

**WRITTEN QUESTION TO THE
CHAIR OF THE PRIVILEGES AND PROCEDURES COMMITTEE
BY DEPUTY J.M. MAÇON OF ST. SAVIOUR
QUESTION SUBMITTED ON MONDAY 24th JANUARY 2022
ANSWER TO BE TABLED ON MONDAY 31st JANUARY 2022**

Question

“In relation to ‘Amendment (No.54) to Standing Orders – Amendments to the Code of Conduct for elected members and related matters’ (P.1/2022), will the Chair advise –

- (a) why no Child Rights Impact Assessment was attached to P.1/2022 and whether one will be forthcoming prior to the debate;
- (b) whether the Committee sought advice from the Children’s Commissioner for Jersey, or whether the Committee is aware that the Comptroller and Auditor General sought such advice, and, if not, why not;
- (c) why the Committee has proposed that it is right to make public the interests of close family members (including children) who are living in the same household of a States Member; and
- (d) whether the Chair is aware of the provision referred to in paragraph (c) existing in other jurisdictions?”

Answer

- a) There is no requirement to undertake a Child Rights Impact Assessment on the Assembly's Standing Orders but, in this case, the Committee is content to undertake and publish such an assessment before P.1/2022 is debated.
- b) The Committee did not seek advice on its proposed Standing Order changes from the Children's Commissioner. It has no knowledge of any interaction between the Comptroller and Auditor General and the Children's Commissioner.
- c) The new provision in relation to the registration of interests of family members, of which an Elected Member is aware, has been proposed to align the Assembly's rules with best practice on the registration and declaration of financial interests in other contexts, as set out in International Accounting Standards 24 - Related Party Disclosures and International Public Sector Accounting Standard 20 - Related Party Disclosures. The purpose of this is to ensure that the public is aware of the interests which a reasonable person might consider could influence an Elected Member in the conduct of their duties. These interests go beyond those directly held by the Member to encompass interests held by a spouse, civil partner or cohabitee (which must already be registered) and interests held by other close family members. The system is based on transparency, entailing the publication of interests, although there is no need for the name of the person holding the interest or the nature of their relationship to the Elected Member to be specified. The Committee is considering bringing forward an amendment on this point.
- d) The Commonwealth Parliamentary Association's Recommended Benchmarks for Codes of Conduct applying to Members of Parliaments recommends that the disclosure and publication of Members' interests encompasses interests held by the Members' spouse and close family members (paragraph 3.1.6). The registration and publication of interests relating to the children of Members are a feature of numerous other parliamentary standards systems including, for example, in Wales, Australia and Canada.