

PRIVILEGES AND PROCEDURES COMMITTEE

(24th Meeting)

14th October 2004PART A

All members were present.

Deputy R.G. Le Hérisier
 Senator P.V.F. Le Claire
 Connétable D.F. Gray
 Deputy P.N. Troy
 Deputy C.J. Scott-Warren
 Deputy J-A. Bridge
 Deputy J.A. Bernstein

In attendance -

M.N. de la Haye, Greffier of the States
 Mrs. A.H. Harris, Deputy Greffier of the States (for a time)
 Miss. S.A. Lewin, Committee Clerk (for a time)
 Mr. P. Monamy, Senior Committee Clerk (for a time)

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

Minutes A1. The Minutes of the meetings held on 15th July 2004 (Part B) and 21st September (Part B), having been previously circulated, were taken as read and were confirmed.

Draft States of Jersey Law 200-Senator S. Syvret: amendments. 450(1)

A2. The Committee, with reference to its Act No. A1 of 5th October 2004, with H.M. Attorney General and Mr. R.W. Whitehead, Principal Legal Adviser in attendance, considered Senator S. Syvret's draft amendments to the draft States of Jersey Law 200-, lodged 'au Greffe' by the Committee on 29th June 2004 (P.124/2004).

Having agreed to give due consideration to the Senator's amendments, the Committee was mindful that they had yet to be finalised by Senator Syvret and approved by the Bailiff and, as such, it was unable to provide definite comments until they were finalised.

Having considered each amendment in turn, the Committee requested the Greffier to prepare preliminary comments in line with its discussions for their consideration in preparation for the debate proposed for 9th November 2004.

On a related matter, Deputy J.A. Bridge requested the Greffier to prepare a file containing all cross references and amendments to the draft States of Jersey Law 200-.

Scrutiny of States Business Plan A3. The Committee, with reference to its Act No.A4 of 15th July 2004, with Mr. C. Ahier, Scrutiny Officer in attendance, received a report in connexion with the

and Budget.
502/5/5(1)

scrutiny of the States Business Plan and Budget.

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Members recalled that it had commissioned an investigation into the process required to scrutinise the States Business Plan and Budget and in this accord the Committee noted the proposed aims of the scrutiny function –

- (i) to apprise States members of the processes involved;
- (ii) to suggest improvements to the processes;
- (iii) to evaluate the outcomes;
- (iv) to assess the impact of proposals on States strategic aims; and
- (v) to assist States members to evaluate the States Business Plan and Budget.

The report recommended that the Scrutiny Panels shadow the whole process of formulating the said documentation and it was in this respect that a two phased scrutiny approach had been proposed as follows –

- (a) scrutiny of the real-time process through shadowing; and
- (b) scrutiny of the outcomes of the process during the period prior to the debate of the proposition.

Further, it was suggested that the Committee should consider the instigation of a Scrutiny Panel dedicated solely to reviewing the States Business Plan and Budget.

Following discussion it was agreed that the scrutiny function should be an ongoing process and that it should not be confined to a six week period rather it was agreed that the Panel should be involved throughout the budgetary process. It was particularly noted that the budget should be predictable and in this regard it would be possible to examine the process and figures in advance of this six week period. It was suggested that each year a particular area of the budget could be scrutinised meticulously and a practical theme established, for example, the family or pensioners. The President endorsed a combined thematic and process approach to scrutiny and recognised that transparency would be fundamental to the success of this method. It was agreed that where there was the need for confidentiality, the scrutiny process could be conducted later.

Following careful consideration, the Committee approved a thematic and process approach to scrutiny and requested that further examination of other jurisdictions be undertaken in this regard.

The Scrutiny Officer was directed accordingly.

Public Elections
(Jersey) Law
2002: sale of
electoral
registers.
424/2(21)

A4. The Committee considered correspondence, dated 22nd September 2004 from H.M. Attorney General regarding the Public Elections (Jersey) Law 2002 and, in particular, the sale of electoral registers either in a full or “sanitised” format.

In this regard, the Committee noted Act No. A9 of 30th July 2004 of the Legislation Committee and correspondence from the Comité des Connétables dated 13th May 2004.

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The Committee recognised that the United Kingdom produced a “sanitised” electoral register for general sale but it agreed that this would not be a

favourable approach for Jersey. Accordingly it endorsed the view of the Comité des Connétables.

The Greffier of the States was requested to send a copy of this Act to the Comité des Connétables.

States members' car parking arrangements.
1240/9/1(115)

A5. The Committee, with reference to Act No. A8 of 16th September 2004, gave further consideration to the issue of States members' parking arrangements.

Members were concerned to note that no satisfactory solution to this matter appeared to have been identified by the Environment and Public Services Committee. In this light it was agreed that a dedicated, secure area should be found as soon as possible for members use.

It was agreed that correspondence should be sent to the President, Environment and Public Services Committee requesting an update on the current situation in light of the imminent loss of the Island Site.

The Greffier of the States was requested to draft the appropriate correspondence

Christmas Celebrations: proposal.

A6. The Committee agreed that a Christmas lunch should be held together with members of the Legislation Committee on 6th December 2004.

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

Correspondence for noting.

A7. The Committee noted five letters of correspondence issued by the President and the Committee Clerk during the period 24th September 2004 to 5th October 2004.

Items for information

A8. The Committee noted the following matters for information –

- (a) Act No. A4 of the Environment and Public Services Committee, dated 29th July 2004, regarding the works of art for the atrium of the Royal Court / States Building;
- (b) Act No. A19 of the Health and Social Services Committee, dated 1st September 2004, regarding the proposed changes to the Code of Practice on Public Access to Official Information;
- (c) Act No. A4 of the Finance and Economics Committee, dated 16th September 2004, regarding the draft States of Jersey Law 200-;
- (d) Act No. A3 of the Finance and Economics Committee, dated 30th September 2004, regarding the draft Public Finances (Jersey) Law 200-; and
- (e) a fax, dated 18th September 2004, from Deputy P.J. Rondel regarding the oral question time process.

Shadow Scrutiny Panels: need of confidentiality.
502/1(29)

A9. The Committee agreed to invite Deputies G.P. Southern and J.L. Dorey to its next meeting for discussion regarding the need for confidentiality in relation to the work of the Shadow Scrutiny Panels.