



**XIX
2014**

BILLET D'ÉTAT

TUESDAY, 29th JULY, 2014

EDUCATION DEPARTMENT – RESIGNATION
OF NON-STATES MEMBER OF THE
EDUCATION DEPARTMENT

BILLET D'ÉTAT

TO
THE MEMBERS OF THE STATES
OF THE ISLAND OF GUERNSEY

I hereby give notice pursuant to Rule (1)(4) of the Rules of Procedure of the States of Deliberation that the item contained in this Billet d'État which has been submitted for debate will be considered at the Meeting of the States of Deliberation already convened for **TUESDAY, the 29th JULY, 2014.**

R. J. COLLAS
Bailiff and Presiding Officer

The Royal Court House
Guernsey
16th July 2014

EDUCATION DEPARTMENT

RESIGNATION OF NON-STATES MEMBER OF THE EDUCATION DEPARTMENT

The Chief Minister
Policy Council
Sir Charles Frossard House
La Charroterie
St Peter Port

10th July 2014

Dear Sir

1. Background

1.1 This States report seeks the States of Deliberation's acceptance of Mr Denis Patrick Mulkerrin's resignation as a non-States member of the Education Department.

1.2 In September 2012, the States of Deliberation, upon nomination by the Education Department and in accordance with the Education Department's mandate, appointed Mr. Mulkerrin as a non-voting member of the Department.

1.3 Rule 7 (3) of the Constitution and Operation of States Departments and Committees govern the terms of office of all members of a Department:

"If the Chief Minister, the Deputy Chief Minister, the Minister or a Member of a department, the Chairman or a Member of a Committee resigns from that office in a letter to the Presiding Officer, the resignation shall take effect automatically on the election by the States of a successor to the office vacated. No debate shall be held on the matter of the resignation".

1.4 In accordance with Rule 7 (3) Mr. Mulkerrin has tendered his resignation from the Education Department as a non-States member.

1.5 The Department wishes to thank Mr. Mulkerrin for his contribution to the Department's work over the last two years.

2. Resignation and a successor

2.1 Rule (3) states that *"the resignation shall take effect automatically on the election by the States of a successor to the office vacated."* The Department does not intend to nominate a successor non-States member at the current time. The

Department is mindful however that the effect of Rule 7 (3) is that Mr. Mulkerrin would remain in post until such a successor is elected by the States. The Department has therefore agreed to lay this matter before the States of Deliberation in order for the States to accept Mr. Mulkerrin's resignation as a non-States member of the Education Department with immediate effect.

- 2.2 The Department is also mindful of the last sentence of Rule 7 (3) which states that:

"No debate shall be held on the matter of the resignation."

- 2.3 The Law Officers have been consulted and confirmed that these are the correct procedures to be followed in these circumstances.

3. Recommendation

The States are asked:

- (a) to note that the Education Department does not intend to nominate a successor non-voting member at the current time; and
- (b) to accept Mr. Denis Patrick Mulkerrin's resignation as a non-States member of the Education Department.

Yours faithfully

R W Sillars
Minister

A R Le Lievre
Deputy Minister

R Conder
C J Green
P A Sherbourne

(NB As there are no resource implications in this report, the Treasury and Resources Department has no comments to make.)

(NB The Policy Council supports the publication of this supplementary Billet d'État and confirms that the Report complies with the Principles of Good Governance.)

The States are asked to decide:-

I.- Whether, after consideration of the Report dated 10th July, 2014, of the Education Department, they are of the opinion:-

1. To note that the Education Department does not intend to nominate a successor non-voting member at the current time.
2. To accept Mr. Denis Patrick Mulkerrin's resignation as a non-States member of the Education Department.