

PRIVILEGES AND PROCEDURES COMMITTEE

(80th Meeting)

9th July 2008PART A

All members were present, with the exception of Senator M.E. Vibert and Deputy S.C. Ferguson, from whom apologies had been received.

Connétable D.F. Gray of St. Clement - Chairman  
 Connétable K.A. Le Brun of St. Mary  
 Deputy G.C.L. Baudains  
 Deputy J. Gallichan  
 Deputy I.J. Gorst

In attendance -

M.N. de la Haye, Greffier of the States  
 Mrs. A.H. Harris, Deputy Greffier of the States  
 Mr. N. Guillou , Clerk to the Privileges and Procedures Committee

Note: The Minutes of this meeting comprise Part A and Part B.

Standing Order  
 53 - 2nd roll call.  
 450/2(10)

A1. The Committee, with reference to its Minute No. A5 of 26th June 2008, resumed consideration of the status of members who were unable to attend a States sitting in order to attend to States business. The Committee also noted correspondence dated 4th July 2008 from Deputy J.B. Fox. In this correspondence, Deputy Fox asserted that there were occasions when it was necessary for members to be absent, especially when business had been scheduled for a date when no States sitting was scheduled. He had also requested that the Committee make a recommendation so that a standardised approach to this issue could be formulated.

The Committee recalled that confusion had arisen, in that members who had been off-island on States' business were recorded as "out of island", whilst those on-island and absent due to States business could still be "en défaut". It was noted that the Assembly could decide that a member should be "excused" if on-island, but that these decisions were inconsistent. The possibility of creating an alternative classification for members who were absent due to States' business being carried out on-island was discussed, but it was agreed that this could undermine the obligation of members to attend States meetings.

The Chairman expressed his view that members should simply be recorded as "present" or "absent", and that another member could explain the reason for an absence to the Assembly, so that this could be recorded in the minutes of the States. The Committee was mindful that if this were to be proposed, if no explanation for absence was given, a member should be recorded as "en défaut". The Greffier of the States noted that if a member was absent for sensitive personal reasons, provision should be made to ensure that this was diplomatically recorded.

Connétable K.A. Le Brun stated his opinion that problems of this nature would always arise, and that it was very difficult to provide a definitive recommendation, and that the Assembly should be left to make the final decision on such matters. It was also noted that members should be aware that it was likely that extra States meetings would be scheduled towards the end of the 3 year electoral cycle, and more care should be taken to ensure that members were free as far as possible at

such times.

It was agreed that no alteration to the current Standing Orders would be made at the present time, and that the final decision on whether or not a member should be excused should remain a matter for the Assembly.

Schedule of  
Forthcoming  
States Business.  
1240/7/1(1)

A2. The Committee, with reference to its Minute No. A3 of 11th June 2008, gave further consideration to the forthcoming schedule of States business. The Committee recalled that at its meeting of 11th June 2008, it had agreed that the 8th, 9th and 10th July 2008 should be proposed as continuation days for the sitting which commenced on 1st July 2008, and that the 18th July 2008 should be made available as a continuation day for the meeting of the 15th July 2008. In spite of these measures, it was noted that there was still insufficient time to complete all business that had been tabled before the summer recess.

The Committee discussed which items could possibly be deferred to the Second Session of the States, commencing on 9th September 2008. The Committee agreed that it would be feasible to defer the propositions entitled 'Human Rights Committee and Statements of Compatibility' (P.78/2008 refers), Draft Marriage and Civil Status (Amendment No. 2) (Jersey) Law 200- (P.61/2008 refers), along with their associated Amendments and Comments, as well as other propositions tabled for debate on the 15th July 2008.

In conclusion, it was agreed that the Chairman would ask all members who had propositions listed for debate on the 15th July 2008 whether they would be prepared to have these items deferred, and if not, to provide an explanation as to why the item should not be deferred. Subsequently this business could be arranged to ensure that the most urgent items could be given priority.