

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

24th October, 2018

Proposition No. P.2018/78

STATES' ASSEMBLY AND CONSTITUTION COMMITTEE

AMENDMENTS TO
THE RULES OF PROCEDURE OF THE STATES OF DELIBERATION AND THEIR
COMMITTEES

AMENDMENT

Proposed by: Deputy D A Tindall

Seconded by: Deputy E Yerby

1. To insert the following Proposition immediately after Proposition 2 –

“After Rule 39 insert a new Rule 39A as follows:

“Convening of Meetings

39A A meeting of any Committee shall be convened for a specific time, date and place. The person chairing the meeting shall be present at that place.”

In Rule 40, after paragraph (6) insert:

“(7) If a member of any Committee of the States who has obtained the prior permission of the person who will preside at the meeting, is, by telephone, live television link or any other means of telecommunications, in communication with the other members so that each member can hear or read what is said or communicated by each of the others, each member so participating is deemed (subject to paragraph (10) below) to be present at the meeting with the other members who are present or so participating for all purposes including the quorum and voting.

(8) It shall be at the absolute discretion of the person who will preside at the meeting to decide whether or not to agree to the

request and in so deciding the person presiding may take into account any factors whatsoever which are considered relevant.

(9) A member shall not be permitted to attend from a remote location by telephone if another member has been given permission to attend that same meeting by an audiovisual link or vice versa.

(10) In the event that the link fails or is corrupted or confidentiality is compromised, the person presiding at the meeting shall have discretion at any point during the meeting to determine that a member who is in a remote location can no longer be regarded as in attendance.”

Explanatory note

The purpose of this amendment is to enable all Committee members to attend meetings remotely in the same way that members of the Civil Contingencies Authority (“the Authority”) have been able to do so since 2013. Whilst the Authority is required to meet, by its very nature, in emergencies, this additional Rule applying to all committees of the States of Deliberation would improve the effectiveness of government in Guernsey and bring it in line with the 21st century.

The wording has been adapted from the propositions set out in the States’ Assembly and Constitution Committee’s Policy Letter entitled “Remote Attendance at Meetings of Committees of the States” dated 17^h January 2014 (“the SACC Policy Letter”) which was submitted in response to the successful Luxon/Jones Amendment to Article 15 of the Billet d’État No. XV Volume 2. The changes reflect the differences between the then structure of government and the current structure of government.

The links to the SACC Policy Letter and Luxon/Jones Amendment are below for ease of reference.

www.gov.gg/CHttpHandler.ashx?id=97653&p=0

<https://gov.gg/CHttpHandler.ashx?id=99646&p=0>

The suggested wording of both the propositions submitted by SACC in 2014 and above in respect of Rule 40(7) is taken from Paragraph 9 of Schedule 1 to The Civil Contingencies (Bailiwick of Guernsey) Law, 2012.