

PRIVILEGES AND PROCEDURES COMMITTEE

(89th Meeting)

12th November 2008PART A

All members were present.

Connétable D.F. Gray of St. Clement - Chairman
 Senator M.E. Vibert
 Connétable K.A. Le Brun of St. Mary
 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
 Mrs. A.H. Harris, Deputy Greffier of the States
 I. Clarkson, Acting Clerk to the Privileges and Procedures Committee
 Miss A-C. Heuston, States Greffe

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

Minutes. A1. The Minutes of the meetings held on 3rd and 8th October 2008 (Parts A and B) were taken as read and were confirmed.

Matters for information. A2. The Committee noted the following matters for information –

- (a) Ministerial Decision MD-T-2008-0099 concerning parking for States members;
- (b) correspondence, dated 10th October 2008, from the President of the Chairmen's Committee concerning recommendations made in the report entitled, 'Machinery of Government Review' (R.105/2007 refers); and
- (c) a Chief Officers' Circular, dated 6th November 2008, concerning the Register of States Reports.

In relation to item (b), members also received an oral report from Deputy S.C. Ferguson, President of the Chairmen's Committee. The Committee were apprised of the details of progress made on each recommendation as follows –

Recommendation 25 – Scrutiny of legislation had been carried out, although it had been acknowledged that more could be done. It was agreed by the Committee that an in-depth review of the way in which legislation was scrutinised should be undertaken.

Recommendation 27 – It had been agreed that scrutiny did not operate to provide alternative policy options, but to examine the decisions of Ministers and ensure that these had been based upon solid foundations.

Recommendation 36 – There were no longer 2 independent members of the

Chairmen's Committee.

Recommendation 37 – Every meeting included a review of work in progress and work planned.

Recommendation 39 – The Chairmen's Committee was content that the structure of scrutiny was appropriate.

Recommendation 40 – It was the responsibility of each panel to be knowledgeable about work programmes.

Recommendation 43 – The Committee agreed that the Chairman's Committee had yet to resolve the question of who was accountable for Scrutiny.

Recommendation 47 – Any alteration to the lodging and debate time for the Annual Business Plan was likely to result in a requirement to alter timings for elections, and was therefore work in progress.

Newly elected members of the States: induction programme.
1240/9/1(26)

A3. The Committee considered a report produced by the Greffier of the States concerning a draft induction programme for newly elected States members.

It was agreed that new members only should be invited to attend an informal meeting with nominees for Chief Minister on Friday 5th December 2008. It was, however, agreed that the concept would need to be re-visited should a newly elected member wish to stand for the role of Chief Minister.

Members indicated that they would wish to attend the welcome session for newly elected members of the States in the States Chamber at 3 pm on Friday 28th November 2008.

The Committee requested that training in relation to the Code of Conduct for elected members of the States and procedures for investigating complaints under the code be added to the induction programme for newly-elected members of the States. The Greffier was requested to take the necessary action.

P.168,
'Traditional Delivery of Christmas Addresses': review.
1240(202)

A4. The Committee reviewed the report and proposition entitled, 'Traditional Delivery of Christmas Addresses', as lodged 'au Greffe' on 2nd November 2008 (P.168/2008 refers).

Following discussion surrounding the nature of 'tradition', it was decided that a tradition was a custom handed down orally or by practice which evolved over time.

Members also discussed the content of previous Christmas addresses given in the Assembly. It was agreed that they would usually contain a comment on some of the work of the previous year, possibly some comment on what the following year might bring, and conclude with the compliments of the season.

It was therefore agreed that a procedure debated and approved by the Assembly would no longer, by definition, be a tradition, and the Committee therefore did not believe that the tradition of Christmas addresses was an appropriate matter for debate in the Assembly.

States Members' Remuneration Review Body: interim recommendation
1240/3(73)

A5. The Committee, with reference to its Minute No. A1 of 3rd October 2008, recalled that on 22nd October 2008 the States had adopted P.155/2008 entitled, 'States Members' Remuneration Review Body: appointment of members'; accordingly the States Members' Remuneration Review Body (SMRRB) had been reconstituted.

The Committee considered correspondence, dated 6th November 2008, from Mr. J. Rogers, Chairman of the SMRRB, concerning the ongoing review of States members' remuneration.

It noted that the new membership of the Body had been approved by the States on 22nd October 2008 and the Body had now agreed how it should approach its task. In addition the Body had made an interim recommendation for an increase of £1,000 on the basic level of remuneration for States members from 1st January 2009.

The Committee noted that, under the terms of reference of the Body as agreed by the States, the Privileges and Procedures Committee was required to present any such recommendation to the States and, unless a proposition was lodged within a month challenging the recommendation, it would be implemented by default.

The Committee therefore agreed to present the Board's recommendation to the States for the revised maximum remuneration figure of £40,382 for 2009, plus an expenses allowance of £3,650, to be applied from January, unless challenged by 18th December 2008.

Deputy G.C.L. Baudains raised concerns that the Board had not been appointed earlier, and had only made an interim recommendation. He requested that his dissent from the Committee's decision be recorded.

The Greffier of the States was directed to take the necessary action.

Next meeting.

It was agreed that the next meeting of the Committee would be held on 1st December 2008 in the Blampied Room, States Building, at 2.30 pm.