

STATES OF JERSEY



REMOTE PARTICIPATION WITHIN THE STATES ASSEMBLY FOR THE PURPOSE OF ELECTION OF A CHIEF MINSTER OR MINISTER (P.3/2024): COMMENTS

Presented to the States on 16th January 2024
by the Privileges and Procedures Committee

STATES GREFFE

COMMENTS

Deputy M.R. Scott lodged P.3/2024 on 12th January 2024 which asks Members to decide whether an exception should be made to the rules around remote participation off-Island in the event that the States Assembly adopts P.1/2024 (vote of no confidence proposition).

Deputy Scott proposes to enable any Member who will be absent from Jersey as a result of travel arrangements made prior to the lodging of P.1/2024 to be permitted to participate remotely, off-Island. This would only be necessary if the vote of no confidence was adopted by the Assembly and there needed to be subsequent meetings to select a Chief Minister designate and other Ministers in the resultant new Council of Ministers.

The current rules around remote participation are that any Member is able to participate remotely in States Assembly meetings for any reason, by asking the States Greffe for a Microsoft Teams link in order to be able to join. Participation whilst outside of the Island is not currently permitted, however, the Committee can see merit in enabling Members to do so should the vote of no confidence be adopted as these will be exceptional circumstances.

The Committee is already working on a revised proposition on remote participation which is likely to ask Members to decide whether to allow remote participation from outside Jersey in “unforeseen circumstances”. The Committee does consider that the adoption of the vote of no confidence could potentially constitute an unforeseen circumstance. However, the Committee is mindful that it would not want this particular matter to set a precedent before the Assembly has decided whether or not to enable remote participation from outside the island. The Committee supports this proposition solely because of the specific circumstances which would arise should P.1/2024 be adopted by the Assembly.

In that regard, if the vote of no confidence is successful, the current Chief Minister would stay in post until a new Council of Ministers is formed (when the last Minister is appointed by the Assembly). The new Chief Minister would need to be selected within a period of 7 clear working days following the vote of no confidence debate. As a consequence, if the debate closes on Tuesday 16th January (and the proposition is adopted), the meeting to select a Chief Minister designate would take place on Thursday 25th January 2024 at the latest. The appointment of Ministers would then take place at a meeting convened 2 clear working days after the close of the meeting at which the Chief Minister designate is selected. This would mean an additional States meeting on Tuesday 30th January 2024. This timeframe is set out in Standing Orders.

Therefore, the provision for remote participation from outside of the Island, should P.3/2024 be adopted by the Assembly, would only be made available to those Members who plan to be off-Island from Thursday 25th January 2024. Should this option be made available to Members, the Committee would expect that those attending the Assembly meetings remotely would attend the whole session and not just be present for the votes on the appointment of the Chief Minister designate and Ministers.

Statement under Standing Order 37A [Presentation of comment relating to a proposition]

The Committee apologises for the delay in presenting these comments, however P.3/2023 was lodged on Friday 12th January 2024, therefore the Committee only had the opportunity to discuss the proposals on Monday 15th January 2024.