

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 16TH DAY OF MAY, 2003

The States resolved as follows concerning Billet d'Etat No. VII
dated 17th April, 2003

(Meeting adjourned from the 14th and 15th May, 2003)

STATES ADVISORY AND FINANCE COMMITTEE

THE FUTURE MACHINERY OF GOVERNMENT IN GUERNSEY

- I. After consideration of the Report dated the 31st March, 2003, of the States Advisory and Finance Committee:-
1. To approve the new corporate structure for the future machinery of government comprising the Policy Council and the Treasury as set out in section 6 of that Report, but subject to proposition 2A.
 2. To approve the broad political accountabilities for the Policy Council and the Treasury as set out in section 6 of that Report, but subject to proposition 2A.
 - 2A. That in place of the Treasury proposed in that Report there shall be a Treasury and Resources Department.
 3. To approve the new department structure for the future machinery of government as set out in section 12 of that Report.
 4. To approve the broad political accountabilities for the nine new departments as set out in section 12 of that Report, save that the present functions of the Liberation Religious Service Committee shall be added to the responsibilities of the Culture and Leisure Department.
 5. To approve the establishment of a House Committee and its functions and responsibilities as set out in section 14 (a) of that Report.
 6. To approve the establishment of a Scrutiny Committee and its functions and responsibilities as set out in section 14 (b) of that Report, subject to the modification that the Scrutiny Committee shall comprise a Chairman and 8 other members, who shall all be members of the States (but the Committee shall have the power to co-opt one or more non-States Members for any particular enquiry).

7. To note the States Advisory and Finance Committee's intention to report back to the States on proposals for establishing a post of Auditor General and the establishment of a Public Accounts Committee as set out in Section 14 (c) of that Report.
8. By a majority of more than two thirds of the members present and voting:
 - (a) To dissolve with effect from midnight on 30th April, 2004 the Legislation Committee and allocate its functions to a newly constituted Legislation Select Committee.
 - (b) To approve of the establishment, with effect from 1st May, 2004 of a Legislation Select Committee incorporating the constitution functions and responsibilities of the Legislation Committee with an additional role of suggesting to the Policy Council items which might require changes to Island Legislation.
9. To approve the establishment of a Public Sector Remuneration Committee as set out in section 14 (e) of that Report.
10. To dissolve with effect from midnight on 30 April 2004 the Lifeboat Committee and to agree to the arrangements for States support for the Guernsey Branch of the Royal National Lifeboat Institution as set out in section 15 of that Report.
11. To dissolve with effect from midnight on 30 April 2004 the Liberation Religious Service Committee and to agree to the delegation of responsibility (with their agreement) to the Guernsey Council of Churches for organising, on behalf of the States, an annual ecumenical service as set out in section 15 of that Report, but subject to Proposition 4 above.
12. To dissolve with effect from midnight on 30 April 2004 all of the other committees that are shown in appendix 5 of that Report with the exception of the Elizabeth College Board of Directors, the Ladies College Board of Governors, the Priaulx Library Council and the Parochial Outdoor Assistance Boards.
13. To approve of the establishment, with effect from 1 May 2004, of a
 - (a) Policy Council
 - (b) Treasury and Resources Department
 - (c) Commerce and Employment Department
 - (d) Culture and Leisure Department
 - (e) Education Department
 - (f) Environment Department
 - (g) Health and Social Services Department
 - (h) Home Department
 - (i) Housing Department
 - (j) Public Services Department
 - (k) Social Security Departmentas set out in the above propositions.

14. To note the requirement for further work to be conducted into the possible opportunities for the States to deliver some existing services through alternative mechanisms and to require the new departments to work with the Policy Council in examining all such opportunities.
15. To note that the States Advisory and Finance Committee and the States Civil Service Board will work together to manage the implications arising for the Civil Service as a consequence of the implementation of the new machinery of government and in particular the appointment of chief officers to the new departments and the development of new staffing structures.
16. To agree that the implementation date for the new machinery of government structure will be 1 May 2004.
17. To agree that the States Advisory and Finance Committee, in consultation with existing committees as appropriate, shall be responsible for determining the allocation of the detailed functions to the new departments.
18. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

STATES PROCEDURES AND CONSTITUTION COMMITTEE

MACHINERY OF GOVERNMENT REFORMS

- II. After consideration of the Report dated the 25th March, 2003, of the States Procedures and Constitution Committee:-

To direct the States Procedures and Constitution Committee to lay before the States amendments to the Rules and Procedure of the States of Deliberation and the Rules relating to the Constitution and Operation of States Committees to provide that:

- (a) Elections of a Chief Minister, Ministers, Deputy Chief Minister, Members of Departmental Committees, Chairmen and members of Committees shall take place in May, 2004 and quadrennially thereafter.
- (aA) Nominations for the Chief Minister shall be made to the Presiding Officer before the election meeting and posted in the Royal Court House as they are received. The States Procedures and Constitution Committee will decide on the opening and closing dates for nominations and revise, if necessary, the election programme described in paragraph 9 of that Report. Nominations for the Chief Minister shall not be accepted from the floor or the House.
- (b)
 - (i) The Chief Minister shall not be an ordinary Minister;
 - (ii) A Minister shall be Minister of one department only at any time;

- (iii) The Chief Minister shall not sit on any other States Department or Committee;
- (iv) Ministers shall not sit on more than one other States Department.
- (c) In all elections no speech shall be allowed when the number of candidates does not exceed the number of vacancies.
- (d)
 - (i) In the election of a Chief Minister and Ministers the proposer and the candidate only may address the States for not more than five minutes each;
 - (ii) In all other elections the proposer only may address the States for not more than five minutes.
- (e) In elections for the offices of
 - (i) Minister and Deputy Chief Minister, the Chief Minister shall be entitled to propose candidates before any other member of the States does so;
 - (ii) Members of Departments, the Minister of the Department concerned shall be entitled to propose candidates before any other member of the States does so;
 - (iii) Members of States Committees, the Chairman of the Committee concerned shall be entitled to propose candidates before any other member of the States does so.
- (f) Deputy Departmental Ministers shall be elected in the same way as Vice-Presidents are currently elected.
- (g) Elections for Chief Minister, Deputy Chief Minister and Ministers shall be conducted on the lines set out in paragraph 8 of that Report in respect of the Chief Minister and Ministers.
- (h) The Chief Minister shall determine the order in which the Ministers shall be elected which order will then be followed in electing members of Departments.
- (i) The constitution of the Policy Council shall be as set out in paragraph 10 of that Report.
- (j) The constitution of States Departments shall be as set out in paragraph 11 of that Report, but that, of the four members of the States, not more than one shall be a Minister of another Department.
- (k) The constitution of the House Committee shall be as set out in paragraph 12 of that Report.

- (l) The constitution of the Scrutiny and Public Accounts Committees shall be as set out in paragraph 13 of that Report, subject to the modification that in the case of the Scrutiny Committee there shall be nine States Members and no elected non-States Members, but the Committee shall have the power to co-opt one or more non-States Members for any particular enquiry.
- (m) The constitution of the Public Sector Remuneration Committee shall be:
- (i) A Chairman who shall be a member of the States;
 - (ii) Four members of the States;
 - (iii) Up to two non-voting members appointed by the Committee, who shall not be sitting members of the States, which appointment shall be coterminous with the quadrennial elections of members.

K. H. TOUGH
HER MAJESTY'S GREFFIER