

IC/SC/228

PRIVILEGES AND PROCEDURES COMMITTEE

(business conducted by electronic mail)

(14th Meeting)

2nd August 2012PART A

All members were present, with the exception of Deputy M. Tadier.

Connétable A.S. Crowcroft of St. Helier, Chairman
 Senator S.C. Ferguson
 Senator Sir P.M. Bailhache
 Connétable L. Norman of St. Clement
 Deputy J.A. Martin
 Deputy K.L. Moore

In attendance -

I. Clarkson, Clerk to the Privileges and Procedures Committee

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

Freedom of
 Information
 (Jersey) Law
 201-:
 implementation
 670/1(42)

A1. The Committee, with reference to its Minute No. A4 of 23rd May 2012, recalled having been advised by the Chief Minister –

- (a) that sufficient funding to enable the recruitment of a project manager for the Freedom of Information (Jersey) Law 201- implementation project was to be set aside, and
- (b) that the Chief Minister would seek to meet with the Committee later in 2012 to discuss the outcomes of scoping work concerning implementation of the Law.

The Committee further recalled that the Draft Medium Term Financial Plan had been lodged '*au Greffe*' on 23rd July 2012 (P.69/2012 refers).

The Committee considered a report dated 1st August 2012 and which was entitled: 'Medium Term Financial Plan (MTFP) – Freedom of Information Law.'

The Committee noted that the draft MTFP sought to allocate to the budget of the Chief Minister's Department for 2012 the sum of £0.5 million for preliminary implementation work concerning the Law. From 2013, however, no dedicated funding for implementation of the Law was being proposed. It was instead being proposed that funding for implementation be sourced from the Contingency Fund, which was to be used for "*emerging items for which a future significant cost was likely but where the exact cost and the timing were both uncertain*".

Given: the history of the Law; the all but unanimous decision of the States to adopt the Law in 2011; the subsequent related decision of the States to adopt P.41/2011 ('Freedom of Information: Implementation Plan') – the purpose of which had been to put on record a clear implementation plan with a completion date no later than 2015 – and the existence and the content of 2 consultants reports

commissioned by the Chief Minister's Department in 2010 and 2011 (the latter of which had been described as an implementation plan and had been offered to States Members directly in response to the lodging of P.41/2011), the Committee considered it somewhat curious that the Law had been classified as an emerging item. It further acknowledged that a number of other calls on the proposed contingency allocation might well be made to fund other specific funding pressures highlighted in the draft MTFP.

The Committee **agreed** that the Chairman should write to the Chief Minister seeking –

- (i) an update regarding progress in implementing the Law, and
- (ii) comfort as a matter of urgency regarding the allocation of funding to enable the Law to be introduced by the target date of 2015.

The Committee Clerk was authorised to take the necessary action.