

KS

PRIVILEGES AND PROCEDURES COMMITTEE

(24th Meeting)

(Business conducted by electronic mail)20th February 2019**PART A (Non-Exempt)**

All members were present, with the exception of Deputy S.M. Wickenden of St. Helier and Deputy M.R. Le Hegarat of St. Helier, from whom apologies had been received.

Deputy R. Labey of St. Helier, Chairman
 Connétable A.S. Crowcroft of St. Helier
 Connétable C. H. Taylor of St. John
 Deputy J.M. Maçon of St. Saviour (not present for item A2)
 Deputy C.S. Alves of St. Helier

In attendance -

L.M. Hart, Deputy Greffier of the States
 K.L. Slack, Clerk to the Privileges and Procedures Committee

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

Public
 Elections
 (Expenditure
 and Donations)
 (Jersey) Law
 2014: proposed
 amendments
 (P.6/2019) –
 comments.
 459/99(1)

A1. The Committee, with reference to its Minute No. A3 of 5th February 2019, recalled that it had expressed the wish to present a comment on the Proposition of Deputy J.H. Young of St. Brelade ‘Public Elections (Expenditure and Donations) (Jersey) Law 2014: proposed amendments’ (P.6/2019), which was due to be debated by the States Assembly on 26th February 2019.

The Committee received a draft comment, which expressed its support for Deputy Young’s Proposition and reminded Members that it had established a Sub-Committee to review and implement the recommendations made by the Commonwealth Parliamentary Association’s Election Observers Mission in 2018, one of which had been that consideration should be given to provide for and undertake a systematic scrutiny of all financial declarations submitted by candidates and political parties and make public the result of such scrutiny, in order to enhance transparency of campaign finances as stated in Article 7.3 of the UN Convention against Corruption.

The comment indicated that work needed to be undertaken with the Judicial Greffe, who were responsible for this aspect of the election process, because in the Committee’s view, the oversight was currently insufficient and recent events had demonstrated that there were failings with the way in which the Law had been implemented and administered to date. In the United Kingdom, responsibility for assessing the validity of candidates’ expenses sat with the Electoral Commission, which had the *vires* to take legal action against those who do not adhere to the rules and the Committee had considered whether the responsibility for the administration of the Law could be removed from the Judicial Greffe and a local Electoral Commission established.

The Committee approved the draft Comment and instructed the Deputy Greffier to

arrange for its presentation to the States.

Public
Elections
(Expenditure
and Donations)
(Jersey) Law
2014: proposed
review
(P.7/2019) –
comments.
459/99(1)

A2. The Committee, with reference to its Minute No. A3 of 5th February 2019, recalled that it had expressed the wish to present a comment on the Proposition of Deputy J.M. Maçon of St. Saviour ‘Public Elections (Expenditure and Donations) (Jersey) Law 2014: proposed review’ (P.7/2019), which was due to be debated by the States Assembly on 26th February 2019.

The Committee received a draft comment, which expressed its support for Deputy Maçon’s Proposition and was almost identical to the comment which it had decided to present in relation to the Proposition of Deputy J.H. Young of St. Brelade, as set out in Minute No. A1 of the current meeting.

Accordingly, the Committee approved the draft Comment and instructed the Deputy Greffier to arrange for its presentation to the States.