

PRIVILEGES AND PROCEDURES COMMITTEE

(53rd Meeting)

(Business conducted by telephone)

12th July 2007PART A

All members were present, with the exception of Connétable D.F. Gray of St. Clement  
- Chairman and Connétable K.A. Le Brun of St. Mary.

Senator M.E. Vibert  
Deputy G.C.L. Baudains  
Deputy S.C. Ferguson  
Deputy J. Gallichan  
Deputy I.J. Gorst

In attendance -

M.N. de la Haye, Greffier of the States  
Miss P. Horton, Clerk to the Privileges and Procedures Committee

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

Composition of  
the States:  
Revised Structure  
and Referendum  
(P.75/2007) -  
Second  
Amendments  
(P.75/2007 Amd.  
(2)) - Comments.  
1287(13)

A1. The Committee, with reference to its Minute No. A3 of 11th July 2007, considered its response to an amendment to its proposition entitled 'Composition of the States: revised structure and referendum (P.75/2007) - second amendments' lodged 'au Greffe' on 3rd July 2007 by Deputy J.A.N. Le Fondré of St. Lawrence.

The Committee decided to comment as follows -

*'PPC does not support this amendment. As set out in P.75/2007 the Committee believes that it is essential that a referendum is held on the proposed way forward but PPC does not believe it is appropriate to set a higher requirement for a successful outcome as suggested by Deputy Le Fondré. Even though PPC is hopeful that there will be a high turnout in the referendum the level of support that would be needed if Deputy Le Fondré's amendment was adopted makes a successful outcome almost impossible in practice.'*

*The Committee interprets 'entitled to vote' as meaning those persons who are on the electoral register at the time of the referendum as these are the only people who are then 'entitled to vote'. There will be many other people in the Island who are not on the electoral roll who may be 'entitled to register' but these people will not be entitled to vote in the referendum if they are not registered. 100% of registered electors are therefore 'entitled to vote' for the purposes of this amendment.*

*If there is less than a 50% turnout in the referendum then, under the terms of Deputy Le Fondré's amendment, the proposals would be automatically rejected. PPC agrees that such a low turnout would be disappointing but, as*

*can be seen in the figures below, the required outcome for success if the amendment is adopted is very demanding -*

*If there is a 50% turnout every single person must vote in favour.*

*If there is a 60% turnout – 83.3% must vote in favour.*

*If there is a 70% turnout – 71.4% must vote in favour.*

*If there is a 80% turnout – 62.5% must vote in favour.*

*If there was, in Jersey terms, an exceptional turnout of 80% in the referendum and, say, 60% voted in favour of the proposals, reform could not then be progressed because the 60% would be less than the 62.5% requirement shown above. In those circumstances PPC believes that those electors who had taken the trouble to go out and vote and shown, by normal democratic standards, resounding support for the proposals would understandably be extremely aggrieved.'*

The Greffier of the States was directed to arrange for the Committee's comments to be presented for consideration by the States on 16th July 2007.

Composition of  
the States:  
Revised Structure  
and Referendum  
(P.75/2007) -  
Third  
Amendments  
(P.75/2007 Amd.  
(3)) - Comments.  
1287(13)

A2. The Committee, with reference to its Minute No. A3 of 11th July 2007, considered its response to an amendment to its proposition entitled 'Composition of the States: revised structure and referendum (P.75/2007) - third amendments' lodged 'au Greffe' on 3rd July 2007 by Deputy G.P. Southern of St. Helier.

The Committee decided to comment as follows -

*'Amendment (1)*

*PPC does not support this amendment which is almost identical to the proposition of the former Special Committee that was rejected in 2004 by 2 votes to 49.*

*The Committee has made it clear in its proposition (P.75/2007) that it believes that a direct link between the Parishes and the States should continue in any reformed structure. The Committee has proposed that this should be done through the Connétables, and Deputy Baudains' amendment has proposed a further direct link through Deputies elected on a Parish or constituency basis as at present. If Deputy Southern's amendment is adopted there would be no dedicated Parish representatives in the States and PPC does not consider this is acceptable. In addition the Committee would point out that under Deputy Southern's amendment there would appear to be nothing to prevent the Connétable of one parish standing in a large constituency that did not include his or her own parish and PPC believes that this could lead to a conflict of loyalties for the member concerned.*

*Amendment (2)*

*PPC accepts this amendment. In response to a letter from the Comité des Connétables PPC agreed at its meeting of 11th July 2007 that it would set up a small Working Group in conjunction with representatives of the Comité to look at ways of improving the electoral registration process and ensuring that everything possible is done to ensure the accuracy of the registers.*

*Amendment (3)*

*PPC accepts this amendment. The Committee's intention in referring solely to Ministers was that a change to spring/early summer elections could have an impact on the timetable for matters such as the lodging and debate of the Annual Business Plan and the Committee therefore needs to discuss the*

*matter with Ministers to understand that impact. PPC is nevertheless happy to accept the amendment and extend the consultation to all members.'*

The Greffier of the States was directed to arrange for the Committee's comments to be presented for consideration by the States on 16th July 2007.