



Jersey

# STANDING ORDERS OF THE STATES OF JERSEY

UNOFFICIAL  
CONSOLIDATION

UP TO AND INCLUDING

**R&O.79/2017:**

**Amendment (No. 32) of the Standing Orders of the States of Jersey**

*(in force 20th July 2017)*





Jersey

## STANDING ORDERS OF THE STATES OF JERSEY

### Arrangement

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Jersey

## STANDING ORDERS OF THE STATES OF JERSEY

**THE STATES**, in pursuance of Article 48 of the States of Jersey Law 2005<sup>1</sup>, have made the following Standing Orders –

Commencement [[see endnotes](#)]

### PART 1

#### INTRODUCTORY MATERIAL

#### 1 Interpretation

- (1) In these standing orders, unless the context otherwise requires –
- “chairmen’s committee” means the chairmen’s committee established by standing orders;
- “Chamber” means the States’ Chamber;
- “civil partner” in relation to an elected member, does not include a former civil partner of the elected member or a civil partner who is living separately and apart from the elected member;
- “cohabitee” in relation to an elected member, means a person of either sex living with the elected member in a relationship similar to that of husband and wife or civil partners;
- “Comité des Connétables” means the Connétables of the 12 parishes;
- “committee of inquiry” means a committee of inquiry appointed under standing orders;
- “continuation day” means a day on which a meeting which is not concluded on the meeting day continues;
- “draft budget” shall be construed in accordance with Article 10 of the Public Finances Law;
- “draft medium term financial plan” shall be construed in accordance with Articles 7 and 8 of the Public Finances Law;
- “Law” means the States of Jersey Law 2005<sup>2</sup>;

“legislative Act” means an Act made in the exercise of an enabling power;

“medium term financial plan” means such a plan, within the meaning of the Public Finances Law, which has been approved by the States;

“meeting” means a meeting of the States;

“meeting day” is the day a meeting commences;

“Minister” includes the Chief Minister;

“minutes” means the minutes of a meeting;

“ordinary election” means an ordinary election for Deputies;

“PAC” means the Public Accounts Committee established by standing orders;

“Planning Committee” means the committee of that name established by standing orders;

“PPC” means the Privileges and Procedures Committee established by standing orders;

“presiding officer” means the person presiding at a meeting pursuant to Article 3 of the Law;

“proposition” includes any draft enactment required to be passed or made by the States and any proposal to amend any proposition;

“Public Finances Law” means the Public Finances (Jersey) Law 2005<sup>3</sup>;

“review panel” means a review panel established under standing order 145A;

“scrutiny panel” means a scrutiny panel established by standing orders;

“spouse” in relation to an elected member, does not include a former spouse of the elected member or a spouse who is living separately and apart from the elected member;

“States” means the States of Jersey;

“States Employment Board” means the board established by Article 4 of the Employment of States of Jersey Employees (Jersey) Law 2005<sup>4</sup>;

“taxation draft” shall be construed in accordance with Article 14 of the Public Finances Law;

“working day” means any day other than a Saturday or Sunday or Good Friday, Christmas Day or a day appointed to be observed as a public holiday or a bank holiday under the Public Holidays and Bank Holidays (Jersey) Law 1951<sup>5,6</sup>.

- (2) Where any thing is to happen after the expiry of a number of clear days after another thing has happened, in counting those days, the day on which the 1st thing happened and the day on which the other thing is to happen shall be disregarded.

EXAMPLE: B is to happen 4 clear days after A happens. A happens on Thursday. B then happens on the following Tuesday.

EXAMPLE: B is to happen 4 clear working days after A happens. A happens on Thursday. B then happens on the following Thursday (assuming that there are no bank holidays intervening).

- (3) For the purposes of these 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.

## **2 Roll of elected members**

- (1) When required, the roll of elected members shall be called in the following order –
  - (a) Senators;
  - (b) Connétables;
  - (c) Deputies.
- (2) The Senators shall be called in the following order –
  - (a) first, Senators elected at an ordinary election for Senators, in the following order –
    - (i) Senators who were also Senators in the last States, in the order that, between them, they were called in the last States, then
    - (ii) Senators who were a Connétable or Deputy in the last States, then
    - (iii) Senators who were a Senator in a previous States (but not the last States), then
    - (iv) Senators who were a Connétable or Deputy in a previous States (but not the last States), then
    - (v) any other Senators, starting with the Senator who received the highest number of votes on being elected, followed by the Senator who received the 2nd highest number of votes, and so on;
  - (b) then, Senators elected to fill a casual vacancy, in the order in which they were elected.
- (3) If there is more than one Senator to whom paragraph (2)(a)(ii), (iii) or (iv) applies –
  - (a) the order between them shall be determined according to the length of time that they each held office as a Senator, Connétable or Deputy in the last or a previous States; and
  - (b) if any of them held such office for the same length of time, the order between them shall be determined according to the number of votes they each received on being elected.
- (4) The order in which the Connétables are called shall be determined according to the length of time each of them has held the office of Connétable.
- (5) The Deputies shall be called in the following order –

- (a) first, Deputies elected at an ordinary election, in the following order –
    - (i) Deputies who were also a Deputy in the last States, in the order that, between them, they were called in the last States, then
    - (ii) Deputies who were a Senator or Connétable in the last States, then
    - (iii) Deputies who were a Deputy in a previous States (but not the last States), then
    - (iv) Deputies who were a Senator or Connétable in a previous States (but not the last States), then
    - (v) any other Deputies, starting with the Deputy whose returning officer is of the greatest seniority followed by the Deputy whose returning officer is of the 2nd greatest seniority, and so on, and, if 2 or more of them are returned by the same constituency, the order between them shall be determined according to the number of votes they each received on being elected;
  - (b) then, Deputies elected to fill a casual vacancy, in the order in which they were elected.
- (6) If there is more than one Deputy to whom paragraph (5)(a)(ii), (iii) or (iv) applies –
- (a) the order between them shall be determined according to the length of time that they each held office as a Senator, Connétable or Deputy in the last or a previous States; and
  - (b) if any of them held such office for the same length of time, the order between them shall be determined according to the number of votes they each received on being elected.
- (7) If any 2 or more elected members nevertheless remain of equal place in the order, a member who has held an honorary public office in Jersey shall come before a member who has not and –
- (a) if 2 or more of those members have held such office, the member who held such office for the longest period of time shall come first, and so on; and
  - (b) if 2 or more of those members have not held such office, the eldest shall come first, and so on.

## **PART 2**

### SESSIONS AND MEETINGS OF THE STATES

#### **3 Sessions of the States**

- (1) There shall be 2 sessions of the States in each year during which they shall meet.
- (2) The 1st session shall start on the 3rd Tuesday in January and end no later than the last Tuesday in July.

- (3) The 2nd session shall start on the 2nd Tuesday in September and end no later than the 3rd Tuesday in December.

#### **4 Planning days for meetings of the States**

- (1) The PPC shall, no later than the end of September in each year, present to the States a list of days for meetings of the States in the 1st and 2nd sessions in the following year.
- (2) Ordinarily, a meeting day is a Tuesday.
- (3) The list may include continuation days.

#### **5 Members may requisition additional meeting**

- (1) At least 7 elected members may requisition a meeting of the States by written notice signed by them and given to the Greffier.
- (2) The meeting must be for the purpose of considering the business set out in the requisition.
- (3) The Bailiff, as soon as practicable and after consultation with the chairman of the PPC, shall convene the meeting, which may be within or outside the session.

#### **6 Bailiff may convene additional meeting**

The Bailiff may convene a meeting for any specified purpose on any day, within or outside the session.

#### **7 Times when States shall not meet**

Except in the case of a meeting convened by the Bailiff (apart from a requisitioned meeting), the States shall not meet during any period of 21 days ending with an ordinary election for Senators or an ordinary election for Deputies.

### **PART 3**

#### **BUSINESS PREPARATORY TO MEETING OF STATES**

##### *Matters of privileges or immunity*

#### **8 Notice of intention to raise matter of privileges or immunity**

A member who wishes to raise, at a meeting, a matter which he or she believes to affect the privileges or immunity of the States shall, before the start of the meeting, inform the Bailiff, stating the facts to which he or she wishes to draw attention.

*Questions***9 Who may ask, and be asked, a question**

- (1) Any member of the States may address a question to another member of the States upon a public matter for which the other member has an official responsibility.
- (2) A question relating to a function or matter for which the Council of Ministers is responsible shall be addressed to the Chief Minister.<sup>7</sup>
- (3) A question relating to a function or matter delegated to an Assistant Minister may be addressed to the Minister who delegated it or to the Assistant Minister.<sup>8</sup>
- (4) A question relating to a matter for which a committee or panel has official responsibility shall be addressed to its chairman or president.
- (5) A question relating to a function or official responsibility which each Connétable has in his or her parish shall be addressed to the chairman of the Comité des Connétables.

**10 Contents of question**

- (1) A question shall relate to one issue only.
- (2) A question addressed to a member of the States upon a public matter for which the member has an official responsibility must either seek information on the matter or ask for official action with regard to it.
- (3) A question shall not be framed primarily so as to convey information rather than seek it, or to convey a particular point of view.
- (4) A question shall not contain arguments, inferences, imputations, allegations or opinions.
- (5) A question shall not contain statements of fact or the names of persons, unless they are necessary to render the question intelligible and can be authenticated by the questioner.
- (6) A question shall not seek –
  - (a) an answer to a hypothetical proposition;
  - (b) an expression of opinion;
  - (c) information which is already in the public domain;
  - (d) information about a matter which is of its nature secret.
- (7) A question shall not ask whether any statement in the media or made by any individual who is not a member of the States is accurate.
- (8) A question shall not raise an issue which, in the current session, has been decided by the States, fully answered, or to which an answer has been refused.
- (9) A question shall not refer to the proceedings of a committee of inquiry unless the committee has made its final report to the States.



- (10) A question shall not refer to a case pending in a court of law in such a way as might prejudice the case.

*Submission of questions*

**11 Submission of question to be answered in writing**

- (1) This standing order applies to a question which the questioner wishes to have answered by the tabling in a meeting of a written reply.
- (1A) A question must not exceed 200 words in length.<sup>9</sup>
- (1B) A questioner cannot submit more than 5 questions to which replies are to be tabled at one meeting.<sup>10</sup>
- (1C) If a questioner wishes to have a question answered by the member to whom it is addressed the questioner must, when giving notice of the question to the Greffier, indicate that he or she wishes to have the question answered by the member to whom it is addressed, and not by any other member on behalf of the member to whom it is addressed.<sup>11</sup>
- (2) The questioner must give the written question to the Greffier not less than 5 clear working days before the meeting day on which the questioner wishes the reply to be tabled.
- (3) A question given to the Greffier after 9.30 a.m. on any day shall be taken to be given to the Greffier on the following day.

EXAMPLE: A member who wishes a reply to be tabled to his or her question at a meeting which commences on a Tuesday must give the question to the Greffier no later than 9.30 a.m. on Monday in the preceding week (assuming that there are no public or bank holidays intervening).

- (4) The Greffier shall refer the question to the Bailiff.
- (5) The Bailiff shall approve the question if he or she is of the opinion that it does not contravene standing orders.
- (6) If the Bailiff is of the opinion that the question contravenes standing orders he or she shall –
- (a) alter the question, with the agreement of the questioner, so that it does not contravene standing orders, then approve it; or
- (b) direct that the questioner be informed that the question is out of order.
- (7) When a question has been approved, the Greffier shall, as soon as practicable –
- (a) forward a copy of the question to the member to whom it is addressed; and
- (b) inform the member if the questioner has indicated that the questioner wishes the member to answer the question himself or herself.<sup>12</sup>

**12 Written reply to question<sup>13</sup>**

- (1) A question relating to a function or matter delegated to an Assistant Minister may be answered by the Minister who delegated it or by the Assistant Minister, unless the questioner has indicated that he or she wishes the Assistant Minister to answer the question himself or herself, in which case the Assistant Minister must answer the question.
- (2) In any other case, the member to whom a question is addressed must answer the question.
- (3) Where a question is to be answered by the tabling of a written reply, the person giving the reply shall give it to the Greffier before the commencement of the meeting at which the reply is to be tabled.

**13 Submission of question to be answered orally**

- (1) This standing order applies to a question which the questioner wishes to have answered orally during a meeting during the 2 hours allowed for questions with notice.<sup>14</sup>
- (2) The question must not exceed 70 words in length.
- (3) The questioner must give notice of the question, in writing, to the Greffier not less than 2 clear working days before the meeting day.
- (3A) A questioner may, when giving notice of a question, indicate that the questioner wishes to have the question answered by the member to whom it is addressed, and not by any other member on behalf of the member to whom it is addressed.<sup>15</sup>
- (4) A notice given to the Greffier after noon on any day shall be taken to be given to the Greffier on the following day.  

EXAMPLE: A member who wishes his or her question to be answered at a meeting which commences on a Tuesday must give the question to the Greffier no later than noon on Thursday in the preceding week (assuming that there are no public or bank holidays intervening).
- (5) A questioner cannot give notice of more than 2 questions to be answered at a meeting.
- (5A) A questioner may, when giving notice of a second question, indicate that one question is to take priority over the other question.<sup>16</sup>
- (6) The Bailiff shall approve a question if he or she is of the opinion that it does not contravene standing orders.<sup>17</sup>
- (7) If the Bailiff is of the opinion that a question contravenes standing orders he or she shall –
  - (a) alter the question, with the agreement of the questioner, so that it does not contravene standing orders, then approve it; or
  - (b) direct that the questioner be informed that the question is out of order.<sup>18</sup>
- (8) When a question has been approved, the Greffier shall, as soon as practicable –

- (a) forward a copy of the question to the member to whom it is addressed; and
- (b) inform the member if the questioner has indicated that the questioner wishes the member to answer the question himself or herself.<sup>19</sup>

#### **14 Determination of order in which questions with notice are to be answered orally**

- (1) If, after the Bailiff has approved the questions of which notice has been given or ruled them out of order –
  - (a) there remain 2 or more of any of the following questions to be answered orally at the meeting –
    - (i) a question by a questioner who has given notice of one question only,
    - (ii) a question which the questioner has indicated under standing order 13(5A) is to take priority over the questioner's other question, and
    - (iii) a question listed or submitted first by a questioner who has given notice of 2 questions and has not given an indication of priority under standing order 13(5A),the Greffier shall, in the presence of another person, draw lots to determine the order in which such questions are to be answered at the meeting during the 2 hours allowed;
  - (b) there remain 2 or more questions to be answered orally at the meeting, such questions not falling within any of the descriptions of question in paragraph (1)(a)(i) to (iii), the Greffier shall, in the presence of another person, draw lots to determine the order in which such questions are to be answered at the meeting during the 2 hours allowed.<sup>20</sup>
- (1A) Subject to the Bailiff's discretion under paragraph (3), any question to be answered orally at the meeting falling within any of the descriptions of question in paragraph (1)(a)(i) to (iii) shall be answered before any question to be answered orally at the meeting not falling within such description.<sup>21</sup>
- (2) A questioner may, no later than 5 p.m. on the working day preceding the meeting day, apply to the Bailiff to request that the question be moved to another place in the order.
- (3) The Bailiff, if he or she is of the opinion that the request is justified, shall indicate where the question shall be moved in the order.

#### **15 Urgent oral question**

- (1) A member may, not less than 30 minutes before a meeting commences, seek the leave of the Bailiff to ask a question at the meeting.
- (1A) A member may, when seeking the leave of the Bailiff, indicate that the member wishes to have the question answered by the member to whom it

is addressed, and not by any other member on behalf of the member to whom it is addressed.<sup>22</sup>

- (2) The Bailiff may only grant leave if –
  - (a) in his or her opinion, the question is of an urgent character and relates to a matter of public importance; and
  - (b) he or she approves the question.
- (3) The Bailiff shall approve the question if he or she is of the opinion that it does not contravene standing orders.
- (4) If the Bailiff is of the opinion that the question contravenes standing orders he or she shall –
  - (a) alter the question, with the agreement of the questioner, so that it does not contravene standing orders, then approve it; or
  - (b) direct that the questioner be informed that the question is out of order.
- (5) The question shall be asked and answered during the meeting at a time other than during the times allowed for questions with notice and questions without notice.
- (6) When a question has been approved, the Greffier shall, as soon as practicable –
  - (a) forward a copy of the question to the member to whom it is addressed; and
  - (b) inform the member if the questioner has indicated that the questioner wishes the member to answer the question himself or herself.<sup>23</sup>

#### *Statements*

### **16 Seeking leave to make personal statement**

- (1) A member of the States who wishes to make a statement during a meeting to explain a matter of a personal nature shall seek the leave of the Bailiff no later than 5 p.m. on the working day preceding the day the statement is to be made.
- (2) The content of the statement must be personal in nature.
- (3) The Bailiff may grant a member of the States leave to make a statement although the member has not given the requisite notice if the Bailiff is satisfied that the nature of the statement is such that it is urgent.

### **17 Notice of intention to make statement on a matter of official responsibility**

- (1) The following office holders may make a statement during a meeting on any matter for which he or she has responsibility as holder of the office –
  - (a) any Minister;
  - (b) the chairman of the PPC;
  - (c) the chairman of the PAC;

- (d) a chairman of a scrutiny panel or of a sub-panel of a scrutiny panel;
  - (e) the president of the chairmen's committee;
  - (ea) a chairman of a review panel;
  - (f) the chairman of a committee of inquiry, if he or she is a member of the States;
  - (g) the chairman or president of any other committee or panel established by standing orders;
  - (h) the chairman of the Comité des Connétables.<sup>24</sup>
- (2) Any member of the States may make a statement during a meeting on a public matter for which the member has an official responsibility.
- (3) A person wishing to make a statement on a matter of official responsibility during a meeting shall give notice of his or her intention to the Greffier no later than 5 p.m. on the working day preceding the day the statement is to be made.
- (4) A chairman or president of a committee or panel or the Comité must obtain the approval of the committee or panel or the Comité, as the case may be, to the content of the statement.
- (5) The Bailiff may grant a person leave to make a statement on a matter of official responsibility during a meeting, although the person has not given the requisite notice to the Greffier, if the Bailiff is satisfied that the statement relates to an urgent matter of public importance.

### *Propositions*

#### **18 Propositions must be lodged**

Every proposition must be lodged, unless it is –

- (a) a matter that, under standing orders, may be proposed without notice; or
- (b) a proposal to debate a proposition at the present meeting.

#### **19 Who can lodge a proposition**

A proposition may be lodged by –

- (a) a member of the States, in his or her own right;
- (b) the Council of Ministers;
- (c) any Minister;
- (d) the PPC;
- (e) the PAC;
- (f) a scrutiny panel;
- (g) the chairmen's committee;
- (h) any other committee or panel established by standing orders (apart from a committee of inquiry);

- (i) the Comité des Connétables;
- (j) the States Employment Board.<sup>25</sup>

### **19A Prohibition on lodging before ordinary election<sup>26</sup>**

A proposition may not be lodged during any period of 21 days ending with an ordinary election unless, in the opinion of the Bailiff, the proposition relates to a matter of such urgency and public importance that its lodging should not be delayed.

### **20 Content of proposition**

- (1) A proposition to amend another proposition –
  - (a) must relate to the proposition that it would amend;
  - (b) must not wholly negate the proposition that it would amend; and
  - (c) must alter substantively the effect of the proposition that it would amend.
- (2) A proposition to suspend a standing order must be for its suspension only for a specified purpose or in relation to a specified matter.
- (3) A proposition cannot be in the same or substantially the same terms as a proposition which the States have previously debated and voted upon, unless at least 3 months have elapsed since that vote.

### **21 How a proposition is lodged**

- (1) A member of the States or a body wishing to lodge a proposition shall give a draft of it to the Greffier.
- (2) The draft must be accompanied by the proposer's statement of whether the proposition, if adopted, would have any implications for the financial or manpower resources of the States or any administration of the States and, if there are such implications –
  - (a) set out the proposer's estimate of those implications; and
  - (b) explain –
    - (i) how the proposer has calculated his or her estimate of those implications, and
    - (ii) how, when and from where, in the proposer's opinion, they could be sourced.<sup>27</sup>
- (3) The proposer may request information from any Minister responsible for the resources in question and a Minister shall, when so requested, ensure that the proposer is provided with complete and accurate information sufficient to enable the proposer to prepare the statement.
- (3A) If the draft is of a proposition that the Council of Ministers, the Chief Minister or any other Minister wishes to lodge, the draft must be accompanied by a statement –
  - (a) as to whether or not the principle of collective responsibility, as expressed in paragraphs 4 and 5 of the Code of Conduct and

Practice for Ministers and Assistant Ministers (R.11/2015, presented to the States on 10th February 2015) has been waived in respect of the whole or any specified part of the proposition; and

- (b) if and to the extent that the principle has not been waived, setting out the Ministers and Assistant Ministers who are bound by that principle to support the proposition.<sup>28</sup>
- (4) The draft may be accompanied by a report setting out why the proposer considers that the proposition should be adopted.
- (5) The Greffier shall review the draft proposition and, if he or she considers necessary, advise on its wording.
- (6) The Greffier shall then submit the draft proposition to the Bailiff.
- (7) The Bailiff shall –
  - (a) approve the draft proposition without alteration;
  - (b) subject to the agreement of the proposer, approve the draft proposition with such alterations as he or she considers necessary; or
  - (c) rule the draft proposition out of order and direct that the proposer be informed of the reasons for his or her decision.

NOTE: Article 16 of the Human Rights (Jersey) Law 2000<sup>29</sup> requires a Minister who lodges a draft Law to make and publish a statement as to the compatibility of the draft Law with the European Convention on Human Rights before the 2nd reading of the draft Law.

#### **21A Additional requirements for proposition to suspend member<sup>30</sup>**

- (1) A proposition that a member of the States be suspended as a sanction for certain actions of that member may be lodged by the PPC.
- (2) A proposition that a member of the States be suspended as a sanction for certain actions of that member may only be lodged by a member or members other than the PPC if –
  - (a) the PPC has considered whether, and decided not, to lodge such a proposition in respect of the member of the States and the actions in question; and
  - (b) the proposition is signed by 6 members of the States.
- (3) A proposition that a member of the States be suspended, whether lodged by the PPC or any other member or members of the States, must propose the duration of the suspension.

#### **21B Additional requirement for proposition for the censure of any person or body<sup>31</sup>**

A proposition that the States censure any person or body of persons cannot be lodged unless it is –

- (a) signed by at least 3 members of the States, in addition to the proposer; and

- (b) accompanied by a report setting out why the proposer considers that it should be adopted.

## **22 Additional requirement for proposition of no confidence**

A proposition that the States have no confidence in any person or body of persons cannot be lodged unless it is –

- (a) signed by at least 3 members of the States, in addition to the proposer; and
- (b) accompanied by a report setting out why the proposer considers that it should be adopted.<sup>32</sup>

## **23 Additional requirement for proposition to rescind earlier decision**

A proposition that the States rescind an earlier decision to adopt a proposition cannot be lodged unless it is –

- (a) signed by at least 3 members of the States, in addition to the proposer; and
- (b) accompanied by a report setting out why the proposer considers that the proposition should be adopted.

## **24 Additional requirement for amending proposition**

A proposition which a member of the States wishes to lodge in his or her own right, and which is to amend a proposition lodged by a body of which he or she is a member, cannot be lodged unless he or she has informed the body of his or her wish to lodge it.

## **25 Day a proposition is lodged**

- (1) If a draft proposition is approved, the Greffier shall ask the proposer when he or she wishes to lodge it.
- (2) If the proposer wishes to lodge the proposition as soon as possible, the Greffier shall distribute it to members of the States as soon as possible and –
  - (a) if the proposition is distributed during a meeting, it is lodged on the day it is distributed;
  - (b) if the proposition is not distributed during a meeting, it is lodged on the working day after the day on which it is distributed.
- (3) In any other case –
  - (a) the proposer, having taken into consideration the requirements for distribution of the proposition, shall inform the Greffier of the working day on which he or she wishes to lodge it; and
  - (b) the Greffier shall distribute the proposition to members of the States no later than the day before the working day it is lodged.



- (4) The Greffier is not required to distribute a proposition on a day which is not a working day.

## 26 Minimum lodging period

- (1) A proposition cannot be debated during a meeting unless the minimum lodging period applicable to it (if any) has expired before the meeting day.
- (2) The lodging period commences on the day the proposition is lodged.
- (3) A minimum lodging period of 2 weeks applies to the following propositions –
- (a) a proposition lodged by the Chief Minister under Article 21(5) of the Law for dismissal of a Minister;
  - (b) a proposition that the States have no confidence in any person or body;
  - (c) a proposition for the censure of any person or body;
  - (d) a proposition that a member of the States be suspended from the service of the States or expelled from the States;
  - (e) a proposition for the annulment of an Order;
  - (f) a proposition opposing a land transaction to which standing order 168(3) applies.<sup>33</sup>
- (3A) A minimum lodging period of 4 weeks applies to the following propositions –
- (a) a proposition for the appointment of any person to any tribunal or to any public body or office;
  - (b) a draft legislative Act or draft standing orders;
  - (c) a proposition lodged by a member of the States in his or her own right and to which neither paragraph (3) or (4) applies.<sup>34</sup>
- (4) A minimum lodging period of 6 weeks applies to the following propositions –
- (a) a draft Law or draft Regulations;
  - (b) a proposition lodged by –
    - (i) the Council of Ministers,
    - (ii) a Minister,
    - (iii) the PPC,
    - (iv) the PAC,
    - (v) the chairmen's committee,
    - (vi) a scrutiny panel,
    - (vii) any other committee or panel established by standing orders,
    - (viii) the Comité des Connétables, or
    - (ix) the States Employment Board,and to which none of paragraphs (3), (3A), (4AA) and (4A) applies.<sup>35</sup>

- (4AA) A minimum lodging period of 8 weeks applies to a draft budget.<sup>36</sup>
- (4A) A minimum lodging period of 12 weeks applies to a draft medium term financial plan.<sup>37</sup>
- (5) The minimum lodging periods applicable to proposals to amend a proposition are as follows –
- (a) in relation to a proposition with a minimum lodging period of 2 or 4 weeks –
    - (i) for an amendment, 1 week,
    - (ii) for an amendment to an amendment, 4 days;
  - (b) in relation to a proposition with a minimum lodging period of 6, 8 or 12 weeks –
    - (i) for an amendment, 2 weeks,
    - (ii) for an amendment to an amendment, 1 week.<sup>38</sup>
- (6) There is no minimum lodging period applicable to a proposition relating to any action or a remedy sought in a petition.
- (7) The States may reduce a minimum lodging period for a proposition if they are of the opinion that it is in the public interest to do so.<sup>39</sup>
- (7A) The States may reduce the minimum lodging period in the case of a proposition lodged by the Council of Ministers, under Article 9 of the Public Finances Law, for the amendment of a medium term financial plan.<sup>40</sup>
- (8) The States may also reduce a minimum lodging period in the case of a proposition to amend another proposition if they are of the opinion that, if adopted, the amendment would not make any significant change.
- (9) In paragraphs (3) to (5), “proposition” does not include a proposal to amend any proposition.

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## **27 Referral of proposition to Minister or committee upon lodging<sup>42</sup>**

- (1) The Greffier shall refer a proposition lodged by a member of the States in his or her own right to the relevant Minister or committee in order that the Minister or committee may decide whether to report upon it.
- (2) Any other proposition shall, at the request of the proposer, be referred by the Greffier to the relevant Minister or committee in order that the Minister or committee may decide whether to report upon it.

## **28 Listing for debate of an amendment**

A proposition which is an amendment, if lodged for the minimum lodging period applicable to it, shall be listed for debate at the same meeting as the proposition that it would amend.

**29 Relisting for debate of propositions not debated by close of meeting**

A proposition listed for debate at a meeting but not debated before the meeting closes shall, unless the States decide otherwise, be listed for debate at the next meeting.

**30 Planning arrangement of public business for meetings**

- (1) Except in the case of a proposition that the States have no confidence in, or censure, any person or body, a proposer, when lodging a proposition, shall agree with the Greffier the meeting for which, after the expiry of the minimum lodging period applicable to the proposition, the proposition will be listed for debate.<sup>43</sup>
- (1A) In the case of a proposition that the States have no confidence in, or censure, any person or body, the proposition shall be listed for debate at the first meeting after the expiry of the minimum lodging period applicable to the proposition, and paragraphs (2) to (4) shall not apply.<sup>44</sup>
- (2) The proposer may, at any time before the debate on his or her proposition commences, inform the Greffier that he or she wishes the proposition to be listed for debate at a different meeting and shall agree with the Greffier the meeting for which the proposition shall be listed.
- (3) In reaching an agreement, the proposer and Greffier shall have regard to the expected volume of business for meetings, the expected duration of meetings and the need to comply with any requirements of standing orders.
- (4) The foregoing paragraphs also apply to listing the resumption of the debate on a proposition at a meeting.
- (5) If, at any time, it appears to the Greffier that the volume of business for a meeting exceeds the expected duration of the meeting the Greffier shall notify the chairman of the PPC, who shall take whatever steps he or she considers necessary to remedy the imbalance.

**31 Planning order in which public business at meetings will be debated**

- (1) Any propositions carried forward from the last meeting by virtue of the fact that the last meeting closed before they were debated shall be listed as the 1st item of public business at a meeting, unless the States decide otherwise.
- (2) Each of the following propositions shall be listed, after any propositions carried forward from the last meeting, as the 1st item of public business at a meeting at which it is to be debated, unless the States decide otherwise –
  - (a) a draft medium term financial plan;
  - (ab) a proposition, lodged by the Council of Ministers under Article 9 of the Public Finances Law, for the amendment of a medium term financial plan;
  - (b) a draft budget and any taxation draft that is necessary for its implementation;

- (c) a statement of the common strategic policy of the Council of Ministers, lodged under Article 18(2)(e) of the Law;
  - (d) a proposition that the States have no confidence in, or censure, any person or body.<sup>45</sup>
- (3) Other propositions shall be listed for debate at a meeting –
- (a) in the order which the Greffier agrees with the proposers;
  - (b) if the Greffier and proposers cannot agree, in the order which the chairman of the PPC agrees with the proposers; or
  - (c) if the chairman of the PPC and the proposers cannot agree, in the order proposed by the chairman of the PPC,
- unless the States decide otherwise.

### **32 Notice of proposal to debate proposition at present meeting**

A member of the States who wishes to propose, during a meeting, that the States debate at the meeting a proposition that they have not previously agreed to debate at the meeting must give notice of his or her intention to the Greffier at least 2 clear working days before the meeting day.

EXAMPLE: If the meeting commences on a Tuesday, notice must be given no later than the preceding Thursday (assuming that there are no public or bank holidays intervening).

### **33 Limit on number of decisions not to debate proposition lodged by member in his or her own right**

- (1) This standing order applies to a proposition lodged by a member of the States in his or her own right.
- (2) If the States have decided, on 3 or more occasions, not to debate a proposition, and the proposer notifies the Greffier of the meeting at which he or she wishes the debate to take place, no other member of the States may propose that the debate shall not take place that meeting.
- (3) The debate shall proceed at that meeting, whether or not any reports for which the proposition has been referred have been presented.

### **34 Withdrawing a proposition before debate**

- (1) A proposer may, without notice and before the debate on the proposition commences, withdraw his or her proposition by informing the Greffier of his or her intention.
- (2) A proposition which is not debated within 6 months of the day on which it is lodged shall be taken to have been withdrawn at the end of that period.
- (3) The fact that a proposition has been lodged then withdrawn without debate shall not preclude the lodging, at a later date, of a proposition in the same terms.

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*Reports and comments***35 Who may present report or comment**

- (1) A report or comment may be presented to the States by –
  - (a) the Council of Ministers;
  - (b) any Minister;
  - (c) any member of the States, on a public matter for which that member has an official responsibility;
  - (d) the PPC;
  - (e) the PAC;
  - (f) a scrutiny panel;
  - (g) the chairmen's committee;
  - (h) any other committee or panel established by standing orders (including a committee of inquiry, where the report is upon the matter inquired into by the committee);
  - (i) the Comité des Connétables;
  - (j) the States Employment Board.<sup>46</sup>
- (2) A report or comment presented by a body of persons may include a minority report or comment by one of its members.

**36 Content of report or comment**

A report or comment may relate to a proposition or any other matter.

*Presenting or laying a document***37 How document is presented to or laid before the States**

- (1) A document which may or must be presented to or laid before the States under standing orders or any other enactment shall be given to the Greffier.
- (2) The Greffier shall assign a reference number to the document and distribute it to members of the States.
- (3) A person giving a document to the Greffier on a meeting day or continuation day may request that the document be presented or laid immediately.
- (4) In that case, if the Greffier is able to distribute the document to States members during the meeting, it is taken to be presented to or laid before the States on that day.
- (5) Otherwise, the document is taken to be presented to or laid before the States on the working day following the day on which it is distributed.

- (6) This standing order does not apply to subordinate enactments required to be laid before the States under Article 1 of the Subordinate Legislation (Jersey) Law 1960<sup>47</sup>.

### **37A Presentation of comment relating to a proposition<sup>48</sup>**

- (1) This standing order applies where a comment relating to a proposition is given to the Greffier after noon on the penultimate working day before the day the meeting at which the proposition is to be debated commences.

EXAMPLE: If the meeting commences on a Tuesday, this standing order applies where a comment is given to the Greffier after noon on the preceding Friday (assuming that there are no public or bank holidays intervening).

- (2) The comment must include a statement as to why it has been given to the Greffier after noon on that day and not before.
- (3) If it does not, the Greffier shall not take the action described in standing order 37(2) and the comment shall not be taken to have been presented.

#### *Duties of Greffier preparatory to meeting*

### **38 Greffier to inform members of the States of meeting days**

The Greffier shall inform members of the States of the days on which the States shall meet and take such steps as he or she considers necessary to inform the public of those days.

### **39 Greffier to prepare order paper**

- (1) The Greffier shall –
- (a) prepare the order paper for a meeting; and
  - (b) distribute it to members of the States at least 2 clear working days before the meeting day.

EXAMPLE: If the meeting is on a Tuesday, the order paper must be distributed no later than the preceding Thursday (assuming that there are no public or bank holidays intervening).

- (2) The order paper shall –
- (a) include the text of any question to which a written reply is to be tabled at the meeting;
  - (b) include a list of propositions lodged since the last meeting and of propositions which have been approved for lodging and which will be lodged on or before the meeting day;
  - (c) state, for each proposition listed, the title of the proposition, the reference number assigned to it by the Greffier, the day on which it is lodged and the name of the proposer;
  - (d) record the withdrawal of a proposition;

- (e) include a list of propositions for debate at the meeting, in the order in which it is proposed that they be debated;
  - (f) include any notice received by the Greffier from a member of the States intending to propose, at the meeting, that the debate on a proposition be brought forward to the meeting;
  - (g) include a list of documents presented to or laid before the States since the last meeting day, stating, for each document, its title, the reference number assigned to it by the Greffier, the name of the person or body presenting or laying it and, where appropriate, the day on which it was presented or laid;
  - (h) include the text of questions to be answered orally at the meeting in the order in which they are to be answered.<sup>49</sup>
- (3) The Greffier may, at any time before the meeting commences, distribute to members of the States –
- (a) a supplementary order paper, containing business for the meeting which was not available for inclusion in the original order paper (“additional business”); or
  - (b) a revised order paper, which consolidates, wholly or partially, the original order paper and additional business.<sup>50</sup>

#### **40 Greffier to distribute written answers to questions**

The Greffier shall, before the start of a meeting, distribute to members of the States the text of any written reply to a question that is to be tabled at the meeting.

**41** <sup>51</sup>

## **PART 4**

### **MEETINGS OF THE STATES**

#### *Duration and suspension of meetings*

#### **42 Start of meeting**

A meeting shall start at 9.30 a.m. unless the States decide otherwise.

#### **43 Proposal that meeting start at different time**

A member of the States may propose, without notice, that a future meeting shall start at a different time.

**44 Midday adjournment<sup>52</sup>**

If the business of the States is not concluded by 12.45 p.m. the presiding officer shall at that time invite the members of the States to decide whether to adjourn immediately and continue at 2.15 p.m.

**45 Proposal to adjourn at any time**

A member of the States may at any time propose, without notice, that the States adjourn immediately and continue at a specified time (whether or not on the same day).

**46 Suspension of meeting by presiding officer**

The presiding officer may, at any time, either for the convenience of members or if he or she considers it appropriate, suspend the meeting for a stated period.

**47 Adjournment or closure at 5.30 p.m.**

If the business of the States is not concluded by 5.30 p.m. the presiding officer shall at that time invite members of the States to decide whether to –

- (a) continue;
- (b) adjourn immediately, to continue on the next continuation day for the meeting; or
- (c) if there is no continuation day –
  - (i) agree a continuation day and adjourn to continue on it, or
  - (ii) after considering the arrangement of business for future meetings, close the meeting.

**48 Proposal to close meeting before business concluded**

A member of the States may at any time propose, without notice, that the States proceed immediately to consider the arrangement of public business for future meetings and that the meeting then be closed without further consideration of any outstanding business.

**49 Meeting closed when business concluded**

Otherwise, the presiding officer shall close a meeting when all the business to be taken at the meeting has been concluded.

*Conduct of business***50 Order of business**

Unless the States decide otherwise, the business at a meeting shall be taken in the following order –



- (a) formal entry of presiding officer;
- (b) 1st roll call;
- (c) prayers;
- (d) 2nd roll call;
- (e) communications by the presiding officer;
- (f) list of subordinate enactments tabled since the last meeting;
- (g) list of documents presented or laid;
- (h) notification of lodged propositions;
- (i) appointment of Ministers, committees and panels;
- (j) matters of privilege;
- (k) petitions;
- (l) oral questions;
- (m) questions to Ministers without notice;
- (n) personal explanations;
- (o) statements on a matter of official business;
- (p) public business;
- (q) arrangement of public business for future meetings.

**51 1st roll call**

At the start of a meeting and of a continuation day, the presiding officer shall ask the Greffier to call the roll of elected members.

**52 Prayers**

The Dean or, in the Dean's absence, a person nominated by the presiding officer, shall lead prayers.

**53 2nd roll call**

- (1) After prayers, the Greffier shall call again the names of elected members who were not present when their names were called during the 1st roll call.
- (2) If an elected member is absent from Jersey on States' business or unable, through illness, to attend the meeting –
  - (a) any other elected member may, when the absent member's name is called, declare the reason for his or her absence; and
  - (b) the Greffier shall record the absence and the reason for it in the minutes.
- (3) If an elected member is absent for any other reason –

- (a) any other elected member may, when the absent member's name is called, declare the reason for his or her absence and ask the States to agree that the reason for the absence is such that the absent member may be excused; and
  - (b) if the States so agree, the Greffier shall record the absence and that the member is excused.
- (4) If an elected member is not present when his or her name is called and he or she has not been declared absent on States' business or unable, through illness, to attend, or excused, the Greffier shall record in the minutes that the member is en défaut.

#### **54 Arrival of elected member after 2nd roll call**

- (1) If an elected member recorded in the minutes as absent or excused subsequently enters the Chamber, the Greffier shall record in the minutes the time at which he or she becomes aware of, or his or her attention is drawn to, the member's arrival.
- (2) If an elected member recorded in the minutes as en défaut subsequently enters the Chamber, he or she cannot take any part in the proceedings of the States before the défaut is raised.
- (3) An elected member may propose, without notice, that the défaut on another member is raised and, if the States so agree, the Greffier shall record in the minutes the time at which the défaut is raised.

#### **55 States inquorate at start of meeting<sup>53</sup>**

- (1) If, at the conclusion of the 2nd roll call, it appears to the presiding officer that the States are inquorate, he or she shall –
  - (a) suspend the meeting to a specified time later on the same day;
  - (b) suspend the meeting to a continuation day specified by the presiding officer; or
  - (c) close the meeting.
- (2) If the meeting is suspended to a specified time later on the same day, the Greffier shall, at that time, call the roll.
- (3) If, when the roll is called under paragraph (2), it appears to the presiding officer that the States remain inquorate, the presiding officer shall close the meeting.

NOTE: Article 15 of the Law has the effect that the States are quorate when no less than one half of the elected members are present.

#### **56 States inquorate during meeting<sup>54</sup>**

- (1) If at any time during a meeting it appears to the presiding officer that the States are inquorate, he or she shall direct that elected members be summoned.
- (2) If the presiding officer, having allowed such time as he or she considers reasonable for elected members to return to the Chamber, believes that

the States remain inquorate, he or she shall ask the Greffier to take the roll, using the electronic voting system unless it is unavailable.

- (3) If, the roll having been taken, the States are inquorate, the presiding officer shall –
  - (a) suspend the meeting to a specified time later on the same day;
  - (b) suspend the meeting to a continuation day specified by the presiding officer; or
  - (c) close the meeting.
- (4) If the meeting is suspended to a specified time later on the same day, the Greffier shall, at that time, call the roll.
- (5) If, when the roll is called under paragraph (4), it appears to the presiding officer that the States remain inquorate, the presiding officer shall close the meeting.

#### **57 Lists of subordinate enactments laid and other documents laid or presented**

- (1) It shall not be necessary for the list of subordinate enactments laid since the last meeting or the list of other documents presented or laid since the last meeting to be read out.
- (2) The presiding officer shall inform the States of any document presented or laid during the meeting.

#### **58 Notification of lodged propositions**

- (1) The presiding officer shall read out the following details for each lodged proposition of which the States have not previously been informed –
  - (a) the number assigned to the proposition by the Greffier;
  - (b) the name of the proposer;
  - (c) the title of the proposition.
- (2) If a proposition is lodged during the meeting the presiding officer shall inform the States of the lodging and read out the name of the proposer and the title of the proposition.
- (3) The reading out by the presiding officer of the title of a proposition that is a draft Law or draft Regulations is the 1st reading of the draft.

#### **59 Selection and appointment of Ministers, committees and panels**

The process for selection and appointment of Ministers, committees and panels is set out in Part 6.

#### **60 Raising a matter of privilege or immunity with notice**

- (1) A member of the States raising a matter of privilege or immunity shall state –
  - (a) the facts to which he or she wishes to draw attention; and

- (b) the grounds on which he or she believes that the facts affect the privileges or immunity of the States.
- (2) The presiding officer shall inform the States whether, in his or her opinion, the matter does or does not affect the privileges or immunity of the States.
- (3) If the presiding officer is of the opinion that the matter raised may affect the privileges or immunity of the States, any member of the States may propose without notice any matter based upon the issue.
- (4) The States shall debate the matter proposed immediately.

### **61 Matter of privilege or immunity arising during meeting**

- (1) A member of the States may propose without notice any matter based upon an issue that arises in the course of the meeting if –
  - (a) the issue appears to the presiding officer to affect the privileges or immunity of the States; and
  - (b) the presiding officer is of the opinion that the issue calls for the immediate intervention of the States.
- (2) The matter cannot be proposed while a vote is in progress.
- (3) The States shall debate the matter proposed immediately.

### **62 Submitting petition to the States**

The procedure for submitting a petition to the States is set out in Schedule 1.

### **63 Questions with notice to be answered orally**

- (1) Up to 2 hours shall be allowed during a meeting for questions of which notice has been given to be asked and answered.<sup>55</sup>
- (2) If the order in which the questions are to be asked has been altered after the order was distributed to members of the States, the presiding officer shall inform the States of the alteration.
- (3) The presiding officer shall invite a member to ask his or her question in turn.
- (4) Any member of the States may, within the time allowed by the presiding officer for the purpose, ask one or more supplementary questions relating to the subject matter of the question.
- (5) The presiding officer shall give the member who asked the original question the opportunity to ask at least one supplementary question.
- (6) The presiding officer shall rule a supplementary question out of order if –
  - (a) the contents of the questions contravene standing orders; or
  - (b) the question is not concise.
- (7) The member of the States asked the question shall answer it and any supplementary question concisely.

- (8) Neither a question nor the answer shall be made a pretext for debate.
- (9) A question that has not been asked before the end of the 2 hours allowed shall be taken to have been withdrawn.<sup>56</sup>

#### **64 Questions without notice to be answered by Ministers**

- (1) Up to 30 minutes shall be allowed during a meeting for members of the States to ask Ministers questions without giving prior notice of the question.
- (2) The time allowed shall be divided into 2 question periods.
- (3) The Chief Minister shall answer questions during the 2nd question period at every other meeting.
- (4) The other Ministers shall, in rotation, answer questions during the other question periods.
- (5) Within each rotation, the sequence in which Ministers answer questions may be altered.
- (6) The Greffier, after consultation with the Chief Minister, shall distribute to members a rota showing the meetings at which Ministers shall answer questions.
- (7) If, not less than 2 clear working days before a meeting, the Greffier is notified that a Minister due to answer questions will be absent from the meeting, the Greffier may, after consultation with the Chief Minister, alter the rota and notify members of the States of the alteration.
- (8) If, on the day of a meeting, a Minister due to answer questions is unavoidably absent –
  - (a) an Assistant Minister appointed by him or her; or
  - (b) another Minister,may answer in his or her place.

#### **65 Asking questions without notice**

- (1) Within each question period, the presiding officer shall invite members of the States to ask questions of the Minister.
- (2) The presiding officer shall rule a question out of order if –
  - (a) the contents of the question contravene standing orders;
  - (b) the question is not concise; or
  - (c) the question would require an answer containing statistical, technical or other detailed information that it would be unreasonable to expect a Minister to be able to provide without notice.
- (3) The presiding officer shall invite a member to ask his or her question.
- (4) The Minister shall answer each of the questions concisely.
- (5) Neither a question nor the answer shall be made a pretext for debate.

**66 Duration of periods for questions without notice**

- (1) The 1st question period shall be 15 minutes or, if shorter, the time needed for all members of the States wishing to ask a question to have spoken and for those questions to have been answered.
- (2) The 2nd question period shall be the balance of the 30 minutes remaining after the conclusion of the 1st question period, or, if shorter, the time needed for all members of the States wishing to ask a question to have spoken and for those questions to have been answered.

**67 Personal statement made by member of the States**

A member of the States who makes a personal statement shall not be asked any questions, nor shall any debate ensue upon the statement.

**68 Statement on a matter of official responsibility**

- (1) When a member of the States is to make a statement on a matter for which he or she has responsibility as an office holder or on a public matter for which he or she otherwise has an official responsibility, he or she shall –
  - (a) give the text of it to the Greffier; and
  - (b) advise the Greffier whether the text is to be distributed to members of the States before the statement is made, or as soon as possible afterwards.
- (2) The Greffier shall distribute the text accordingly.
- (3) After the member of the States has made the statement, the presiding officer shall allow a period of up to 15 minutes for other members of the States to ask him or her questions regarding the contents of the statement.<sup>57</sup>
- (3A) A member of the States may propose without notice that the time allowed for questions regarding the contents of the statement is extended by up to 15 minutes.<sup>58</sup>
- (4) The question period shall not be made a pretext for debate.

*Public business*

**68A Who may propose proposition<sup>59</sup>**

- (1) A proposition lodged by the Council of Ministers may be proposed by –
  - (a) the Chief Minister;
  - (b) any other Minister; or
  - (c) an Assistant Minister with delegated responsibility for the matter being proposed.<sup>60</sup>
- (2) A proposition lodged by the Chief Minister may be proposed by –
  - (a) any other Minister; or

- (b) an Assistant Minister with delegated responsibility for the matter being proposed.<sup>61</sup>
- (3) A proposition lodged by the Chief Minister or any other Minister may be proposed by any of that Minister's Assistant Ministers.
- (4) A proposition lodged by a body that is a committee or panel established by standing orders, the Comité des Connétables or the States Employment Board, may be proposed by any member of that body.
- (5) A proposition lodged by a member in his or her own right may be proposed by another member of the States if the member who lodged the proposition –
  - (a) has given notice to the Greffier before 9.30 a.m. on the day in which the proposition is intended to be read that the member will be absent; and
  - (b) has provided to the Greffier the name of the member who will propose the proposition in his or her absence.<sup>62</sup>
- (6) The proposition may not be proposed by another member at any time after the Greffier has recorded in the minutes that the member who lodged the proposition is en défaut.<sup>63</sup>

#### **69 General procedure for debate on proposition**

- (1) The presiding officer shall ask the Greffier to read out the proposition and then invite the proposer to move it.
- (2) The proposer may speak in support of the proposition before moving it.
- (3) When the proposer has moved the proposition the presiding officer shall open the debate on it.
- (4) Once the debate on a proposition has opened, the proposer may only withdraw it with the agreement of the States.
- (5) Unless the debate has been closed or ceased earlier, the presiding officer shall close it when all members of the States wishing to speak have spoken.
- (6) The presiding officer shall then invite the proposer to reply to the debate.
- (7) The presiding officer shall then put the proposition to the vote.

#### **70 General procedure for debate on amendment to proposition**

- (1) After the proposition which is the subject of the amendment has been moved by the proposer, the presiding officer shall –
  - (a) ask the Greffier to read out the proposition that would amend it; and
  - (b) invite the proposer of the amending proposition to move it.
- (1A) A member of the States who –
  - (a) has lodged an amending proposition in his or her own right; and

- (b) at the time when the amending proposition is debated, will be absent from the States on States' business, through illness, or excused,
- may arrange for another member of the States to propose the amendment in his or her place and shall inform the Greffier, before the debate, of the arrangement.<sup>64</sup>
- (2) When there is more than one amending proposition, they shall be moved in the order in which they relate to the text of the proposition they would amend.
- (3) If there is more than one amending proposition relating to the same portion of the text of a proposition, the presiding officer shall decide the order in which they are moved.
- (4) An amending proposition may not be moved if it is inconsistent with a previous decision on the proposition or on an amendment to it.
- (5) Otherwise, the procedure for debate of an amending proposition shall be the same as for the proposition it would amend.

#### **70A Adjournment of debate associated with Public Finances Law<sup>65</sup>**

- (1) If, during a debate on a draft medium term financial plan or on a proposition, lodged by the Council of Ministers under Article 9 of the Public Finances Law, for the amendment of a medium term financial plan, an amendment is approved by the States –
- (a) the Chief Minister or Minister for Treasury and Resources may request an adjournment of the debate for a specified period to consider the consequences of the amendment; and
- (b) the debate shall be adjourned in accordance with the request.
- (2) If, during a debate on a draft budget or on a taxation draft that is necessary for the implementation of a budget, an amendment is approved by the States –
- (a) the Minister for Treasury and Resources may request an adjournment of the debate for a specified period to consider the consequences of the amendment; and
- (b) the debate shall be adjourned in accordance with the request.

#### **71 2nd reading of draft Law or Regulations: debate on the principle**

- (1) At the time for 2nd reading of a draft Law or draft Regulations (the "draft") the presiding officer shall –
- (a) ask the Greffier to read out the citation of the draft; and
- (b) invite the proposer to propose the principles of the draft.
- (2) The proposer may speak in support of the principles before proposing them.
- (3) The presiding officer shall then open the debate on the principles of the draft.



- (4) In the debate on the principles of the draft, the presiding officer shall not allow any discussion of the detail of any provision of the draft, although a member of the States may refer, in his or her speech, to provisions of the draft, in order to explain why he or she supports, or opposes, the principles of the draft.
- (5) An amendment to the draft may not be proposed during the debate.
- (6) If the States do not agree to the principles of the draft, the draft shall be taken to have been withdrawn.
- (7) Otherwise the procedure for the debate on the principles of the draft shall be the same as for propositions in general.

## **72 Referral of draft Law or Regulations for scrutiny**

- (1) If the States agree to the principles of a draft Law or draft Regulations, the draft shall be referred to the relevant scrutiny panel if the chairman of that panel has previously informed the States or confirms, when asked by the presiding officer, that he or she wishes to have the draft referred to the panel.
- (2) If the chairman of the relevant scrutiny panel informs the States that he or she does not wish to have the draft referred to the panel, any member of the States may propose, without notice, that the States request the panel to reconsider the decision.
- (3) If the States agree to the proposal –
  - (a) the 2nd reading of the draft shall not continue at the meeting; and
  - (b) the presiding officer shall, at the next meeting, ask the chairman of the relevant scrutiny panel whether, the panel having reconsidered the matter, he or she wishes to have the draft referred to the panel.
- (4) A draft shall not be referred to the relevant scrutiny panel if it has previously been referred to that panel.
- (5) When a draft is referred to the relevant scrutiny panel or has been so referred previously, but the panel has not reported on it, the States must decide at which meeting the 2nd reading of the draft shall be listed to continue.
- (6) The meeting must not be later than the 4th meeting following the debate upon the principles, disregarding any additional meeting day.
- (7) The relevant scrutiny panel is the scrutiny panel or panels assigned scrutiny of the topic to which the draft relates.
- (8) If there is doubt as to which is the relevant scrutiny panel, the presiding officer shall take the advice of the president of the chairmen's committee.
- (9) If both the chairman and vice chairman of the relevant scrutiny panel are absent when a question is to be put to the chairman by the presiding officer pursuant to this standing order, the presiding officer shall instead ask the members of that panel who are present, and any one of them may answer.

- (10) This standing order shall not apply to a taxation draft that includes any provision that would implement all or part of a budget.<sup>66</sup>

### **73 Draft Law or Regulations not referred to scrutiny panel**

- (1) The States may decide to continue the 2nd reading of a draft Law or draft Regulations –
- (a) where the draft has not been referred to the relevant scrutiny panel and the States have not requested that panel to reconsider its decision not to have the draft referred, immediately following the debate on the principles of the draft; or
  - (b) where the States have requested the panel to reconsider its decision not to have the draft referred, immediately following the chairman of the panel informing the States, the panel having reconsidered the matter, that he or she does not wish to have the draft referred to the panel.
- (2) If the debate is not to continue immediately, the States must decide at which meeting the 2nd reading of the draft shall be listed to continue.
- (3) The meeting must not be later than the 2nd meeting, disregarding any additional meeting day, following the meeting at which the States could have continued the 2nd reading pursuant to paragraph (1)

### **74 Continuation of 2nd reading of draft Law or Regulations: debate on provisions**

- (1) The 2nd reading of a draft Law or draft Regulations referred to a scrutiny panel may continue notwithstanding that the panel has not reported on the draft.
- (2) When the 2nd reading of a draft Law or draft Regulations is to continue the presiding officer shall invite the proposer to propose each provision (being each Article or Regulation and each Schedule, if any) in turn.
- (3) Alternatively, provisions may be proposed in groups.
- (4) A Schedule may be proposed and voted on with the Article or Regulation that gives it effect, or separately.
- (5) Any member of the States may, however, request that any provision be voted upon separately.
- (6) Provisions may be proposed, whether singly or in groups, in an order other than their numerical order.
- (7) If as a consequence of the adoption of an amendment to a draft Law or draft Regulations or as a consequence of the States not adopting any provision of the draft, an amendment is necessary to the citation or numbering of the draft, the amendment shall be made, without debate or vote, when all the provisions of the draft have been voted upon.
- (8) When all the provisions of the draft have been voted upon, and any necessary changes to the citation or numbering of the draft have been made, the presiding officer shall inform the States that the draft Law has, or draft Regulations have, been adopted in 2nd reading.

- (9) Otherwise the procedure for the debate and for consideration of amendments shall be the same as for propositions and amendments in general.

### **75 3rd reading of draft Law or Regulations**

- (1) When a draft Law has, or draft Regulations have, been adopted in 2nd reading, the presiding officer shall invite the proposer to propose that the draft be adopted in 3rd reading.
- (2) The proposer may first speak in support of the draft as adopted in 2nd reading, before proposing it.
- (3) The debate shall be confined to the content of the draft as adopted in 2nd reading.
- (4) An amendment to the draft may not be proposed during the debate although a clerical error or oversight in it may, with the permission of the presiding officer, be corrected.
- (5) Otherwise the procedure for the debate shall be the same as for propositions in general.

### **76 Draft legislative Act**

- (1) The presiding officer shall ask the Greffier to read out the citation of the draft legislative Act.
- (2) The presiding officer shall then invite the proposer to propose the draft as a whole.
- (3) Otherwise the procedure for the debate and for consideration of amendments shall be the same as for propositions in general.

### **77 Draft standing orders**

- (1) The presiding officer shall ask the Greffier to read out the citation of the draft standing orders.
- (2) The presiding officer shall then invite the proposer to propose each standing order in turn.
- (3) Alternatively, standing orders may be proposed in groups.
- (4) A Schedule may be proposed and voted on with the standing order that gives it effect, or separately.
- (5) Any elected member may, however, request that any standing order be voted upon separately.
- (6) Standing orders may be proposed, whether singly or in groups, in an order other than their numerical order.
- (7) Otherwise the procedure for the debate and for consideration of amendments shall be the same as for propositions and amendments in general.

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*Matters that may be proposed without notice*

**77A Proposal to refer proposition to Minister or committee<sup>67</sup>**

A member of the States may propose without notice, at any time before the debate on a proposition commences, that the proposition be referred to the relevant Minister or committee in order that the Minister or committee may decide whether to report upon it.

**78 Proposal to suspend debate on draft enactment**

- (1) A member of the States may propose without notice during a debate on a draft enactment that the debate be suspended and the draft enactment discussed by the States sitting in committee at a future meeting.
- (2) The proposal may not be made during the 3rd reading of a draft Law or draft Regulations.
- (3) If the States agree the proposal, they shall then agree the meeting for which the matter shall be listed for discussion in committee.

**79 Suspension of debate for the purposes of scrutiny**

- (1) Any member of the States may propose without notice that –
  - (a) the debate on any proposition be suspended; and
  - (b) the States request the relevant scrutiny panel to consider having the proposition referred to it.
- (2) A proposal cannot be made in relation to –
  - (a) a proposition that has previously been referred to the scrutiny panel in question;
  - (b) a draft medium term financial plan;
  - (c) a proposition, lodged by the Council of Ministers under Article 9 of the Public Finances Law, for the amendment of a medium term financial plan;
  - (d) a draft budget; or
  - (e) a taxation draft that includes any provision that would implement all or part of a budget.<sup>68</sup>
- (3) If the States agree to the proposal, the debate shall be suspended until the next meeting.
- (4) At the next meeting, the presiding officer shall ask the chairman of the relevant scrutiny panel whether he or she wishes to have the proposition referred to the panel and –
  - (a) if the chairman confirms that, the panel having considered the matter, he or she does not wish to have the proposition referred to the panel, the States may either resume the debate immediately or decide at which meeting the debate shall be listed to resume; or
  - (b) if the chairman confirms that, the panel having considered the matter, he or she wishes to have the proposition referred to the

panel, the States must decide at which meeting the debate shall be listed to resume.

- (5) The debate must be listed to resume at a meeting which is not later than the 4th meeting, disregarding any additional meeting day, following the meeting at which the chairman confirms the panel's decision.
- (6) The debate on the proposition may resume, notwithstanding that the scrutiny panel has not reported on it.
- (7) The relevant scrutiny panel is the scrutiny panel or panels assigned scrutiny of the topic to which the proposition relates.
- (8) If there is doubt as to which is the relevant scrutiny panel, the presiding officer shall take the advice of the president of the chairmen's committee.
- (9) If both the chairman and vice chairman of the relevant scrutiny panel are absent when a question is to be put to the chairman by the presiding officer pursuant to this standing order, the presiding officer shall instead ask the members of the panel who are present, and any one of them may answer.

## **80 Proposal to suspend standing order**

A member of the States may propose without notice that one or more standing orders be suspended for a specified purpose.

### **80A Proposals associated with Public Finances Law<sup>69</sup>**

- (1) Notwithstanding standing order 26, the Chief Minister or Minister for Treasury and Resources may propose, without notice –
  - (a) an amendment to a draft medium term financial plan; or
  - (b) an amendment to a proposition, lodged by the Council of Ministers under Article 9 of the Public Finances Law, for the amendment of a medium term financial plan.
- (2) An amendment proposed under paragraph (1) shall be debated –
  - (a) forthwith, if –
    - (i) in the case of an amendment described in paragraph (1)(a), the amendment is to rectify a deficit that is forecast to arise as a consequence of the States approving an amendment to the draft plan or not approving any amount included in the draft plan in compliance with Article 8(2) of the Public Finances Law, or
    - (ii) in the case of an amendment described in paragraph (1)(b), the amendment is to rectify a deficit that is forecast to persist or arise, as the case may be, as a consequence of the States approving an amendment to the proposition described in paragraph (1)(b) or not approving any part of that proposition; or
  - (b) in the case of any other amendment, either forthwith or at such other time or on such other day as the States decides.

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- (3) Notwithstanding standing order 26, the Minister for Treasury and Resources may propose, without notice, an amendment to a draft budget or taxation draft.
  - (4) An amendment proposed under paragraph (3) shall be debated –
    - (a) forthwith –
      - (i) in the case of an amendment to a draft budget, if the amendment is to rectify a deficit that is forecast to arise as a consequence of the States approving an amendment to the draft budget or not approving any amount included in the draft budget in compliance with Article 10(3) of the Public Finances Law, or
      - (ii) in the case of an amendment to a taxation draft, if the amendment is to implement an amendment, approved by the States, to the budget to which the taxation draft relates; or
    - (b) in the case of any other amendment, either forthwith or at such other time or on such other day as the States decides.
  - (5) Notwithstanding standing order 26 –
    - (a) the Minister for Treasury and Resources may propose without notice that the States, by Act, make a declaration under Article 15 of the Public Finances Law; and
    - (b) the declaration shall be debated forthwith.
  - (6) In this standing order ‘deficit’ means a deficit in the consolidated fund at the end of, as the case requires, a financial year to which a draft medium term financial plan or a medium term financial plan applies or the financial year to which a draft budget applies.

### **80B Act under the Public Holidays and Bank Holidays (Jersey) Law 1951<sup>70</sup>**

Notwithstanding standing order 26, a Minister may propose, without notice, that the States make an Act under Article 2 of the Public Holidays and Bank Holidays (Jersey) Law 1951<sup>71</sup> where –

- (a) the Act would be for the appointment of a day of a year and not for the appointment of the same day in each year; and
- (b) the day to be appointed is so imminent that it would not be possible for the States to make the Act before the day, if standing order 26 applied.

### **81 Proposal for conducting business in camera**

A member of the States may propose without notice that the States conduct any debate or part of a debate upon a proposition or any other part of its business (apart from a vote) in camera for a specified purpose.

### **82 Arrangements for conducting business in camera**

- (1) Where any enactment requires that the States debate a proposition in camera or where the States decide to conduct any debate or part of a debate upon a proposition or any other part of its business in camera –

- (a) the presiding officer shall order all strangers to withdraw from the precincts of the States and the doors of the Chamber to be closed; and
  - (b) the Viscount or, in his or her absence, a person instructed by the presiding officer, shall ensure that the order for strangers to withdraw is complied with.
- (2) Any debate or part of a debate or any other business which is conducted in camera may be recorded, for the purpose of the preparation of a transcript, but shall not be broadcast to the public.
- (3) A vote cannot be taken whilst the States are conducting any business in camera.

### **83 Proposal for reference back**

- (1) A member of the States may propose without notice during the debate on a proposition that the proposition be referred back in order that –
  - (a) further information relating to the proposition can be provided to the States; or
  - (b) any ambiguity or inconsistency in information relating to the proposition which has already been provided to the States be clarified.
- (2) The presiding officer shall not allow a proposal that a proposition be referred back if the effect would be to prevent the debate on the proposition resuming at a future meeting.
- (3) The debate on the proposal shall be confined to the merits of the reference back.
- (4) A reference back does not affect any vote already taken by the States on any part of the proposition.

### **84 Proposal to close debate**

- (1) If more than one hour has elapsed since the presiding officer opened the debate on a proposition, a member of the States who has not spoken in the debate may propose without notice that the proposition be put to the vote.
- (2) A member of the States must, at least 30 minutes before he or she makes the proposal, inform the States of his or her intention to do so.
- (3) The presiding officer shall not allow the proposal if it appears to him or her that it is an abuse of the procedure of the States or an infringement of the rights of a minority.
- (4) Otherwise, the presiding officer shall immediately put the proposal to the vote, without debate.
- (5) If the proposal is adopted, the presiding officer shall –
  - (a) invite the proposer of the proposition to reply to the debate; and
  - (b) put the proposition to the vote.

- (6) If the proposal is not adopted –
  - (a) the member who proposed it cannot make a similar proposal during the debate; and
  - (b) another member of the States cannot make a similar proposal unless the debate has continued for at least another hour.

**85 Proposal to move to next item**

- (1) A member of the States may propose without notice, during a debate on a proposition, that the States move to consideration of the next item on the order paper.
- (2) The presiding officer shall not allow the proposal if it appears to him or her that it is an abuse of the procedure of the States or an infringement of the rights of a minority.
- (3) Otherwise, the presiding officer shall immediately put the proposal to the vote, without debate.
- (4) Notwithstanding Article 16(1) of the Law, the proposal is not adopted if less than 20 elected members vote in favour of it.<sup>72</sup>
- (5) If the proposal is adopted, the debate on the proposition shall cease.
- (6) If the proposal is not adopted, the member who proposed it cannot make a similar proposal during the debate.
- (7) A move to the next item does not affect any vote already taken by the States on any part of the proposition.

**86 Proposer may move proposition again following suspension of debate, reference back or move to next item**

When the debate on a proposition resumes following –

- (a) suspension of the debate for the purposes of a discussion by the States sitting in committee or for the purposes of referral to a scrutiny panel;
  - (b) a reference back; or
  - (c) a decision by the States to move to the next item,
- the proposer may move the proposition afresh.

**87 Proposals as to arrangement of public business at present meeting**

- (1) A member of the States who has given the notice required by standing orders may propose, during a meeting, that the States debate at the meeting a proposition that they have not previously agreed to debate at the meeting.
- (2) A member of the States may propose, without notice –
  - (a) that the order in which propositions are to be debated at the present meeting is altered;
  - (b) that a proposition listed for debate at the present meeting is deferred to another meeting day.



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*Arrangement of public business for future meetings***88 Chairman of the PPC to propose arrangement of public business for future meetings**

- (1) Before a meeting closes, the Greffier shall distribute to members of the States a proposed arrangement of public business for future meetings.
- (2) The arrangement shall –
  - (a) include each lodged proposition which has not been debated or for which a debate has commenced but has not been concluded;
  - (b) state, for each proposition included, the meeting at which it is proposed that the proposition be debated; and
  - (c) show for each meeting the proposed order for debate of the propositions.
- (3) Before a meeting closes, the presiding officer shall invite the chairman of the PPC to propose, without notice, the arrangement.
- (4) When doing so, the chairman of the PPC –
  - (a) shall –
    - (i) remind the States of any proposition that, unless the States decide otherwise, will be carried over automatically from the present to the next meeting, and
    - (ii) inform the States if he or she is of the opinion that the volume of public business proposed for any meeting is more than the States can deal with in the days fixed for the meeting; and
  - (b) may further propose, without notice, any change in or addition to the meeting days and continuation days previously agreed by the States.

**89 Proposals by other members relating to arrangement of public business for future meetings**

- (1) Subject to standing orders, a member of the States may propose without notice an amendment to the arrangement of public business for future meetings.
- (2) A member of the States may propose without notice that the States shall sit in committee at a future meeting –
  - (a) to discuss a draft enactment;
  - (b) to review the general administration and policy of the Council of Ministers or of any Minister;
  - (c) to discuss a report from the PAC or a scrutiny panel, any other report or document presented to or laid before the States or any proposition; or
  - (d) to discuss such other matters as the States may decide.

- (3) A member of the States may propose, without notice, that the States shall meet on a day, or continue a meeting on a day, which is in addition to the days presented to the States by the PPC before the start of the session.

*Voting*<sup>73</sup>

**89A Decisions**<sup>74</sup>

- (1) Notwithstanding Article 16 of the Law, any matter coming or arising before the States to which this standing order applies shall be done and decided by a majority of the elected members of which the States are constituted.
- (2) This standing order applies to –
  - (a) a proposition to alter, in any way, the membership of the States of Jersey;
  - (b) a proposition to lengthen or shorten the term of office of any class of elected member;
  - (c) a proposition to alter, add to or extinguish the constituencies of any class of elected member.

**89AA Interpretation of standing orders 90 to 96: principal offices**<sup>75</sup>

In standing orders 90 to 96 “principal office” means any of the following offices –

- (a) Chief Minister;
- (b) Minister;
- (c) Chairman of the PPC;
- (d) Chairman of the PAC;
- (e) Chairman of a scrutiny panel;
- (f) President of the chairmen’s committee.

**90 Modes of voting**<sup>76</sup>

- (1) Votes shall be taken by –
  - (a) a standing vote;
  - (b) a recorded vote, being –
    - (i) a vote using the electronic voting system,
    - (ii) an open ballot, or
    - (iii) a roll call vote; or
  - (c) a secret ballot.
- (2) When the presiding officer puts any matter to elected members for their decision, they shall vote by a standing vote, unless paragraph (3) or any other provision of standing orders or any other enactment, requires the vote to be taken another way.

- (3) If –
  - (a) before a standing vote is taken or after a standing vote is taken but before the result is announced, an elected member requests that elected members vote by a recorded vote; or
  - (b) after a standing vote, the presiding officer is unable to decide whether those elected members in favour of, or against, the matter proposed have prevailed,the elected members shall vote by a recorded vote.

## **91 Procedure for standing vote**

- (1) A standing vote shall be taken in accordance with this standing order.
- (2) The presiding officer shall call upon those elected members who are in favour of the matter proposed to rise in their places.
- (3) The presiding officer shall then call upon those elected members who are against the matter proposed to rise in their places.
- (4) The presiding officer shall then declare the result of the vote.

## **92 Recorded vote taken using the electronic voting system**

- (1) A recorded vote shall be taken using the electronic voting system, unless it is unavailable or standing orders or any other enactment require that the vote is taken by open ballot.<sup>77</sup>
- (2) A member shall not be permitted to vote using the electronic voting system unless seated in his or her designated seat.
- (3) When a recorded vote is to be taken using the electronic voting system, the presiding officer shall call upon elected members to return to their designated seats.
- (4) The presiding officer, when satisfied that elected members wishing to vote have been allowed sufficient time to return to their designated seats, shall ask the Greffier to open the vote.
- (4A) If the vote is to select a candidate for, or appoint a candidate to, a principal office, the presiding officer shall, before the vote opens and again, while the vote is open, announce which button should be pushed in order to vote for a candidate.<sup>78</sup>
- (5) An elected member shall push the appropriate button –
  - (a) to vote; or
  - (b) if he or she so wishes, to record his or her abstention.
- (6) The presiding officer, when satisfied that elected members have been allowed sufficient time to vote or record their abstention, shall ask the Greffier to close the vote.
- (7) The presiding officer shall then –
  - (a) announce –

- (i) in the case of a recorded vote for selection of a candidate for, or appointment of a candidate to, a principal office, the number of elected members voting for each candidate and the number of elected members whose abstention has been recorded, or
  - (ii) in any other case, the number of elected members voting “Pour” and “Contre” respectively and the number of elected members whose abstention has been recorded; and
- (b) declare the result of the vote.<sup>79</sup>
- (8) Any elected member may then request –
  - (a) in the case of a recorded vote for selection of a candidate for, or appointment of a candidate to, a principal office, either or both of the following information –
    - (i) the names of the members voting and the candidate for which each of them voted, and
    - (ii) the names of the members whose abstention has been recorded;
  - (b) in any other case, all or any of the following information –
    - (i) the names of the members who voted “Pour”,
    - (ii) the names of the members who voted “Contre”, and
    - (iii) the names of the members whose abstention has been recorded.<sup>80</sup>
- (9) Where a request is made under paragraph (8), the Greffier shall read out the information requested.
- (10) The information described in paragraph (8) shall be entered in the minutes.

### **93 Manner of taking recorded vote when electronic system unavailable<sup>81</sup>**

- (1) If the electronic voting system is unavailable –
  - (a) a vote for selection of a candidate for, or appointment of a candidate to, a principal office shall instead be taken by open ballot;
  - (b) any other recorded vote shall be taken by open ballot, unless the States decide that it shall be taken by a roll call vote.
- (2) A decision referred to in paragraph (1)(b) shall, itself, be taken by a standing vote or open ballot.

### **93A Manner of taking recorded vote where 3 or more candidates for principal office<sup>82</sup>**

A recorded vote for selection of a candidate for, or appointment of a candidate to, a principal office shall be taken by open ballot if there are more than 2 candidates.

**94 Recorded vote taken by open ballot**

- (1) If a recorded vote is to be taken by open ballot, elected members shall write, on the papers distributed for the purpose, their own name and –
  - (a) in the case of an open ballot for selection of a candidate for, or appointment of a candidate to, a principal office, the name of the candidate for whom they are voting; or
  - (b) in any other case, ‘Pour’, ‘Contre’ or ‘Abstain’.<sup>83</sup>
- (2) The presiding officer shall then –
  - (a) announce –
    - (i) in the case of an open ballot for selection of a candidate for, or appointment of a candidate to, a principal office, the number of elected members voting for each candidate and the number of spoilt papers, or
    - (ii) in any other case, the number of elected members voting ‘Pour’ and ‘Contre’ respectively and the number of elected members whose abstention has been recorded; and
  - (b) declare the result of the vote.<sup>84</sup>
- (3) Any elected member may then request –
  - (a) in the case of an open ballot for selection of a candidate for, or appointment of a candidate to, a principal office –
    - (i) the names of the members voting and the candidate for which each of them voted, and
    - (ii) the names of the members who have written their own names on their papers but otherwise spoilt their papers; or
  - (b) in any other case, all or any of the following information –
    - (i) the names of the members who voted ‘Pour’,
    - (ii) the names of the members who voted ‘Contre’,
    - (iii) the names of the members whose abstention has been recorded.<sup>85</sup>
- (4) Where a request is made under paragraph (3), the Greffier shall read out the information requested.
- (5) The information described in paragraph (3) shall be entered in the minutes.

**95 Recorded vote taken by roll call vote**

- (1) If a recorded vote is to be taken by roll call vote –
  - (a) the Greffier shall read out the roll of elected members; and
  - (b) an elected member shall, on his or her name being read out, vote by saying ‘Pour’ or ‘Contre’, or abstain.
- (2) The presiding officer shall then –

- (a) announce the number of elected members voting 'Pour' and 'Contre' respectively and the number of elected members whose abstention has been recorded; and
  - (b) declare the result of the vote.
- (3) The names of the members who voted 'Pour', the names of the members who voted 'Contre' and the names of the members whose abstention has been recorded shall be entered in the minutes.

## **96 Secret ballot**

Where standing orders or any other enactment require that a vote is taken by secret ballot –

- (a) elected members shall record their vote or abstention by writing it on papers distributed for the purpose;
- (b) the presiding officer shall then –
  - (i) announce the number of elected members voting 'Pour' and 'Contre' respectively and the number of elected members whose abstention has been recorded, and
  - (ii) declare the result of the vote.

*States sitting in committee*

## **97 States sitting in committee: procedure and rules of discussion**

- (1) While the States are sitting in committee, the chairman shall have the powers and duties of the presiding officer.
- (2) The rules of order, conduct and debate in a meeting shall apply while the States are sitting in committee to discuss any matter save that –
  - (a) a member of the States may speak more than once during the discussion;
  - (b) the chairman may allow any person to be present in the Chamber and invite that person to speak;
  - (c) the matter under discussion shall not be voted upon;
  - (d) the chairman shall decide when sufficient time has been allowed for a discussion on any part or aspect of the matter;
  - (e) the chairman shall decide when the sitting shall end.

## **PART 5**

### **RULES OF ORDER, CONDUCT AND DEBATE IN MEETING**

## **98 Presiding officer to maintain order**

- (1) The presiding officer shall maintain order and be responsible for the observance of standing orders during a meeting.

- (2) The presiding officer's decision on any point of order shall not be open to appeal.
- (3) A decision of the presiding officer on any point of order may only be reviewed by the States by debate upon a proposition lodged for that purpose.

## **99 Behaviour of members during meeting**

- (1) <sup>86</sup>
- (2) A member of the States must –
  - (a) enter and leave the Chamber with decorum;
  - (b) bow to the presiding officer when entering or leaving the Chamber;
  - (c) stand in his or her place while the presiding officer is entering or leaving the Chamber, unless unable to do so, by reason of illness or infirmity; or
  - (d) sit down and remain silent whenever the presiding officer is speaking.
- (3) A member of the States must not –
  - (a) cross the floor of the Chamber or cross between the member speaking and the presiding officer;
  - (b) consume food or drink in the Chamber, except that a member may drink a glass of water;
  - (c) read any book, newspaper, periodical or other document in the Chamber unless its content is directly relevant to the business of the States;
  - (d) converse noisily or otherwise act in a way which, in the opinion of the presiding officer, disturbs the proceedings of the States;
  - (e) have with him or her in the Chamber any mobile telephone or other electronic device unless the telephone or device is –
    - (i) switched off, or
    - (ii) in such mode that it will not emit any sound or otherwise cause any disturbance to the proceedings of the States; or
  - (f) use any mobile telephone or other electronic device in such a way as to impair decorum or otherwise cause any disturbance to the proceedings of the States.<sup>87</sup>

## **100 Member speaking**

- (1) A member of the States who wishes to speak in a debate shall wait to be called by the presiding officer.
- (2) A member shall stand to speak and all other members shall remain seated while he or she is speaking.
- (3) A member shall address his or her speech to the presiding officer.

- (4) The presiding officer may permit a member who is ill or infirm to remain seated whilst speaking.

### **101 Interruptions**

- (1) A member of the States may only interrupt the member speaking –
  - (a) in order to raise a point of order or a matter of privilege or immunity that requires an immediate ruling by the presiding officer;
  - (b) in order to draw the presiding officer's attention to the fact that the States are inquorate; or
  - (c) if the member speaking agrees to give way –
    - (i) in order to explain any material part of his or her own speech, or
    - (ii) in order to ask the member speaking to elucidate a matter raised in his or her speech.
- (2) When a point of order or a matter of privilege or immunity is raised, the member who was speaking shall sit down while the presiding officer considers the point.

### **102 Proposition, proposal or nomination must be seconded**

- (1) Every proposition, proposal and nomination must be seconded by a member of the States after the proposer has moved or made it, unless standing orders provide otherwise.
- (2) A proposition, proposal or nomination that is not seconded is taken to have been withdrawn.

### **103 Member cannot speak twice in debate**

- (1) A member of the States cannot speak twice in a debate.
- (2) However –
  - (a) the proposer of a proposition may reply at the conclusion of a debate on it;
  - (b) a member of the States who has seconded a proposition by rising in his or her place without speaking may speak at a later stage of the debate upon the proposition;
  - (c) a member who has spoken in a debate on a proposition which, in the case of a draft enactment, was suspended or, in any case, was the subject of a reference back or a decision to move to the next item, may speak again when the debate resumes;
  - (d) a member may, with the leave of the presiding officer, speak again in a debate in order to explain any material part of his or her speech which the member believes may have been misunderstood but, when speaking again, must not introduce any new matter;
  - (e) in a debate upon a proposition of no confidence in or to censure, suspend or expel a member of the States, the member who is the



subject to the proposition may speak again before the proposer replies at the conclusion of the debate;

- (f) in a debate upon a proposition of no confidence in the Council of Ministers or in any committee or panel established by standing orders the Chief Minister or the chairman or president of the committee or panel, as the case requires, may speak again before the proposer replies at the conclusion of the debate.<sup>88</sup>

#### **104 Contents of speech**

- (1) A speech by a member of the States must be relevant to the business being discussed.
- (2) A member of the States must not –
  - (a) unduly repeat his or her own arguments or the arguments of others;
  - (b) use offensive or insulting language about any member of the States;
  - (c) impute improper motives, directly or by innuendo, to any member of the States;
  - (d) refer to the private affairs of any member of the States, unless they are of direct relevance to the business being discussed;
  - (e) use the name of Her Majesty the Queen or the Lieutenant-Governor in order to seek to influence the States;
  - (f) refer to the conduct of Her Majesty the Queen, any other member of the Royal Family, any member of the States or any Jurat or other person performing judicial functions, unless the debate is upon a proposition the purpose of which is to discuss such conduct;
  - (g) refer to a case pending in a court of law in such a way as might prejudice the case;
  - (h) seek, within a debate, to re-open discussion of, a decision of the States made within the preceding 3 months, unless the debate is upon a proposition to rescind the decision; or
  - (i) refer to any individual who is not a member of the States by name, unless use of the individual's name is unavoidable and of direct relevance to the business being discussed.

#### **105 Modes of reference to other members of the States**

A member of the States shall refer to elected members in the following manner –

- (a) a Senator, by name;
- (b) a Connétable, by the name of the parish he or she represents;
- (c) a Deputy who is the sole Deputy of a parish, by the name of the parish,
- (d) a Deputy who is not the sole Deputy of a parish, by name.

**106 Declaration of interest**

- (1) A member of the States who has, or whose spouse or civil partner or cohabitee has, an interest in the subject matter of a proposition must –
  - (a) if it is a direct financial interest –
    - (i) declare the interest, and
    - (ii) withdraw from the Chamber for the duration of the debate and any vote on the proposition;
  - (b) if it is not a direct financial interest, but a financial interest which is general, indirect or shared with a large class of persons, declare the interest;
  - (c) if it is an interest which is not financial, declare the interest.<sup>89</sup>
- (2) A member of the States asking or answering an oral or written question and who has a financial interest in, or whose spouse or civil partner or cohabitee has a financial interest in, the subject matter of the question must declare the interest.<sup>90</sup>
- (3) All declarations must be made as soon as possible.
- (4) A financial interest in any subject matter is direct if it is immediate or personal to the person concerned.
- (5) A member of the States is not required to declare any interest of his or her spouse or civil partner or cohabitee of which the member is not aware.<sup>91</sup>
- (6) The Greffier shall record declarations in the minutes.

**107 Presiding officer's powers in relation to matters which are sub judice**

The presiding officer may direct that members of the States shall not refer to matters relevant to any proceedings pending in any court.

**108 Presiding officer's powers in relation to irrelevant or repetitious speeches**

- (1) The presiding officer shall warn a member of the States whose speech –
  - (a) is not relevant to the business being discussed; or
  - (b) unduly repeats the member's own arguments or the arguments of others.
- (2) If the member disregards the warning, the presiding officer shall direct the member to discontinue his or her speech.

**109 Presiding officer's power to direct withdrawal of offensive etc words<sup>92</sup>**

- (1) If the presiding officer believes that the member of the States speaking has used offensive, objectionable, unparliamentary or disorderly words, the presiding officer shall direct the member speaking to sit down.
- (2) If a member of the States, believing that the member speaking has used offensive, objectionable, unparliamentary or disorderly words, has, on a point of order, drawn the attention of the presiding officer to them, the presiding officer shall direct the member speaking to sit down.

- (3) The presiding officer may ask the member who was speaking to explain the sense in which he or she used the words.
- (4) The presiding officer shall then determine whether or not the words are offensive, objectionable, unparliamentary or disorderly.
- (5) If the presiding officer determines that the words are offensive, objectionable, unparliamentary or disorderly, he or she –
  - (a) shall direct the member to withdraw the words; and
  - (b) may direct the member to apologise.
- (6) The member must withdraw the words and, if so directed, apologise.
- (7) If, having made a determination under paragraph (4) that the words are offensive, objectionable, unparliamentary or disorderly, the presiding officer is of the opinion that the words consist of or include a name in contravention of standing order 104(2)(i), he or she may direct that such name is omitted from the transcript of the meeting.<sup>93</sup>

#### **109A Presiding officer's powers in relation to use of visual aids<sup>94</sup>**

- (1) The presiding officer may, subject to paragraph (2), permit the use of an item as a visual aid by a member of the States, whilst that member is speaking in the Chamber.
- (2) The presiding officer shall not permit the use or display in the Chamber of any item which, in his or her judgment, is offensive, objectionable or unparliamentary either in itself or by implication, having regard in particular to all or any of the following considerations, namely whether –
  - (a) the use of the item may trivialise the proceedings of the States or may bring those proceedings into disrepute;
  - (b) the item visibly displays the name of a manufacturer or brand;
  - (c) the item or its use obstructs the proceedings of the States or the normal business of members in entering, leaving and using the Chamber.

#### **110 Presiding officer's power to require withdrawal from Chamber<sup>95</sup>**

The presiding officer may require a member of the States to withdraw from the Chamber, either for the remainder of the day or for a lesser period, if the member has –

- (a) obstructed the meeting;
- (b) conducted himself or herself in a grossly disorderly manner;
- (c) used offensive, objectionable, unparliamentary or disorderly words and refused, when directed by the presiding officer, to withdraw the words or apologise;
- (d) persistently or wilfully refused to conform to any standing order; or
- (e) persistently or wilfully disregarded the authority of the presiding officer.

**111 Proposal to suspend member following withdrawal from Chamber<sup>96</sup>**

- (1) Where the presiding officer has required a member of the States to withdraw from the Chamber, another member of the States may propose without notice that, the requirement to withdraw being insufficient sanction for the actions of the member, the member be suspended from the service of the States.
- (1A) The member of the States proposing the suspension must also propose the duration of the suspension.<sup>97</sup>
- (2) The proposal may only be made on the meeting day or continuation day following the day on which the member is required to withdraw.
- (3) The States may decide to debate the proposal immediately or later in the same meeting, or to list the proposal for debate at another meeting.

**PART 6****PROCESS FOR SELECTION AND APPOINTMENT OF MINISTERS,  
COMMITTEES AND PANELS****112 Order of and time for selection and appointment following ordinary election**

- (1) When, by virtue of the Law and standing orders, selections and appointments must be made following an ordinary election, they shall be made in the order and at the meeting described in the following table –

<i>Order of selection or appointment</i>	<i>When</i>
1. selection of Chief Minister designate	Meeting commenced within the period of 21 days following the ordinary election (1st meeting)
2. selection of Ministers 3. appointment of chairman of the PPC 4. appointment of chairman of the PAC 5. appointment of chairmen of scrutiny panels in the order in which the panels appear in standing order 135(1) 5AA. appointment of chairman of Planning Committee 5A. appointment of chairman of the Jersey Overseas Aid Commission	Meeting commenced 2 clear working days after the close of the 1st meeting (2nd meeting)
6. appointment of president of the chairmen's committee	3rd meeting <sup>98</sup>

<p>7. appointment of members of the PPC</p> <p>8. appointment of elected members as members of the PAC</p> <p>9. appointment of members of scrutiny panels, in the order in which the chairmen of the panels are appointed</p> <p>9A. appointment of members of Planning Committee</p> <p>10. appointment of 2 States commissioners of the Jersey Overseas Aid Commission</p>	
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- (2) The 3rd and 4th meetings need not be in the same session as the 1st and 2nd meetings.

#### **112A Limit on number of Ministers and Assistant Ministers<sup>99</sup>**

The number of individuals prescribed for the purposes of Article 25A(1) of the Law is 21.

#### **113 Time for selection of Chief Minister and ministers other than following ordinary election**

- (1) The period within which the States must select an elected member for appointment as Chief Minister following any event described in Article 19(2) of the Law (other than an ordinary election) is 7 clear working days.<sup>100</sup>
- (2) The States must then select elected members for appointment as ministers at a meeting convened 2 clear working days after the close of the meeting at which the Chief Minister is selected.
- (3) The prescribed period for the purposes of Article 23(1) of the Law is the period which begins during the meeting when the States are informed of a resignation or vacancy or a vacancy arises, and ends upon the closure of the following meeting.
- (4) The prescribed period for the purposes of Article 23(2) of the Law is 8 weeks.

NOTE: Article 23(1) and (2) of the Law states –

“(1) Where a Minister resigns or a vacancy arises in the office of Minister the Chief Minister shall, within the prescribed period, nominate an elected member for appointment as Minister, proposing also the Ministerial office to which that person would be assigned.

- (2) The Chief Minister shall not be required to make a nomination under paragraph (1) where, within the prescribed period following

the resignation or vacancy, the States are required to make a selection under Article 19(1).”

#### **114 Filling casual vacancies**

- (1) This standing order applies to the filling of a casual vacancy in any of the following offices –
  - (a) chairman of the PPC;
  - (b) chairman of the PAC;
  - (c) chairman of a scrutiny panel;
  - (d) president of the chairmen’s committee;
  - (e) member of the PPC.
  - (f) chairman of the Planning Committee.<sup>101</sup>
- (2) The States shall appoint a replacement at the meeting during which, as the case may be, the office holder resigns or the presiding officer informs the States of the vacancy, or at the following meeting.
- (3) If there is more than one vacancy to be filled the States shall make the appointments in the order in which they would be made following an ordinary election.

#### **115 Chief Minister: nominations**

- (1) A nomination of an elected member as a candidate for the office of Chief Minister must be –
  - (a) made by at least 6 elected members;
  - (b) in writing, signed by the elected members making it;
  - (c) accompanied by a statement provided by the candidate setting out –
    - (i) the candidate’s vision for a strategic policy, and
    - (ii) the manner in which the candidate would propose to discharge his or her responsibilities as Chief Minister;and
  - (d) submitted to the Greffier no later than 5 p.m. on the working day that is 5 clear working days before the day the meeting during which the selection is to be made commences.<sup>102</sup>
- (2) When the time for submission of nominations has expired the Greffier shall circulate to members details of the nominations submitted and copies of the statements which accompanied them.
- (3) In this standing order “elected member” –
  - (a) includes a person who has been elected as a Senator, Deputy or Connétable, but who has not yet taken his or her oath of office; and
  - (b) does not include a Senator, Deputy or Connétable whose term of office expires upon a person mentioned in sub-paragraph (a) taking his or her oath of office.

**116 Chief Minister: selection process**

- (1) The presiding officer shall ask the Greffier to read out the nominations for the office of Chief Minister.
- (2) If there is only one candidate –
  - (a) the presiding officer shall invite the candidate to speak for up to 10 minutes;
  - (b) after the candidate has spoken, the presiding officer shall allow up to one hour for elected members to question the candidate;
  - (c) when the candidate's speech and the members' questions are concluded, the candidate is taken to have been selected as the Chief Minister designate.<sup>103</sup>
- (3) If there is more than one candidate, the presiding officer shall then draw lots to determine the order in which they shall be invited to speak.
- (4) The presiding officer shall then invite each candidate to speak for up to 10 minutes.
- (5) After a candidate has spoken, the presiding officer shall allow up to one hour for elected members to question the candidate.<sup>104</sup>
- (6) While a candidate is speaking or being questioned, other candidates must withdraw from the Chamber to a place where they cannot hear the proceedings in it.
- (7) When the speeches and questions are concluded, a recorded vote shall be taken.<sup>105</sup>
- (8) The candidate who receives more than half of the votes cast is selected as Chief Minister designate.
- (9) If no candidate is selected by a recorded vote, the candidate with the lowest number of votes shall withdraw from the contest and a further recorded vote shall be taken.<sup>106</sup>
- (10) If, in the circumstances described in paragraph (9), there are 2 or more candidates who receive the same number of votes as each other, but fewer votes than all the other candidates, there shall be a recorded vote to select which of them shall remain in the contest and the candidate who receives the fewest votes shall withdraw from it.<sup>107</sup>
- (11) A member may withdraw his or her candidacy at any time.
- (12) In the event that, by reason of the withdrawal of a candidate, only one candidate remains, the remaining candidate is selected as Chief Minister designate.

NOTE: By virtue of Article 19(7) of the Law, the Chief Minister designate is appointed to office as Chief Minister upon the States selecting the last Minister required to complete the constitution of the Council of Ministers.

**117 Ministers: selection process**

- (1) The Ministerial offices are –

Economic Development, Tourism, Sport and Culture

Education

Environment

External Relations

Health and Social Services

Home Affairs

Housing

Infrastructure

Social Security

Treasury and Resources.<sup>108</sup>

- (2) The Chief Minister designate shall deliver to the Greffier a declaration, in the order in which he or she wishes the States to vote on them, of –
- (a) the Chief Minister designate's intended nominations; and
  - (b) his or her proposals as to the Ministerial office to which each nominee would be assigned.<sup>109</sup>
- (2A) The declaration shall be delivered no later than 9.30 a.m. on the last working day before the day on which the meeting to select the Ministers commences.<sup>110</sup>
- (2B) The Chief Minister designate may, in the declaration, state the reasons for his or her nominations and proposals, but need not do so.<sup>111</sup>
- (2C) The Greffier shall, as soon as possible –
- (a) distribute a copy of a declaration delivered under paragraph (2) to members of the States; and
  - (b) publish the declaration on the website on which the Greffier publishes information about the States.<sup>112</sup>
- (2D) The distribution required by paragraph (2C)(a) may be in electronic format.<sup>113</sup>
- (2E) At the meeting to select the Ministers, the presiding officer shall invite the Chief Minister to read out his or her declaration.<sup>114</sup>
- (3) The presiding officer shall then invite the Chief Minister designate to make each of his or her nominations and propose the Ministerial office to which the nominee would be assigned.
- (4) After the Chief Minister designate has made a nomination and proposal, the presiding officer shall invite elected members to nominate other candidates for appointment as a Minister and assignment to the Ministerial office proposed.
- (5) If only one person is nominated for appointment as a Minister and assignment to the Ministerial office proposed –
- (a) the presiding officer shall invite the nominated person to speak for up to 10 minutes;
  - (b) after the nominated person has spoken, the presiding officer shall allow up to 20 minutes for elected members to question the nominated person;



- (c) when the nominated person's speech and the members' questions are concluded, the nominated person is taken to have been selected for appointment as the Minister and assignment to the Ministerial office proposed.<sup>115</sup>
- (6) If more than one person is nominated, the presiding officer shall then, according to the order in which the candidates were nominated, invite each candidate to speak for up to 10 minutes.
- (7) After a candidate has spoken, the presiding officer shall allow up to 20 minutes for elected members to question the candidate.
- (8) While a candidate is speaking or being questioned, other candidates must withdraw from the Chamber to a place where they cannot hear the proceedings in it.
- (9) When the speeches and questions are concluded, a recorded vote shall be taken.<sup>116</sup>
- (10) The candidate who receives more than half of the votes cast is selected for appointment and assignment to the Ministerial office proposed.
- (11) If no candidate receives more than half of the votes cast, the candidate with the lowest number of votes shall withdraw from the contest and a further recorded vote shall be taken.<sup>117</sup>
- (12) If, in the circumstances described in paragraph (11), there are 2 or more candidates who receive the same number of votes as each other, but fewer votes than all the other candidates, a recorded vote shall be taken to select which of them shall remain in the contest and the candidate who receives the fewest votes shall withdraw from it.<sup>118</sup>
- (13) A candidate may withdraw his or her candidacy at any time.
- (14) In the event that, by reason of the withdrawal of a candidate, only one candidate remains, that remaining candidate is selected for appointment and assignment to the Ministerial office proposed.
- (15) If, during the process, the States select a candidate who was not nominated by the Chief Minister designate, the presiding officer shall invite the Chief Minister designate to make a further announcement, in the order in which he or she wishes the States to vote on them, of his or her remaining nominations and proposals for assignment to the remaining Ministerial offices.
- (16) The order, nominations and proposals in respect of the remaining appointments and assignments may differ from those previously announced by the Chief Minister designate.
- (17) If, for any reason apart from his or her appointment to office as Chief Minister, the Chief Minister designate ceases to be such, the procedure under this standing order shall cease.

NOTE: Article 19(6) and (7) of the Law states –

- “(6) The Chief Minister designate may, at any time before his or her appointment to office under paragraph (7), inform the States of his or her wish to step down and, upon doing so, shall cease to be Chief Minister designate.

- (7) Upon the States making the last selection under paragraph (5) required to complete the constitution of the Council of Ministers, the Chief Minister designate and the persons selected are appointed to office.”
- (17A) A person who is selected for appointment in accordance with paragraph (5) shall, no later than the expiry of the period of 3 working days following the day of his or her appointment, deliver to the Greffier a statement of his or her proposed policies as Minister.<sup>119</sup>
- (17B) The Greffier shall, as soon as possible, distribute a copy of a declaration delivered under paragraph (17A) to members of the States.<sup>120</sup>
- (18) This process shall also apply, with the necessary modifications, in the event of one or more vacancies in the office of Minister or the establishment of a Minister.<sup>121</sup>

### **117A Adjournment following selection of Ministers<sup>122</sup>**

After the selection of Ministers under standing order 117 is complete, the presiding officer shall invite the members of the States to decide whether to adjourn immediately and continue –

- (a) at a later time on the same day; or
- (b) at 9.30 a.m. on the next working day.

### **118 Chairman of the PPC: appointment process**

- (1) The presiding officer shall invite elected members to make nominations for the office of chairman of the PPC.
- (2) If only one person is nominated for the office of chairman of the PPC –
  - (a) the presiding officer shall invite the nominated person to speak for up to 10 minutes;
  - (b) after the nominated person has spoken, the presiding officer shall allow up to 20 minutes for elected members to question the nominated person;
  - (c) when the nominated person’s speech and the members’ questions are concluded, the nominated person is taken to have been appointed as chairman of the PPC.<sup>123</sup>
- (3) If more than one person is nominated, the presiding officer shall then, according to the order in which the candidates were nominated, invite each candidate to speak for up to 10 minutes.
- (4) After a candidate has spoken, the presiding officer shall allow up to 20 minutes for elected members to question the candidate.
- (5) While a candidate is speaking or being questioned, other candidates must withdraw from the Chamber to a place where they cannot hear the proceedings in it.
- (6) When the speeches and questions are concluded, a recorded vote shall be taken.<sup>124</sup>

- (7) The candidate who receives more than half of the votes cast is appointed as chairman of the PPC.
- (8) If no candidate receives more than half of the votes cast, the candidate with the lowest number of votes shall withdraw from the contest and a further recorded vote shall be taken.<sup>125</sup>
- (9) If, in the circumstances described in paragraph (8), there are 2 or more candidates who receive the same number of votes as each other, but fewer votes than all the other candidates, a recorded vote shall be taken to select which of them shall remain in the contest and the candidate who receives the fewest votes shall withdraw from it.<sup>126</sup>
- (10) A member may withdraw his or her candidacy at any time.
- (11) In the event that, by reason of the withdrawal of a candidate, only one candidate remains, the remaining candidate is appointed as chairman of the PPC.

### **119 Chairman of the PAC: appointment process**

- (1) The presiding officer shall invite elected members to make nominations for the office of chairman of the PAC.
- (2) If only one person is nominated for the office of chairman of the PAC –
  - (a) the presiding officer shall invite the nominated person to speak for up to 10 minutes;
  - (b) after the nominated person has spoken, the presiding officer shall allow up to 20 minutes for elected members to question the nominated person;
  - (c) when the nominated person's speech and the members' questions are concluded, the nominated person is taken to have been appointed as chairman of the PAC.<sup>127</sup>
- (3) If more than one person is nominated, the presiding officer shall then, according to the order in which the candidates were nominated, invite each candidate to speak for up to 10 minutes.
- (4) After a candidate has spoken, the presiding officer shall allow up to 20 minutes for elected members to question the candidate.
- (5) While a candidate is speaking or being questioned, other candidates must withdraw from the Chamber to a place where they cannot hear the proceedings in it.
- (6) When the speeches and questions are concluded, a recorded vote shall be taken.<sup>128</sup>
- (7) The candidate who receives more than half of the votes cast is appointed as chairman of the PAC.
- (8) If no candidate receives more than half of the votes cast, the candidate with the lowest number of votes shall withdraw from the contest and a further recorded vote shall be taken.<sup>129</sup>
- (9) If, in the circumstances described in paragraph (8), there are 2 or more candidates who receive the same number of votes as each other, but fewer

votes than all the other candidates, a recorded vote shall be taken to select which of them shall remain in the contest and the candidate who receives the fewest votes shall withdraw from it.<sup>130</sup>

- (10) A candidate may withdraw his or her candidacy at any time.
- (11) In the event that, by reason of the withdrawal of a candidate, only one candidate remains, the remaining candidate is appointed as chairman of the PAC.

## **120 Chairman of a scrutiny panel: appointment process**

- (1) The presiding officer shall invite elected members to make nominations for the office of chairman of the scrutiny panel.
- (2) If only one person is nominated for the office of chairman of a scrutiny panel –
  - (a) the presiding officer shall invite the nominated person to speak for up to 10 minutes;
  - (b) after the nominated person has spoken, the presiding officer shall allow up to 20 minutes for elected members to question the nominated person;
  - (c) when the nominated person's speech and the members' questions are concluded, the nominated person is taken to have been appointed as chairman of that scrutiny panel.<sup>131</sup>
- (3) If more than one person is nominated, the presiding officer shall then, according to the order in which the candidates were nominated, invite each candidate to speak for up to 10 minutes.
- (4) After a candidate has spoken, the presiding officer shall allow up to 20 minutes for elected members to question the candidate.
- (5) While a candidate is speaking, or being questioned, other candidates must withdraw from the Chamber to a place where they cannot hear the proceedings in it.
- (6) When the speeches and questions are concluded, a recorded vote shall be taken.<sup>132</sup>
- (7) The candidate who receives more than half of the votes cast is appointed as chairman of the scrutiny panel.
- (8) If no candidate receives more than half of the votes cast, the candidate with the lowest number of votes shall withdraw from the contest and a further recorded vote shall be taken.<sup>133</sup>
- (9) If, in the circumstances described in paragraph (8), there are 2 or more candidates who receive the same number of votes as each other, but fewer votes than all the other candidates, a recorded vote shall be taken to select which of them shall remain in the contest and the candidate who receives the fewest votes shall withdraw from it.<sup>134</sup>
- (10) A candidate may withdraw his or her candidacy at any time.

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- (11) In the event that, by reason of the withdrawal of a candidate, only one candidate remains, the remaining candidate is appointed as chairman of the scrutiny panel.

**120AA Chairman of Planning Committee: appointment process<sup>135</sup>**

- (1) The presiding officer shall invite elected members to make nominations for the office of chairman of the Planning Committee.
- (2) If only one person is nominated for the office of chairman of the Planning Committee –
  - (a) the presiding officer shall invite the nominated person to speak for up to 10 minutes;
  - (b) after the nominated person has spoken, the presiding officer shall allow up to 20 minutes for elected members to question the nominated person;
  - (c) when the nominated person's speech and the members' questions are concluded, the nominated person is taken to have been appointed as chairman of the Planning Committee.<sup>136</sup>
- (3) If more than one person is nominated, the presiding officer shall then, according to the order in which the candidates were nominated, invite each candidate to speak for up to 10 minutes.
- (4) After a candidate has spoken, the presiding officer shall allow up to 20 minutes for elected members to question the candidate.
- (5) While a candidate is speaking, or being questioned, other candidates must withdraw from the Chamber to a place where they cannot hear the proceedings in it.
- (6) When the speeches and questions are concluded, a recorded vote shall be taken.
- (7) The candidate who receives more than half of the votes cast is appointed as chairman of the Planning Committee.
- (8) If no candidate receives more than half of the votes cast, the candidate with the lowest number of votes shall withdraw from the contest and a further recorded vote shall be taken.
- (9) If, in the circumstances described in paragraph (8), there are 2 or more candidates who receive the same number of votes as each other, but fewer votes than all the other candidates, a recorded vote shall be taken to select which of them shall remain in the contest and the candidate who receives the fewest votes shall withdraw from it.
- (10) A candidate may withdraw his or her candidacy at any time.
- (11) In the event that, by reason of the withdrawal of a candidate, only one candidate remains, the remaining candidate is appointed as chairman of the Planning Committee.<sup>137</sup>

**120A Chairman of Jersey Overseas Aid Commission: appointment process<sup>138</sup>**

- (1) The presiding officer shall invite elected members to make nominations for the office of chairman of the Jersey Overseas Aid Commission.
- (2) If only one person is nominated for the office of chairman of the Jersey Overseas Aid Commission –
  - (a) the presiding officer shall invite the nominated person to speak for up to 10 minutes;
  - (b) after the nominated person has spoken, the presiding officer shall allow up to 20 minutes for elected members to question the nominated person;
  - (c) when the nominated person's speech and the members' questions are concluded, the nominated person is taken to have been appointed as chairman of the Jersey Overseas Aid Commission.<sup>139</sup>
- (3) If more than one person is nominated, the presiding officer shall then, according to the order in which the candidates were nominated, invite each candidate to speak for up to 10 minutes.
- (4) After a candidate has spoken, the presiding officer shall allow up to 20 minutes for elected members to question the candidate.
- (5) While a candidate is speaking, or being questioned, other candidates must withdraw from the Chamber to a place where they cannot hear the proceedings in it.
- (6) When the speeches and questions are concluded, an open ballot shall be taken.
- (7) The candidate who receives more than half of the votes cast is appointed as chairman of the Jersey Overseas Aid Commission.
- (8) If no candidate receives more than half of the votes cast, the candidate with the lowest number of votes shall withdraw from the contest and a further open ballot shall be taken.
- (9) If, in the circumstances described in paragraph (8), there are 2 or more candidates who receive the same number of votes as each other, but fewer votes than all the other candidates, an open ballot shall be taken to select which of them shall remain in the contest and the candidate who receives the fewest votes shall withdraw from it.
- (10) A candidate may withdraw his or her candidacy at any time.
- (11) In the event that, by reason of the withdrawal of a candidate, only one candidate remains, the remaining candidate is appointed as chairman of the Jersey Overseas Aid Commission.

**121 President of the chairmen's committee: appointment process<sup>140</sup>**

- (1) The presiding officer shall invite elected members to make nominations for the office of president of the chairmen's committee from amongst the persons who are members of that committee.<sup>141</sup>
- (2) If only one person is nominated for the office of president of the chairmen's committee –

- (a) the presiding officer shall invite the nominated person to speak for up to 10 minutes;
  - (b) after the nominated person has spoken, the presiding officer shall allow up to 20 minutes for elected members to question the nominated person;
  - (c) when the nominated person's speech and the members' questions are concluded, the nominated person is taken to have been appointed as president of the chairmen's committee.<sup>142</sup>
- (3) If more than one person is nominated, the presiding officer shall then, according to the order in which the candidates were nominated, invite each candidate to speak for up to 10 minutes.
- (4) After a candidate has spoken, the presiding officer shall allow up to 20 minutes for elected members to question the candidate.
- (5) While a candidate is speaking or being questioned, other candidates must withdraw from the Chamber to a place where they cannot hear the proceedings in it.
- (6) When the speeches and questions are concluded, a recorded vote shall be taken.<sup>143</sup>
- (7) The candidate who receives more than half of the votes cast is appointed as the president of the chairmen's committee.
- (8) If no candidate receives more than half of the votes cast, the candidate with the lowest number of votes shall withdraw from the contest and a further recorded vote shall be taken.<sup>144</sup>
- (9) If, in the circumstances described in paragraph (8), there are 2 or more candidates who receive the same number of votes as each other, but fewer votes than all the other candidates, a recorded vote shall be taken to select which of them shall remain in the contest and the candidate who receives the fewest votes shall withdraw from it.<sup>145</sup>
- (10) A candidate may withdraw his or her candidacy at any time.
- (11) In the event that, by reason of the withdrawal of a candidate, only one candidate remains, the remaining candidate is appointed as president of the chairmen's committee.

## **122 Membership of the PPC: appointment process<sup>146</sup>**

- (1) The chairman of the PPC shall nominate 3 elected members, who are neither Ministers or Assistant Ministers, as candidates for membership of the PPC.
- (2) The presiding officer shall invite elected members to nominate other elected members who are neither Ministers or Assistant Ministers as candidates.
- (3) If there are no other elected members nominated who are neither Ministers or Assistant Ministers, the 3 elected members nominated under paragraph (1) are appointed as members of the PPC.

- (4) Otherwise, if there are more than 3 candidates who are neither Ministers or Assistant Ministers, there shall be a secret ballot and the 3 candidates who receive the highest number of votes are appointed as members.
- (5) The chairman of the PPC shall then, after consultation with the Chief Minister, nominate 2 elected members, who are each a Minister or an Assistant Minister, as candidates for membership of the PPC.
- (6) The presiding officer shall invite elected members to nominate other elected members, who are either Ministers or Assistant Ministers, as candidates.
- (7) If there are no other elected members nominated who are either Ministers or Assistant Ministers, the 2 elected members nominated under paragraph (5) are appointed as members of the PPC.
- (8) Otherwise, if there are more than 2 candidates who are each a Minister or Assistant Minister there shall be a secret ballot and the 2 candidates who receive the highest number of votes are appointed as members of the PPC.
- (9) The chairman of the PPC shall then, after consultation with the president of the chairmen's committee, nominate a member of the chairmen's committee as a candidate for membership of the PPC.
- (10) The presiding officer shall invite elected members to nominate other members of the chairmen's committee as candidates.
- (11) If no other members of the chairmen's committee are nominated the member nominated under paragraph (9) is appointed as a member of the PPC.
- (12) Otherwise, if there are 2 or more candidates who are members of the chairmen's committee there shall be a secret ballot and the candidate who receive the highest number of votes is appointed as member.
- (13) In a ballot an elected member shall have the same number of votes as there are members to appoint, although a member need not use all of his or her votes.
- (14) In the event that 2 or more candidates receive the same number of votes in a ballot, being a number which, if received by one candidate, would be the lowest number of votes required for that candidate to be appointed as a member, there shall be a further secret ballot between those candidates, and the candidate receiving the greater number of votes shall be appointed as a member of the PPC.
- (15) This process shall also apply, with the necessary modifications, in the event of one or more vacancies in the membership of the PPC.

### **123 Elected members of the PAC: appointment process**

- (1) The chairman of the PAC shall –
  - (a) indicate the number of elected members (being not less than 2) that he or she wishes to have as members of the PAC; and



- 
- (b) nominate that number of elected members (who are neither Ministers or Assistant Ministers) as candidates for appointment as members of the PAC.
  - (2) The presiding officer shall invite elected members to nominate other candidates.
  - (3) If no other candidates are nominated, the persons nominated by the chairman of the PAC are appointed as members of the PAC.
  - (4) If other candidates are nominated there shall be a secret ballot and the number of candidates required to complete the membership of the PAC who receive the highest number of votes are appointed as members of the PAC.
  - (5) In a ballot an elected member shall have the same number of votes as there are members to appoint, although a member need not use all of his or her votes.
  - (6) In the event that 2 or more candidates receive the same number of votes in a ballot, being a number which, if received by one candidate, would be the lowest number of votes required for that candidate to be appointed as a member, there shall be a further secret ballot between those candidates and the candidate receiving the greater number of votes shall be appointed as a member of the PAC.
  - (7) This process shall also apply, with the necessary modifications, whenever the chairman of the PAC wishes to appoint one or more members of the PAC from amongst the elected members.

#### **124 Unelected members of the PAC: appointment process**

- (1) The chairman of the PAC shall, at least 14 days before the meeting during which the unelected members of the PAC are to be appointed, give notice to the Greffier of the persons he or she intends to nominate for such membership.
- (2) Any other elected member may, at least 2 clear working days before that meeting, give notice to the Greffier of the person or persons he or she intends to nominate for such membership.
- (3) The Greffier shall distribute to members of the States information he or she receives about intended nominations.
- (4) At the meeting, the chairman of the PAC shall make his or her nominations in accordance with the notice given to the Greffier.
- (5) An elected member who has given notice to the Greffier may make his or her nominations in accordance with it.
- (6) If no other candidates are nominated, the persons nominated by the chairman of the PAC are appointed as members of the PAC.
- (7) If other candidates are nominated there shall be a secret ballot and the number of candidates required to complete the membership of the PAC who receive the highest number of votes are appointed as members of the PAC.

- (8) In a ballot an elected member shall have the same number of votes as there are members to appoint, although a member need not use all of his or her votes.
- (9) In the event that 2 or more candidates receive the same number of votes in a ballot, being a number which, if received by one candidate, would be the lowest number of votes required for that candidate to be appointed as a member, there shall be a further secret ballot between those candidates and the candidate receiving the greater number of votes shall be appointed as a member of the PAC.
- (10) This process shall also apply, with the necessary modifications, whenever the chairman of the PAC wishes to appoint one or more unelected members of the PAC.

### **125 Members of scrutiny panel: appointment process**

- (1) The chairman of the scrutiny panel shall indicate the number of members (not exceeding 4) that he or she wishes the panel to have and shall nominate elected members who are neither Ministers or Assistant Ministers as candidates for appointment as those members.
- (2) The presiding officer shall invite elected members to nominate other candidates.
- (3) If no other candidates are nominated the persons nominated by the chairman of the scrutiny panel are appointed as members of the scrutiny panel.
- (4) If other candidates are nominated there shall be a secret ballot and the number of candidates equal to the number of members the panel is to have who receive the highest number of votes are appointed as members of the scrutiny panel.
- (5) In a ballot an elected member shall have the same number of votes as there are members to appoint, although a member need not use all of his or her votes.
- (6) In the event that 2 or more candidates receive the same number of votes in a ballot, being a number which, if received by one candidate, would be the lowest number of votes required for that candidate to be appointed as a member of the scrutiny panel, there shall be a further secret ballot between those candidates and the candidate receiving the greater number of votes shall be appointed as a member of the scrutiny panel.
- (7) This process shall also apply, with the necessary modifications, whenever the chairman of a scrutiny panel wishes to appoint one or more members of the panel (provided that the membership does not exceed 4).

### **125A Members of Planning Committee: appointment process<sup>147</sup>**

- (1) The chairman of the Planning Committee shall indicate the number of members (not less than 3 and not more than 9) that he or she wishes the committee to have and shall nominate elected members as candidates for appointment as those members.

- (2) The presiding officer shall invite elected members to nominate other candidates.
- (3) If no other candidates are nominated the persons nominated by the chairman of the Planning Committee are appointed as members of that Committee.
- (4) If other candidates are nominated there shall be a secret ballot and the number of candidates equal to the number of members the committee is to have who receive the highest number of votes are appointed as members of the Planning Committee.
- (5) In a ballot an elected member shall have the same number of votes as there are members to appoint, although a member need not use all of his or her votes.
- (6) In the event that 2 or more candidates receive the same number of votes in a ballot, being a number which, if received by one candidate, would be the lowest number of votes required for that candidate to be appointed as a member of the committee, there shall be a further secret ballot between those candidates and the candidate receiving the greater number of votes shall be appointed as a member of the Planning Committee.
- (7) This process shall also apply, with the necessary modifications, whenever the chairman of the Planning Committee wishes to appoint one or more members of the committee (provided that the membership does not exceed 9).<sup>148</sup>

#### **126 States commissioners of the Jersey Overseas Aid Commission<sup>149</sup>**

- (1) The presiding officer shall invite the chairman of the Jersey Overseas Aid Commission to propose 2 elected members that he or she recommends for appointment as States commissioners of the Jersey Overseas Aid Commission.
- (2) The States shall then decide whether to appoint each of the elected members that have been proposed.
- (3) If the States decide not to appoint either or both of the elected members proposed under paragraph (1), the presiding officer shall invite the chairman of the Jersey Overseas Aid Commission to make a fresh proposal under that paragraph of one or 2 elected members for such appointment.
- (4) This process shall be repeated until the States have appointed 2 elected members as States commissioners of the Jersey Overseas Aid Commission.
- (5) This process shall also apply, with the necessary modifications, in the event of a vacancy in the office of States commissioner of the Jersey Overseas Aid Commission.

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## PART 7

### COMMITTEES AND PANELS

#### 127 Privileges and Procedures Committee: establishment and constitution

- (1) There shall be a Privileges and Procedures Committee which shall consist of –
  - (a) a chairman, who must be an elected member who is not a Minister or Assistant Minister; and
  - (b) 6 other members, who must be elected members, of whom –
    - (i) 3 are not Ministers or Assistant Ministers,
    - (ii) 2 are Ministers or Assistant Ministers, and
    - (iii) one is a member of the chairmen's committee.<sup>150</sup>
- (2) The States shall appoint the chairman and members of the PPC.
- (3) The PPC shall appoint one of its members as vice chairman.
- (4) The vice chairman shall discharge the functions of the chairman during –
  - (a) the temporary absence or incapacity of the chairman; or
  - (b) a vacancy in the office of chairman.

#### 128 Privileges and Procedures Committee: terms of reference

The terms of reference of the PPC are –

- (a) to keep under review the composition, the practices and the procedures of the States as Jersey's legislature and bring forward for approval by the States amendments to the Law and standing orders as considered appropriate;
- (b) to keep under review the rules for enfranchisement and for the conduct of elections and to bring forward for approval by the States amendments to the Public Elections (Jersey) Law 2002<sup>151</sup> as considered appropriate;
- (c) to be responsible, in accordance with Article 24B of the Public Finances Law, for the preparation of the estimates of income and expenditure for the States and their services, and to ensure that the budget of the States is utilised in the most effective and cost-effective manner possible;
- (d) to be responsible for the provision of accommodation, services and facilities for members of the States and to bring forward for approval, as appropriate, recommendations for improvements and changes to these facilities;
- (e) to liaise as necessary with any person or body directed by the States to review the remuneration and expenses of elected members on all matters relating to such remuneration and expenses, and to bring forward for approval, as necessary, proposals relating to the terms of reference of any such person or body or to the arrangements relating to the remuneration of elected members;

- (f) to take the necessary steps for the enforcement of the code of conduct for members of the States and in this context to promote high standards amongst members of the States and to champion and defend the privileges of members of the States;
- (g) to be responsible for the provision of information to the public about the work of the States and the work of the Council of Ministers, the scrutiny panels, and the PAC, and to keep these public information services under review;
- (h) to keep under review the procedures and enactments relating to public access to official information and the procedures relating to access to information for elected members;
- (i) to produce, in consultation with the Bailiff, the chairmen's committee and the Greffier, an annual report on the work of the States and of committees and panels established by standing orders and present the report to the States.<sup>152</sup>

**129 Privileges and Procedures Committee: term of office and resignation of chairman or member**

- (1) Every member of the PPC shall hold office until the beginning of the 1st meeting following the next ordinary election unless he or she resigns or otherwise ceases to hold office earlier.
- (2) A member of the PPC may resign –
  - (a) during a meeting of the States, by personally informing the States; or
  - (b) by giving written notice to the Bailiff.
- (3) Where a member of the PPC gives written notice of his or her resignation to the Bailiff, the presiding officer shall inform the States of the resignation at the next meeting of the States.
- (4) The member vacates office when the States are informed of his or her resignation.
- (5) The chairman of the PPC shall cease to hold office upon any of the following events –
  - (a) ceasing to be a member of the States;
  - (b) his or her appointment as a Minister or Assistant Minister; or
  - (c) the States deciding that they have no confidence in the chairman or in the PPC.
- (6) Any other member of the PPC shall cease to hold office upon any of the following events –
  - (a) ceasing to be a member of the States;
  - (b) his or her appointment as a Minister or Assistant Minister if, at the time of his or her appointment as a member of the PPC, he or she was not a Minister or Assistant Minister;

- (c) his or her ceasing to be a Minister or Assistant Minister if, at the time of his or her appointment as a member of the PPC, he or she was a Minister or Assistant Minister;
- (ca) his or her ceasing to be a member of the chairmen's committee, if he or she was eligible for appointment, and appointed, to the PPC by virtue of being a member of the chairmen's committee;
- (d) the States deciding that they have no confidence in the PPC; or
- (e) the filling of a casual vacancy in the office of chairman of the PPC.<sup>153</sup>

### **130 Privileges and Procedures Committee: proceedings**

- (1) The quorum of the PPC is 4.
- (2) Each member of the PPC has one vote.
- (3) If a vote is tied, it shall be taken to have been lost.
- (4) The chairman shall decide when the PPC is to meet, but the PPC shall not meet at any time when the States are meeting except with the leave of the States.
- (5) If the chairman and vice chairman are absent from a meeting of the PPC, the members present shall select one of their number to chair the meeting.
- (6) A member of the PPC who has, or whose spouse or civil partner or cohabitee has, an interest in any subject matter discussed by the PPC during a meeting must –
  - (a) if it is a direct financial interest –
    - (i) declare the interest, and
    - (ii) withdraw from the meeting for the duration of the discussion and whilst any decision is taken on the subject matter;
  - (b) if it is not a direct financial interest, but a financial interest which is general, indirect or shared with a large class of persons, declare the interest;
  - (c) if it is an interest which is not financial, declare the interest.<sup>154</sup>
- (7) All declarations must be made as soon as possible.
- (8) A financial interest in any subject matter is direct if it is immediate or personal to the person concerned.
- (9) The public may observe a meeting of the PPC, unless the PPC decides otherwise.
- (10) A member of the States who is not a member of the PPC may observe any of its meetings, but must withdraw at any time when the PPC is discussing any matter or information which, by virtue of any enactment or code, the PPC is entitled to discuss in private.

### **131 Public Accounts Committee: establishment and constitution**

- (1) There shall be a Public Accounts Committee which shall consist of –

- (a) a chairman, who must be an elected member who is not a Minister or Assistant Minister; and
- (b) an even number of members, determined by the chairman (but not less than 4) of whom –
  - (i) 50% must be elected members who are not Ministers or Assistant Ministers, and
  - (ii) 50% must be persons who are not members of the States.
- (2) The States shall appoint the chairman and members of the PAC.
- (3) The PAC shall appoint one of its members as vice chairman.
- (4) The vice chairman shall discharge the functions of the chairman during –
  - (a) the temporary absence or incapacity of the chairman; or
  - (b) a vacancy in the office of chairman.

### **132 Public Accounts Committee: terms of reference**

- (1) The terms of reference of the PAC are –
  - (a) to receive reports from the Comptroller and Auditor General on –
    - (i) the results of the audit of the annual financial statement of the States,
    - (ii) the results of any other audits by the Comptroller and Auditor General,
    - (iii) the annual accounts of the Social Security Fund, the Social Security (Reserve) Fund and the Health Insurance Fund,and to report to the States upon any significant issues arising from those reports;
  - (b) to receive reports from the Comptroller and Auditor General on the results of investigations into the economy, efficiency and effectiveness achieved in the use of resources by –
    - (i) States funded bodies,
    - (ii) independently audited States bodies (apart from those that are companies owned and controlled by the States), and
    - (iii) States aided independent bodies;
  - (c) to assess –
    - (i) whether public funds have been applied for the purpose intended by the States, and
    - (ii) whether extravagance and waste are being eradicated and sound financial practices applied throughout the administrations of the States;
  - (d) to receive reports from the Comptroller and Auditor General on the adequacy of the corporate governance arrangements within –
    - (i) the States,
    - (ii) States funded bodies,
    - (iii) independently audited States bodies, and

- (iv) States aided independent bodies.
- (2) In this standing order –
  - “Health Insurance Fund” has the same meaning as in the Health Insurance (Jersey) Law 1967<sup>155</sup>;
  - “Social Security Fund” and “Social Security (Reserve) Fund” have the same meaning as in the Social Security (Jersey) Law 1974<sup>156</sup>;
  - “States funded bodies”, “independently audited States bodies” and “States aided independent bodies” have the same meaning as in the Public Finances Law.<sup>157</sup>

### **133 Public Accounts Committee: term of office and resignation of chairman or member**

- (1) Every member of the PAC shall hold office until the beginning of the 1st meeting following the next ordinary election unless he or she resigns or otherwise ceases to hold office earlier.
- (2) A member of the PAC who is an elected member may resign –
  - (a) during a meeting of the States, by personally informing the States; or
  - (b) by giving written notice to the Bailiff.
- (3) A member of the PAC who is not a member of the States may resign by giving written notice to the Bailiff.
- (4) Where a member of the PAC gives written notice of his or her resignation to the Bailiff, the presiding officer shall inform the States of the resignation at the next meeting of the States.
- (5) The member vacates office when the States are informed of his or her resignation.
- (6) The chairman of the PAC shall cease to hold office upon any of the following events –
  - (a) ceasing to be a member of the States;
  - (b) his or her appointment as a Minister or Assistant Minister; or
  - (c) the States deciding that they have no confidence in the chairman or in the PAC.
- (7) Any other member of the PAC who is an elected member shall cease to hold office upon any of the following events –
  - (a) ceasing to be a member of the States;
  - (b) his or her appointment as a Minister or Assistant Minister;
  - (c) the States deciding that they have no confidence in the PAC; or
  - (d) the filling of a casual vacancy in the office of chairman of the PAC.
- (8) A member of the PAC who is not a member of the States shall cease to hold office upon any of the following events –
  - (a) his or her becoming a member of the States;



- (b) the States deciding that they have no confidence in the PAC; or
- (c) the filling of a casual vacancy in the office of chairman of the PAC.

#### **134 Public Accounts Committee: proceedings**

- (1) The quorum of the PAC shall be one half of its membership, rounded up to the next whole number, of whom at least 2 must be members who are elected members.
- (2) Each member of the PAC has one vote.
- (3) If a vote is tied, it shall be taken to have been lost.
- (4) The chairman shall decide when the PAC is to meet, but the PAC shall not meet at any time when the States are meeting except with the leave of the States.
- (5) If the chairman and vice chairman are absent from a meeting, the members present shall select one of the members who is an elected member to chair the meeting.
- (6) The PAC shall comply with any code of practice prepared by the chairmen's committee and approved by the States.
- (7) The public may observe a meeting of or hearing conducted by the PAC, unless the PAC decides otherwise.
- (8) A member of the States who is not a member of the PAC may observe any of its meetings or hearings, but must withdraw at any time when the PAC is discussing or hearing any matter or information which, by virtue of any enactment or code, the PAC is entitled to discuss or hear in private.

#### **135 Scrutiny panels: establishment and constitution**

- (1) There shall be –
  - (a) a scrutiny panel which is assigned the topics of corporate services, corporate policies and external relations;
  - (b) a scrutiny panel which is assigned the topics of economic affairs and economic development;
  - (c) a scrutiny panel which is assigned the topics of education, sport and culture and home affairs;
  - (d) a scrutiny panel which is assigned the topics of environment, housing and infrastructure;
  - (e) a scrutiny panel which is assigned the topics of health and social services and social security.<sup>158</sup>
- (2) Each scrutiny panel shall consist of –
  - (a) a chairman, who must be an elected member who is not a Minister or Assistant Minister; and

- (b) a number of members determined by the chairman of the panel (but not more than 4) who must be elected members who are not Ministers or Assistant Ministers.
- (3) An elected member cannot be a member of more than 2 scrutiny panels and can only be chairman of one.
- (4) The States shall appoint the chairman and members of a scrutiny panel.
- (5) A scrutiny panel shall appoint one of its members as vice chairman.
- (6) The vice chairman shall discharge the functions of the chairman during –
  - (a) the temporary absence or incapacity of the chairman; or
  - (b) a vacancy in the office of chairman.

### **136 Scrutiny panels: terms of reference**

The terms of reference of a scrutiny panel are, in relation to the topics assigned to it –

- (a) to hold reviews into such issues and matters of public importance as it, after consultation with the chairmen's committee, may decide;
- (b) to consider the existing and proposed policy of the Council of Ministers;
- (c) to scrutinize draft Laws and draft subordinate enactments which are to be made by the States and consider possible amendments to them, if appropriate;
- (d) to scrutinize subordinate enactments which have been made by a Minister;
- (e) to scrutinize international conventions and agreements before they are extended to Jersey;
- (f) to scrutinize a draft medium term financial plan, a draft budget and other financial proposals of the Council of Ministers;
- (g) if appropriate, to report to the States upon any matter reviewed, considered or scrutinized by the panel and make recommendations in respect of the matter; and
- (h) to liaise, through the chairmen's committee, with the PAC so as to ensure appropriate co-ordination of the scrutiny function.<sup>159</sup>

### **137 Scrutiny panel: term of office and resignation of chairman or member**

- (1) Every member of a scrutiny panel shall hold office until the beginning of the 1st meeting following the next ordinary election unless he or she resigns or otherwise ceases to hold office earlier.
- (2) A member of a scrutiny panel may resign –
  - (a) during a meeting of the States, by personally informing the States; or
  - (b) by giving written notice to the Bailiff.

- (3) Where a member of a scrutiny panel gives written notice of his or her resignation to the Bailiff, the presiding officer shall inform the States of the resignation at the next meeting of the States.
- (4) The member vacates office when the States are informed of his or her resignation.
- (5) The chairman of a scrutiny panel shall cease to hold office upon any of the following events –
  - (a) ceasing to be a member of the States;
  - (b) his or her appointment as a Minister or Assistant Minister; or
  - (c) the States deciding that they have no confidence in the chairman or in the scrutiny panel.
- (6) Any other member of a scrutiny panel shall cease to hold office upon any of the following events –
  - (a) ceasing to be a member of the States;
  - (b) his or her appointment as a Minister or Assistant Minister;
  - (c) the States deciding that they have no confidence in the scrutiny panel; or
  - (d) the filling of a casual vacancy in the office of chairman of the scrutiny panel.

### **138 Scrutiny panel: proceedings**

- (1) The quorum of a scrutiny panel shall be one half of its members, rounded up to the next whole number.
- (2) Each member of a scrutiny panel has one vote.
- (3) If a vote is tied, it shall be taken to have been lost.
- (4) The chairman shall decide when a scrutiny panel is to meet, but a scrutiny panel shall not meet at any time when the States are meeting except with the leave of the States.
- (5) If the chairman and vice chairman are absent from a meeting, the members present shall select one of their number to chair the meeting.
- (5A) A scrutiny panel may, from time to time, co-opt onto the panel one elected member who, is not a Minister or Assistant Minister, for the purpose of the panel's review, consideration or scrutiny of a particular matter of which the elected member has, in the view of the panel, experience or knowledge.<sup>160</sup>
- (5B) A co-option shall be for the duration of the panel's review, consideration or scrutiny of the particular matter for which the co-option is made, unless the panel decides to end it earlier.<sup>161</sup>
- (5C) An elected member co-opted onto a scrutiny panel shall, for the duration of the co-option, be a member of the panel, but shall only participate in proceedings of the panel which are for the review, consideration or scrutiny of the particular matter for which the co-option is made.<sup>162</sup>

- (6) The public may observe a meeting of or hearing by a scrutiny panel, unless the scrutiny panel decides otherwise.
- (7) A member of the States who is not a member of a scrutiny panel may observe any of its meetings or hearings, but must withdraw at any time when it is discussing or hearing any matter or information which, by virtue of any enactment or code, it is entitled to discuss or hear in private.

### **139 Scrutiny panels: establishment of sub-panels**

- (1) A scrutiny panel may establish a sub-panel to review, consider, scrutinize or report or liaise upon any particular matter.
- (2) A scrutiny panel may appoint an elected member who is not a member of the scrutiny panel or a Minister or Assistant Minister to be a member of a sub-panel.
- (3) A scrutiny panel may not allocate any of its resources to a sub-panel without the agreement of the chairmen's committee.

### **140 Scrutiny panels: appointment of member to undertake review etc.**

A scrutiny panel –

- (a) may appoint one of its members to review, consider, scrutinize or report or liaise upon any particular matter; but
- (b) may not allocate any of its resources to the member for the purpose without the agreement of the chairmen's committee.

### **141 Code of practice for scrutiny panels**

A scrutiny panel, a sub-panel of a scrutiny panel and any member of a scrutiny panel appointed to undertake any review shall comply with any code of practice that is expressed to apply to scrutiny panels, prepared by the chairmen's committee (whether or not in conjunction with the Council of Ministers) and, as the case requires, approved by or presented to the States.<sup>163</sup>

### **141A Planning Committee: establishment and constitution<sup>164</sup>**

- (1) There shall be a Planning Committee which shall consist of –
  - (a) a chairman, who must be an elected member who does not hold an office described in paragraph (2); and
  - (b) a number of members determined by the chairman of that Committee (but not less than 3 and not more than 9) who must be elected members none of whom holds an office described in paragraph (2).
- (2) An elected member cannot be the chairman or a member of the Planning Committee if he or she is also –
  - (a) a Minister;

- (b) an Assistant Minister to the Minister who for the time being discharges the Ministerial functions relating to planning under the Planning and Building (Jersey) Law 2002<sup>165</sup>; or
  - (c) a member of the scrutiny panel described in standing order 135(1)(d).
- (3) The States shall appoint the chairman and members of the Planning Committee.
- (4) The Planning Committee shall appoint one of its members as vice chairman.
- (5) The vice chairman shall discharge the functions of the chairman during –
  - (a) the temporary absence or incapacity of the chairman; or
  - (b) a vacancy in the office of chairman.<sup>166</sup>

**141B Planning Committee: term of office and resignation of chairman or member<sup>167</sup>**

- (1) Every member of the Planning Committee shall hold office until the beginning of the 1st meeting following the next ordinary election unless he or she resigns or otherwise ceases to hold office earlier.
- (2) A member of the Planning Committee may resign –
  - (a) during a meeting of the States, by personally informing the States; or
  - (b) by giving written notice to the Bailiff.
- (3) Where a member of the Planning Committee gives written notice of his or her resignation to the Bailiff, the presiding officer shall inform the States of the resignation at the next meeting of the States.
- (4) The member vacates office when the States are informed of his or her resignation.
- (5) The chairman of the Planning Committee shall cease to hold office upon any of the following events –
  - (a) ceasing to be an elected member;
  - (b) his or her appointment to an office described in standing order 141A(2); or
  - (c) the States deciding that they have no confidence in the chairman or in the Planning Committee.
- (6) Any other member of the Planning Committee shall cease to hold office upon any of the following events –
  - (a) ceasing to be an elected member;
  - (b) his or her appointment to an office described in standing order 141A(2);
  - (c) the States deciding that they have no confidence in the Planning Committee; or
  - (d) the filling of a casual vacancy in the office of chairman of the Planning Committee.<sup>168</sup>

**142 Chairmen's committee: establishment and constitution**

- (1) There shall be a chairmen's committee which shall consist of –
  - (a) the chairman of the PAC, by virtue of his or her office;
  - (b) each chairman of a scrutiny panel, by virtue of his or her office.<sup>169</sup>
- (2) The States shall appoint the president of the chairmen's committee.<sup>170</sup>
- (3) The chairmen's committee shall appoint one of their number to be vice president.<sup>171</sup>

**143 Chairmen's committee: terms of reference**

The terms of reference of the chairmen's committee are –

- (a) to act as a co-ordinating body for the work of the PAC, scrutiny panels and review panels, to ensure that there is no unintended overlap in the work undertaken by them and to ensure that all aspects of the work of the Council of Ministers are, over time, reviewed;
- (b) to oversee the prioritization and allocation of resources to the PAC, scrutiny panels and review panels;
- (c) to keep under review the operation of the scrutiny function and, as appropriate, to make recommendations for change;
- (d) to co-ordinate the preparation of an annual report on the work of the PAC and scrutiny panels for inclusion in the annual report produced by the PPC upon the work of the States and of committees and panels established by standing orders;
- (e) to maintain close contact with the Council of Ministers and to ensure that –
  - (i) the PAC and scrutiny panels are kept aware of the future work programme of the Council, and
  - (ii) the Council of Ministers is kept aware of the future work programme of the PAC and scrutiny panels;
- (f) to –
  - (i) prepare and keep under review, in conjunction with the Council of Ministers, a code of practice for engagement, for the purposes of scrutiny, between scrutiny panels and review panels and Ministers and Assistant Ministers,
  - (ii) prepare and keep under review, in conjunction with the Council of Ministers, a code of practice for engagement between the PAC and Ministers, Assistant Ministers and States' employees working in an administration of the States for which a Minister is assigned responsibility, and
  - (iii) lodge each code of practice for approval by the States;
- (g) to prepare, keep under review and present to the States –
  - (i) a code of practice for the proceedings of scrutiny panels and review panels (apart from the engagement described in paragraph (f)(i)), and

- (ii) a code of practice for the proceedings of the PAC (apart from the engagement described in paragraph (f)(ii)).<sup>172</sup>

**144** <sup>173</sup>

**145 Chairmen's committee: proceedings**

- (1) The quorum of the chairmen's committee shall be one half of its members, rounded up to the next whole number.
- (2) Each member of the committee has one vote.
- (3) If a vote is tied, it shall be taken to have been lost.
- (4) The president shall decide when the committee is to meet, but the committee shall not meet at any time when the States are meeting except with the leave of the States.
- (5) The committee shall decide whether to allow the public to observe any or any part of its meetings.
- (6) A member of the States who is not a member of the committee may observe any of its meetings, but must withdraw at any time when it is discussing any matter or information which, by virtue of any enactment or code, it is entitled to discuss in private.
- (7) If the president and vice president are absent from a meeting, the members present shall select one of their number to preside at the meeting.

**145A Review panels: establishment and constitution**<sup>174</sup>

- (1) The chairmen's committee may establish review panels.
- (2) A review panel may be established for the purpose of reviewing a particular proposal, issue or project, determined by the chairmen's committee.
- (3) The proposal, issue or project may be one –
  - (a) that falls within the topics assigned to more than one scrutiny panel;
  - (b) that falls within the topics assigned to one scrutiny panel, if the chairman of that panel has assented to the establishment of the review panel.
- (4) The chairmen's committee shall appoint elected members as the members of a review panel.
- (5) Ministers and Assistant Ministers cannot be members of review panels.
- (6) The chairmen's committee may disband a review panel at any time.

**145B Review panels: terms of reference and proceedings**<sup>175</sup>

- (1) A review panel must, with the agreement of the chairmen's committee –

- (a) appoint one of its members as chairman;
  - (b) set terms of reference for the review that it is established to conduct; and
  - (c) set a date by which the review should be completed.
- (2) In preparing its terms of reference, a review panel must also consult with a scrutiny panel if the proposal, issue or project to be reviewed by the review panel falls within a topic assigned to that scrutiny panel.
- (3) A review panel shall prepare a report upon the proposal, issue or project assigned to it.
- (4) The review panel shall present the report to the chairmen's committee.
- (5) The chairmen's committee shall present the report to the States.
- (6) A review panel shall comply with any code of practice that is expressed to apply to review panels, prepared by the chairmen's committee (whether or not in conjunction with the Council of Ministers) and, as the case requires, approved by or presented to the States.

#### **146 Committee of inquiry: appointment**

- (1) The States may appoint a committee of inquiry to inquire into a definite matter of public importance and report on it to the States.
- (2) The States may appoint persons who are not members of the States to be members of a committee of inquiry.
- (3) A committee of inquiry shall consist of at least one but not more than 5 persons.
- (4) If a committee of inquiry consists of one person, that person shall be the chairman and the quorum.
- (5) Otherwise, the States may direct –
  - (a) which of the persons appointed to the committee shall be its chairman;
  - (b) which of the persons appointed to the committee shall preside in the absence of the chairman; and
  - (c) the number of persons who shall form a quorum of the committee.
- (6) A person appointed to a committee of inquiry shall, before the inquiry commences, take the following oath before the Bailiff –

“You swear and promise before God that you will well and faithfully discharge your duties as a member of the committee of inquiry to inquire into [.....]”.
- (7) A member of a committee of inquiry may resign, with immediate effect, by giving written notice to the Bailiff.
- (8) The presiding officer shall inform the States of the resignation at their next meeting.
- (9) A committee of inquiry shall disband upon submitting to the States its final report upon its inquiry.



**147 Committee of inquiry: proceedings**

- (1) A committee of inquiry may regulate its own procedure for the conduct and management of its proceedings including, but not limited to, venue and adjournments.
- (2) Proceedings before a committee of inquiry shall be held in public unless the committee, in the interests of justice or the public interest, decides that all or any part of the proceedings shall be in private.
- (3) Where proceedings are held in private only persons who, in the opinion of the committee of inquiry, are necessary to the conduct of those proceedings may remain.
- (4) Where proceedings are held in public the committee of inquiry may exclude any person or class of persons from those proceedings if it is satisfied that it is desirable to do so for the preservation of order, for the proper conduct of the proceedings or for the protection of the person, property or reputation of any witness in, or any person referred to in, the proceedings.

**148 Committee of inquiry: right of Attorney General to appear**

The Attorney General or any person acting on the Attorney General's behalf may at any time appear before a committee of inquiry on any matter which, to the Attorney General, appears to be relevant to the inquiry.

**149 Committee of inquiry: legal representation**

A committee of inquiry may, if it considers it desirable, give leave to any person appearing before it to be represented by an advocate or solicitor or by a person who holds a qualification or authorization that entitles the person to practise law in another jurisdiction.<sup>176</sup>

**150 Committee of inquiry: remuneration and expenses**

The Minister for Treasury and Resources may give directions as to –

- (a) the remuneration (if any) of a member of a committee of inquiry;
- (b) the expenses that a committee of inquiry may incur; and
- (c) how such remuneration and expenses are to be funded.

**151 Duties of Greffier in relation to committees and panels**

- (1) The Greffier shall make an officer available to assist the PPC and keep minutes of its proceedings.
- (2) The Greffier shall make an officer available to assist the PAC and keep minutes of its proceedings.
- (3) The Greffier shall make officers available to assist scrutiny panels as required.

- (4) The Greffier shall make an officer available to assist the chairmen's committee and keep minutes of its proceedings.
- (4A) The Greffier may make an officer available to keep minutes of the proceedings of the Planning Committee.<sup>177</sup>
- (5) The Greffier may make an officer available to a committee of inquiry to perform such duties connected with the inquiry as the chairman of that committee may direct.
- (6) The Greffier may appoint persons to assist a committee of inquiry.<sup>178</sup>

## **PART 8**

### **REGISTER OF INTERESTS AND CODE OF CONDUCT<sup>179</sup>**

#### **152 Elected members' interests that must be registered**

- (1) Schedule 2 has effect to specify interests that must be registered by an elected member.
- (2) The requirement to register applies to all interests, whether received, arising, held or owned within or outside Jersey.
- (3) If the requirement to register depends upon an interest having a monetary value in excess of a specified amount, and the elected member does not know the exact value of the interest but believes it to be in the region of the specified amount, he or she must register the interest.
- (4) An elected member is not required to provide information regarding the monetary value of any interest that must be registered, but may do so if he or she wishes.
- (5) An elected member is not required to register any interest of his or her spouse or civil partner or cohabitee of which the elected member is not aware.<sup>180</sup>

#### **153 Process for registering member's interests**

- (1) An elected member must, not less than 30 days after the day on which he or she takes the oath of office as a Senator, Connétable or Deputy (whether following his or her election or re-election), complete a return of his or her interests that must be registered and submit it to the Greffier.
- (2) An elected member must notify the Greffier, in writing, of any change in or addition to his or her interests that must be registered (apart from a shareholding), not less than 30 days after the change or addition occurs.
- (3) An elected member must notify the Greffier, in writing, of the acquisition of a shareholding that must be registered, not less than 30 days after the acquisition.
- (4) An elected member must –
  - (a) notify the Greffier, in writing, not less than 30 days after becoming aware that a shareholding must be registered; and

- (b) in any event, review the value of his or her shareholdings, and those of his or her spouse or civil partner or cohabitee of which the member is aware, not less than once in every 12 months, in order to determine whether or not they must be registered.<sup>181</sup>
- (5) An elected member may include in his or her return of interests, or notify the Greffier at any time of, any interest which, although not required to be registered, is in the opinion of the member an interest which should be disclosed to the public.

**154 Greffier to maintain register**

- (1) The Greffier shall keep a register in which he or she enters all returns submitted and information notified by elected members regarding their interests.
- (2) Any person may inspect the register at the offices of the States Greffe during normal working hours.
- (3) The Greffier –
  - (a) shall publish the register on the internet website maintained by the Greffier on behalf of the States; and
  - (b) may make further arrangements for its publication.<sup>182</sup>

**155 Code of conduct for elected members<sup>183</sup>**

An elected member shall at all times comply with the code of conduct set out in Schedule 3.

**156 Complaint about conduct of an elected member<sup>184</sup>**

- (1) Any person may complain to the PPC that an elected member has breached the code of conduct.
- (2) The PPC shall not accept any complaint –
  - (a) which is made anonymously;
  - (b) which, in the opinion of the PPC, is frivolous, vexatious or unsubstantiated; or
  - (c) from a person who is not a member of the States, regarding words spoken by or actions of an elected member during a meeting.

**157 Investigation of breach of code of conduct<sup>185</sup>**

- (1) Where the PPC has information, whether or not received from a complainant, that suggests that an elected member may have acted in breach of the code of conduct it shall, without undue delay, inform the member and investigate the act.
- (2) The PPC may appoint a panel of 3 persons to investigate the act and report upon it to the PPC.

- (3) One of the persons appointed must be a member of the States, although he or she need not be a member of the PPC.
- (4) The other persons appointed may or may not be members of the PPC or of the States.
- (5) The PPC shall appoint a member of the panel who is also a member of the States to be chairman of the panel.
- (6) If the elected member whose act is to be investigated is a member of the PPC, he or she shall take no part in the investigation or the appointment of any person to undertake the investigation.
- (7) If a member of the PPC is the complainant, or is otherwise connected with or was involved in the act to be investigated, he or she shall take no part in the investigation or the appointment of any panel to undertake the investigation.
- (8) The fact that the PPC has appointed a panel to investigate the act shall not prevent the PPC conducting any part of the investigation itself.
- (9) The elected member whose act is being investigated shall have the right to address the persons conducting the investigation, whether they are the PPC or a panel, and, when doing so, to be accompanied by a person of his or her choice.

#### **158 Outcome of investigation<sup>186</sup>**

- (1) When an investigation is complete and the panel (if any) appointed to conduct it has reported to the PPC –
  - (a) the elected member whose act has been investigated shall have the right to address the PPC and, when doing so, may be accompanied by a person of his or her choice; and
  - (b) the PPC shall review the matter and form an opinion as to whether or not he or she has breached of the code of conduct.
- (2) The PPC –
  - (a) shall inform the elected member of its opinion and of the reasons for it; and
  - (b) may report the opinion and reasons, and any action taken by the PPC, to the States.
- (3) A report may be presented to the States in writing or made orally by the chairman of the PPC in a statement.

## **PART 9**

### **RECORDS OF MEETINGS**

#### **159 Greffier to keep minutes of meetings**

- (1) The Greffier shall keep minutes of meetings.

- (2) The minutes shall record all decisions taken and every other matter required by standing orders to be recorded.

#### **160 Greffier to prepare transcript of meeting**

- (1) The Greffier shall prepare a written transcript of a meeting.
- (2) The transcript shall include –
  - (a) all questions and answers, whether written or oral;
  - (b) all matters of privilege raised; and
  - (c) all public business.
- (3) The transcript may also include –
  - (a) such other business as the Greffier, after consultation with the PPC, if necessary, considers appropriate; and
  - (b) any supporting or illustrative material that a speaker has distributed to members of the States during a debate.
- (3A) If the presiding officer has directed the omission of a name under standing order 109(7), the transcript shall not include that name and such omission shall be marked in the transcript as follows –

“[name omitted in accordance with standing order 160(3A)]”.<sup>187</sup>
- (4) A transcript of any part of a meeting conducted in camera shall not be made public, unless the States decide otherwise.

#### **161 Greffier to keep documents and make them available.**

- (1) The Greffier shall –
  - (a) keep all propositions lodged and all reports, comments and other documents presented; and
  - (b) unless the States decide otherwise make any such document available for inspection by members of the States and other persons.
- (2) The Greffier may provide any person with a copy of a document made available for inspection, and charge a fee for doing so.

## **PART 10**

### **MISCELLANEOUS PROVISIONS**

#### **162 Form and content of declaration by candidate for election**

The declaration that a person seeking election as a Senator or Deputy is required to make at the time of his or her nomination shall be in the form set out in Schedule 4.

**163 Petitions by members of the public**

The procedures for presentation of a petition are set out in Schedule 1.

**164 Suspension of member of the States<sup>188</sup>**

- (1) A member of the States who is suspended must leave the precincts of the States immediately and, during the period of suspension, not return.
- (2) A member of the States who is suspended cannot, during the period of suspension –
  - (a) discharge the functions of any Ministerial office, or of membership of any committee or panel, to which he or she is appointed in accordance with these standing orders; or
  - (b) in his or her own right –
    - (i) lodge a proposition,
    - (ii) give any question to the Greffier, or give notice to the Greffier of any question, that is to be answered by the tabling of a written reply in a meeting or orally during a meeting, or
    - (iii) present any report or comment to the States.
- (3) For the purposes of provision being made for the discharge of the functions mentioned in paragraph (2)(a), the member of the States who is suspended shall be taken to be temporarily absent during the period of suspension.
- (4) A member of the States who is suspended on a second occasion during a 3 year term shall, whilst suspended, receive one half of the remuneration and allowances to which he or she would otherwise be entitled as a member.
- (5) A member of the States who is suspended on a third or subsequent occasion during a 3 year term shall not, whilst suspended, receive any remuneration or allowance to which he or she would otherwise be entitled as a member.
- (6) The maximum period for which a member may be suspended is –
  - (a) in the case of a 1st suspension during a 3 year term, 7 days;
  - (b) in the case of a 2nd suspension during a 3 year term, 14 days;
  - (c) in the case of a 3rd or subsequent suspension during a 3 year term, 28 days.
- (7) The day on which a suspension occurs shall count as the 1st day of the suspension.
- (8) A period of suspension lapses upon the expiry of the member concerned's term of office.
- (9) A reference in this standing order to a 3 year term is a reference to any period commencing upon the persons elected in an ordinary election taking the oath of office and ending upon the persons elected in the following ordinary election taking the oath of office.

**165 Duty of Viscount relating to removal or exclusion of member of the States<sup>189</sup>**

The Viscount or, in his or her absence, any person instructed by the presiding officer to assist, shall act upon such orders as he or she receives from the presiding officer during a meeting and from the Bailiff at any other time to ensure –

- (a) that a member of the States, when required to do so, leaves the Chamber or the precincts of the States immediately; and
- (b) that a member of the States who is suspended does not enter the precincts of the States.

**166 Effect of suspension of standing order**

The suspension of a standing order shall cease to have effect as soon the purpose of the suspension has been fulfilled or the matter to which the suspension relates has been concluded, as the case may be.

**167 Decisions on matters not provided for**

- (1) The Bailiff shall decide any question of order or procedure which is not provided for in standing orders.
- (2) However, if any such question arises during a meeting and requires an immediate decision the presiding officer shall make it.
- (3) In either case the decision –
  - (a) shall not be open to appeal; and
  - (b) can only be reviewed upon a proposition lodged for the purpose.
- (4) The Greffier shall record a decision made by the Bailiff or presiding officer on a question of order or procedure not provided for in standing orders.

**168 Land transactions**

- (1) This standing order applies to the following actions –
  - (a) the acquisition, disposal, letting or rental of land on behalf of the public of Jersey (other than the agreement of altered boundaries);
  - (b) the agreement of boundaries, or of altered boundaries, on behalf of the public of Jersey;
  - (c) the acquisition, grant, variation or cancellation of rights or servitudes over land on behalf of the public of Jersey;
  - (ca) the renewal, extension, variation or cancellation of any lease of land on behalf of the public of Jersey;
  - (cb) the provision of consent, on behalf of the public of Jersey, to a land transaction that is not included in sub-paragraph (a) to (ca);
  - (d) the approval of plans for the construction or alterations of buildings where the work is to be funded wholly or partly by money voted by the States.<sup>190</sup>

- (2) The prior agreement of the States shall not be needed for any of the actions if –
  - (a) the action is recommended by a body established by the States to manage land and buildings owned by the public of Jersey; and
  - (b) the recommendation is accepted by the Minister for Infrastructure.<sup>191</sup>
- (3) The Minister for Infrastructure must, at least 15 working days before any binding arrangement is made for an action described in paragraph (1)(a) which does not, by virtue of paragraph (2), require the prior agreement of the States, present to the States a document setting out the recommendation which he or she has accepted.<sup>192</sup>
- (4) Nothing in this standing order requires the States to agree, or the Minister for Infrastructure to accept or present to the States any information regarding, the grant, renewal, extension, variation or cancellation of a tenancy that is terminable upon giving 3 months' notice or less.<sup>193</sup>
- (5) The Attorney General and the Greffier may, under the authority of the Minister for Infrastructure, pass any contract which is required to be passed on behalf of the public of Jersey.<sup>194</sup>
- (6) In paragraphs (1)(ca) and (4), the references to the renewal of a lease or tenancy includes a reference to the grant of a lease or tenancy of land to a person, where the term of the lease or tenancy commences on the expiry of the term of an earlier lease or tenancy and the earlier lease or tenancy was of the same land and to the same person.<sup>195</sup>

#### **169 Duty of Greffier regarding Law adopted in 3rd reading**

When a draft Law has been adopted by the States in 3rd reading the Greffier shall ensure that the draft Law is sent to the Clerk to Her Majesty in Council.

#### **170 Duty of Greffier in relation to internet publishing**

- (1) The Greffier shall maintain an internet website for the States.
- (2) The Greffier shall publish on the website information about members of the States and the work of the States.
- (3) The Greffier shall publish the following documents on the website at the following times –
  - (a) a document presented to or laid before the States (apart from a subordinate enactment), as soon as possible after it is presented;
  - (b) no later than Tuesday in each week –
    - (i) a list of documents presented to the States, and
    - (ii) a list of propositions lodged, during the 7 days ending with the preceding Friday;
  - (c) a proposition, as soon as possible after it is lodged.
- (4) The Greffier shall publish transcripts of meetings on the website (apart from any part of a transcript which may not be made public).



**171 Duty of Greffier regarding seating plan**

The Greffier shall keep a plan of the seats in the Chamber designated to members.

**172 Further duties of Greffier**

The Greffier shall perform any other duties, in the service of the States, that the States order or the Bailiff directs.

**173 Strangers entering precincts of the States**

- (1) A stranger shall enter and leave the precincts of the States with decorum.
- (2) A stranger may be denied entry to the precincts of the States if he or she is accompanied by any animal (apart from an assistance animal).
- (3) A stranger may be denied entry to the precincts of the States or required to leave the precincts of the States if, when asked by a security agent appointed on behalf of the States, he or she refuses to allow or does not co-operate with, a search of his or her person and belongings.
- (4) A stranger, whilst in the precincts of the States, must not –
  - (a) cause any damage to the building, furniture or fittings;
  - (b) deposit, throw down or leave (other than in a receptacle provided for the purpose) any paper or other refuse;
  - (c) behave or be clothed in an unsuitable manner;
  - (d) create or join in any disturbance which interrupts or is likely to interrupt a meeting;
  - (e) throw or discharge any object or substance;
  - (f) use any musical instrument or any apparatus for the transmission, reception, reproduction or amplification of sound, apart from a hearing aid;
  - (g) without the leave of the States, take a photograph or record a moving image;
  - (h) switch on or use a mobile telephone, pager or any other electronic communication device;
  - (i) eat or drink;
  - (j) smoke any pipe, cigar or cigarette;
  - (k) express audible approval or disapproval of the proceedings of the States; or
  - (l) disobey any lawful order given to him by or on behalf of the Viscount or by a person instructed by the Bailiff or presiding officer to give the order.
- (5) The presiding officer may require a stranger who contravenes this standing order to leave the precincts of the States immediately.

**174 Duty of Viscount regarding strangers**

- (1) The Viscount shall act upon such orders that he or she receives –
  - (a) from the Bailiff, if the Bailiff orders a stranger to withdraw pursuant to Article 33(2) of the Law;
  - (b) from the presiding officer, for the purpose of ensuring that the requirements of standing orders regarding strangers are complied with.
- (2) If the Viscount is absent, a person instructed to assist by the Bailiff or, as the case may be, the presiding officer, shall act in his or her place.

**SCHEDULE 1**

(Standing Orders 62 and 163)

**PETITIONS BY MEMBERS OF THE PUBLIC****1 Contents of petition**

- (1) A petition must state the action or remedy which the petitioners seek from the States.
- (2) The action or remedy sought must be one for which the States are responsible.
- (3) A petition must contain a statement of the reasons for, or the background to, the petition.
- (4) A petition must be respectful and temperate in its language.
- (5) A petition must be legible.
- (6) A petition may be in any language.
- (7) A petition cannot have any other document attached to it.

**2 The petitioners**

- (1) There must be at least one petitioner.
- (2) Each petitioner must sign the petition.
- (3) A petitioner who is a body corporate must affix the body's common seal to the petition, instead of signing it.
- (4) The full name and address of a petitioner must be set out in the petition opposite the petitioner's signature or seal.
- (5) If a petitioner cannot write, another person may sign on his or her behalf, certifying, in the petition, that he or she is authorized by the petitioner to do so.
- (6) A signature or seal must not be pasted or transferred in any other way to a petition.
- (7) If there is more than one page of signatures, the action or remedy sought must be repeated at the top of each page.
- (8) A petition may name a person or body who is responsible for the petition.

**3 Example of form of petition**

The following form is an example of a petition –

<b>PETITION</b>		
<b>TO THE PRESIDENT AND MEMBERS OF THE STATES OF JERSEY</b>		
Name of person(s) or body responsible for this petition –		
These are the reasons for this petition – ( <i>or</i> The background to this petition is as follows –)		
We, the undersigned, petition the States of Jersey as follows –  ( <i>Set out the action or remedy that the petitioners are seeking from the States</i> )		
Full name (please print)	Full postal address	Signature

#### **4 Depositing petition with Greffier**

- (1) An elected member cannot deposit and submit a petition on his or her own behalf or on behalf of another member of the States.
- (2) The elected member who will submit the petition to the States must deposit it with the Greffier at least 4 clear days before the meeting day on which he or she is to submit it.
- (3) A petition which is not in English or French must be accompanied, when deposited, by a translation into English which the elected member has certified as accurate.
- (4) The Greffier must count the number of petitioners.
- (5) In doing so, he or she will disregard any signatures or seals which do not conform to the requirements of standing orders.
- (6) The Greffier must then enter the number of petitioners on the face of the petition.
- (7) The elected member who will submit the petition must countersign the number.

**5 Submitting petition to the States**

- (1) A petition must be submitted to the States by the elected member who deposited it.
- (2) An elected member, when submitting a petition, may make a brief statement about the petitioners, the number of petitioners and the action or remedy sought.
- (3) The presiding officer shall not allow any discussion or debate on the statement.
- (4) Before or when submitting the petition, the elected member submitting it must lodge a proposition relating to the action or remedy sought in the petition, unless such a proposition has already been lodged.
- (5) The States shall refer the petition and the proposition relating to the action or remedy sought in it to the Minister or Ministers assigned responsibility for the matter to which the petition relates.
- (6) A Minister to whom a petition and proposition are referred must present a report on them within 8 weeks of the referral.
- (7) If a petition relates to a personal grievance for which there may be an urgent need to take immediate action or provide an immediate remedy the States may decide not to refer the petition and proposition to any Minister for a report.

**SCHEDULE 2<sup>196</sup>**

(Standing Order 152)

**REGISTER OF INTERESTS OF ELECTED MEMBERS****1 Employment, offices, directorships and partnerships**

- (1) An elected member must register the name and address of any person, company, trust, professional association, union, political party or other organization from whom he or she receives any remuneration or benefit by virtue of being –
  - (a) employed;
  - (b) the holder of any office;
  - (c) a director of any company; or
  - (d) a partner in a partnership or firm.
- (2) If the elected member is a director of a company by which he or she is not remunerated, but receives remuneration through another company in the same group, the directorship must be registered.
- (3) When registering the name and address of a person, the elected member must also provide a brief description of the person's business or work.
- (4) An elected member is not required to register –
  - (a) remuneration he or she receives out of the consolidated fund, by virtue of being an elected member; or
  - (b) remuneration he or she receives out of the funds of a parish, by virtue of being its Connétable.

**2 Self-employment, etc.**

- (1) An elected member must register any consultancy, trade, profession, vocation or other work for which he or she receives any payment or benefit and which does not fall within paragraph 1.
- (2) An elected member must register the name and address of a person from whom he or she receives any payment or benefit in return for the work if the payment or benefit received from that person forms a significant portion of the member's total income or a significant portion of the member's total income from that work.
- (3) When registering the name and address of a person the elected member must also provide a description of the person's business or work.

**3 Shareholdings**

- (1) An elected member must register the name and address of any company in which he or she, or his or her spouse or civil partner or cohabitee, or both of them, whether jointly or separately, own shares exceeding –
  - (a) 1% or more of the issued share capital of the company; or
  - (b) £25,000 in value.
- (2) When registering the name and address of the company, the elected member must also provide a brief description of the business or purpose of the company.
- (3) For the purposes of this paragraph, a person owns shares if he or she owns them in his or her own name or if the shares are held, on his or her behalf, or for his or her benefit, by any other person.

**4 Sponsorship**

- (1) An elected member must register the name and address of any person who provides him or her with sponsorship for the purpose of enabling the member to carry out his or her duties as an elected member.
- (2) Sponsorship may take the form of the donation of money or of any benefit.
- (3) When registering the name and address of the sponsor, the elected member must provide a brief description of the sponsorship.

**5 Gifts, hospitality and other benefits**

- (1) An elected member must register the name and address of any person who gives the elected member, or his or her spouse or civil partner or cohabitee, any gift, hospitality or other benefit which has a monetary value greater than 1% of the current remuneration figure for elected members (disregarding any expense allowances) if the giving of the gift, hospitality or benefit is, in any way, related to membership of the States.
- (2) When registering the name and address the elected member must also provide a brief description of the gift, hospitality or other benefit given.
- (3) An elected member is not required to register any gift, hospitality or other benefit which is given or made available to all elected members or to all spouses or civil partners or cohabitees of elected members.

**6 Overseas visits**

An elected member must register the name and address of any person (apart from the States or any administration of the States) who pays all or part of the costs of a visit made outside Jersey by the elected member or his or her spouse or civil partner or cohabitee if the visit is, in any way, related to his or her membership of the States.

**7 Land**

- (1) An elected member must register a description of any land sufficient to identify it, which is wholly owned, or jointly owned with another person –
  - (a) by or on behalf of the elected member or his or her spouse or civil partner or cohabitee; or
  - (b) by or on behalf of the elected member and his or her spouse or civil partner or cohabitee jointly.
- (2) No declaration is required in respect of land so owned which is the principal place of residence of the elected member or of his or her spouse or civil partner or cohabitee.
- (3) An elected member must register a brief description of any land from which the elected member or his or her spouse or civil partner or cohabitee derives an income.

**8 Miscellaneous**

An elected member must register details of any other interest or benefit which the elected member or his or her spouse or civil partner or cohabitee receives which, although not required to be registered under the foregoing paragraphs of this Schedule, the elected member believes might reasonably be thought by other persons to influence his or her actions as an elected member.



**SCHEDULE 3<sup>197</sup>**

(Standing Order 155)

**CODE OF CONDUCT FOR ELECTED MEMBERS****1 Purpose of the code**

The purpose of the code of conduct is to assist elected members in the discharge of their obligations to the States, their constituents and the public of Jersey. All elected members are required, in accordance with standing orders, to comply with this code.

**2 Public duty**

The primary duty of elected members is to act in the interests of the people of Jersey and of the States. In doing so, members have a duty to uphold the law in accordance with their oath of office and to act on all occasions in accordance with the public trust placed in them.

Elected members have a general duty to act in what they believe to be the best interests of Jersey as a whole, and a special duty to be accessible to the people of the constituency for which they have been elected to serve and to represent their interests conscientiously.

Elected members must give due priority to attendance at meetings of the States in accordance with the terms of their oath of office and should be present in the Chamber when the States are meeting unless they have very compelling reasons not to do so.

**3 Personal conduct**

Elected members should observe the following general principles of conduct for holders of public office –

**Selflessness**

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family and friends, their business colleagues or any voluntary or charitable organization they are involved with.

**Integrity**

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organizations that might influence them in the performance of their official duties.

**Objectivity**

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

**Accountability**

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

**Openness**

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest, or rules on freedom of information, data protection or confidentiality clearly demand.

**Honesty**

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

**Leadership**

Holders of public office should promote and support these principles by leadership and example to maintain and strengthen the public's trust and confidence in the integrity of the States and its members in conducting public business.

*The principles in practice*

**4 Conflict between public and private interest**

Elected members should base their conduct on a consideration of the public interest, avoid conflict between personal interest and the public interest and resolve any conflict between the 2, at once, and in favour of the public interest.

**5 Maintaining the integrity of the States**

Elected members should at all times conduct themselves in a manner which will tend to maintain and strengthen the public's trust and confidence in the integrity of the States of Jersey and shall endeavour, in the course of their public and private conduct, not to act in a manner which would bring the States, or its Members generally, into disrepute.

Elected members should at all times treat other members of the States, officers, and members of the public with respect and courtesy and without malice, notwithstanding the disagreements on issues and policy which are a normal part of the political process.

**6 Public comments etc. regarding a States' employee or officer**

Elected members who have a complaint about the conduct, or concerns about the capability, of a States' employee or officer should raise the matter, without undue delay, with the employee's or officer's line manager (or, if he or she has none, the person who has the power to suspend the employee or officer), in order that the disciplinary or capability procedures applicable to the employee or officer are commenced, rather than raising the matter in public.

Elected members should observe the confidentiality of any disciplinary or capability procedure regarding a States' employee or officer and its outcome. If an elected member is nevertheless of the opinion that it is in the wider public interest that he or she makes a public disclosure of or comment upon the outcome of any such procedure, he or she should inform the parties to the procedure before so doing and, when so doing, refer to the individual by the title of his or her employment or office rather than by his or her name.

In this paragraph, "States' employee or officer" means a States' employee within the meaning of the Employment of States of Jersey Employees (Jersey) Law 2005, a member of the States of Jersey Police Force and any officer mentioned in the Schedule to that Law who is not a member of the States.

**7 Gifts and hospitality**

Elected members should not accept gifts, hospitality or services that might appear to place the recipient under any form of obligation to the giver. In receiving any gift or hospitality, members should consider whether they would be prepared to justify acceptance to the public.

**8 Access to confidential information**

Elected members must bear in mind that confidential information which they receive in the course of their duties should only be used in connection with those duties, and that such information must never be used for the purpose of financial gain nor should it be used in their own personal interest or that of their families or friends. In addition, members should not disclose publicly, or to any third party, personal information about named individuals which they receive in the course of their duties unless it is clearly in the wider public interest to do so. Elected members must at all times have regard to all relevant data protection, human rights and privacy legislation when dealing with confidential information and be aware of the consequences of breaching confidentiality. Elected members must not disclose publicly, or to any third party, things said, or information produced, in a meeting of the States that is conducted in camera, unless the States have permitted such disclosure.

**9 Co-operation with committees and panels**

Elected members shall co-operate when requested to appear and give evidence before or produce documents to –

- (a) a scrutiny panel, for the purpose of the review, consideration or scrutiny of a matter by the panel pursuant to its terms of reference and the topics

assigned to it, or to a sub-panel or any person appointed by the scrutiny panel to review, consider, scrutinize or liaise upon any particular matter;

- (b) the PAC, for the purpose of the preparation of a report upon or assessment of any matter pursuant to the PAC's terms of reference;
- (c) a committee of inquiry, for the purpose of the inquiry which the committee is appointed to conduct; and
- (d) the PPC, for the purpose of an investigation of a suspected breach of this code, or to any person appointed by the PPC to investigate a suspected breach.

**SCHEDULE 4**

(Standing Order 162)

**DECLARATION BY CANDIDATE FOR ELECTION**

STATES OF JERSEY LAW 2005

**DECLARATION TO BE MADE BY CANDIDATE FOR THE OFFICE OF  
SENATOR OR DEPUTY**

I, the undersigned ..... (*insert name*) hereby declare that I have read and understood the provisions of Article 9 of the States of Jersey Law 2005 and that

- i) I am not disqualified for election; and
- ii) I have no relevant convictions for the purposes of Article 9(1)(b) and (c).

OR

The convictions I must declare for the purposes of Article 9(1)(b) and (c) are as follows –

Signed ..... Date .....

Note: Article 9(3) of the States of Jersey Law 2005 provides that a person who knowingly makes a false declaration shall be guilty of an offence and liable to a fine not exceeding level 4 on the standard scale.

In accordance with the provisions of Article 9(2) of the States of Jersey Law 2005 this declaration will be read out at the nomination meeting.

**ENDNOTES****Table of Legislation History**

<b>Legislation</b>	<b>Year and No</b>	<b>Commencement</b>
Standing Orders of the States of Jersey	R&O.109/2005	24 November 2005 as to standing order 1 and Parts 6 and 7 9 December 2005 as to remainder
Amendment (No. 1) of the Standing Orders of the States of Jersey	R&O.152/2005	9 December 2005
Amendment (No. 2) of the Standing Orders of the States of Jersey	R&O.163/2005	9 December 2005
Amendment (No. 3) of the Standing Orders of the States of Jersey	R&O.164/2005	9 December 2005
Amendment (No. 4) of the Standing Orders of the States of Jersey	R&O.42/2006	25 April 2006
Amendment (No. 5) of the Standing Orders of the States of Jersey	R&O.109/2006	2 November 2006
Amendment (No. 6) of the Standing Orders of the States of Jersey	R&O.120/2006	14 November 2006
Amendment (No. 7) of the Standing Orders of the States of Jersey	R&O.4/2008	15 January 2008
Amendment (No. 8) of the Standing Orders of the States of Jersey	R&O.112/2008	19 September 2008
Amendment (No. 9) of the Standing Orders of the States of Jersey	R&O.132/2008	28 October 2008
Amendment (No. 10) of the Standing Orders of the States of Jersey	R&O.29/2009	17 March 2009
Amendment (No. 11) of the Standing Orders of the States of Jersey	R&O.67/2009	21 July 2009
Amendment (No. 12) of the Standing Orders of the States of Jersey	R&O.106/2009	15 October 2009
Amendment (No. 13) of the Standing Orders of the States of Jersey	R&O.52/2010	1 June 2010

<b>Legislation</b>	<b>Year and No</b>	<b>Commencement</b>
Amendment (No. 14) of the Standing Orders of the States of Jersey	R&O.5/2011	20 January 2011
Amendment (No. 15) of the Standing Orders of the States of Jersey	R&O.37/2011	31 March 2011
Amendment (No. 16) of the Standing Orders of the States of Jersey	R&O.116/2011	16 September 2011
Amendment (No. 17) of the Standing Orders of the States of Jersey	R&O.144/2011	3 November 2011
Civil Partnership (Consequential Amendments) (Jersey) Regulations 2012	R&O.47/2012	2 April 2012
Amendment (No. 18) of the Standing Orders of the States of Jersey	R&O.39/2012	6 April 2012
Amendment (No. 19) of the Standing Orders of the States of Jersey	R&O.71/2012	30 May 2012
Amendment (No. 20) of the Standing Orders of the States of Jersey	R&O.36/2013	1 May 2013
Amendment (No. 21) of the Standing Orders of the States of Jersey	R&O.94/2013	3 July 2013
States of Jersey (Minister for External Relations) (Jersey) Regulations 2013	R&O.125/2013	10 September 2013
Amendment (No. 22) of the Standing Orders of the States of Jersey	R&O.18/2014	5 February 2014
Amendment (No. 23) of the Standing Orders of the States of Jersey 2014	R&O.54/2014	29 May 2014
Amendment (No. 24) of the Standing Orders of the States of Jersey 2014	R&O.146/2014	15 October 2014 (R&O.145/2014)
Amendment (No. 25) of the Standing Orders of the States of Jersey 2014	R&O.147/2014	3 November 2014
Amendment (No. 26) of the Standing Orders of the States of Jersey 2014	R&O.152/2014	17 September 2014
Amendment (No. 27) of the Standing Orders of the States of Jersey	R&O.18/2015	10 March 2015
Amendment (No. 28) of the Standing Orders of the States of	R&O.39/2015	25 March 2015

<b>Legislation</b>	<b>Year and No</b>	<b>Commencement</b>
Jersey		
States of Jersey (Transfer of Functions No. 8) (Miscellaneous Transfers) (Jersey) Regulations 2015	R&O.158/2015	1 January 2016
Amendment (No. 29) of the Standing Orders of the States of Jersey	R&O.70/2016	28 June 2016
Amendment (No. 30) of the Standing Orders of the States of Jersey	R&O.1/2017	18 January 2017
Amendment (No. 31) of the Standing Orders of the States of Jersey	R&O.71/2017	4 July 2017
Amendment (No. 32) of the Standing Orders of the States of Jersey	R&O.79/2017	20 July 2017

### Table of Renumbered Provisions

<b>Original</b>	<b>Current</b>
26(3)(da)	26(3)(e)
26(3)(e)	26(3)(f)
26(3)(f)	26(3)(g)
85(3A)	85(4)
85(4)	85(5)
85(5)	85(6)
85(6)	85(7)
108A	109
108B	110
108C	111
109	112
110	113
111	114
112	115
113	116
114	117
114(1)(ca)	117(1)(d)
114(1)(d)	117(1)(e)
114(1)(e)	117(1)(f)
115	118
116	119
117	120
117A	121
118	122
119	123
120	124
121	125
122	126
123	127



<b>Original</b>	<b>Current</b>
124	128
125	129
126	130
127	131
128	132
129	133
130	134
131	135
132	136
133	137
134	138
135	139
136	140
137	141
138	142
138(1A)	142(2)
138(2)	142(3)
139	143
140	144
141	145
142	146
143	147
144	148
145	149
146	150
147	151
148	152
149	153
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150A	155
150B	156
150C	157
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154	162
155	163
155A	164
155B	165
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159	169
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162	172
163	173
164	174

<b>Original</b>	<b>Current</b>
165	spent, omitted
Schedule 2 paragraph 7(1A) paragraph 7(2)	paragraph 7(2) paragraph 7(3)
Schedule 2A	Schedule 3
paragraph 5A	paragraph 6
paragraph 6	paragraph 7
paragraph 7	paragraph 8
paragraph 8	paragraph 9
Schedule 3	Schedule 4

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**Table of Endnote References**

<sup>1</sup>	<i>chapter 16.800</i>
<sup>2</sup>	<i>chapter 16.800</i>
<sup>3</sup>	<i>chapter 24.900</i>
<sup>4</sup>	<i>chapter 16.325</i>
<sup>5</sup>	<i>chapter 15.560</i>
<sup>6</sup> SO 1(1)	<i>amended by R&amp;O.5/2011, R&amp;O.47/2012, R&amp;O.71/2012, R&amp;O.147/2014, R&amp;O.18/2015, R&amp;O.70/2016</i>
<sup>7</sup> SO 9(2)	<i>substituted by R&amp;O.71/2017</i>
<sup>8</sup> SO 9(3)	<i>substituted by R&amp;O.71/2017</i>
<sup>9</sup> SO 11(1A)	<i>inserted by R&amp;O.132/2008</i>
<sup>10</sup> SO 11(1B)	<i>inserted by R&amp;O.132/2008</i>
<sup>11</sup> SO 11(1C)	<i>inserted by R&amp;O.71.2017</i>
<sup>12</sup> SO 11(7)	<i>substituted by R&amp;O.71/2017</i>
<sup>13</sup> SO 12	<i>substituted by R&amp;O.71/2017</i>
<sup>14</sup> SO 13(1)	<i>amended by R&amp;O.67/2009</i>
<sup>15</sup> SO 13(3A)	<i>inserted by R&amp;O.132/2008</i>
<sup>16</sup> SO 13(5A)	<i>inserted by R&amp;O.106/2009</i>
<sup>17</sup> SO 13(6)	<i>amended by R&amp;O.106/2009</i>
<sup>18</sup> SO 13(7)	<i>amended by R&amp;O.106/2009</i>
<sup>19</sup> SO 13(8)	<i>substituted by R&amp;O.132/2008</i>
<sup>20</sup> SO 14(1)	<i>substituted by R&amp;O.106/2009</i>
<sup>21</sup> SO 14(1A)	<i>inserted by R&amp;O.106/2009</i>
<sup>22</sup> SO 15(1A)	<i>inserted by R&amp;O.132/2008</i>
<sup>23</sup> SO 15(6)	<i>substituted by R&amp;O.132/2008</i>
<sup>24</sup> SO 17(1)	<i>amended by R&amp;O.147/2014</i>
<sup>25</sup> SO 19	<i>amended by R&amp;O.5/2011</i>
<sup>26</sup> SO 19A	<i>inserted by R&amp;O.54/2014</i>
<sup>27</sup> SO 21(2)	<i>amended by R&amp;O.54/2014</i>
<sup>28</sup> SO 21(3A)	<i>inserted by R&amp;O.1/2017, amended by R&amp;O.71/2017</i>
<sup>29</sup>	<i>L.19/2000</i>
<sup>30</sup> SO 21A	<i>inserted by R&amp;O.52/2010</i>
<sup>31</sup> SO 21B	<i>inserted by R&amp;O.54/2014</i>
<sup>32</sup> SO 22	<i>amended by R&amp;O.132/2008</i>
<sup>33</sup> SO 26(3)	<i>substituted by R&amp;O.37/2011, amended by R&amp;O.54/2014</i>
<sup>34</sup> SO 26(3A)	<i>inserted by R&amp;O.37/2011</i>
<sup>35</sup> SO 26(4)	<i>substituted by R&amp;O.37/2011, amended by R&amp;O.71/2012, R&amp;O.94/2013</i>
<sup>36</sup> SO 26(4AA)	<i>inserted by R&amp;O.94/2013</i>
<sup>37</sup> SO 26(4A)	<i>inserted by R&amp;O.71/2012</i>
<sup>38</sup> SO 26(5)	<i>amended by R&amp;O.37/2011, R&amp;O.71/2012, R&amp;O.94/2013</i>
<sup>39</sup> SO 26(7)	<i>substituted by R&amp;O.54/2014</i>
<sup>40</sup> SO 26(7A)	<i>inserted by R&amp;O.71/2012</i>
<sup>41</sup> SO 26	<i>note deleted by R&amp;O.71/2012</i>
<sup>42</sup> SO 27	<i>substituted by R&amp;O.132/2008</i>
<sup>43</sup> SO 30(1)	<i>amended by R&amp;O.79/2017</i>
<sup>44</sup> SO 30(1A)	<i>inserted by R&amp;O.79/2017</i>
<sup>45</sup> SO 31(2)	<i>amended by R&amp;O.71/2012, R&amp;O.79/2017</i>
<sup>46</sup> SO 35(1)	<i>amended by R&amp;O.5/2011</i>
<sup>47</sup>	<i>chapter 15.720</i>
<sup>48</sup> SO 37A	<i>inserted by R&amp;O.37/2011</i>
<sup>49</sup> SO 39(2)	<i>amended by R&amp;O.106/2009</i>
<sup>50</sup> SO 39(3)	<i>substituted by R&amp;O.5/2011</i>
<sup>51</sup> SO 41	<i>revoked by R&amp;O.106/2009</i>
<sup>52</sup> SO 44	<i>substituted by R&amp;O.42/2006</i>

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- <sup>53</sup> SO 55 substituted by R&O.5/2011
- <sup>54</sup> SO 56 substituted by R&O.5/2011
- <sup>55</sup> SO 63(1) amended by R&O.67/2009
- <sup>56</sup> SO 63(9) amended by R&O.67/2009
- <sup>57</sup> SO 68(3) amended by R&O.54/2014
- <sup>58</sup> SO 68(3A) inserted by R&O.54/2014
- <sup>59</sup> SO 68A inserted by R&O.5/2011
- <sup>60</sup> SO 68A(1) substituted by R&O.71/2017
- <sup>61</sup> SO 68A(2) substituted by R&O.71/2017
- <sup>62</sup> SO 68A(5) inserted by R&O.71/2017
- <sup>63</sup> SO 68A(6) inserted by R&O.71/2017
- <sup>64</sup> SO 70(1A) inserted by R&O.132/2008
- <sup>65</sup> SO 70A inserted by R&O.71/2012
- <sup>66</sup> SO 72(10) substituted by R&O.71/2012
- <sup>67</sup> SO 77A inserted by R&O.132/2008
- <sup>68</sup> SO 79(2) substituted by R&O.71/2012
- <sup>69</sup> SO 80A substituted by R&O.71/2012
- <sup>70</sup> SO 80B inserted by R&O.54/2014
- <sup>71</sup> chapter 15.560
- <sup>72</sup> SO 85(4) inserted by R&O.164/2005
- <sup>73</sup> Cross heading substituted by R&O.4/2008
- <sup>74</sup> SO 89A inserted by R&O.4/2008
- <sup>75</sup> SO 89AA inserted by R&O.94/2013
- <sup>76</sup> SO 90 substituted by R&O.94/2013
- <sup>77</sup> SO 92(1) amended by R&O.144/2011
- <sup>78</sup> SO 92(4A) inserted by R&O.94/2013
- <sup>79</sup> SO 92(7) substituted by R&O.94/2013
- <sup>80</sup> SO 92(8) substituted by R&O.94/2013
- <sup>81</sup> SO 93 substituted by R&O.94/2013
- <sup>82</sup> SO 93A inserted by R&O.94/2013
- <sup>83</sup> SO 94(1) substituted by R&O.144/2011, amended by R&O.94/2013
- <sup>84</sup> SO 94(2) substituted by R&O.144/2011, amended by R&O.94/2013
- <sup>85</sup> SO 94(3) substituted by R&O.144/2011, amended by R&O.94/2013
- <sup>86</sup> SO 99(1) deleted by R&O.94/2013
- <sup>87</sup> SO 99(3) amended by R&O.94/2013
- <sup>88</sup> SO 103(2) amended by R&O.152.2005
- <sup>89</sup> SO 106(1) amended by R&O.47/2012
- <sup>90</sup> SO 106(2) amended by R&O.47/2012, R&O.79/2017
- <sup>91</sup> SO 106(5) amended by R&O.47/2012
- <sup>92</sup> SO 109 inserted by R&O.152/2005
- <sup>93</sup> SO 109(7) inserted by R&O.29/2009
- <sup>94</sup> SO 109A inserted by R&O.79/2017
- <sup>95</sup> SO 110 inserted by R&O.152/2005
- <sup>96</sup> SO 111 inserted by R&O.152/2005
- <sup>97</sup> SO 111(1A) inserted by R&O.52/2010
- <sup>98</sup> SO 112(1) amended by R&O.152/2005, R&O.120/2006, R&O.132/2008, R&O.116/2011, R&O.146/2014, R&O.147/2014, R&O.152/2014, R&O.18/2015, R&O.70/2016
- <sup>99</sup> SO 112A inserted by R&O.146/2014
- <sup>100</sup> SO 113(1) amended by R&O.146/2014
- <sup>101</sup> SO 114(1) amended by R&O.152/2005, R&O.132/2008, R&O.18/2015, R&O.70/2016
- <sup>102</sup> SO 115(1) amended by R&O.146/2014
- <sup>103</sup> SO 116(2) substituted by R&O.71/2017
- <sup>104</sup> SO 116(5) amended by R&O.146/2014
- <sup>105</sup> SO 116(7) amended by R&O.144/2011, R&O.94/2013

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- <sup>106</sup> SO 116(9) amended by R&O.144/2011, R&O.94/2013
- <sup>107</sup> SO 116(10) amended by R&O.144/2011, R&O.94/2013
- <sup>108</sup> SO 117(1) substituted by R&O.158/2015
- <sup>109</sup> SO 117(2) substituted by R&O.132/2008
- <sup>110</sup> SO 117(2A) inserted by R&O.132/2008
- <sup>111</sup> SO 117(2B) inserted by R&O.132/2008
- <sup>112</sup> SO 117(2C) inserted by R&O.132/2008
- <sup>113</sup> SO 117(2D) inserted by R&O.132/2008
- <sup>114</sup> SO 117(2E) inserted by R&O.132/2008
- <sup>115</sup> SO 117(5) substituted by R&O.71/2017
- <sup>116</sup> SO 117(9) amended by R&O.94/2013
- <sup>117</sup> SO 117(11) substituted by R&O.94/2013
- <sup>118</sup> SO 117(12) amended by R&O.94/2013
- <sup>119</sup> SO 117(17A) inserted by R&O.132/2008
- <sup>120</sup> SO 117(17B) inserted by R&O.132/2008
- <sup>121</sup> SO 117(18) amended by R&O.125/2013
- <sup>122</sup> SO 117A inserted by R&O.132/2008
- <sup>123</sup> SO 118(2) substituted by R&O.71/2017
- <sup>124</sup> SO 118(6) amended by R&O.94/2013
- <sup>125</sup> SO 118(8) substituted by R&O.94/2013
- <sup>126</sup> SO 118(9) amended by R&O.94/2013
- <sup>127</sup> SO 119(2) substituted by R&O.71/2017
- <sup>128</sup> SO 119(6) amended by R&O.94/2013
- <sup>129</sup> SO 119(8) substituted by R&O.94/2013
- <sup>130</sup> SO 119(9) amended by R&O.94/2013
- <sup>131</sup> SO 120(2) substituted by R&O.71/2017
- <sup>132</sup> SO 120(6) amended by R&O.94/2013
- <sup>133</sup> SO 120(8) substituted by R&O.94/2013
- <sup>134</sup> SO 120(9) amended by R&O.94/2013
- <sup>135</sup> SO 120AA inserted by R&O.18/2015
- <sup>136</sup> SO 120AA(2) substituted by R&O.71/2017
- <sup>137</sup> SO 120AA amended by R&O.70/2016
- <sup>138</sup> SO 120A inserted by R&O.152/2014
- <sup>139</sup> SO 120A(2) substituted by R&O.71/2017
- <sup>140</sup> SO 121 inserted by R&O.152/2005
- <sup>141</sup> SO 121(1) amended by R&O.132/2008
- <sup>142</sup> SO 121(2) substituted by R&O.71/2017
- <sup>143</sup> SO 121(6) amended by R&O.94/2013
- <sup>144</sup> SO 121(8) substituted by R&O.94/2013
- <sup>145</sup> SO 121(9) amended by R&O.94/2013
- <sup>146</sup> SO 122 substituted by R&O.132/2008
- <sup>147</sup> SO 125A inserted by R&O.18/2015
- <sup>148</sup> SO 125A amended by R&O.70/2016
- <sup>149</sup> SO 126 inserted by R&O.152/2014
- <sup>150</sup> SO 127(1) amended by R&O.132/2008
- <sup>151</sup> chapter 16.600
- <sup>152</sup> SO 128 amended by R&O.71/2012
- <sup>153</sup> SO 129(6) amended by R&O.132/2008
- <sup>154</sup> SO 130(6) amended by R&O.47/2012
- <sup>155</sup> chapter 26.500
- <sup>156</sup> chapter 26.900
- <sup>157</sup> SO 132(2) amended by R&O.71/2012
- <sup>158</sup> SO 135(1) amended by R&O.120/2006, R&O.147/2014, R&O.71/2017
- <sup>159</sup> SO 136 amended by R&O.71/2012
- <sup>160</sup> SO 138(5A) inserted by R&O.112/2008
- <sup>161</sup> SO 138(5B) inserted by R&O.112/2008

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- <sup>162</sup> SO 138(5C) inserted by R&O.112/2008  
<sup>163</sup> SO 141 amended by R&O.147/2014  
<sup>164</sup> SO 141A inserted by R&O.18/2015  
<sup>165</sup> chapter 22.550  
<sup>166</sup> SO 141A amended by R&O.70/2016  
<sup>167</sup> SO 141B inserted by R&O.18/2015  
<sup>168</sup> SO 141B amended by R&O.70/2016  
<sup>169</sup> SO 142(1) amended by R&O.132/2008  
<sup>170</sup> SO 142(2) substituted by R&O.132/2008  
<sup>171</sup> SO 142(3) amended by R&O.152/2005  
<sup>172</sup> SO 143 amended by R&O.147/2014  
<sup>173</sup> SO 144 revoked by R&O.132/2008  
<sup>174</sup> SO 145A inserted by R&O.147/2014  
<sup>175</sup> SO 145B inserted by R&O.147/2014  
<sup>176</sup> SO 149 amended by R&O.18/2014  
<sup>177</sup> SO 151(4A) inserted by R&O.18/2015, amended by R&O.70/2016  
<sup>178</sup> SO 151(6) amended by R&O.18/2014  
<sup>179</sup> Part 8 heading amended by R&O.152/2005  
<sup>180</sup> SO 152(5) amended by R&O.47/2012  
<sup>181</sup> SO 153(4) amended by R&O.47/2012  
<sup>182</sup> SO 154(3) added by R&O.39/2012  
<sup>183</sup> SO 155 inserted by R&O.152/2005  
<sup>184</sup> SO 156 inserted by R&O.152/2005  
<sup>185</sup> SO 157 inserted by R&O.152/2005  
<sup>186</sup> SO 158 inserted by R&O.152/2005  
<sup>187</sup> SO 160(3A) inserted by R&O.29/2009  
<sup>188</sup> SO 164 substituted by R&O.52/2010  
<sup>189</sup> SO 165 inserted by R&O.152/2005  
<sup>190</sup> SO 168(1) amended by R&O.54/2014  
<sup>191</sup> SO 168(2) amended by R&O.158/2015  
<sup>192</sup> SO 168(3) amended by R&O.54/2014, R&O.158/2015  
<sup>193</sup> SO 168(4) amended by R&O.36/2013, R&O.54/2014, R&O.158/2015  
<sup>194</sup> SO 168(5) amended by R&O.158/2015  
<sup>195</sup> SO 168(6) added by R&O.54/2014  
<sup>196</sup> Schedule 2 amended by R&O.163/2005, R&O.47/2012  
<sup>197</sup> Schedule 3 inserted by R&O.152/2005, amended by R&O.52/2010