

## CHAIRMEN'S COMMITTEE

Meeting No. 36 of Chairmen held on 20th December 2006

Present	Deputy R C Duhamel, President Deputy R.G. Le Hérissier, Vice-President Deputy A. Breckon Deputy F. J. Hill Deputy G. P. Southern Deputy S. C. Ferguson Deputy J. G. Reed Deputy P J D Ryan
Apologies	
Absent	
In attendance	Mrs. A. Harris, Deputy Greffier of the States Mrs. C. Le Quesne, Scrutiny Officer

Ref Back	Agenda matter	Action
<b>1.</b> <b>Item 12</b> <b>15.12.06</b>	<p><b>Orchid Communications</b></p> <p>The Committee recalled that at its last meeting it had agreed to a six month extension to the Orchid Communications contract. It was provided with hard copy documentation in respect of retaining the company for a further period and it noted the following</p> <p style="padding-left: 40px;">(a) the extension contract for Orchid Communications - the accompanying letter was signed by the President;</p> <p style="padding-left: 40px;">(b) the Strategy developed by Orchid Communications with PEG;</p> <p style="padding-left: 40px;">(c) A record of the PEG recommendations at its meeting of 14th December 2006.</p> <p>The Committee agreed that the extended contract outlining the same terms as conditions as the original contract should be signed. It requested that the Scrutiny Officer advise Orchid that the contract would be extended for a period of six months.</p> <p>It was also agreed that the contract with Orchid be reviewed towards the end of the contract term.</p>	<b>CLQ</b>
<b>2.</b>	<p><b>Departmental Business Plans</b></p> <p>The Committee recalled that it had requested copies of all the Departmental Business plans and that some had now been received</p> <p>It noted receipt of the following - Housing, TTS, Planning and Environment and Economic Development.</p> <p>The Committee instructed the Scrutiny Officer to obtain the remaining business plans from the Chief Ministers liaison officer at the earliest opportunity.</p>	<b>CLQ</b>
<b>3.</b>	<p><b>Standing Order No. 72(6) - proposed amendment for</b></p>	

**increase of time and Standing Order No. 26(4) reduction in lodging times**

The Committee considered a proposal from the Chairman, Economic Affairs Panel to increase the period of time allowed by Standing Orders for a Panel to review a draft law or draft regulations which had been referred to it by the States.

The Panel had previously advised the Privileges and Procedures and the Chairmen's Committee that it considered the period of time currently allowed by Standing Order 72 (6) to be insufficient.

It noted that the Standing Order required that if a draft law or regulation were referred to Scrutiny following approval of the principles, then the debate must resume not later than the 4th meeting following that debate upon the principles which allowed for a period of only eight weeks.

The Deputy Greffier attended and discussed amending Standing Orders No 72(6) and No. 26.

The Committee agreed that a four meeting period for referrals to Scrutiny was insufficient and that it should request that the Privileges and Procedures Committee seek a change to provide for a maximum 12 week period. It also decided to request a change to Standing order No.26 (4) (vi) to reduce the specified six week lodging period to two weeks.

The Committee requested that correspondence previously circulated on the subject should be included on its next agenda for information.

The Deputy Greffier would prepare the appropriate correspondence.

DGOS

4.

**Possibility of Advisers asking questions during hearing**

The Committee considered the role of advisers at Scrutiny Panel hearings and noted that only Members of the States were protected by immunity from proceedings given by Article 34 of the States of Jersey Law (2005) and that advisors to a Scrutiny Panel would not be privy to such immunity.

It noted that Article 49 of that law allowed the States to make regulations to confer immunity on members of Committees who were not States Members. It also covers persons who were appearing before any Committee or Panel. The States of Jersey (Powers, Privileges and Immunities), (Scrutiny Panels, PAC and PPC) (Jersey) Regulation 2006 were made to confer immunity on the non States Members of PAC and on witnesses appearing before Panels.

The Committee noted that it had been found that when Panels were questioning witnesses on technical issues, it would be more effective to allow a technical expert to put questions on the Panel's behalf. Such technical experts or

	<p>advisers were clearly neither members of the Panel, nor persons appearing before the Panel and therefore would not be covered by immunity.</p> <p>The Committee having discussed the issue decided that whilst appropriate courtesy protocols must be recognised it was essential that the facility for advisors to ask questions at hearings must be available to Scrutiny.</p> <p>The Committee requested the Deputy Greffier request a change to the States of Jersey Law on its behalf.</p>	<p><b>DGOS</b></p>
<p><b>5.</b></p>	<p><b>Access to Part B revised protocol</b></p> <p>The Committee considered the draft provided from the Chief Ministers Office and was concerned that it appeared many of its previous comments had not been included in the revised version.</p> <p>The Deputy Greffier agreed to verify that the correct draft and comments had been considered by the CoM and to report back at the next Chairmen's Committee.</p>	<p><b>DGOS</b></p>
<p><b>6.</b></p>	<p><b>2008 Budget Process</b></p> <p>The Committee considered the Budget Process document received from the Chief Ministers Office and noted the key dates contained therein. The Committee noted the opening comment 'to engage as many States Members as possible in the process'.</p> <p>On the basis of previous assurances that Scrutiny could be involved in the process the Deputy Greffier would request that the Scrutiny Chairman be able to attend the meetings planned for the Council of Ministers on the 11th and 25th January 2007 and that of 22nd February or 8th March 2007.</p> <p>In addition the Committee discussed the possibility of Scrutiny members generally being afforded the opportunity to attend the briefing for the Corporate Services Panel during the week of 22nd - 26th January.</p>	<p><b>DGOS</b></p>
<p><b>7.</b> <b>Item 8</b> <b>15.12.06</b></p>	<p><b>Telephone Mast Review</b></p> <p>The Committee re visited the issue of a possible Telephone Mast Review to be undertaken by Scrutiny. The Committee had previously agreed that the areas which required addressing were wider than just the perceived health issues and that this would touch on more than one Panel. On the basis of the work commitments faced by all the Panels it was not considered that such a comprehensive review would be feasible.</p> <p>Deputy Breckon had previously offered to undertake a very focused and short review into the health aspect of the issue. However in light of the large workload facing his panel early in 2007, the Committee restated that the proposed Review would be too narrow and that the issue should be fully explored inclusive of the economic and environmental</p>	

	<p>aspects.</p> <p>On that basis, and whilst some concern was expressed, the Committee accepted that it would be more appropriate for Deputy Ryan to take his proposition back to the States to seek support for a Committee of Inquiry into the issue.</p> <p>Deputy Breckon agreed to advise States members of the Committee decision at the earliest opportunity.</p>	
8.	<p><b>Overseas Aid Advisor</b></p> <p>The Committee received and noted a draft budget for funding in respect of an advisor for the Overseas Aid Sub-Panel Review and endorsed the appointment from the Corporate Services Panel 2007 budget.</p> <p>The Scrutiny Officer was requested to progress the matter as necessary.</p>	
9.	<p><b>Date of next meeting: 12th January 2007 - 9.30-12.30 am</b></p>	

Signed

Date:

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President, Chairmen's Committee