

STATES OF JERSEY



DRAFT STATES OF JERSEY (AMENDMENT No. 8) LAW 201- (P.33/2014): EIGHTH AMENDMENT

**Lodged au Greffe on 17th April 2014
by Senator P.F.C. Ozouf**

STATES GREFFE

DRAFT STATES OF JERSEY (AMENDMENT No. 8) LAW 201- (P.33/2014):
EIGHTH AMENDMENT

PAGE 47, NEW ARTICLE –

After Article 11 insert the following Article and renumber the remaining Articles accordingly –

“12 Article 44 repealed
Article 44 is repealed.”.

SENATOR P.F.C. OZOUF

REPORT

During the debate on the original States of Jersey Law an amendment was accepted which states:

43 Remuneration of elected members

No scheme, agreement or other arrangement whatsoever for the remuneration of, or the payment of any allowance to, elected members out of the general revenue of the States shall provide for different elected members to receive different amounts of remuneration or allowance.

Since that time, the States Members' Remuneration Review Body has been unable to consider how best it would be appropriate to remunerate different responsibilities within the States. It has to put forward a level of remuneration which is designed as a 'one level fits all'.

At present, a member who sits in the Assembly and takes no additional Scrutiny or Ministerial responsibility receives automatically exactly the same level of remuneration.

That has to be unfair to those that take more responsibility, and overly generous to those that don't.

It was argued that the intention of the provision was to ensure that members were not appointed or given additional responsibility on the basis of patronage rather than merit. Such a suggestion would mean that the accountability mechanisms of the States to hold people to account are ineffective.

Most members of the public that I have spoken with, when told members get one level of pay irrespective of workload or responsibility, are very surprised, and ask: how is that possible, fair or effective?

The current level of remuneration cannot attract individuals to stand for the States and fulfil different roles with different time commitments.

It should be perfectly possible for an individual of calibre and ability to stand for the States as a backbencher and commit to a part-time role and continue to pursue a part-time career. It could be said that the current single salary level is too high for a part-time commitment.

It should similarly be possible for a person of calibre and ability, from any walk of Island life, to stand for the States, get elected, and if they achieve a senior Scrutiny or Ministerial post, to have an expectation of being rewarded should they be entrusted with important responsibilities on behalf of the public, on a different basis from a member who simply turns up to a States Sitting and purports to deal with the occasional constituent issue.

The reality is that the current single-level salary is not commensurate with levels of remuneration for similar senior posts available in the private or not-for-profit sectors.

Unless of private means from private wealth or already retired in receipt of a private pension, the current system dissuades people from standing for the States who have more senior positions or experience.

No organisation or parliament remunerates members with a statutory requirement for a single level.

States members' pay is rightly a major issue of public concern.

Pay should not be set by members and should always be set by an independent body.

The level of pay should command the confidence of the public. The current arrangement does not.

Removal of this provision would enable the Independent Pay Body to set a members' pay scale, without costing taxpayers more. In fact, it could be less in future. Removing this provision would enable the design of a level of remuneration that would allow a more diverse group of candidates to stand for elected office, and which would achieve a better accountability for the different roles the public need the States members to have.

Financial and manpower implications

There are no financial or manpower implications for the States arising from this amendment.