

**WRITTEN QUESTION TO THE CHAIRMAN OF THE PRIVILEGES AND PROCEDURES
COMMITTEE
BY DEPUTY R.G. LE HÉRISSIER OF ST. SAVIOUR**

ANSWER TO BE TABLED ON TUESDAY 3RD NOVEMBER 2009

Question

“What proposals, if any, have the Committee developed to revamp the way in which the Assembly considers and approves appointments and when will they be brought forward for debate?”

Answer

In July this year PPC gave further considered to the matter of appointments made by the States and agreed that the States should be asked to introduce a new procedure for the vast majority of these appointments. PPC considered that there are only a very small number of key appointments such as the Greffier of the States and the Comptroller and Auditor General where change is not appropriate.

In relation to the vast majority of other appointments PPC will be proposing that, instead of each appointment being debated through a proposition, the Minister or body promoting the appointment should, present a report to the States setting out details of the proposed appointment. This report would need to include the name and brief biographical details of the nominee, a brief description of the nature of the duties of the position involved and details of the selection process followed to choose the person nominated. Any appointment could not then be confirmed until at least 2 weeks had passed after the date of presentation of the report to the Assembly. That 2 week period would allow members to raise any concerns that they had, as happens at present with property transactions and, if necessary, a member could even lodge a proposition in relation to the proposed appointment so that the matter could be debated by the Assembly.

Over the summer recess a comprehensive list of the current appointments that have to be made by the States was prepared showing the basis for the requirement for States involvement. Many of the appointments are made by the States because of a statutory requirement whereas, in other cases, the requirement comes from an earlier States decision or from the constitution of an external body. The list was incorporated into a draft proposition which was approved by PPC in September.

The Committee considered that it would be appropriate to refer the draft proposition to the Council of Ministers for comment before it was lodged as the majority of appointments are initiated by Ministers. The Council was notified in the covering letter that PPC wishes to lodge the draft proposition in late November and PPC understands that the matter has been listed for the Council’s meeting of 12th November 2009. Subject to any comments that the Council may have, PPC intends to lodge the proposition later this month which will enable the Assembly to debate the proposition in early 2010. I should nevertheless point out that, even if the States approve the principle of the new appointments process early next year, many changes to legislation will be needed before the new process can be introduced for all appointments listed and that will clearly take some time.