H. Egré
 Deputy M.R. Higgins

In attendance -

M.N. de la Haye, Greffier of the States
 P. Monamy, Acting Clerk to the Privileges and Procedures Committee

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

Code of Conduct:
 complaints
 against Senator
 B.E. Shenton
 regarding the
 recording of a
 telephone
 conversation.
 1240/9/2(69)

A1. The Committee, with reference to its Minute No. B1 of 5th October 2010, considered a draft of a Report to be presented to the States regarding complaints which had been made against Senator B.E. Shenton in respect of the alleged recording and subsequent disclosure of a telephone conversation with Senator F.E. Cohen, Minister for Planning and Environment.

The Committee noted that the Report detailed its findings in respect of the investigation it had undertaken into the matter - including its discussion with Senator Shenton - and that it emphasised the Committee's role as one of investigating alleged breaches of the Code of Conduct for Elected Members and reaffirmed that it had no remit in respect of matters arising under the Data Protection (Jersey) Law 2005 (although it had included in the Report a relevant statement which had been provided by the Data Protection Commissioner).

The Committee, having made a number of minor revisions to the Report, approved it and requested the Greffier of the States to arrange for it to be presented to the States.

“States Members’
 remuneration:
 reconsideration
 of 2011 increase
 and repeal of
 Article 44 of the
 States of Jersey
 Law
 2005” (P.127/2010) -
 Amendments.

A2. The Committee considered 2 Amendments to the Report and Proposition entitled “States Members’ remuneration: reconsideration of 2011 increase and repeal of Article 44 of the States of Jersey Law 2005” (P.127/2010) which had been lodged ‘au Greffe’ by Senator B.E. Shenton.

The Committee noted that Deputy J.A. Martin of St. Helier had proposed the substitution of wording in paragraph (b) so that it would read: *“to agree that Article 44 of the States of Jersey Law 2005, which currently prevents the payment of different amounts of remuneration or allowances to different elected members, should be repealed and to agree that, following its repeal, the States Members’*

450/1(14)
1240/3(73)

Remuneration Review Body should be requested to bring forward a scheme of differential remuneration for elected members for 2012 and beyond, including the reintroduction of a means-tested system of remuneration which takes account of the total income of each individual States member, ensuring that there is nevertheless no overall increase (other than any normal annual inflationary increase) in the total budget for States members' remuneration."

The Committee noted that the Deputy of St. Mary had proposed the deletion from paragraph (a) of the words "*in light of current and projected economic circumstances*" on the basis that the Senator's proposal would tie the hands of the States Members' Remuneration Review Body in carrying out its review of the recommendations it had made in the Report presented to the States on 2nd July 2010 (R.93/2010 refers).

The Greffier of the States reported that correspondence was awaited from the States Members' Remuneration Review Body which would confirm that that entity would not be prepared to change its recommendations in respect of States Members' remuneration for 2011. The Committee accordingly agreed to present to the States comments on the above-mentioned Amendments outlining the views of the Remuneration Review Body and emphasising that in any event individual States members were not obliged to accept a salary or any increase thereto which might be proposed.

The Greffier of the States was requested to arrange for the Committee's comments to be presented to the States in due course.