

STATES OF JERSEY



DRAFT STATES OF JERSEY LAW 200- (P.124/2004): SECOND AMENDMENTS (P.124/2004 AMD.(2))– COMMENTS

**Presented to the States on 9th November 2004
by the Policy and Resources Committee**

STATES GREFFE

COMMENTS

Senator E.P. Vibert has proposed changes to the draft States of Jersey Law that would have far-reaching implications, including changes of a constitutional nature that would have a bearing on the Island's relationship with the Crown. In the view of the Policy and Resources Committee, the States should in no circumstances agree to such changes without proper consultation having taken place with the relevant parties, including Her Majesty's Government and the non-elected States members. Indeed, the Committee believes that it would be ludicrous for the States to support this amendment, which, at a stroke, seeks to fundamentally change positions and traditions which have served the island well for many decades. To do so without proper consultation and without serious discussion and deep reflection on the full consequences would be irresponsible in the extreme.

The Special Committee on the Composition and Election of the States Assembly has already indicated that it will consider the position of non-elected States members, in accordance with its terms of reference, and work on this issue has already commenced. The Policy and Resources Committee considers that the Special Committee should be allowed to complete its work and make recommendations for further consideration and decisions in the appropriate way and at the appropriate time. The Committee therefore believes Senator Vibert should withdraw his amendments. Alternatively, if the Senator is minded to continue, then the Committee recommends, for the reasons already stated, that the amendments be rejected.

The Committee agrees that there needs to be a full, wide-ranging and considered discussion about the roles of non-elected members. In view of the potential constitutional implications of any proposed changes, the Policy and Resources Committee would need to be consulted as part of this process.