

STATES OF JERSEY



STATES MEMBERS' REMUNERATION: RECONSIDERATION OF 2011 INCREASE AND REPEAL OF ARTICLE 44 OF THE STATES OF JERSEY LAW 2005 (P.127/2010) – SECOND AMENDMENT

Lodged au Greffe on 12th October 2010
by the Deputy of St. Mary

STATES GREFFE

STATES MEMBERS' REMUNERATION: RECONSIDERATION OF 2011
INCREASE AND REPEAL OF ARTICLE 44 OF THE STATES OF JERSEY
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PAGE 2, PARAGRAPH (a) –

Delete the words “in light of current and projected economic circumstances”.

DEPUTY OF ST. MARY

REPORT

The States Members' Remuneration Review Body already works to Terms of Reference agreed by the States in 2003. I reproduce the Act detailing these as reproduced in R.C.52/2004 at the Appendix.

Members will see that the States Members' Remuneration Review Body is duty bound to consider 4 specific factors (there are 3 sub-paragraphs detailing these, but sub-paragraph (i) contains 2 separate factors) in its deliberations.

One of these 4 specific factors is almost the same as Senator Shenton's phrase which I am suggesting should be deleted.

In addition, they must gather opinions in specific ways, and they must "take account of any other matters that the Body considers to be relevant".

Senator Shenton wants the Board to review the recommendation it made in R.93/2010 this year. I am not sure myself that there is intrinsic harm in asking an independent body to review its decision, though members will be aware that some would think that this is itself a step we should not be taking.

But Senator Shenton's paragraph (a) does not just send a message to the States Members' Remuneration Review Body in asking them to review their decision. It seeks to tie their hands by asking the Board to carry out this review "in light of current and projected economic circumstances;" – to consider one factor only in carrying out this review, or to consider this factor as being above all other factors.

This is pointless, (a) because the Terms of Reference already include this factor, and (b) because the Terms of Reference already specify what the States Members' Remuneration Review Body must take into account.

The first paragraph of the proposition, as it stands, is an attempt to steer the thinking processes of the States Members' Remuneration Review Body and would have a chilling effect on their independence.

I urge members to adopt my amendment which simplifies the proposition and guarantees the independence of the States Members' Remuneration Review Body which we set up with good reason as being independent.

Financial and manpower implications

There are no financial or manpower implications.

R.C.52/2004, page 14

STATES MEMBERS REMUNERATION REVIEW BODY:

ACT OF THE STATES

THE STATES ... adopting a proposition of the Privileges and Procedures Committee, referred to their Act dated 13th May 2003, in which they agreed that an independent States Members Remuneration Review Body, comprising persons who were not members of the States, should be established, and –

agreed 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, including members of the States, having taken account of any other matters that the Body considered 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 were able to serve as members of the Assembly;*
- (ii) the economic situation prevailing in Jersey at the time of determination and the budgetary considerations of the States of Jersey;*
- (iii) the States inflation target, if any, for the period under review,*