

PRIVILEGES AND PROCEDURES COMMITTEE

(25th Meeting)

1st September 2006

(Business conducted by telephone)

PART A

All members were present, with the exception of Connétable K.A. Le Brun of St. Mary from whom apologies had been received.

Connétable D.F. Gray of St. Clement - Chairman
 Senator S. Syvret
 Senator M.E. Vibert
 Deputy G.C.L. Baudains
 Deputy C.H. Egré
 Deputy J. Gallichan

In attendance -

Miss P. Horton, Clerk to the Privileges and Procedures Committee

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

Amendment (No. 5) to the Standing Orders of the States of Jersey. 450/2(5)

Encl.

A1. The Committee received and considered a report dated 31st August 2006, prepared by the Greffier of the States in connexion with Amendment (No. 5) of the Standing Orders of the States of Jersey.

The Committee was advised that the draft Amendment made a small but important technical change in relation to Acts made under the Public Finances (Jersey) Law 2005 to declare that taxation legislation should have immediate effect (such Acts were normally known as '*Actes Opératoires*'). Under the Standing Orders as currently drafted any such draft Act declaring that taxation legislation should have immediate effect must be lodged for at least two weeks by the Minister for Treasury and Resources. It had become apparent that this would not be practical in the context of the Budget debate and that difficulties could arise when taxation legislation was debated at other times. If amendments were brought to taxation legislation, and these were adopted, the terms of the draft Act declaring that the legislation should have immediate effect would need to alter. For example, if amendments were agreed that introduced additional increases on Impôts duty, the draft Act would need to refer to these increases. Clearly it would not be possible to lodge a draft Act for two weeks when the outcome of the debate on the amendments was not known until the day of debate. To rectify the position this Amendment would allow the Minister for Treasury and Resources to propose the Act without notice. This mirrored the provisions that existed under the previous Public Finances (Administration) (Jersey) Law 1967. The Committee noted that the Amendment would not allow the Minister to propose any taxation measures without notice it simply allowed the Minister to propose without notice the Act which brought into immediate effect decisions the States had already taken.

The Committee, having considered the draft Amendment (No. 5) of the Standing

Orders of the States of Jersey accordingly approved the same and requested that it be lodged 'au Greffe' at the earliest opportunity for debate after the required 6 week lodging period so that the change could be in place in time for this December's Budget debate.

Deputy G.C.L. Baudains requested that his dissent from the decision be recorded.

The Committee Clerk was directed to take the necessary action.