

**STATES OF JERSEY STANDING ORDERS:
MISCELLANEOUS AMENDMENTS**

**Lodged au Greffe on 6th November 1990
by the House Committee**



STATES OF JERSEY

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion -

- (a) to request the House Committee to prepare amendments to the Standing Orders of the States as follows -
 - (i) to provide for the presentation of reports for information on Tuesdays when there is no sitting of the States;
 - (ii) to provide for Committee statements to be published on Tuesdays when there is no sitting of the States;
 - (iii) to make it necessary for all propositions for votes of no confidence to be supported by the signatures of three Members of the States before they can be accepted for presentation and to be accompanied by an explanation setting out in broad terms the reasons for moving the proposition;
 - (iv) to provide that, where a proposition for a vote of no confidence has been presented, the proposition should normally be debated at the next sitting;
- (b) to agree that supplementary questions and answers should no longer be reported verbatim in the minutes of the States but that the minutes should contain a reference to facilitate the identification of the location on the master tape recording of supplementary questions and answers to assist Members who require a copy to be made on cassette;

HOUSE COMMITTEE

REPORT

1. As the States are aware, the Committee is undertaking a general review of the Standing Orders of the States. This is inevitably a lengthy process and the Committee wishes in the meantime to recommend a number of improvements in the procedures which need not be delayed until the main report is presented in due course. The procedures and the changes recommended are described below.

2. **Presentation of reports when the States are not sitting**

A problem exists with regard to the presentation of reports when there is no sitting of the States.

Some years ago, Standing Order No. 17 was amended to enable propositions to be lodged 'au Greffe' when the States were not sitting and the revised procedure has worked well. Unfortunately, a corresponding amendment was not made to deal with reports, with the result that reports can only be formally presented during a sitting of the States.

The Committee believes that the opportunity of removing this procedural anomaly should be taken and it therefore recommends that the Standing Orders should be amended to provide that reports can either be presented during a sitting, as at present, or when there is no sitting can be handed to the Greffier of the States for distribution to the Members on the following Tuesday. At the next sitting, the minutes of the States would record the presentation of the report in question and the date.

The satisfactory operation of this revised procedure is, of course, dependent on the Greffier's receiving the document in sufficient time for it to be printed and available for distribution on the desired date.

3. Statements when the States are not sitting

The Committee has received representation to the effect that there is a need to make provision for Statements to be available to Members on the Tuesday when there is no sitting.

The present position in relation to Statements and the Standing Orders is anomalous in that Standing Orders No. 6 and No. 16 specify a procedure for the making of "Personal explanations", whereas the practice for many years has been also to include on the Order Paper an item described as "Committee Statements".

The Committee accepts that there will be occasions when it is desirable for a Statement to be made to Members during the week when there is no sitting, and it envisages that the Committee concerned would send the Statement to the Greffier of the States for distribution to the Members by post on the following Tuesday. The text of the Statement would then be included in the minutes of the next sitting of the States.

The Committee recommends that the Standing Orders should be amended on the lines mentioned above to make provision for Committee Statements.

4. Moving a vote of no confidence in a Committee

The Committee was recently asked to consider whether the present arrangement was acceptable whereby a Member is able to present a no confidence proposition au Greffe at any time without a seconder and with no date fixed for the proposition to be debated.

The Committee is sure that all Members will share its view that the moving of a vote of no confidence in a Committee is a very serious matter and that it would therefore be reasonable to ensure that the presentation of such

propositions is not dependent solely upon the decision of an individual Member.

There should, in the Committee's opinion, to be a wider indication within the Assembly of support for a motion of no confidence and the Committee accordingly recommends that the Standing Orders should be amended to provide that a proposition for a vote of no confidence cannot be accepted for presentation unless it is endorsed by the signatures of three Members of the States. In addition, the Committee believes that such propositions should be accompanied by an explanation which sets out in broad terms the reasons for moving the proposition.

The Committee is also of the opinion that propositions of this nature should be debated as soon as possible, both from the point of view of the Committee concerned and the Members who endorse the proposition, and the Committee recommends that these propositions should normally be debated at the next sitting of the States.

5. Recording of supplementary questions and answers in the minutes of the States

When the States decided on 4th April 1989 that there should be a record of States proceedings on magnetic tape, they also decided that the tapes should be used to enable supplementary questions and answers to be recorded verbatim in the minutes.

In paragraph 12 of the report which accompanied the propositions, the House Committee referred to supplementary questions and answers as follows -

12. "There is, however, one limited area in which the Committee does consider it desirable to maintain a written record of States' proceedings - supplementary questions and answers arising out of formal questions to presidents. The answers to supplementary questions

can at times contain supplementary statements of committee policy and the Committee considers that these should be recorded verbatim in States' minutes."

The practical effects of implementing the decision of the States have caused the Committee to think again for two main reasons.

A good deal of staff time in the States Greffe is taken up transcribing supplementary questions and answers and then editing the text sufficiently for it to be suitable for inclusion in the minutes. It is not a question of rewriting what members have said, but it has to be remembered that supplementary questions and answers are usually off the cuff and therefore require more editing than, for example, a prepared speech.

The other main reason is the amount of space being taken up in the printed States minutes by supplementary questions and answers. One has only to examine the minutes of the States so far for the current year to see that the proportion of space used in this way is considerable in relation to the space used to record decisions of the States.

The Committee has considered alternative ways of dealing with these matters and it recommends that, in future, supplementary questions and answers should not be recorded verbatim in the States' minutes but that the minutes should include a reference, to facilitate the identification of the location on the master tape recording, to assist Members who require a copy of supplementary questions and answers on cassette.

This matter does not require any amendments to Standing Orders.