

KB

PRIVILEGES AND PROCEDURES COMMITTEE

(18th Meeting)

(Business conducted by electronic mail)7th June 2021**PART A (Non-Exempt)**

All members were present.

Deputy C.S. Alves of St. Helier, Chair
 Senator T.A. Vallois, Vice-Chair
 Connétable A.S. Crowcroft of St. Helier
 Connétable K. Shenton-Stone of St. Martin
 Deputy R. Labey of St. Helier
 Deputy M.R. Le Hegarat of St. Helier
 Deputy G.C.U. Guida of St. Lawrence

In attendance -

L.M. Hart, Deputy Greffier of the States
 K. Boydens, Principal Committee and Panel Officer

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

‘Draft
 Elections
 (Miscellaneous
 Amendments)
 Law 202-’ and
 consequential
 Standing Order
 amendments -
 approval for
 lodging

A1. The Committee, with reference to Minute No. B1 of its meeting of 17th May 2021, considered a draft Elections (Miscellaneous Amendments) Law 202- (‘draft Law’).

The Committee recalled that it had been tasked with responding to the recommendations contained within the Commonwealth Parliamentary Association’s Election Observers Mission (EOM) Report published after the elections in 2018. A Sub-Committee had been established in June 2018 to consider all 18 recommendations and bring forward suggested improvements to the current electoral system.

The Committee was advised that the Sub-Committee had prepared the latest draft Law to respond to several of the remaining EOM recommendations following States Assembly approval of the ‘Draft Constitution of the States and Election (Jersey) Law 202-’ (P.17/2021), which had addressed the first and third recommendations.

The Committee approved the draft Law and instructed the Principal Committee and Panel Officer to make the necessary arrangements for it to be lodged ‘*au Greffe*’ as soon as practicable.

On a related matter, the Committee was advised that, along with the aforementioned legislative amendments, a number of changes were required to Standing Orders of the States of Jersey in order to address the EOM’s second recommendation:

As the election for all members now occurs at the same time, the States Assembly should consider formally proroguing in advance of the election to ensure greater equality and time for all candidates to campaign as private individuals, and to provide clarity to the public, media and candidates as to the long and short campaign period.

The Committee noted that the changes proposed to Standing Orders would enable a new Council of Ministers to be appointed as soon as practicable after the election, whilst providing Members with sufficient time to determine which candidates were best placed for the roles available.

The changes also followed States Assembly approval of the Proposition entitled 'States of Jersey Elections - pre-election procedures for States meetings and the lodging of propositions' (P.88/2018) on 26th June 2018. The Assembly had agreed that it should not ordinarily meet in the week before the week in which election candidates were nominated. It also agreed that the lodging of Propositions (other than amendments) should be prohibited during the period from two months before the date on which election candidates were first nominated until the date of the election. This prohibition, however, would not extend to the lodging of Propositions that concerned rescinding Ministerial Decisions or Orders, Propositions relating to land transactions under Standing Order 168, and Propositions lodged alongside petitions.

The Committee noted the main changes to Standing Orders as follows:

- **Standing Order 3: Sessions of the States** – this would ensure the Assembly completed all of its appointments after the election before the summer recess (paragraph (a) of P.88/2018).
- **Standing Order 7: Times when States shall not meet** – this would define the proroguing period as commencing one week before the week in which nominations were announced until the election day.
- **Standing Order 19A: prohibits lodging 2 months during pre-election period and defined that period** (paragraphs (b) and (c) of P.88/2018).
- **Standing Order 34: Withdrawing a Proposition before debate** - all Propositions which remained lodged after the Assembly had prorogued should be considered to have been withdrawn. This would allow new Ministers the ability to consider policy matters afresh.
- **Standing Order 112: Order of and time for selection and appointment following ordinary election** – this would reduce the time between the appointment of the Chief Minister and the Council of Ministers to 5 days.
- **Standing Order 164: Suspension of member of the State** – updated to remove reference to a 3 year term.

The Committee approved the draft amendments to Standing Orders and instructed the Principal Committee and Panel Officer to make the necessary arrangements for the draft Proposition to be lodged '*au Greffe*' as soon as practicable.