

# STATES OF JERSEY



## STATES' APPROVAL OF ASSISTANT MINISTERS' APPOINTMENTS

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Lodged au Greffe on 24th May 2016  
by Deputy J.A. Martin of St. Helier

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STATES GREFFE

## **PROPOSITION**

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

- (a) to agree that the States of Jersey Law 2005 should be amended as necessary to provide that –
  - (i) the Chief Minister must obtain the States' approval of the appointment of his or her Assistant Minister(s);
  - (ii) the States' approval should be obtained for the appointment of Assistant Ministers at the same time as the relevant Minister;
  - (iii) before dismissing an Assistant Minister, a Minister must obtain the Chief Minister's consent;
- (b) to request the Chief Minister to bring forward for approval the necessary amendments to the States of Jersey Law 2005 to give effect to the proposals.

DEPUTY J.A. MARTIN OF ST. HELIER

## REPORT

In this proposition I am trying to give more recognition to the extra responsibility that Assistant Ministers now have, both under collective and individual requirements.

At the moment, as long as the Chief Minister is content with the Minister's choice for an Assistant Minister, then that person gets the job.

The main debate on [P.33/2014](#) (Draft States of Jersey (Amendment No. 8) Law 201-) changed aspects of what an Assistant Minister would be required to do. In that debate, I did bring an amendment ([P.33/2014 Amd.](#)) to try and get all Assistant Ministers elected after their Minister; this was lost by 2 votes. I think those who did not vote for it at that time did not want to prolong the whole election process.

States Members now see how collective responsibility works, but this could do with more definition. With this extra responsibility, I think that States Members should be able to endorse who gets these jobs. This will happen by appointing each Minister together with his/her Assistant Ministers.

The selection process currently set out in Standing Orders does not include Assistant Ministers –

### “PART 6

#### PROCESS FOR SELECTION AND APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

##### 112 Order of and time for selection and appointment following ordinary election

- (1) When, by virtue of the Law and standing orders, selections and appointments must be made following an ordinary election, they shall be made in the order and at the meeting described in the following table –

<i>Order of selection or appointment</i>	<i>When</i>
1. selection of Chief Minister designate	Meeting commenced within the period of 21 days following the ordinary election (1st meeting)
2. selection of Ministers 3. appointment of chairman of the PPC 4. appointment of chairman of the PAC 5. appointment of chairmen of scrutiny panels in the order in which the panels appear in standing order 135(1) 5AA. appointment of chairman of Planning Applications Committee 5A. appointment of chairman of the Jersey Overseas Aid Commission	Meeting commenced 2 clear working days after the close of the 1st meeting (2nd meeting)
6. appointment of president of the chairmen's committee 7. appointment of members of the PPC 8. appointment of elected members as members of the PAC	3rd meeting

9.	appointment of members of scrutiny panels, in the order in which the chairmen of the panels are appointed	
9A.	appointment of members of Planning Applications Committee	
10.	appointment of 2 States commissioners of the Jersey Overseas Aid Commission	

- (2) The 3rd and 4th meetings need not be in the same session as the 1st and 2nd meetings.”

From the above, you can see there is no mention of Assistant Ministers. If my proposition is adopted, it would bring this important work right to the top: Chief Minister and his Assistants elected, then at point 2, selection of Ministers would be added, with their chosen Assistant Ministers. To achieve this when a Minister is asking to be appointed, including the Chief Minister, they are basically elected on a ticket. The States Member wanting to be a Minister will name his/her Assistant Minister(s), and this will still work if they are to be in more than one ministry.

In the natural break that follows the election of Chief Minister, he/she could have meaningful discussions with all of his/her chosen Ministers, and together they would decide who they think is best for the Assistant Minister jobs in each department, and why. At this point, the Minister would not have to give delegated functions, but hopefully he/she would explain the benefits and reasons why they would want a particular person to be Assistant Minister.

This brings the job of Assistant Minister up the voting ladder, it makes the process totally open and transparent before going on to appoint Scrutiny Chairmen and Panels. Everyone will know who is going to be an Assistant Minister, and this would also put these important roles in the voting order they should be.

Many Assistant Ministers have delegated responsibility for much of this collective, some have large areas of political responsibility and answer Oral Questions in the States Sittings. They will also present propositions on behalf of a Minister, and they need to know their subject.

It will also mean very early on in the selection order that everyone will know who has been appointed and in which department; then the Assembly can get on and appoint the Chairman of PPC, PAC and then the Chairmen of Scrutiny Panels. Do people sit back and not put themselves forward as Chairmen of these Panels because they are waiting for a phone call from an already appointed Minister? This may only be a perception, but if we want to totally avoid this happening, or even the perception of this happening, we do need to change the process and the order of the process.

I hope that other States Members will agree it is only right that all Assistant Ministers get endorsement from the whole of the States Assembly and will support this proposition.

### **Financial and manpower implications**

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