

PRIVILEGES AND PROCEDURES COMMITTEE

(19th Meeting)

30th June 2006PART A

All members were present, with the exception of Deputy G.C.L. Baudains, from whom apologies had been received. Senator S. Syvret was not present for Item Nos. A1, A2 and A3. Deputy J. Gallichan was not present for Item Nos. A5 to A8 and B1.

Connétable D.F. Gray of St. Clement - Chairman
 Senator S. Syvret
 Senator M.E. Vibert
 Connétable K.A. Le Brun of St. Mary
 Deputy C.H. Egré
 Deputy J. Gallichan

In attendance -

M.N. de la Haye, Greffier of the States
 D.C.G. Filippini, Assistant Greffier of the States (for a time)
 Miss P. Horton, Clerk to the Privileges and Procedures Committee

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

Minutes.

A1. The Minutes of the meetings held on 23rd May 2006 (Part A only), 31st May 2006 (Part A and Part B), 5th June 2006 (Part A only), 7th June 2006 (Part A only) and 13th June 2006 (Part A and Part B), having been previously circulated, were taken as read and were confirmed.

1st Quarter 2006
 Financial Report.
 422/10/1(80)

Encl.

A2. The Committee received and considered the 1st Quarter 2006 Financial Report prepared by the Assistant Greffier of the States.

The Committee was advised that in accordance with the Public Finances (Jersey) Law 2005, non-Ministerial Departments were required to submit quarterly financial returns to the Treasury and Resources Minister for each of the four quarterly periods. The States Assembly budget was forecast to be 5.47 per cent underspent at the end of 2006. It was noted that the States Assembly budget was 29.02 per cent spent as at 31st March 2006 and there were no significant financial concerns arising at the end of the 1st quarter period.

The Committee noted the States Assembly Quarterly Financial Report for the period ending 31st March 2006 and requested that a copy of the same be forwarded to the Minister for Treasury and Resources for information purposes.

On a related matter, the Committee discussed the budget for printing which was forecast to be overspent at the end of the year. It was suggested that rather than all States Members receiving copies of all documents which were printed, an 'opt in' system could be adopted whereby Members request to receive copies of documents such as reports, States Minutes and glossy brochures.

Jersey
Democratic
Alliance.
465/1(75)
Encl.

A3. The Committee received and considered correspondence received from Mr. S.W. Pallett, Chairman of the Jersey Democratic Alliance, requesting to meet with the Committee to discuss the Alliance's views on the ways to improve voter turnout in elections and on possible reforms to the current composition of the States.

The Committee recalled that it had just engaged MORI to undertake a survey of public opinion on these issues. It was agreed that everyone would be given the opportunity to put forward their views once the results of the survey had been received when a period of public consultation would be held. The Committee requested that Mr. Pallett be advised that the Jersey Democratic Allowance would be more than welcome to discuss matters at that time.

The Committee Clerk was directed to take the necessary action.

Standing Order
26(7) - Minimum
lodging period.
1240/4(178)
Encl.

A4. The Committee, with reference to its Minute No. A4 of 31st May 2006, received and considered a report dated 19th June 2006, prepared by the Greffier of the States, in connexion with Standing Order 26(7) which made provision for the States to reduce a minimum lodging period if they were of the opinion that the proposition related to a matter of such urgency and importance that it would be prejudicial to Jersey to delay its debate.

The Committee recalled that on two occasions recently members had agreed to a request to debate a proposition sooner than the required minimum lodging period even though the proposition did not necessarily relate to a matter of such urgency and importance that it would be 'prejudicial to Jersey to delay the debate' as required by Standing Order 26(7). The Committee further recalled that when the Standing Orders were being drafted it was the intention that this provision would only be used for extremely serious matters; it was not intended to be used to bring forward debates for convenience. It had been agreed that it was important to maintain a relatively high test to ensure that the minimum lodging periods were normally respected although it had been accepted that the current test was possibly too high.

The Committee, having discussed the various options outlined for amending the Standing Order, agreed that it would prefer to enable the States to reduce a minimum lodging period if they were of the opinion that the proposition related to a matter of urgency and importance provided that the relevant Minister or Ministers and the Chairman of the relevant scrutiny panel or panels indicated that they had no objection to the proposed reduction. In this way a dominant political majority would not be able to push matters forward at the expense of scrutiny. The Committee noted that the Standing Order would need to take into account the fact that the proposition might already be in the name of a Minister or scrutiny panel and it would be obvious that they were in favour of reducing the minimum lodging period. In addition some provision would be necessary to cover a situation where the Chairman of the scrutiny panel or panels might not be present in the Assembly and consent would need to be given by the Vice-Chairman or another member of the panel.

Connétable K.A. Le Brun of St. Mary requested that his dissent from this decision be recorded.

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

Questions
without notice to
Ministers - trial
procedure.
1240/1/2(34)

A5. The Committee, with reference to its Minute No. A6 of 31st May 2006, received and considered a draft proposition entitled 'Questions without notice to Ministers: trial procedure'.

The Committee recalled that it had reconsidered the manner in which the new system

Encl.

of holding two 15 minute periods of questions without notice to Minister at each States' sitting was operating. Several members had suggested that the present arrangements of only allowing members to ask one question without notice to Ministers did not permit 'probing' supplementary questions to follow up the initial question. Those members had suggested that any member asking a question should be permitted to follow this up, if he or she wished, with a second 'supplementary' question before another member was called.

The Committee considered a draft proposition the purpose of which was to institute a trial procedure allowing any member who asked a question to be called by the presiding officer, if he or she wished, to follow up the initial question and answer with a 'supplementary' question. In order to ensure that the number of members able to participate during the trial period was not unduly restricted it was proposed that the 15 minute period be extended to 20 minutes. The change would be for a trial period of three months during which time the Committee would consult with all members and, if it was found to be a more satisfactory system, a permanent change would be made to Standing Orders to institute the revised procedure on a permanent basis.

The Committee accordingly approved the draft proposition, subject to minor amendment, and requested that, subject to approval by the Bailiff as required, it be lodged 'au Greffe' on 3rd July 2006, for consideration by the States on 12th September 2006.

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

Printing of
provisional date
of debate on
propositions.
1240/1/2(36)

A6. The Committee received and considered e-mail correspondence dated 30th May 2006, received from Deputy J.A.N. Le Fondre of St. Lawrence requesting that consideration be given to printing the provisional date a proposition was scheduled to be debated on the front of the document.

Encl.

The Committee, having discussed the matter, agreed that printing a date on propositions would lead to confusion as so often the dates were changed after they had initially been fixed. The Committee further agreed that most members filed propositions in numerical order and there would be no real advantage to changing this system and requested that Deputy Le Fondre be advised of its decision not to support his suggestion.

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

Matters for
information.

A7. The Committee noted the following matters for information -

- (a) correspondence, dated 14th June 2006, sent to Mr. E. Trevor, Chairman, Shopmobility regarding States Members' car parking spaces. The Committee noted that previously Shopmobility had the use of more parking spaces in Sand Street Car Park and were able to judge the number of spaces they needed and allocate the remainder to other users. Now spaces had been allocated to disabled parking which had resulted in Shopmobility not having enough spaces for their customers. The Committee requested that the Minister of Transport and Technical Services be advised that it would be beneficial to revert to the previous system and give Shopmobility control of the spaces. It was further requested that the Minister be advised that the garages in Sand Street Car Park allocated for use by States Members were not practical for larger vehicles and as a result of poor design many of the garages were not used. The Committee Clerk was requested to take the necessary action;

- (b) correspondence, dated 14th June 2006, sent to the Minister for Transport and Technical Services regarding States Members' car parking;
- (c) correspondence, dated 12th June 2006, sent to the Controller, Social Security Department and the Treasurer of the States regarding States Members' remuneration: social security contributions;
- (d) correspondence, dated 6th June 2006, received from the Bailiff regarding Assistant Ministers answering questions in the Assembly. The Committee noted the response received from the Bailiff and requested that it be circulated to all Ministers. The Greffier of the States was directed to take the necessary action; and
- (e) correspondence, dated 20th June 2006, received from Senator F.H. Walker, Chief Minister, regarding the appointment of States members to public bodies.

Composition and election of the States - opinion survey on electoral reform. 465/1(75)
Encl.

A8. The Committee, with reference to its Minute No. A1 of 23rd June 2006, discussed the proposed survey of public opinion on electoral reform.

The Committee recalled that it had engaged Ipsos MORI to undertake the public opinion survey on electoral reform and in this regard a first draft of the proposed survey was received. The Committee agreed that it would meet on Wednesday 5th July 2006 to discuss the draft in detail. The Committee was advised that some States members had suggested that members who were not on the Committee should be permitted to be involved in the design of the questionnaire. The Committee agreed that it would not be appropriate to allow one or two States members to provide an input without giving all members the opportunity to comment on the questionnaire. However, the tight schedule to which the Committee was working did not allow time for further consultation.

The Committee Clerk was requested to take the necessary action.