

PRIVILEGES AND PROCEDURES COMMITTEE

(93rd Meeting)

16th February 2011

PART A

All members were present.

Connétable J. Gallichan of St. Mary, Chairman
Senator B.I. Le Marquand
Connétable P.F.M. Hanning of St. Saviour
Deputy J.B. Fox
Deputy J.A. Martin
Deputy M.R. Higgins
Deputy T.M. Pitman

In attendance -

M.N. de la Haye, Greffier of the States
Miss A-C. Heuston, Clerk to the Privileges and Procedures Committee

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

Draft States of
Jersey
(Miscellaneous
Provisions)
(Jersey) Law
201-: request to
Privy Council.
P.26/2011
450/1(16)

A1. The Committee received the proposition, 'Draft States of Jersey (Miscellaneous Provisions) (Jersey) Law 201-: request to Privy Council,' lodged *au Greffe* on 16th February 2011 by the Deputy of Grouville (P.26/2011 refers).

The Committee noted that the proposition requested the States to agree that it was no longer the wish of the Assembly for the Draft States of Jersey (Miscellaneous Provisions) (Jersey) Law 201- to receive the sanction of Her Most Excellent Majesty in Council and to charge the Greffier of the States to write to the Clerk of the Council to advise that it was the wish of the States of Jersey to withdraw the Law. In the report accompanying the proposition, the Deputy focused upon the decision to reduce the number of senatorial seats as the core reason for requesting the withdrawal of the legislation.

The Committee expressed its unanimous opposition to the proposition. Firstly, it was noted that the States had, on two occasions, endorsed the approach established by the draft States of Jersey (Miscellaneous Provisions) (Jersey) Law 201-. On 13th October 2010 the States had adopted P.118/2010 'Composition of the States: spring election and move to 4 year term of office,' and, in so doing, had charged the Committee to bring forward for debate the draft States of Jersey (Miscellaneous Provisions) (Jersey) Law 201-. The Committee had done so and the States had adopted the draft Law on 20th January 2011. Secondly, the Committee recognised that the withdrawal of the Law would result in the demise of all other agreed amendments to the composition and election of the States, including the introduction of the single election day; the move towards a standard 4-year term of office for all members; and the establishment of a Spring election. The draft States of Jersey (Miscellaneous Provisions) (Jersey) Law 201- had been sent to the Privy Council with a request for urgent consideration in the light of the forthcoming elections, however, it was noted that a period of delay was currently being experienced in receiving Privy Council sanction for draft legislation. Should the States advise the Privy Council that the Assembly no longer wished to proceed with the Law, it was considered that this could have a detrimental impact upon any future requests the

Island might make for the urgent sanction of draft legislation.

It was noted that the Deputy of Grouville made repeated references in the report accompanying the proposition to the removal of 4 Senators from the States. The Committee noted that this reduction would be gradual and that only 2 Senators would be removed following the elections in October 2011, in accordance with Article 3 of the draft Law. It was intended, in accordance with Article 4, that a further 2 senatorial seats would be removed following the elections in October 2014. It was, however, noted that a proposition to amend the Law could be adopted in advance of the October 2014 elections so as to prevent the further reduction in the number of senatorial seats. Furthermore, the Committee noted that the States had yet to debate the proposition 'Electoral Commission: establishment,' lodged *au Greffe* on 31st January 2011 by the Deputy of St. Mary (P.15/2011 refers). Should the proposition be adopted, the formation of an Electoral Commission could result in further changes to the composition and election of the States being proposed in the near future. It was agreed that it was essential to proceed on the basis of the changes agreed by the States when the draft States of Jersey (Miscellaneous Provisions) (Jersey) Law 201- had been adopted, and that any further amendments to the composition and election of the States should be a matter for future consideration.

It was **agreed** that a comment on the proposition, 'Draft States of Jersey (Miscellaneous Provisions) (Jersey) Law 201-: request to Privy Council,' should be drafted and circulated to the Committee in early course, for approval and subsequent presentation to the States.

The Greffier of the States was requested to take the necessary action.