

# **STATES OF JERSEY**



## **STATES MEMBERS' REMUNERATION: ESTABLISHMENT OF AN INDEPENDENT REVIEW BODY**

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**Lodged au Greffe on 21st October 2003  
by the Privileges and Procedures Committee**

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**STATES GREFFE**

## PROPOSITION

### THE STATES are asked to decide whether they are of opinion –

to refer to their Act dated 13th May 2003 in which they agreed that an independent States Members' Remuneration Review Body, comprising persons who are not members of the States, should be established, and –

- (a) to agree that the Terms of Reference of the Review Body should be as follows –
  - to make recommendations to the Privileges and Procedures Committee on the appropriate level of remuneration to be paid to elected members of the States, following the holding of public hearings and the receipt of oral and written submissions from any persons, including members of the States, having taken account of any other matters that the Body considers to be relevant, and having taken particular account, but not being bound by, the following matters –
    - (i) the principle that the level of remuneration available to elected members should be sufficient to ensure that no person should be precluded from serving as a member of the States by reason of insufficient income and that all elected members should be able to enjoy a reasonable standard of living, so that the broadest spectrum of persons are able to serve as members of the Assembly;
    - (ii) the economic situation prevailing in Jersey at the time of determination and the budgetary restraints on the States of Jersey; and
    - (iii) the States' inflation target, if any, for the period under review.
- (b) to agree that the Review Body should –
  - (i) no later than 31st August 2004 make recommendations on the appropriate level of remuneration for the year 2005;
  - (ii) no later than 31st August 2005 make recommendations for the 3-year period 2006 to 2008; and
  - (iii) thereafter make recommendations for each 3-year period at least 6 months before the date of every ordinary elections for Deputies;
- (c) to agree that the Review Body should report its recommendations to the Privileges and Procedures Committee and that Committee, upon receipt of the recommendations of the Body, shall forthwith report the recommendations to the States and to agree that, unless any Committee or member of the States seeks a debate on the recommendations within one month of the date of presentation, the recommendations shall be implemented;
- (d) to agree that the members of the Review Body should receive the sum of £20 for each day spent on the work of the Body.

### PRIVILEGES AND PROCEDURES COMMITTEE

## REPORT

On 13th May 2003 the States adopted a proposition of Senator E.P. Vibert in the following terms –

*THE STATES, in adopting the proposition, as amended, of Senator Edward Philip Vibert –*

- (a) *agreed that an independent States Members' Remuneration Review Body, comprising persons who were not Members of the States, should be established and that –*
  - (i) *the Body should consist of a non-voting Chairman and 3 other members with a relevant mix of skills and experience, all appointed by the States on the recommendation of the Privileges and Procedures Committee;*
  - (ii) *the Chairman and members should be remunerated for their services at an hourly rate to be determined by the States;*
  - (iii) *the Body should hold public hearings and receive oral and written submissions from any persons, including Members of the States, who wished to make a submission to it; and*
  - (iv) *the Body, having made whatever additional enquiries it deemed necessary, would report annually to the States on the appropriate level of remuneration to be paid to elected Members of the States; and,*
- (b) *charged the Privileges and Procedures Committee to take the appropriate steps, including the preparation of draft legislation if deemed necessary, to give effect to the proposals.*

Members may recall that, following the adoption of an amendment of Senator C.G.P. Lakeman, it was agreed that recommendations of the Body would not be binding on the States.

The Committee established a sub-committee consisting of the Vice-President and Senator E.P. Vibert to make recommendations on the appropriate terms of reference for the Body and the Committee is grateful to Senator Vibert for the work he has undertaken on this issue.

The terms of reference, as set out in the proposition, are intended to provide an appropriate balance between the need to ensure that the Body takes account of the Island's economic situation whilst not being unduly constrained in making its recommendations. It is important to note that the terms of reference of the Body require it to 'take account' of certain matters but not to be 'bound' by them.

As set out in Senator Vibert's original proposition it is intended that the Body should hold public hearings and receive submissions from anyone, including of course members of the States, who wished to make a submission to it. It would also be able to initiate enquiries of its own.

The Committee has lodged a separate proposition on the abolition of means testing and, as a result, the Body will be requested to identify an appropriate level of remuneration that will be available to all members equally.

Although Senator Vibert initially recommended that the Body should report annually the recommendation of the sub-committee, having reconsidered this issue, was that this was not necessary. The Committee agreed with this recommendation and is therefore proposing that, after making initial recommendations for one year for 2005, the Body's work should be linked to the 3-year electoral cycle so that recommendations will be made for a 3-year period. In this way, candidates standing for election would know exactly what remuneration was available for their potential term of office. (If changes are made to the dates of elections or the length of members' terms of office it may be necessary for the provisions in paragraph (b) of the proposition to be amended by the States.)

As can be seen from paragraph (c) of the proposition the Committee is proposing what is hopefully a sensible compromise on the procedure to be followed once the Body presents its recommendations. As the States have agreed that the recommendations should not be binding it is necessary to allow for a debate on them but, as

proposed, this debate would only be necessary if any member or Committee wished to initiate a debate. In the absence of any move to lodge a proposition within one month of the presentation of the Body's findings the recommendations would simply be implemented. As the Body will have undertaken a rigorous process to make its recommendations it is hoped that a debate will not normally be necessary.

On 13th May 2003 the States agreed, as shown above, that the members of the Body should be remunerated for their services and the Committee is recommending that the modest sum of £20, principally to cover expenses, should be paid.

If this proposition is adopted the Privileges and Procedures Committee will advertise for expressions of interest in membership and, following that process, will bring forward the proposed membership for approval by the States.

### **Financial and manpower implications**

There are no additional manpower implications as officers of the Privileges and Procedures Committee or of the States Greffe will be available to assist the Body. The total cost of the daily expenses being paid to members is not anticipated to exceed £20 and this will be met from the cash limit of the Privileges and Procedures Committee.