

PRIVILEGES AND PROCEDURES COMMITTEE

(26th Meeting)

20th October 2004PART A

All members were present, with the exception of Senator P.V.F. Le Claire and Deputies J-A. Bridge and J.A. Bernstein, from whom apologies had been received.

Deputy R.G. Le Hérisssier
 Connétable D.F. Gray
 Deputy P.N. Troy
 Deputy C.J. Scott-Warren

In attendance -

M.N. de la Haye, Greffier of the States
 I. Clarkson, Committee Clerk

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

Shadow Public
 Accounts
 Committee:
 membership –
 exclusion of
 Chairmen of
 Shadow Scrutiny
 Panels.
 570/1(2)
 Clerk
 States (2)
 Pub.Ed.
 Scrutiny

A1. The Committee received an Amendment to the draft States of Jersey Law 200-, as lodged 'au Greffe' by Deputy S.C. Ferguson.

The Committee received a delegation consisting of Deputy S.C. Ferguson, Shadow Chairman, Shadow Public Accounts Committee, and Mr. T. Dunningham, Chairman, Shadow Public Accounts Committee.

It was clarified that the effect of the Amendment brought by Deputy S.C. Ferguson would be to require that the Public Accounts Committee be made up of elected members, who were not Ministers or Assistant Ministers, and persons who were not members of the States, in equal measure. Whilst the Chairmen of the Scrutiny Panels would not be excluded from membership, the existing Shadow Public Accounts Committee had recommended that any elected members appointed should be independent members of the Assembly.

Deputy S.C. Ferguson contended that the retention of suitably qualified persons who were not elected members of the Assembly would provide the Public Accounts Committee with a more consistent level of financial expertise than was often available from within the membership of the States. Mr. T. Dunningham explained that there was no requirement for non-elected members to retain a vote.

The Committee agreed that the existing non-States members on the Shadow Public Accounts Committee added significantly to the overall level of expertise. Nevertheless, it expressed some reservations at the prospect of continuing to permit persons who were not elected members of the Assembly to sit as members of a Committee that might, on occasion, make particularly far reaching recommendations concerning the administration of public finances. It further expressed the view that, in the event such members were permitted to sit on the Public Accounts Committee, they should not be permitted to vote and, in addition, a suitable oath of confidentiality would need to be administered.

The Committee agreed to table a Comment to the Amendment in the aforementioned terms and delegated authority to the President to approve the final draft.

Connétable D.F. Gray requested that his dissent to the Committee decision be recorded as he remained totally opposed to the principle of allowing persons who were not elected members of the States to sit on the Public Accounts Committee.

Joint Working
Party on
Electoral
Reform: report.
424/2(13)

A2. The Committee received a draft consultation paper, prepared by the Greffier of the States, summarising the recommendations of the Joint Working Party on Electoral Reform for changes to the Public Elections (Jersey) Law 2002.

The Committee recalled that the Joint Working Party on Electoral Reform had met on 13th September 2004 to consider the following –

Clerk
Pub.Ed.
States (2)
Encl.

- (a) a review of the Public Elections (Jersey) Law 2002, as prepared by Deputy G.W.J. de Faye,
- (b) a report prepared by Mr. A. Lee in connexion with electoral systems and formulae, and
- (c) an appropriate way forward with regard to the implementation of electoral reform.

Having analysed and discussed each item, the Joint Working Party had agreed upon a series of recommendations, as outlined in the aforementioned consultation paper. The recommendations affected a number of issues including, but not exclusive to, residency requirements, production and maintenance of the electoral register, nomination of a substitute Autorisé, opening hours for polling stations and the right of candidates to be present at individual polling stations without notice and the issue of postal voting. A key factor underpinning the recommendations made was the need to make the voting process as simple and as convenient as possible for the electorate.

The Committee concluded that the draft paper provided a sound basis for consultation on the matter of electoral reform. Notwithstanding the foregoing, and having recalled that the intention of the Joint Working Party was to make the process of voting easier and convenient, the Committee agreed that the Joint Working Party should be invited to review its recommendation that polling stations should open at 10.00am. It further concluded that there was limited scope for a revision to the draft recommendation concerning the matter of facilitating, interfering in or overseeing the postal or pre-poll vote of another person. Referring to an example of a residential home for senior citizens, the Committee considered that it would be in order for a candidate to attend at such a home with a number of voting forms. However, it believed that a candidate should pass such forms to the supervisor of the home to distribute amongst residents.

The Committee requested Deputy P.N. Troy, as Chairman of the Joint Working Party, to discuss these outstanding issues with the other two members. It was agreed that once the Joint Working Party had finalised its recommendations, the report should be presented to the States and to other interested parties as a consultation document before final proposals were agreed.