

JERSEY HERITAGE TRUST: NEW CONSTITUTION (P.44/99) - AMENDMENTS

**Lodged au Greffe on 11th May 1999
by Deputy A.S. Crowcroft of St. Helier**



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at the end of the proposition, add the words -

with the exception that -

On page 8, at the beginning of paragraph 5.3.3. of the Constitution, insert the words 'a member for the time being of the States of Jersey who is committed to the objectives of the Jersey Heritage Trust as set out in paragraph 3 of the Constitution, and'

In paragraph 5.3.5. for the word "eight" substitute the word "seven".

DEPUTY A.S. CROWCROFT OF ST. HELIER

Report

Few would argue with the notion that the development of Jersey's heritage, in particular, its museum sites, and the increasing part played by our history in education and tourism, has been one of the Island's success stories in recent years. The Jersey Heritage Trust has worked closely with the various interested parties, in particular, the Société Jersiaise, to create an effective organisation for the care, development and promotion of our heritage, and it is now seeking to modernise its constitution to make it more appropriate to its needs.

The Trust has engaged in a lengthy and rigorous process of research and consultation in drawing up its proposed new constitution, and the proposition concerned (P.44/99) is a model of its kind. It is, therefore, with some trepidation that I bring forward an amendment to it, particularly at a late stage.

It is recognised that the current constitution encourages States members who are also trustees to think of themselves as representatives of their particular Committee and its interests. In seeking to reduce the role of delegates of States Committees on the Jersey Heritage Trust, the Finance and Economics Committee is responding to the need for trustees who are committed to the objectives of the Trust. At the same time, the opportunity is being taken in the proposition to increase the overall number on the Board from seven to 12 which will allow more members of the public with the relevant skills to be involved.

However, in view of the importance of heritage and culture to the Island as a whole - especially with the development of the Archives Centre - it is my view that the interests of the people of Jersey may not be adequately voiced through their elected representatives in this important area of Island life, when the only States representative on the Heritage Trust is the appointee of the Finance and Economics Committee. This amendment seeks simply to provide for the appointment of a second States member to the Trust.

Paragraph 10 of the Constitution certainly offers a degree of confidence that the proposed changes to the Trust will not compromise its accountability to the States of Jersey, especially when the various provisions of paragraph 5 are taken into account - it would be possible for the States to replace the Chair of the Board if it considered it to be necessary, or, for example, to argue that the composition of the Board was not in accordance with paragraph 5.3.6, 'a diverse and balanced group of people in terms of gender, age, experience, skills, track record and attitudes, who share a commitment to the Jersey Heritage Trust'. In practice, however, the public of the Island are bound to have a greater sense of involvement in the management of their heritage and culture if they are represented by two States members rather than by one.

It may be argued that under the terms of the proposed new Constitution any States member who believes he or she fulfils the criteria for membership of the Board of Trustees can apply to do so under the provisions of paragraph 5.3.5. It will also be pointed out that under the trust law, trustees do not, in fact, represent another organisation or body at all. I believe that it is important to the efficient and harmonious working of the Trust that all members fully subscribe to the objectives of the Trust and do not think of themselves as 'watchdogs' from another organisation. It is with this consideration in mind that I have included the reference to the necessary qualifications for a member of the Heritage Trust in the proposal to add the second States member. At the same time I have not suggested that this member of the States should be a member of any particular States Committee - the important thing is that he or she is fully committed to the objectives of the Jersey Heritage Trust.

Finally, the second part of the amendment reduces by one the sum of the other trustees although I would have no objection to allowing the total to reach 13 were the first part of the amendment to be accepted.