

STATES OF JERSEY



DRAFT AMENDMENT (No. 38) OF THE STANDING ORDERS OF THE STATES OF JERSEY

Lodged au Greffe on 14th January 2019
by the Privileges and Procedures Committee

STATES GREFFE



Jersey

DRAFT AMENDMENT (No. 38) OF THE STANDING ORDERS OF THE STATES OF JERSEY

REPORT

This amendment to Standing Orders has been drafted to implement 3 minor changes, as follows –

- (a) **The deletion of Standing Order 117(2D), which states that nominations for Chief Minister may be circulated by the Greffier of the States to members by e-mail.**

This paragraph of Standing Order 117 is no longer required. It is clear from the definition of ‘distribution’ within Standing Orders that it incorporates electronic distribution, and so there is no need for a specific provision in relation to the nominations for Chief Minister. For the avoidance of doubt, removal of Standing Order 117(2D) will not stop those nominations being circulated by e-mail.

- (b) **The deletion of paragraphs (17A) and (17B) from Standing Order 117, which require sole candidates for ministerial office to circulate a statement of their proposed policies following their appointment; and for the Greffier of the States to distribute such statements to members.**

Paragraphs (17A) and (17B) of Standing Order 117 are no longer required. They were introduced at a time when sole candidates for ministerial office were not required to make a statement or face questions; this led to concerns about a lack of transparency/accountability, and resulted in the addition of (17A) and (17B) to Standing Order 117. They are no longer needed, as all candidates for ministerial office are now required to make a statement and to face a period of questions – regardless of whether or not they are the sole candidate.

- (c) **The deletion of Standing Order 141A(2)(c), which prevents members of the Environment, Housing and Infrastructure Scrutiny Panel from also being members of the Planning Committee.**

Removal of this provision would enact the Assembly’s adoption of the proposition, ‘Standing Orders of the States of Jersey: rescindment of Standing Order 141A(2)(c)’ ([P.101/2018](#)), lodged by the Chairman of the Privileges and Procedures Committee (in his capacity as an independent member), and adopted by the States on 25th September 2018. Members of the Environment, Housing and Infrastructure Scrutiny Panel would subsequently be eligible for election to the Planning Committee.

Financial and manpower implications

There are no financial or manpower implications for the States arising from the adoption of this Amendment to Standing Orders.

Explanatory Note

This Amendment to the Standing Orders of the States of Jersey removes a provision so as to enable a member of the scrutiny panel which is assigned the topics of environment, housing and infrastructure to also be the chairman or a member of the Planning Committee. The Amendment also removes 2 redundant provisions.

Amendment 1 of this Amendment –

- (a) deletes standing order 117(2D), which expressly permits nominations made under that standing order to be distributed by email. (The provision is redundant because, under standing order 1(3), for the purposes of all the standing orders, any document is distributed on the day it is sent, by any means, or given to the intended recipients, whether or not it is received by them on that day.); and
- (b) deletes standing orders 117(17A) and (17B), which taken together require that a statement of the proposed policies of a sole candidate for a ministerial office be delivered following his or her appointment as minister. (The provisions are no longer required as now all candidates for ministerial office must make a statement to the Assembly and answer questions, whether or not they are the only candidate.).

Amendment 2 deletes standing order 141A(2)(c), so that a member of the scrutiny panel assigned the topics of environment, housing and infrastructure may also be the chairman or a member of the Planning Committee.

Amendment 3 gives the title to this Amendment and provides for it to come into force on the day after the day it is made.



Jersey

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Made [date to be inserted]
Coming into force [date to be inserted]

THE STATES, under Article 48 of the States of Jersey Law 2005¹, make the following Amendment to the Standing Orders of the States of Jersey² –

1 Standing order 117 (Ministers: selection process) amended

Standing orders 117(2D) and 117(17A) and (17B) of the Standing Orders of the States of Jersey³ are deleted.

2 Standing order 141A (Planning Committee: establishment and constitution) amended

In standing order 141A(2) of the Standing Orders of the States of Jersey⁴ –

- (a) at the end of sub-paragraph (a) there is inserted “or”;
- (b) in sub-paragraph (b) for “2000; or” there is substituted “2000.”;
- (c) paragraph (c) is deleted.

3 Citation and commencement

This Amendment may be cited as Amendment (No. 38) of the Standing Orders of the States of Jersey and comes into force on the day after the day it is made.

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- 1 *chapter 16.800*
 - 2 *chapter 16.800.15*
 - 3 *chapter 16.800.15*
 - 4 *chapter 16.800.15*