

PRIVILEGES AND PROCEDURES COMMITTEE

(72nd Meeting)

27th July 2010PART A

All members were present.

Connétable J. Gallichan of St. Mary, Chairman  
 Senator B.I. Le Marquand (not present for Item Nos. A1 to A6)  
 Connétable P.F.M. Hanning of St. Saviour  
 Deputy J.B. Fox  
 Deputy J.A. Martin  
 Deputy C.H. Egré  
 Deputy M.R. Higgins (not present for Item Nos. A1 and B3)

In attendance -

Mrs. A.H. Harris, Deputy Greffier of the States  
 Miss A-C. Heuston, Clerk to the Privileges and Procedures Committee

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

States Assembly  
 second quarter  
 financial report  
 2010.  
 422/10/1(53)

A1. The Committee received the States Assembly second quarter financial report and welcomed Finance and Administration Manager, Mrs. D. Abbot-McGuire.

The Committee noted that the 2% savings required under the Comprehensive Spending Review for 2011 had been accounted for, and noted the predicted total under-spend of £146,706 for the year. This was as a result of a predicted Scrutiny under-spend of £212,700, offset by additional expenditure in areas including the Senatorial by-election, additional States sittings, and the development of the States Assembly website.

The Committee noted the position, and, having been thanked by the Chairman for her attendance, Mrs. Abbot-McGuire withdrew from the meeting.

Composition and  
 election of the  
 States.  
 1240/22/1(50)

A2. The Committee, with reference to its Minute No. A4 of 13th July 2010 received a draft proposition in connexion with the composition and election of the States.

The Committee recalled that it had requested the Greffier of the States to draft the proposition in order to enable the States to facilitate a move to a Spring election and the introduction of a 4-year term of office. The Committee discussed the draft proposition and accompanying report and considered the merit in introducing only partial reform and allowing the new States to decide whether or not to carry out further reform after 2011. It was agreed that it would be preferable for the Committee to put forward an entire reform proposal, which would reduce the number of Senators to 8 from October 2014 and bring about a general election in May 2019 and every 4 years thereafter.

The Committee therefore agreed that the proposition should be amended to include a

proposal to elected 4 Senators for four-and-a-half years in October 2014. The Committee **agreed** that the necessary amendments should be carried out and the revised draft proposition circulated to members for approval during the summer recess.

The Committee Clerk was directed to take the necessary action.

Pension scheme  
for States  
Members  
P.93/2010.  
1240/26(29)

A3. The Committee, with reference to its Minute No. A6 of 13th July 2010 received a draft comment in respect of the proposition: Pension scheme for States Members, lodged “*au Greffe*” on 6th July 2010 by Deputy P.V.F. Le Claire (P.93/2010 refers).

The Committee noted and **approved** the content of the draft comment, and **requested** that it be presented to the States at the earliest opportunity.

The Committee Clerk was requested to take the necessary action.

Public Accounts  
Committee:  
Jersey Heritage  
Trust – Financial  
Review.  
P.A.C.3/2010  
512/7(6)

A4. The Committee, with reference to its Minute No. A10 of 13th July 2010 received a draft response to the recommendations of the Public Accounts Committee in its report: Jersey Heritage Trust – Financial Review, lodged “*au Greffe*” on 6th July 2010 (P.A.C.3/2010 refers).

The Committee considered the draft response, which outlined the current provision under Standing Order 21 of the Standing Orders of the States of Jersey in respect of the requirement to include a financial and manpower statement with all propositions lodged “*au Greffe*”. The Committee considered that Standing Order 21(3) could be amended to *require* all members to consult with the relevant Minister when assessing the financial and manpower implications of a proposition. However, the Committee agreed that in some instances, this would not be necessary, and such a requirement was unwarranted. It was agreed that, as the facility was available for members to consult with Ministers, this should be utilised, and that proposers should also seek to discuss the implications of a proposition with the relevant accounting officer.

The Committee **agreed** that its response to the recommendations should be revised accordingly and **requested** the Chairman to send a letter to all States members to remind them of the benefit of carrying out sufficient research prior to making a financial and manpower statement.

The Committee Clerk was directed to take the necessary action.

Public Elections  
Working Party.  
465/7(8)

A5. The Committee, with reference to its Minute No. A1 of 1st July 2010, noted the following correspondence received in connexion with the report of the Public Elections Working Party (R. 94/2010 refers):

- (a) correspondence from Deputy R.G. Le Hérisssier, dated 15th July 2010, which provided comments in respect of a number of the recommendations made by the Working Party. It was noted that the Deputy’s contribution would be considered alongside all other consultation responses received in connexion with the report at the Committee’s meeting in September 2010;
- (b) correspondence, dated 19th July 2010, from Mr. M.F. Dubras, which proposed that a meeting be arranged with the Committee in order to discuss his proposed model for future hustings meetings. It was noted that hustings meetings were not dealt with under the Public Elections (Jersey) Law 2002, and were a matter for election candidates to arrange

as they saw fit. The Committee therefore did not consider it appropriate for it to participate in a meeting on the subject and the Chairman was **requested** to write to Mr. Dubras to advise him accordingly. Mr. Dubras' contribution to the consultation process on the report of the Public Elections Working Party would be considered alongside the consultation responses received at the Committee's meeting in September 2010.

Matters arising.

A5. The Committee noted the following matters arising:

- (i) correspondence dated 1st July 2010 from Deputy P.V.F. Le Claire which invited the Committee to investigate the future provision of a course for States members at the Institute of Law. The Committee had regard for the ongoing Comprehensive Spending Review, and the lack of available budget, and **agreed** that it would not wish to pursue the introduction of any such course at this time. The Chairman was requested to advise the Deputy accordingly;
- (ii) correspondence from Mr. D. Warcup, Acting Chief Officer, States of Jersey Police, dated 12th July 2010, regarding protective security advice to States Members. It was **agreed** that it would be helpful for all members to be given the opportunity to attend a training session in this respect later in the year, and that this should be incorporated into States members' induction sessions in future. The Committee also **agreed** that members should be advised as to the current security arrangements within the States Building;
- (iii) correspondence from the Chairman to Deputy P.J. Rondel, Chairman, Environment Scrutiny Panel, dated 16th July 2010, regarding the Time for Tap Water Campaign (Minute No. A9 of the meeting of 13th July 2010 refers);
- (iv) correspondence from the Chairman to Mr. G. Risoli, dated 19th July, regarding election hustings (Minute No. A8 of the meeting of 13th July 2010 refers);
- (v) correspondence from the Chairman to the Editor, Jersey Evening Post, dated 21st July 2010, regarding an article which appeared in the newspaper on 20th July 2010 in connexion with the draft Freedom of Information (Jersey) Law 201- on 20th July 2010.

Work programme.  
465/1(110)

A6. The Committee noted its ongoing work programme, and agreed that the following item should be added:

- (1) the procedures under Article 9 of the States of Jersey Law 2005 regarding the declaration to be made upon nomination for election.

Chairmen's Committee update.  
465/1(153)

A7. The Committee received an update from Chairmen's Committee representative, Deputy M.R. Higgins.

The Deputy stated that a number of members of Scrutiny were not content with the current Scrutiny process. The Committee noted that a Working Party had been established to review the proposition of Senator A. Breckon entitled: Machinery of government – amended structure (P.70/2010 refers) and Deputy Higgins was **requested** to invite the Chairmen's Committee to document its views in respect of the Senator's proposals.

