

STATES OF JERSEY

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DRAFT STATES OF JERSEY LAW 200- (P.124/2004): AMENDMENTS

Lodged au Greffe on 19th October 2004
by Deputy S.C. Ferguson of St. Brelade

STATES GREFFE

DRAFT STATES OF JERSEY LAW 200- (P.124/2004): AMENDMENTS

PAGE 46, ARTICLE 44 –

For sub-paragraph (c) of paragraph (3) substitute the following subparagraph –

- “(c) require the States to appoint at least 4 persons to be members of such Committee of whom –
- (i) 50% shall be elected members, who are not Ministers or Assistant Ministers, and
 - (ii) 50% shall be persons who are not members of the States.”.

PAGE 46, ARTICLE 45 –

In paragraph (a) omit the words “of inquiry”.

DEPUTY S.C. FERGUSON OF ST. BRELADE

REPORT

The Shadow Public Accounts Committee (PAC) has now been in operation for some seven months. A number of factors have become apparent.

1. The duties of the Scrutiny Chairmen are onerous and mitigate their taking as full a role in the PAC as is required for their full participation.
2. The role of the Scrutiny Chairmen is significantly different to that of the PAC Chairman. If there are a number of Scrutiny Panels under ministerial government then the membership of the PAC will be dominated by Scrutiny Chairmen. Since their role is a significantly different one then the purpose and working of the PAC will be impaired.
3. The Shadow Public Accounts Committee (SPAC) is firmly of the opinion that its operation is greatly enhanced by the presence of the independent members and recommends that this structure be retained once the full PAC comes into existence.
4. The SPAC recommends that the elected members who are part of the PAC should not be Chairmen of the Scrutiny Panels but should be independent members of the Assembly.
5. The SPAC recommends the retention of the, as yet, unofficial Chairmen's Committee. This has been a constructive forum for the Scrutiny and SPAC Chairmen to exchange views and to prevent duplication of effort.
6. The proposed amendments do not preclude a Scrutiny Chairman being a member of the PAC if they so wish. However, the structure proposed allows for greater flexibility in the set-up and operation of the PAC.
7. The practical experience gained during the operation of the Shadow Public Accounts Committee corroborates the recommendations of the Public Accounts Committee Working Party which reported in April 2002. This Working Party was set up following the Report by the Institute of Public Finance in 1999, colloquially known as the Hepworth Report.
8. There are no financial or manpower implications arising out of this amendment.