

PRIVILEGES AND PROCEDURES COMMITTEE

(49th Meeting)

13th June 2007**PART A**

All members were present, with the exception of Deputy I.J. Gorst, from whom apologies had been received. Deputy S.C. Ferguson was not present for item Nos. A1 to A3 and B1 and Deputy J. Gallichan was not present for item Nos. B2 and B3.

Connétable D.F. Gray of St. Clement - Chairman  
 Senator M.E. Vibert  
 Connétable K.A. Le Brun of St. Mary  
 Deputy G.C.L. Baudains  
 Deputy S.C. Ferguson  
 Deputy J. Gallichan

In attendance -

M.N. de la Haye, Greffier of the States  
 Mrs. A.H. Harris, Deputy Greffier of the States  
 Mrs. D. Abbot-McGuire, Finance and Administration Manager (for a time)  
 Miss P. Horton, Clerk to the Privileges and Procedures Committee

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

Minutes.

A1. The Minutes of the meetings held on 23rd May 2007 (Part A and Part B), 24th May 2007 (Part A only) and 4th June 2007 (Part A), having been previously circulated, were taken as read and were confirmed.

Estimates for the States Assembly and its services for 2008.

A2. The Committee considered a report, dated 6th June 2007, prepared by the Greffier of the States in connexion with the financial estimates for the States Assembly and its services for 2008.

422/10/1(80)

**Encl.**

The Committee noted financial estimates for the States Assembly and its services for 2008 which covered all expenditure relating to the work of the Assembly including the cost of facilities in the States Building, members' remuneration, scrutiny panels, the Public Accounts Committee, the Privileges and Procedures Committee and the States Greffe.

The Committee was advised that the indicative cash limit for the States Assembly for 2008 calculated by the States Treasury was £5,084,100. This incorporated inflationary increases, an allowance for pay awards and a reduction for efficiency savings of £31,600 and included a growth of £188,000 to fund the 5th scrutiny panel on a permanent basis. The Committee noted that, in accordance with Treasury procedures, the estimates were set out in a "Service Analysis" where certain key 'service areas' were identified and all costs, including overheads such as rent, stationery, telephone and salary costs of administration staff, were allocated across those service areas.

Although it was noted that to date the scrutiny panels and the Public Accounts

Committee had underspent their budgets by a significant amount it was recognised that it was difficult to assess the long-term requirements of the panels after only one full year of the operation of the new system. The Chairman's Committee believed that as scrutiny developed there would be a greater requirement for expert advice and therefore it could be difficult to propose a reduction at this stage. The Committee noted that any overall underspend was likely to be returned to general revenues at the end of the year and would not be retained by scrutiny.

The Committee accordingly approved the proposed estimates and requested that they be formally submitted to the States Treasury for inclusion in the Annual Business Plan. The Committee further requested that the estimates be submitted to the Comptroller and Auditor General for his comments as required by the Public Finances (Jersey) Law 2005.

The Finance and Administration Manager was directed to take the necessary action.

Draft Freedom of Information (Jersey) Law 200-.  
513/8(1)

A3. The Committee, with reference to its Minute No. A2 of 23rd May 2007, was advised that the Corporate Services Scrutiny Panel had agreed to review the Freedom of Information legislation. The Panel believed that it would be in a position to undertake a review of the resource implications of implementing the Law during the first quarter of 2008.

Composition and Election of the States Assembly.  
465/1(75)

A4. The Committee, with reference to its Minute No. A2 of 4th June 2007, resumed consideration of the Composition and Election of the States Assembly.

The Committee discussed whether an informal briefing should be organised for States members to discuss the Committee's proposals on the reform of the States before the issue was debated in the Assembly on 17th July 2007. The Committee opined that it could lead to a more informed debate if members were reminded of the reasons why these two proposals were put forward and if it was outlined exactly why other options for reform would not be workable.

Senator Vibert advised the Committee that, after being approached by several States members and also members of the public, he had come to the conclusion that, rather than just putting forward the one option favoured by the States, the public should be given the opportunity to have its say in a referendum and decide whether it preferred either of the proposed options for reform or retaining the status quo. Senator Vibert was concerned that the public might not be happy with the preferred option of States members and he reiterated the fact that the Committee had always said that the public would be consulted on the matter of reform.

It was opined that putting forward three options in a referendum could lead to other States members or even the public stating that their own preferred options for reform should also be included in the referendum. The Committee also recognised that there was a possibility that the results of a referendum could be equally split between the various options put forward leading to an uncertain result.

Notwithstanding the above, the Committee conceded that it should be established whether it was possible to draft an amendment worded in such a way that would allow the States to approve in principle the two options for reform. These would then be put to the public in a referendum along with an option to retain the status quo and the public's preferred option would be lodged for debate by the States.

The Committee concluded that the Bailiff should be consulted regarding whether or not an amendment could be drafted which was worded in such a way as to allow both options to be put to the electorate in a referendum if the States agreed. If the proposed

amendment was rejected by the States then the debate would continue on the Committee's main proposition and Deputy Baudains' amendment.

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

Public Elections  
(Jersey) Law  
2002.  
424(3)  
**Encl.**

A5. The Committee, with reference to its Minute No. A2 of 22nd March 2006, considered several amendments to the Public Elections (Jersey) Law 2002.

The Committee also discussed whether polling cards should be issued to electors in advance of an election. It was noted that the present electoral roll software programme was still experiencing problems and as yet was not working to its full capacity however the Committee agreed that, as it was likely that each Parish would issue the polling cards, the Comité des Connétables should be consulted in the first instance.

The Committee then considered Deputy G.P. Southern's proposition 'Electoral Registration: link to population register' (P.68/2007) which would remove the requirement for a person to be resident in the Island for 2 years before becoming eligible to vote. The Committee opined that it would be curious if every resident were automatically entitled to vote once they had registered on the population register regardless of their length of residency. It was requested that a comment on P.68/2007 be prepared for consideration together with information provided to establish whether electoral registration was restricted by nationality or length of residency in other jurisdictions.

The Committee recalled that it had agreed a number of amendments to the Public Elections (Jersey) Law 2002 although these had not been progressed for approval by the States. It was agreed that a report and proposition of the amendments should be drafted and a copy should be sent to the Comité des Connétables and the Jurats for their comment.

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