



BILLET D'ÉTAT

WEDNESDAY, 25th NOVEMBER, 2015

XXII
2015

STATES ASSEMBLY AND CONSTITUTION
COMMITTEE – RULES OF PROCEDURE OF
THE STATES OF DELIBERATION AND THEIR
COMMITTEES - PROPOSED NEW RULES

BILLET D'ÉTAT

TO THE MEMBERS OF THE STATES OF THE ISLAND OF GUERNSEY

I hereby give notice pursuant to Rule 1(3) 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 **WEDNESDAY, the 25th NOVEMBER, 2015.**

R. J. COLLAS
Bailiff and Presiding Officer

The Royal Court House
Guernsey

20th October 2015

STATES' ASSEMBLY & CONSTITUTION COMMITTEE

RULES OF PROCEDURE OF THE STATES OF DELIBERATION AND THEIR COMMITTEES - PROPOSED NEW RULES

The Presiding Officer,
The States of Deliberation,
The Royal Court House,
St. Peter Port

19th October 2015

Dear Sir,

EXECUTIVE SUMMARY

The States' Assembly & Constitution Committee (hereinafter "SACC") had previously informed the States on several occasions that it intended to rewrite the Rules of Procedure of the States of Deliberation (hereinafter the "Rules of Procedure") and that in so doing it intended to merge the Rules of Procedure with the Rules relating to Committees of the States (hereinafter the "Committee Rules"). The SACC believes that it is also logical to include the constitutions and mandates of all Committees of the States in the same combined document. This policy letter puts the SACC's proposed new combined document to the States for their approval. The new Rules are the result of a complete review of the Rules to consider whether they are all needed; a complete rearrangement to tidy them up; the consequential rewriting needed; and generally putting them in a more logical order. In particular they reflect the need to rewrite the Rules so as to be fully consistent with the States' Resolutions on the States' Review Committee's proposals for the new structure of the States which will be implemented with effect from the 1st of May, 2016.

Notwithstanding all the above, many parts of the text of the new Rules are brought across from the previous sets virtually unchanged apart from the necessary new terminology. However, in some areas the SACC is proposing significant changes to how the States and their committees operate.

The main areas in the proposed new Rules where they differ significantly from the previous Rules are as follows:

- Setting of dates of Meetings;
- Submission of items for consideration by the States, and generally how the States manage and consider the business before them, albeit that in respect of these items the SACC is seeking in-principle approval for the reforms it has in mind;
- Policy & Resource Plan;
- Elections;
- Provision for the States to sit "in committee";

- Quorum of Committees.

In addition, all references to the titles of Committees and offices have been amended to reflect the changes agreed by the States in 2014 and 2015 after consideration of two policy letters from the States' Review Committee.

As the SACC has consulted Members about the various States' Rules a number of times during this term it did not do so specifically on this occasion. However, it has taken into account the points raised in the last consultation and the points made by Members during the subsequent debate on the annual review of the Rules in April, 2015 (Billet d'État VI, Article 7). Those suggestions are considered in this policy letter, even if the SACC has concluded that a change should not be proposed.

REPORT

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

The new Rules

1. The SACC believes that in future there should be a single set of Rules which amalgamates all of the following into one document: the Rules of Procedure, the Committee Rules and the constitutions and mandates of States' Committees. It believes that the new document should begin with a preamble setting out briefly the new structure of the States from May 2016. As shown in the draft Rules appended to this policy letter, a number of relevant laws are named and relevant provisions from them included for information – one obvious one being that the States will, from the 1st of May 2016, be reduced to 40 elected Members (38 People's Deputies and two Alderney Representatives). It is intended that the successor to the "gold book" which contains all the documents covered by this policy letter and the list of States' Members and the pay rules and the Code of Conduct will in future also contain a copy of the Reform (Guernsey) Law, 1948 as amended, the States (Reform) (Guernsey) Law, 2015 and the States Committees (Constitution and Amendment) (Guernsey) Law, 1991. This will ensure that all these relevant documents are available in a single location online and in hard copy.
2. The policy letter sets out the SACC's proposals for new procedures or significant changes to existing ones for each part of the new Rules in turn. It does not cover areas of the Rules where it is making no proposals for change (other than to terminology) unless it is a matter which has been raised by a Member of the States. The proposed text of the new amalgamated Rules is not given in the body of the policy letter: it is set out in the draft new Rules which are appended to this policy letter and which the States are asked to approve.

Dates of Meetings

3. At present, and for many years, the States have generally sat on the last Wednesday of each month, apart from August (no Meeting) and December (brought forward to avoid the inevitable clash with the Christmas period). Occasionally, which has become more prevalent recently, in order to deal with the volume of business the Meeting has been convened for the Tuesday immediately before the last Wednesday and that has recently been agreed as the prescribed day in October for the annual Budget Meeting.

4. Generally the procedure set out in the present Rules is followed so that if the business of a Meeting has not been completed on the first day it is adjourned to the next day and so on. If it still has not been completed by the end of the Friday that week, i.e. after three (or four) days of debate, then the Meeting is adjourned to the second Wednesday next following. However, the States can decide to adjourn to any day they choose.
5. During this term there have often been occasions when Members have proposed that the day to which the Meeting be adjourned be a day other than the Wednesday a fortnight later and there is a short debate about the proposal. The convention has been that Members should block out the standard adjournment days in case they are needed but increasingly that has not happened and numerous Members have, on occasion, not been present when the Meeting resumes. In any event it is often not possible to know if the adjournment days will be needed until towards the end of the monthly Meeting. That makes planning ahead more difficult. In addition, it is evident that the present arrangements are doing little to aid a consistent flow of business to the States. The SACC is proposing a completely different system for determining the dates on which the States meet, which would provide for greater certainty and promote a more consistent flow of business to the States.
6. The SACC proposes that from the start of the new States in May, 2016 States' Meetings should begin on set dates through the year rather than according to a "pattern" as at present. The SACC believes that a sensible frequency would be for the States to meet approximately every three weeks. The SACC believes that is a sensible compromise between the current frequency and the fortnightly Meetings sought by some Members. By meeting at that frequency the SACC believes that there would no longer be a need for separate adjournment days for the consideration of unfinished business. As set out in proposals below (see paragraph 13 onwards), the way in which the States determine what business is going to be considered and when would also be completely different from at present. The reforms proposed in this section of the policy letter and the reforms proposed in the section starting at paragraph 13 should be read conjunctively: the full benefits of one set of reforms will be realised only if the States approve the other set.
7. It is proposed that any business not finished at any particular Meeting would be carried forward automatically to the next Meeting which would generally be three weeks. As at present, adjourned items would be considered before other items set down for debate at that next Meeting. The SACC is proposing no change to the provision for the Presiding Officer, whenever necessary, to convene a Meeting in such manner and at such notice as he or she shall decide.
8. The SACC believes that Meetings should continue to start on a Wednesday. That gives Members two days beforehand to attend to other States' business in a Meeting week. It believes that it is best that Meetings should not last longer than three consecutive days. Unlike in some other assemblies, there is a public expectation and States' culture that Members should, if possible, be present for all of every Meeting. If more days were available in the week, because of an earlier start, there is a danger that debates would expand to fill the time available. The SACC is proposing a timetable of nine Meetings between the 1st of May and the 31st of December, 2016, in addition to the Meetings in May, 2016 to elect Committees, and ten Meetings between the 1st of January and the 31st of August 2017 which would begin on the dates set out in the Schedule attached to this policy letter. While that provides for slightly more Meetings than are presently scheduled for those periods, the intention is that there would be no sittings between those dates (i.e. the present arrangement for adjournment days between ordinary Meetings would be scrapped). At

present the States typically sit for around 30 days a year, including adjournment days. Unless the volume of business or the time taken to consider it increases significantly, the business of the States should be completed if most Meetings are finished by the end of the second day (Thursday). The Friday in a States' Meeting week would still be available if needed. The volume of States' business has increased in recent years and this new arrangement would be flexible enough to accommodate this trend by having the Friday available for when it became necessary.

9. It is proposed that with effect from 2016 the SACC would be required to bring a policy letter to the States each year in September with the proposed dates for Meetings in the 12 months starting in September in the following calendar year so that Members and Committees have time to plan ahead. In proposing dates to the States, it would be required to take into account the dates of school terms, which it hopes would assist in making the States more family-friendly.
10. The States have recently agreed that the Annual Budget Meeting should be on the Tuesday before the last Wednesday in October which fitted with the present schedule of States' Meetings. The SACC believes that the Budget should still be debated at a Meeting in October starting on a Tuesday. That will allow time for its preparation and time to implement any approved proposals for the following calendar year. It will also retain the concept of a separate "Budget Day".
11. The SACC believes that it is logical for the new arrangement to begin at the start of the new States' term in May, 2016. It hopes that the procedures for the submission of policy letters, determining future States' business, etc. will also change at the start of the new States' term (paragraph 13 onwards). The SACC is not proposing any changes to the proposed start dates of States' Meetings during the remainder of this term – that is, until April, 2016. Attached to this policy letter as Schedule 1 is a proposed schedule of States' Meetings for the period from the 1st of May 2016 to the 31st of August 2017. If the Schedule is approved, anyone contemplating standing as a candidate in April, 2016 will know, as soon as the States have debated this policy letter, when the States will sit in the next eighteen months.

Policy letters

12. At present, Departments and Committees submitting policy letters are obliged by current Rule 2(3) to include the names of all the Members of the said Department or Committee regardless of whether each of the Members personally endorses all of the recommendations in the policy letter. If a Member dissents from all or some of the recommendations then that Member can use Rule 2(4) to deliver to the Department or Committee a minority report which is published as an annex to the policy letter. In its second policy letter the States' Review Committee proposed that all policy letters should include a statement clarifying whether each of the recommendations is supported unanimously or by a majority of the sponsoring committee. If the latter, it proposed that the Member(s) who did not support certain recommendations should be identified. The SACC agrees with the States' Review Committee that proposals from Committees of the States should be "owned" by the Committee proposing them to the States. It also, again like the States' Review Committee, believes that dissent can be expressed as long as it is clear and transparent. Therefore, it proposes that the Rules should require a Committee when submitting a policy letter to include within it a statement clarifying whether each of the recommendations is supported unanimously or by a majority of the sponsoring

Committee and, if the latter, it should be identified which Member or Members of the Committee are not in support of which recommendations.

Submission of items for consideration by the States

13. In the opinion of the Committee Rules 1 and 2, which set out, *inter alia*, how the States manage their agenda, how policy letters and other papers are published and submitted to the States, how the senior committee comments on the proposals of other committees, etc. are in considerable need of reform. In recent years it has become increasingly evident that the weaknesses in these Rules are multiple and material.
14. The present arrangements are relatively straightforward: generally speaking the Rules provide for an item – a policy letter from a committee or a requête, for example – to be submitted to the Policy Council and not less than six weeks later for it to be published in a Billet d'État through which a States' meeting is convened not less than five weeks later to debate all the items submitted. This process may be simple to understand, but it is also highly inflexible and bureaucratic and too often it stymies the initiative of the States.
15. The States are normally convened monthly, but the flow of business put before the States is very inconsistent. In 2014 the States met for a day and a half or less in each of three months and for three days or more in each of five months. The hours sat per month varied from less than five in each of February and June to around 15 in each of January, March and September up to 24 in October, 28 in April and 38 in July. In February there were six items submitted for debate and in June there were eight, but in July there were nineteen and in November there were twenty-five. This irregular pattern almost inevitably results in some sittings where relatively minor matters are debated at great length and other sittings where significant items of business are so numerous that some are clearly not afforded the attention they should be.
16. The Policy Council's mandate includes "[t]he preparation of the agenda for meetings of the States of Deliberation and the States of Election." Each year the Policy Council issues a calendar for the submission to it of policy letters, etc. In 2015 the calendar provided for a policy letter submitted on, say, the 6th of January to be published not until the 20th of March, ten-and-a-half weeks later, and for it to be considered by the States nearly six weeks after that. A calendar which provides even for Committees' relatively minor items not to be considered by the States for very nearly four months after they have been finalised and submitted is hardly likely to instil confidence in the capacity of the States to discharge their business efficiently. In respect of policy letters submitted by the parliamentary committees, the States have laid down no minimum period between their being submitted and their being published and yet the aforementioned calendar which is necessary to support the present process for receiving items, issuing Billets d'État etc. provided for a policy letter submitted by a parliamentary committee on, say, the 27th of April to be published not until the 19th of June, nearly eight weeks later, and for it to be considered by the States six weeks after that.
17. There is relatively little scope to expedite the submission to the States of relatively minor matters, but there is also relatively little scope to defer significant matters. A minor matter and a significant matter due to be considered by the States on the same day are published simultaneously – thus before a States' Meeting more time than is needed is set aside to scrutinise the minor matter but potentially less time than is needed is set aside to scrutinise the significant matter. Even the Rules of Procedure relating to the submission of

amendments, sursis, etc. envisage that not all such motions are equally significant and therefore the required period for submitting them differs depending on their content. The Rules of Procedure provide for no such distinction in the submission of policy letters, requêtes, etc.

18. The day-to-day burden of administering this process on behalf of the Council falls to officers at the Government Business Unit. It must be recorded that they are often very accommodating and try to assist other committees by offering concessions to the published timetable – this Committee must acknowledge that it has on occasion taken advantage of these concessions, most recently in the submission of this policy letter. Equally, negotiating arbitrary concessions is no doubt time-consuming both to the Unit and to the submitting Committee. The underlying problem is not the way in which the current arrangements are administered by the Unit – the underlying problem is that the process itself is deeply flawed.
19. It is plain that the present arrangements lack transparency. For example, based on the schedule for the present calendar year, in the second week of March a Committee of the States may finalise and submit far-reaching proposals which are bound to provoke considerable public interest and the present arrangements would provide for them to be published not until the third week of May and then considered by the States in the last week of June. This would be a period of around fifteen weeks from finalising and submitting the proposals to their consideration by the States and yet for around ten of those fifteen weeks the proposals would have remained unpublished. For those ten weeks or so they would be known about in full detail by around 19 States' Members (five on the committee submitting the proposals, ten on the Council and four on the Treasury and Resources Department, which also receives policy letters at the time of their submission to the Council), but quite possibly not at all by the other 28 States' Members nor, of course, by the public.
20. The Council is in an almost impossible position. It is frequently criticised by other Members for the irregular flow of business to the States but it has very few means of influencing the agenda for States' Meetings. It can defer an item but for one States' Meeting only and otherwise is obliged to include every item submitted on the next available Billet d'État irrespective of both how many and which other items are already on that Billet d'État. In any event exercising even its limited facility to defer, which it seldom does, may well provoke considerable disquiet in the Council from the Committee submitting the item, which not unreasonably believes that as a Committee of the States it should be able to report its proposals directly to the States without having to provide those proposals to the Council at more than 11 weeks' notice. On the other hand the Council can shorten the standard period of approximately six weeks between receiving, say, a policy letter and it being published in a Billet d'État, but doing so, on significant items at least, also shortens the time available to the Council to compile a letter of comment which it uses to advise the States of its opinion on the submitting Committee's recommendations.
21. Generally the present arrangements do nothing to assist the Council, nor indeed the Treasury and Resources Department, in fulfilling responsibilities to advise the States on other Committees' proposals. This was recognised in the second policy letter of the States' Review Committee, in which it was stated: *"The practice of commenting on other committees' policy letters should...be reformed. At present this policy advisory function...is entangled with, and greatly influenced by, the purely administrative function of submitting and publishing items for the States, and in the opinion of the Committee they should be decoupled."* The Council's comments, which it appends to policy letters and requêtes

published in a Billet d'État, seldom aid debate in the States, but this must partly be because the Rules of Procedure relating to the publication of Billets d'État appear to place as much emphasis on the Council's role as a vehicle to promulgate other Committees' proposals to the States as on the Council's role to advise the States on those proposals.

22. It is true that strengthening policy co-ordination depends on much more besides. For example, many of the reforms led by the States' Review Committee, including radically changing the structure and responsibilities of the States' senior Committee, have in mind the need to improve co-ordination in the work of the States. In addition, the process for submitting policy letters, requêtes etc. is not made any easier by States' Meetings being on a fairly rigid monthly rota and proposals to alter the meetings schedule are included elsewhere in this policy letter. Nonetheless, these reforms are unlikely to yield all the benefits they could without also making significant changes to the process for submitting items to the States and arranging debate on them.
23. This policy letter does not set out detailed rule changes in this area of States' business. Rather, in view of the substantial nature of the reforms the Committee is promoting, the proposals are explained in general terms together with a recommendation to approve them in principle and to direct the Committee to report back to the January, 2016 States' Meeting laying out in full the Rules of Procedure which would be necessary to give effect to the changes.
24. The very different arrangements proposed by the Committee would, if approved by the States, provide for greater flexibility and transparency and strengthen the prospects for co-ordination in how the States manage their agenda, how policy letters and other papers are published and submitted to the States, how the senior committee comments on the proposals of other committees, etc.
25. A proposition or set of propositions to be laid before the States – whether what are known today as recommendations of Committees of the States or requêtes from any seven members or amendments from any two members – would be submitted to Her Majesty's Greffier (in whatever form is laid down in directives issued from time to time) and published more or less immediately on the States' website and a notice would be posted in the Greffe foyer of the title of items submitted. Propositions may be – and in the case of propositions emanating from Committees invariably would be – accompanied by policy letters setting out the case in support of the propositions. The submitting Committee or requérants would identify its or their preferred date, if there is one, for the States to consider the item.
26. All propositions submitted within a set period of time before a States' Meeting would then be laid before that States' Meeting as part of a new, separate category of business: in effect, arranging the agendas for future States' Meetings. The Committee suggests a timetable as follows. The deadline for submission of an item would be 3.00 pm on the day preceding the seventh clear working day before the States' Meeting (Friday in week one). The order paper would be published before 5.00 pm on the day before the second clear working day (the following Friday – that is Friday in week two). The States' Meeting would begin on Wednesday of week three.
27. For each newly-submitted proposition or set of propositions, the Policy & Resources Committee would state the date of a future States' Meeting at which it proposed that the item should be debated, having first taken into account the nature and significance of the item and the volume of other business already arranged for future Meetings. Any opinions

to the contrary, i.e. alternative dates to debate the item, could be put to the States. The Committee wishes to emphasise that it has no intention of proposing a set of rules which would provide for long debates on arranging future agendas: if any debate were permitted at all, contributions could be restricted to, say, the Presidents of the Committees directly concerned with the item and a time limit of perhaps two or three minutes imposed upon them, or alternatively no debate could be allowed but Committees directly concerned with the item could be permitted to circulate a memorandum explaining any dissent from the date of debate proposed by the Policy & Resources Committee. At this stage, and pending further consideration, the SACC's preference would be for no debate to be permitted. The Policy & Resources Committee would set out the date when it proposed that a newly-submitted proposition or set of propositions would be debated; the President of the Committee submitting the propositions, or the lead requérant in the case of a requête, could, if unable to accept the date proposed by the Policy & Resources Committee, briefly lay an amendment; and the States would swiftly decide which date they preferred and set the date for the item to be debated. Arranging future business is a perfectly legitimate and normal activity for a parliament.

28. A Billet d'État could still be issued a certain number of days before a States' Meeting: in effect it would become an order paper listing all of the items to be considered at that meeting. At the conclusion of a States' Meeting the Billet d'État could be expanded to become a permanent public record of all propositions and supporting policy letters or papers considered at that meeting, amendments laid (whether successful or not), votes taken, including recorded votes, resolutions made, etc.
29. There are many advantages to be obtained by introducing these reforms to coincide with the reorganisation of States' affairs in May, 2016.
30. The Committee's proposed procedure would be a considerably more flexible and responsive way to set the agenda for future States' Meetings. It would be possible to establish a more consistent flow of business going before the States. Less significant items could be slotted in more swiftly or where there appears to be space for them. More significant items could be provided with longer periods from submission / setting a date to the debate itself.
31. The Committee's proposed procedure would provide for greater transparency for the public and Members of the States and assist Members in preparing for debates, especially on items of significance in which they have a particular policy interest. For example, instead of policy letters spending two-thirds of the period between submission and debate unavailable to, and probably unknown by, the public and just over half the States, as can be the case with the present arrangements, they would be published more or less immediately. For significant items, this could increase the period for which they were in the public domain, and consequently the period of preparation for States' Members too, by anything up to two months without the time between submission and the States' debate being shortened at all.
32. The Committee's proposed procedure would assist the Policy & Resources Committee in fulfilling its duty to advise the States, where necessary, on the proposals of other Committees, especially in relation to whether the proposals are consistent with the States' overall objectives and policy plans. The Policy & Resources Committee's advice to the States would be circulated during the period between the item having been submitted for debate and the debate itself. The States' Review Committee has set down an expectation

that the Policy & Resources Committee should issue letters of comment in respect of significant items only: the procedures proposed in the foregoing paragraphs would provide the Policy & Resources Committee with considerably more time than the Policy Council and the Treasury and Resources Department have today to formulate meaningful and informed letters of comment. It is true that the proposals of other Committees would be published without letters of comment, but it would be far more constructive and useful to the States, and indeed to the public, for meaningful and informed letters of comment to be issued subsequent to publication of the original proposals than it is for insipid letters of comment to be issued at the same time as the original proposals. In any event, the States have directed that there should be a requirement set down in the Rules of Procedure for Committees' policy letters to explain clearly any joint working or consultation with other Committees, including the Policy & Resources Committee, and there has to be a degree of trust in other Committees not to publish far-reaching proposals in the absence of at least some dialogue with the Policy & Resources Committee.

33. The SACC is minded to propose that draft legislation should be treated slightly differently and be submitted for a guaranteed States' Meeting rather than being considered at a date decided by the States.
34. The Committee's proposed procedure is not wholly dissimilar from the procedure for laying matters before the States' Assembly in Jersey, which the Committee has found certainly helps to regulate the flow of business going before that island's States. It should also be noted that the States' Assembly in Jersey arranges future business, as proposed in the foregoing paragraphs, but it does not consume very much of the Assembly's time, as it would not need to in Guernsey.
35. The Committee cannot conceive of the present arrangements and their multiple and material weaknesses being carried into the new Committee structure after the reorganisation of States' affairs next May. The proposed procedure would be a considerable improvement in almost every respect.
36. The Committee hopes that the States will approve its proposed procedure in principle and sanction the drafting of the detailed Rules of Procedure necessary to give effect to the changes with a view to laying those Rules of Procedure before the January, 2016 meeting of the States. These proposals in January, 2016 would include any transitional provisions necessary during the period immediately before and immediately after the 2016 General Election. In the meantime, in the proposed set of Rules in Appendix 1, the SACC has copied exactly the present Rules on the submission of items, etc. and has underlined them. The intention is that the underlined parts will be replaced by the detailed rules proposed in the January, 2016 policy letter.

Hours of sittings

37. A few States' Members have suggested that the hours when the States sit should be altered. The SACC has considered the matter but has concluded that the standard hours should remain as they are, namely: 9.30 a.m. to 12.30 p.m. and 2.30 p.m. to 5.30 p.m. States' Meetings are but one part of the duties and responsibilities of a Member. The present hours assist Members who wish to have meetings before the States start each day or in the lunch break. Meetings are often convened at precisely those times either because it is a good way of guaranteeing Members' attendance or because an urgent matter has arisen in connection with the matter being debated in the States' Meeting.

38. The SACC is not proposing any change to the provision for the Presiding Officer to propose that the Meeting continue outside those hours when necessary.

Policy & Resource Plan

39. To fulfil the requirements of the resolutions on the States' Review Committee's second policy letter [Billet d'État XII of 2015] the Policy & Resources Committee will be obliged periodically to present to the States a Policy & Resource Plan for consideration and adoption. The Plan will be developed in two phases: Phase 1 where the States will determine their overall strategic objectives and Phase 2 where each of the Principal Committees will be obliged to draw up its own policy plan to contribute to the States' overall objectives. The details of how the process would work are contained in the third policy letter of the States' Review Committee (Article 1 of Billet d'État XXI). Paragraph 23 of the accompanying new Rules set out how the Policy & Resource Plan should be considered by the States.
40. The States' Review Committee has proposed that the draft Policy & Resource Plan should be the only item of business at the particular States' Meeting for which it was submitted. The SACC agrees and has provided for such a separate Meeting in the new Rules and in Schedule 1.

Length of debates

41. In recent consultations or debates about the Rules of Procedure, numerous Members have suggested that there be limits on the number of speakers, the length of speeches, or the length of debates. The SACC has given detailed thought to this matter. There are various options.
42. The number of speeches in any one debate could be limited. An important reason not to do so is that there is no system of party politics in Guernsey. No Member speaks in debate on behalf of other members of the same party. Some Members have also proposed that a balance of views be given early in the debate to help limit the need for numerous Members to speak. Occasionally the Presiding Officer does already ask if anyone wishes to put an opposing view to the one generally being espoused and there is merit in that practice continuing.
43. Although the SACC does not believe that it would be appropriate in Guernsey to have a limit on the number of speakers in a debate, it does support speakers being chosen so that a balance of views is given early in a debate as that should lessen the need for some other Members to speak if their views had already been aired.
44. There could be limits on the length of speeches, which could, for example, include provisions to give a longer time to the Member proposing the matter than to other speakers and different lengths for different debates. The latter would necessitate some form of categorising debates to determine which length of speeches a debate was permitted. Although in general it is evident which items will need or justify longer than others, it is not always clear cut. It is likely that there would be frequent moves to recategorise items or suspend the Rule.

45. Any credible limit on the length of speeches would probably need to be set somewhere around ten minutes. This would inevitably cut short some, though by no means all, of the better speeches heard in the States. There is also a danger that a time limit on the length of Members' speeches could come to be seen as a target to be achieved, or at least an allowance to be used, rather than the limit and this could even have the effect of lengthening debates. Therefore, the Committee is not proposing a limit on the length of speeches.
46. In addition to or instead of limiting the length of speeches, there could be time limits on the overall length of debates. Such limits would need to have special provisions to take account of amendments and sursis. Again there could be different lengths for different debates by categorising debates.
47. In all cases it is likely that there would need to be a provision to allow the limits to be overridden in certain circumstances. The SACC believes that if such a provision were used too often, or that Rule were suspended, it would make a nonsense of having limits.
48. In respect of the length of debates, a simple limit would deny some Members the opportunity to express their views and try to influence the outcome of debate. This would be a rather radical step in a jurisdiction where all Members are elected as independents on their own separate manifestos and holding distinct political views and objectives. It would also be difficult for the Presiding Officer to choose who to call and, as a consequence of choosing who to call, in effect choosing who should not be able to participate in debate. Nevertheless, the States are not a debating society. The primary purpose of States' Meetings is to make decisions and many parliaments have rules to limit, by various methods, the overall length of debates.
49. In addition to considering all the options above, the SACC considered whether some variation on the guillotine should be proposed. One possible option to control the length of debates could be to have a Rule under which a guillotine was put automatically after a certain period of debate.
50. For example, at the end of, say, two hours of debate, which would commence at the end of the opening speech in the debate, the Presiding Officer would be obliged to put a guillotine motion to the States automatically – that is without a request having been made by a Member. That proposition would be voted on in the usual way. If at that point Members wished to continue debating the matter they could, by voting down the motion. If the guillotine motion were successful, any persons who had the right to reply to the debate would then do so and the propositions on the matter would be put to the vote in the usual way. Any matter which had its own debate, including separate debates for amendments and sursis, would be subject to the automatic guillotine motion after two hours of debate.
51. In the aftermath of the successful guillotine motion on the Sunday trading debate (Article 16 of Billet XVI of 2015) the SACC received representations from three Members of the States who were aggrieved by the success of the motion and the consequent curtailment of the debate. Those Members made various suggestions for how the present Rules could be amended. For example, a guillotine motion might take effect only after a certain period of further debate had elapsed; those who had already spoken might not be permitted to vote on the motion; restoration of the requirement for a two-thirds majority; and a guillotine could impose a time limit on speeches rather than complete curtailment of debate. The SACC has considered all these options and their possible effects.

52. The SACC has concluded that the present provisions on guillotine motions should be carried forward in the new Rules completely unchanged. It believes that there should remain provision to terminate debate on items if that is the wish of the majority of Members and if they believe that there is a danger of the debate on them becoming unnecessarily lengthy or repetitive.
53. As stated before, to encourage debate to remain disciplined and focused, the SACC is also proposing that the Presiding Officer should expressly be empowered to seek a balance of views to be heard early in debate. The Presiding Officer(s) already try to do so on occasion but the SACC believes that it should be written into the Rules to reinforce that it can be done. The new Rule would enable the Presiding Officer to ask if any Member wished to express a contrary view to the generality of views which had been expressed thus far. This may make it possible for there to be fewer or shorter speeches because the spread of Members' views should already have been given towards the beginning of the debate.
54. It should be noted also that the SACC is proposing that the provision stating that "[d]ebate must be relevant to the matter before a Meeting" be carried forward unchanged (see new Rule 17(6)). It is proposing also that the provision should continue which enables the Presiding Officer to direct a Member who persists in irrelevance or tedious repetition of his or her own or other Members' arguments in the debate to discontinue his or her speech (see new Rule 8(6)). The SACC would be fully supportive if the Presiding Officer found it necessary to apply this rule frequently and assertively.
55. In summary, the SACC proposes that the Rules should expressly provide for the Presiding Officer, if he or she so wishes, to try to ensure that a balance of views is heard (new Rule 17(7)). It believes also that there is merit in continuing to have a Rule to permit a Member to propose that debate be closed at any time during the debate but it does not believe that it should be strengthened or weakened in any way. The SACC therefore proposes that the terms of the present Rule 14(1) continue as set out in new Rule 26(1).

Motions of no confidence or of censure

56. In addition to proposing that there be time or other limits on debates generally, some Members have also proposed that they be introduced specifically for motions of no confidence or of censure. The SACC can understand the wish to limit the length of those debates in particular as there is a risk of their becoming unedifying and destructive, although there is another valid view which holds that such debates are perfectly legitimate in a democracy and should in no way be discouraged. The SACC believes that the continuation of the current guillotine procedure should be sufficient to prevent over-lengthy debates on these matters also.
57. At present, motions of no confidence and of censure in a Department or Committee are addressed to the Policy Council while motions of no confidence and of censure in the Chief Minister or Deputy Chief Minister are addressed to the Presiding Officer. The SACC believes that it would be better if all such Motions were addressed to the Presiding Officer who is neutral, regardless of the subject of the motion.

Elections

58. The present Rules set out the order in which elections to various offices are held when more than one is vacant at the same time. The SACC believes that elections should continue to be held in a particular order to assist in ensuring that the most suitable candidates are selected for each post. In particular, it believes that the order proposed at new Rule 16 will help to emphasise the importance of the Scrutiny Management Committee in the new States' structure. After a General Election it proposes that the President of the Policy & Resources Committee should be elected first as the senior political post holder, at a Meeting held for that sole purpose. In view of the prominence of that Committee and the importance of it becoming a coherent group of Members, the other Members of the Policy & Resources Committee should be elected next, again at a Meeting held for that sole purpose. Then the Presidents of the Principal Committees should be elected; then the President of the Scrutiny Management Committee; then the Presidents of the other Committees, Authorities, Commission etc. These elections should be held at a special third Meeting. At a fourth Meeting the elections for ordinary Members of all the Committees (except the Policy & Resources Committee) should be held in the following order: Scrutiny Management Committee, Principal Committees, then the other Committees. The dates for these four States' Meetings in 2016 were set out in a note from the Presiding Officer in the September, 2015 Billet d'État and are as shown in Schedule 1 to this policy letter. On other occasions when vacancies arose simultaneously the posts would be considered in the order above but, generally, at an ordinary States' Meeting.
59. At present there are special Rules relating to the election of a Chief Minister: nominations are accepted only if they have been submitted in advance to the Presiding Officer during a period set by the SACC. These Rules date back to a time before the States introduced extensive periods for all candidates for senior offices to be questioned in the Assembly. The SACC believes that a nomination period is unnecessary in respect of elections to the new post of President, Policy & Resources Committee, which in future will be the Island's senior political office. It believes that any Member who intends to stand for that office is highly likely to have made his or her candidacy widely known and therefore the advanced nomination period serves no useful purpose and adds nothing constructive to the process. The Rules for questions to candidates for the office of President, Policy & Resources Committee should follow those for other postholders, which the SACC is not proposing to change from those currently pertaining.
60. The SACC proposes that in respect of elections of Members of the Policy & Resources Committee there should be speeches from both the proposer and the candidate. The speech by the proposer should be a maximum of five minutes' duration and that of the candidate a maximum of ten minutes. It does not propose a period of questions for candidates.
61. The SACC believes that there is no need to give the President of the Policy & Resources Committee the right to determine the order in which Committee elections are held. It proposes instead that, subject to the order and groupings set out in paragraph 58 above, elections should in future be held in alphabetical order by Committee name within each group.
62. In addition, the SACC believes that the President of the Policy & Resources Committee should not have an automatic right to make the first nomination for other offices, except in respect of the other members of that Committee. Of course the President of the Policy &

Resources Committee may well decide to make a nomination for any other post, especially the Presidents of the Principal Committees, and inevitably that nomination would carry weight because of the fact that it has been made by the senior political office holder. Making provision for the President of the Policy & Resources Committee always to have an automatic right to make the first nomination might be held to imply that the holder of the office would not make a nomination otherwise and that is most unlikely. In any event, it is difficult to believe that the outcome of an election would change if the President of the Policy & Resources Committee proposed his or her preferred candidate, say, second or third rather than first. The President of a particular Committee should have the right of first nomination in respect of his or her own Committee, but not otherwise.

Provision for the States to sit "in Committee"

63. At present, the States can sit in full session only. There is no provision for them to sit as a "Committee of the whole" or "in Committee". It has been suggested, most recently in the July debate on the States' Review Committee's second policy letter, that there might be advantages to the States being able to sit in a different format from the full sitting. For example, the States could sit "in Committee" to consider broad policy development. Such sittings could be subject to fewer rules to ease the flow of the debate and make it more like a discussion.
64. The States of Jersey's Standing Orders contain provisions for sitting in Committee which include enabling a Member to speak more than once during the discussion and allowing anyone to be present and also to speak. The matter is not voted upon. The procedure can be used for consideration of a draft enactment, the general administration and policy of their Council of Ministers or a Minister, a report from their Public Accounts Committee or a Scrutiny panel, any other report laid before the States, or such other matters as the States may decide.
65. Such a procedure could be used to consider items which might at present be debated under the provisions of the current Rule 12(4). That mechanism enables a Committee to request that a matter of general policy be considered by the States without amendment on the understanding that if the propositions are accepted the Committee would return with detailed proposals which could be debated and amended in the normal way. However, the present Rule 12(4) does not permit (unless Rule 12(3) has been suspended) Members to speak more than once, nor does it permit other Rules to be set aside. The SACC believes that there is merit in the States having the option to sit "in Committee". In the interests of transparency such sittings could be broadcast in the normal way for States' Meetings.
66. The SACC therefore proposes a new Rule to enable the States to sit "in Committee" and it is at Rule 25.

Provision for the States to sit "in camera"

67. At present, the States sit in public session only. There is no formal provision for them to sit "in camera". However, on a previous occasion, in order to be given legally privileged information, the sitting was held *in camera*. Since the States did on one occasion decide to sit *in camera*, the possibility of it happening again cannot be ruled out, and that being so the SACC believes that it should study carefully whether the Rules should make provision for the States to sit *in camera*. If such a Rule was introduced, it would need to be framed in such a way as to provide for the States to meet *in camera* only in very exceptional circumstances

and when absolutely essential: in other words, the bar would have to be set very high. The SACC intends to study this matter and, if considered necessary, to lay appropriate recommendations before the States in due course.

COMMITTEE RULES

68. First of all it should be noted that the new Rules will encompass Rules relating to the various States' Committees and include an appendix setting out the constitutions and mandates of all States' Committees.
69. Secondly, many of the changes are necessary simply to reflect the new structure of the States and way in which Committees will operate. In addition, the Committee has taken the opportunity to put the Rules into a more logical sequence, and the provisions which apply to specific Committees but not generally have been removed to the new section on the constitutions and mandates of Committees. The new Rules relating to Committees are set out in Section 2 of the new Rules at Rules 32 to 62.

Holding of multiple posts simultaneously

70. In order to give effect to the resolutions of the States on the States' Review Committee's second and third policy letters the SACC proposes that there should be restrictions to prevent certain combinations of posts being held simultaneously. The incompatible combinations are set out in the constitutions of individual Committees. These restrictions are necessary to prevent conflicts of interest.

Election of Vice-President of a Committee

71. At present, the result of the election of a Deputy Minister or a Vice-Chairman must be communicated to the Chief Minister within 48 hours of the election. The SACC believes that it would be better for the Rules to require the result to be communicated to the Presiding Officer so that he is aware and also to H.M. Greffier who would be obliged to communicate the result to all States' Members for their information.

Quorum

72. At present, when it is exercising its emergency Ordinance-making powers the quorum of the Legislation Select Committee is two States' Members only. That function will be assigned to the Policy & Resources Committee in future. The SACC believes that a reduced quorum of two members only should apply also to the Policy & Resources Committee when it is exercising those powers so that urgent legislation is not delayed. It believes also that there should continue to be a requirement in the Rules that one of the Law Officers or a Crown Advocate must be present at all meetings of the Policy & Resources Committee when it is exercising those powers and in all meetings of the Scrutiny Management Committee's Legislation Review Panel.
73. At present, when a Committee is inquorate and an urgent decision is required the missing members can be replaced by the most senior States' Members by length of service. There is a possibility that in the first few days of May 2016 an urgent decision will need to be made by a committee of the States. At the very start of May none of the new Committees will yet have been constituted as the elections of the Presidents and Members are due to take place

at various times in the first three weeks. While the SACC believes that the present use of senior Members could be useful as a back-up, it believes that more relevant experience is more likely to be available if a different system were adopted. It is therefore proposing the following.

74. From 12.01 a.m. on the 1st May 2016 until the election of the President, Policy & Resources Committee, if an urgent decision had to be made by a Committee of the States, a number of former members of the Policy Council (as it was constituted on the 30th of April, 2016) who had been re-elected as Members of the States would be able to act as if they were the committee in question. The number of them required would be the nearest number above half of those re-elected. If fewer than four had been re-elected then the senior Members by length of service would make up the difference to achieve three. While the only elected post holder was the President, Policy & Resources Committee that person would be authorised to act alone. Once the other members of the Policy & Resources Committee had been elected then a quorate meeting of that Committee would be able to make urgent decisions. Once the Presidents of the Principal and other Committees had been elected then each President would be authorised to make a decision as if the quorate Committee in question had made it. Once all seats were filled the normal Rules on quoracy would apply. It should be noted that any decisions made under this provision would be binding and would not need ratification.
75. Such arrangements should avoid a need to convene a Meeting of the States at very short notice soon after a General Election. It should be noted that these arrangements would be used only in the event that an urgent decision was required at Committee level, the making of which could not be delayed until the Committee was constituted and quorate in the normal manner.
76. After May, 2016 the SACC is proposing that any insufficiency of members for a Committee meeting which needs to make an urgent decision be replaced by Members chosen in the following order: members of the Policy & Resources Committee according to their length of service in the States, Presidents of Principal Committees according to their length of service in the States, Presidents of other Committees according to their length of service in the States, other Members according to their length of service in the States.

Performance of functions by members of Committees or by other Committees

77. In July, the States agreed to the recommendation of the States' Review Committee that there should be more flexibility to allow a Committee either to delegate some of its functions to one or more of its members or to assign them to another Committee. The exact provisions are set out in the States (Reform) (Guernsey) Law, 2015, which the States approved at their September meeting. However, the SACC believes that it would be helpful to draw attention to that provision by means of a Rule referring to the specific legal provisions.

MANDATES

78. The SACC is proposing that the document which sets out the constitutions and mandates of all Committees of the States, howsoever styled, should in future be included in the single Rules document. Although at the time of writing the States have not yet agreed the exact allocation of responsibilities among the new Committees of the States, the SACC proposes that in future the constitutions and mandates of Committees will be attached to the

Committee Rules and read in tandem with them. The proposed constitutions and mandates are as set out in the third policy letter of the States' Review Committee [Article 1 of Billet d'État XXI] and they have been replicated in the proposed new Rules document.

OTHER MATTERS

79. The SACC has not yet had the opportunity to include proposals to implement the requirements of the amendment laid by Deputies Spruce and Gillson to its policy letter earlier in 2015 [Billet d'État XI of 2015, Article 10] to introduce a requirement for Members and candidates for People's Deputy to have to declare unspent convictions. It will bring a policy letter to the States for consideration at the January, 2016 Meeting as required by the amendment.
80. As the new Rules will not come into force until the 1st of May, 2016, in the meantime the SACC will keep them under review and will report back to the States before the end of this term if it is felt necessary to propose any further changes to aid clarity or otherwise assist the operation of the States and their Committees. This may include returning to the States to put right any typographical inconsistencies in the Rules in order to ensure that they are as coherent and understandable as they can be.
81. It should be emphasised that the SACC intends that the new version of the "gold book" will contain not only the new Rules document but also the Code of Conduct, the Reform (Guernsey) Law, 1948, as amended, the States (Reform) (Guernsey) Law, 2015 and the States Committees (Constitution and Amendment) (Guernsey) Law, 1991.

CONSULTATION / RESOURCES / NEED FOR LEGISLATION

82. The Presiding Officer and H.M. Greffier have been consulted pursuant to Rule 14(6) of the Rules relating to the Constitution and Operation of States' Departments and Committees. The Law Officers have been consulted and have not identified any reason in law why the proposals set out in this policy letter cannot be implemented.
83. The approval of the recommendations would have no financial or other resource implications for the States. Nor would approval require any legislation.
84. Immediately following this policy letter is a copy of the revised Rules as they would look if the States approved the recommendations below, so that Members can see the exact terms of the new Rules.

RECOMMENDATIONS

85. The States' Assembly & Constitution Committee recommends the States to resolve:
 1. That, with effect from the 1st of May, 2016, the Rules of Procedure of the States of Deliberation and their Committees shall be as set out in Appendix 1 to this policy letter, conditional upon the States approving at their January, 2016 Meeting, with or without amendment, recommendations presented by the States' Assembly & Constitution Committee in relation to the sections of the Rules of Procedure in Appendix 1 which are shown underlined;

2. That the recommendations to be presented to the States by the States' Assembly & Constitution Committee in January, 2016 in respect of Rules relating to the submission of policy letters and related matters shall be based on the proposals contained in the section of this policy letter headed 'Submission of items for consideration by the States';
3. That States' Meetings between the 1st of May, 2016 and the 31st of August, 2017 shall begin on the dates set out in Schedule 1.

Yours faithfully,

Deputy M J Fallaize

Chairman

The other Members of the States' Assembly & Constitution Committee are:

Deputy R Conder (Vice-Chairman)

and, in alphabetical order:

Deputy A H Adam

Deputy E G Bebb

Deputy P A Harwood

Schedule 1

Proposed dates for the first day of States' Meetings in 2016
(the May Meetings are as set out in the appendix to Billet d'État XVI of 2015)

(all Wednesdays, except for the annual Budget Meeting)

May 4th (election of the President of the Policy & Resources Committee only)

6th (election of the Members of the Policy & Resources Committee only)

11th (election of the Presidents of other Committees only)

18th (election of the Members of other Committees only)

June 8th

29th

September 7th

28th

October 12th (Policy & Resource Plan Phase 1 debate only)

18th (Budget Meeting), followed by 19th (ordinary Meeting)

November 9th

30th

December 14th

Proposed dates for the first day of States' Meetings in 2017.
(all Wednesdays)

January 11th

February 1st

15th

March 8th

29th

April 26th

May 17th

June 7th

21st (Policy & Resource Plan Phase 2 debate only)

28th

N.B. At the time of submission of this policy letter, the States' schools term dates have so far been set as far as July, 2017 only. They are as follows:

Term starts on the 25th of April, 2016 (pupils)

Half term is the 30th of May to the 3rd of June

Term ends on the 21st of July

Term starts on the 6th of September (pupils)

Half term is the 24th to the 30th of October

Term ends on the 20th of December

Term starts on the 5th of January, 2017 (pupils).

Half term is the 20th to 24th of February.

Term ends on the 7th of April.

Term starts on the 25th of April (pupils)

Half term is the 29th of May to 2nd of June.

Term ends on the 21st of July.

APPENDIX 1 The Rules of Procedure of the States of Deliberation and their Committees

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

As prescribed by Resolutions of the States of the xx of November, 2015

Made under
The Reform (Guernsey) Law, 1948, as amended,
and
The States Committees
(Constitution and Amendment) (Guernsey) Law, 1991,
and
The States Reform (Guernsey) Law, 2015.

THE STATES OF DELIBERATION AND THEIR COMMITTEES

RULES

THE STATES, in pursuance of their Resolutions of xx November 2015¹, and in exercise of the powers conferred on them by Article 7 of the Reform (Guernsey) Law, 1948², the States Committees (Constitution and Amendment) (Guernsey) Law, 1991 and the States Reform (Guernsey) Law, 2015³, hereby resolve that the following shall be the Rules of Procedure in and in relation to assemblies of the States of Deliberation.

Preamble

These States' Rules contain two sections:

Section 1 – Rules of Procedure (procedures to be followed before and during States' Meetings generally)

Section 2 – Committee Rules (which govern the operation of Committees of the States)

Appendix A – The mandates of all the Committees of the States and several non-governmental bodies.

These Rules should also be read in conjunction with the following pieces of legislation:

- The Reform (Guernsey) Law, 1948, as amended
- The States (Reform) (Guernsey) Law, 2015
- The States Committees (Constitution and Amendment) (Guernsey) Law, 1991

In particular:

The Reform (Guernsey) Law, 1948, as amended, sets out:

That there shall be 40 Members of the States – 38 People's Deputies in Guernsey and two Alderney Representatives;

The functions of the Legislation Review Panel and the Policy & Resources Committee when the latter is making urgent Ordinances.

The States (Reform) (Guernsey) Law, 2015 sets out:

The rules for a Committee delegating its functions to a member(s) of the Committee;

The rules for a Committee assigning functions to another Committee.

General Principles

In Guernsey, parliamentary and governing functions are fused in one body, the States of Deliberation. Guernsey is governed not just through its parliament but by its parliament.

In practice, most day-to-day functions are carried out by Committees of the States, each of which is independently responsible to the States of Deliberation. Committees of the States – individually or collectively – are in no way analogous to an executive or government. A Committee is in effect an agent of the States of Guernsey exercising functions conferred on it by resolution of, or legislation approved by, the States of Deliberation.

¹ on Article 1 of Billet d'État No. XXII of 2015

² Ordres en Conseil Vol. XII, p. 288

³ on Article 3 of Billet d'État No. XVI of 2015

The States of Deliberation:

- o allocate the functions of government;
- o carry out the functions of government which they have retained – for example, policy determination;
- o debate and vote upon proposals to enact, amend or repeal legislation;
- o debate and vote upon proposals for taxation and expenditure;
- o scrutinise and hold to account the policies, decisions and administration of those functions of government which they have allocated to their Committees.

It is conducive to effective and efficient governance that matters should be dealt with at their appropriate level.

The States should concern themselves with debating legislation, broad policies and priorities, items of significant expenditure and matters of major public interest, and setting the framework in which the rest of the administration should operate.

The Policy & Resources Committee is the senior Committee of the States. It should concentrate on leadership and co-ordination of the work of the States, fiscal policy and economic affairs, and representing the Island in external relations.

Most policy-making, regulatory and public service functions are delegated to one of six Principal Committees. They should focus on developing policy, advising the States on policy, reviewing performance and budgets, and delivering, or overseeing the delivery of, services with a view to securing improved outcomes for the community.

There are other Committees of the States, which may be designated Authority, Board, Commission or Committee, with responsibilities, *inter alia*, for scrutinising policy, financial affairs and legislation, for specific regulatory functions, for the procedures of the States and their Committees, and for the commercial and trading interests of the States.

The civil service should run public services in accordance with policies set down by the States and their Committees.

Generally the principle of subsidiarity should apply: as far as possible matters ought to be handled by the smallest, lowest or least centralised competent authority.

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Dates of Meetings

1. (1) Each year in September the States' Assembly & Constitution Committee shall submit a policy letter setting out the dates on which it proposes that States' Meetings should be convened in the period from the 1st of September of the following year to the 31st of August of the year after that, having first taken into account the dates of school terms and any other information which it considers relevant.
- (2) Ordinarily the first day of a Meeting shall be a Wednesday, except for the Meeting held to consider the annual Budget of the States which shall begin on a Tuesday immediately preceding a States' Meeting in October.
- (3) The Presiding Officer will then convene ordinary Meetings of the States for the dates which the States have decided.
- (4) In respect of the period from the 1st of May, 2016 to the 31st of August, 2017 the dates on which States' Meetings shall be convened, subject to the other provisions of these Rules, shall be as set out in Schedule 1 to these Rules.

Convening of Meetings.

2. (1) A Meeting of the States shall be convened by the Presiding Officer for each of the dates agreed by the States after consideration of a policy letter submitted under the terms of Rule 1. Each Meeting shall be convened by means of a Billet d'État containing particulars of the matters to be debated thereat together with propositions designed to enable the States to take Resolutions thereon.
- (2) The Presiding Officer, before convening a Meeting, shall inform His Excellency the Lieutenant Governor and Commander-in-Chief of the date proposed for the Meeting.
- (3) A Billet d'État shall normally be issued not less than 5 weeks before the date of the Meeting to which it relates, but
 - (a) not less than 4 weeks in the case of a Billet d'État in which the only business is the Annual Budget of the States and not less than 3 weeks in the case of a Billet d'État in which the only business is the Annual Accounts of the States,
 - (b) not less than 2 weeks in the case of a Billet d'État in which the only business is the election of a President or member of a Committee,
- (4) Notwithstanding the provisions of Rule 1 and the foregoing provisions of this Rule the Presiding Officer may, if in his or her opinion circumstances so require, convene a Meeting in such manner and at such notice for such date as he or she shall decide.

Policy Letters, etc. in Billets d'État

3. (1) The matters referred to in Rule 2 (1) are –

(a) Policy letters of States' Departments and Committees (other than parliamentary Committees) and Requêtes of any seven Members (but not more than seven) addressed to the Policy Council for inclusion in that Billet d'État, which policy letters or Requêtes have been submitted to the Policy Council at least 11 weeks (or within such shorter period as the Council may agree in any particular case) before the meeting convened by that Billet d'État and in respect of which the Council and the Treasury and Resources Department shall be entitled to append statements setting out their respective views thereon:

PROVIDED THAT the Policy Council may defer the inclusion of a policy letter or Requête in a Billet d'État until the next meeting of the States when, in the opinion of the Council, the proposals do not comply with the corporate policy of the States.

PROVIDED FURTHER THAT the Policy Council shall, on the application of the Treasury & Resources Department, defer the inclusion of a policy letter or requête in a Billet d'État until the next meeting of the States when, in the opinion of the Department, the proposals have financial implications which have not been addressed in the policy letter or requête as the case may be.

(b) Policy letters by parliamentary Committees addressed to the Presiding Officer for inclusion in that Billet d'État. When the said policy letter has financial or other resource implications, the Treasury and Resources Department shall be entitled to append a statement setting out its views thereon.

(c) The parliamentary Committees referred to in paragraphs (a) and (b) are the States' Assembly and Constitution Committee, the Legislation Select Committee, the Public Accounts Committee and the Scrutiny Committee.

(1A) Every proposition for the approval of a Projet de Loi or an Ordinance, and every Ordinance or Statutory Instrument laid before the States, shall be accompanied by a brief explanatory memorandum approved by Her Majesty's Procureur.

(2) A proposition the effect of which is to note the policy letter shall be construed as a neutral motion, neither implying assent for, nor disapproval of, the contents of the policy letter concerned.

(2A) A proposition which contains the words "the States" shall be construed (unless defined to the contrary) as meaning the States of Deliberation.

(3) In the policy letters referred to in paragraph (1), immediately after the name of the person signing the policy letter, there shall be added the names of each other member of the Department or Committee submitting the policy letter whether or not he personally endorses all of its recommendations.

(4) Any States' Member of a Department or Committee who dissents from all or some of the recommendations contained in a policy letter may deliver to the Department or Committee a minority report which shall be published as an annex to the policy letter.

Information to include in motions laid before the States

4. (1) Every recommendation in a policy letter and every requête, amendment or sursis laid before the States shall include or have appended to it an estimate of the financial implications to the States of carrying the proposal into effect;

Provided that:

the proposer of any such motion may request from any Committee any information he or she requires to enable such an estimate to be included or appended to the motion and the Committee shall thereupon provide complete and accurate information to enable the proposer to set out the estimate.

- (2) Every policy letter laid before the States by a Committee shall include a statement clarifying whether each of the recommendations is supported unanimously or by a majority of the Committee and, if the latter, it should be identified which member or members are not in support of which recommendations.
- (3) Every policy letter laid before the States by a Committee shall include a statement setting out how the recommendations contained therein relate to the Committee's purpose and policy responsibilities (in the case of a Principal Committee) or to the Committee's duties and powers (in the case of any other Committee), how they contribute to the States' objectives and policy plans, and what joint working or consultation has taken place with other Committees in the preparation of the policy letter.

Seating arrangements

5. The Presiding Officer shall determine the seating arrangements in the States' Chamber. Before doing so he or she shall consult the States' Assembly & Constitution Committee on the matter.

Hours of sittings, extensions and adjournments

6. (1) Unless the convening notice specifies otherwise, a Meeting shall ordinarily commence at 09.30.
- (2) Unless the business of a Meeting is previously concluded ordinarily the Meeting shall on each day thereof:
- (a) be adjourned by the Presiding Officer as near as may be to 12.30;
 - (b) resume at 14.30;
 - (c) be adjourned by the Presiding Officer, in accordance with paragraph (3) or (4), as near as may be to 17.30;

Provided that:

the Presiding Officer may propose at any time that the Meeting continues outside those times or is adjourned to another day.

- (3) When a meeting falls to be adjourned under sub-paragraph (2) (c) (or the proviso thereto) the adjournment shall normally be:

- (a) from the first day of the Meeting, until 09.30 on the following day;
 - (b) from the second day of the Meeting, until 09.30 on the next following day;
 - (c) from the third day of the Meeting, until 09.30 on the next scheduled date of a Meeting.
- (4) If, when an adjournment to a subsequent day is announced, a Member proposes a different date or time for the adjourned Meeting, that proposition may at the discretion of the Presiding Officer be briefly debated, and, if approved, the Meeting shall be adjourned accordingly.

Opening of Meetings, etc.

7. (1) If His Excellency the Lieutenant Governor decides to attend a Meeting, the Sheriff shall escort him into the States' Chamber and announce him.
- (2) The Greffier shall recite the Lord's Prayer in French at the commencement of each day of a Meeting, and shall pronounce the Grace in French at its close.
- (3) The Greffier shall, immediately after the opening prayer, call the roll of Members; and Members present when their names are called shall reply: "Présent(e)".
- (4) The Greffier shall then read the convening notice contained in the Billet d'État.
- (5) A Member who is absent when his or her name is called shall not be entitled to speak or vote until he or she has been relevé(e) by the Presiding Officer and his or her presence has been recorded.

Order

8. (1) The Presiding Officer shall be responsible for maintaining order at a Meeting and, subject to the provisions of these Rules, shall regulate the conduct of business therein.
- (2) While the States are in session Members shall not have any communication with a person in the public gallery.
- (3) The Presiding Officer may issue directives relating to the presentation and conduct of Members during meetings.
- (4) The Presiding Officer shall be assisted in the preservation of order by the Sheriff and the Sergeant.
- (5) It shall be the duty of every Member to observe due decorum in a Meeting and, in particular, to observe the rulings of the Presiding Officer.
- (6) The Presiding Officer, after having called the attention of the States to the conduct of a Member who persists in irrelevance or tedious repetition of his or her own or other Members' arguments in the debate, shall direct the said Member to discontinue his or her speech.
- (7) If on any occasion the Presiding Officer considers that the conduct of a Member is grossly disorderly or offensive he or she shall forthwith put the following proposition in relation to the said Member, namely –

"That (naming the said Member) be suspended from the service of the States", and no debate on or amendment to any such proposition shall be permitted. If the proposition is carried, the Member suspended shall be directed forthwith by the Presiding Officer to withdraw from the Meeting and leave the precincts of the States' Chamber, and any such suspension shall continue to have effect until the close of the business of the Meeting on the day on which such suspension was imposed.

- (8) Where a case of grave disorder arises in a Meeting the Presiding Officer may, if he or she thinks it necessary, adjourn the Meeting without putting a proposition.

The Business of the Meeting

9. (1) Unless the States resolve otherwise, the business at a Meeting shall be taken in the following order:

- (a) communications by the Presiding Officer including *in memoriam* tributes;
- (b) statements;
- (c) questions;
- (d) elections and appointments;

Legislative Business

- (e) motions to approve Projets de Loi;
- (f) motions to approve Ordinances;
- (g) laying of Ordinances;
- (h) laying of Statutory Instruments;
- (i) motions to annul a Statutory Instrument or Ordinance;

All other Parliamentary Business

- (j) motions to debate an appendix report (1st stage);
- (k) motions of no confidence in a Committee of the States;
- (l) motions of censure of a Committee of the States;
- (m) reports pursuant to paragraphs 33 and 34 of the Code of Conduct for Members of the States of Deliberation;
- (n) articles adjourned or deferred from previous Meetings of the States;
- (o) policy letters of the Policy & Resources Committee;
- (p) policy letters of Principal Committees;

- (q) policy letters of all other Committees of the States;
 - (r) requêtes;
 - (s) motions to debate an appendix report (2nd stage).
- (2) In the case of a proposition to which Rule 18 applies, the Presiding Officer may, in his or her discretion, permit such proposition to be submitted to the States at any convenient time.

Statements

- 10.** (1) Any Member who has obtained permission from the Presiding Officer to make a statement on a matter of a personal nature which, in the opinion of the Presiding Officer, should be made may make that statement:
- (a) at the time prescribed in Rule 9; or
 - (b) at such other time as the Presiding Officer may direct.
- (2) Any Member holding the office of President or member of a Committee who has tendered a resignation from that office who wishes to make a statement regarding that resignation may do so at the next Meeting after tendering the resignation or during the meeting at which a successor to the vacated office is to be elected:
- a) at the time prescribed in Rule 9; or
 - b) at such time as the Presiding Officer may direct.
- (3) Any Member who has obtained permission from the Presiding Officer to make a statement on behalf of a Committee or otherwise relating to States' business which, in the opinion of the Presiding Officer, should be made may make that statement:
- a) at the time prescribed in Rule 9; or
 - b) at such other time as the Presiding Officer may direct.

In respect of (3) only, after the Member has made the statement, the Presiding Officer shall allow a period not exceeding 15 minutes (which period may be extended at the discretion of the Presiding Officer) for questions to be asked within the context of the statement;

Provided that:

the Member to whom questions are addressed may decline to answer a question if, in his or her opinion, any answer given might be inaccurate or misleading. Each individual question shall not exceed one minute in duration and the answer thereto shall not exceed one and a half minutes in duration.

Question time

- 11.** (1) At the time prescribed in Rule 9, unless the Presiding Officer otherwise directs, and subject to Rule 15 and the conditions set out in paragraph (2), a question may be addressed to the President of a Committee of the States.
- (2) The conditions referred to in paragraph (1) are that the question:
- (a) shall not seek information which is readily accessible in the public domain;
 - (b) shall be on a matter which falls within the mandate of that Committee;
 - (c) shall not relate to the business of the day;
 - (d) shall not relate to more than one topic and shall not exceed one minute in duration; and
 - (e) shall be furnished, either in writing or electronic format, to the person to whom it is addressed, the Presiding Officer, Her Majesty's Procureur and to the official postal or e mail address of the relevant Committee not later than 15.00 on the day preceding the fifth clear day before the day of the Meeting, excluding Saturdays, Sundays and Public Holidays;

Provided that:

the time limit prescribed in sub-paragraph (e) may be shortened with the consent of the person to whom the question is addressed.

- (3) The Member replying to the question shall furnish, either in writing or electronic format, the proposed answer to the Presiding Officer and to Her Majesty's Procureur not later than noon on the day (excluding Saturdays, Sundays and Public Holidays) preceding the Meeting of the States and by 17.00 of that same day to the Member asking the question. The answer, when given in the Assembly, shall not exceed one and a half minutes in duration.
- (4) Supplementary questions arising out of the reply to a question may be addressed to the Member answering the question, by any Member, as may be allowed by the Presiding Officer;

Provided that:

- (a) no Member may ask more than two supplementary questions in respect of each principal question;
- (b) each supplementary question shall not exceed one minute in duration and the answer thereto shall not exceed one and a half minutes in duration;
- (c) such supplementary questions are put before the next question of which notice has been given, or the business of the day is proceeded with, as the case may be; and
- (d) a Member answering a supplementary question may decline to answer the question if, in his or her opinion, any answer given might be inaccurate or misleading but shall provide the answer to the said question in writing not later than five clear days (excluding Saturdays, Sundays and Public Holidays) following the date of the Meeting;

Provided also that:

the period of five clear days referred to in sub paragraph (d) may be extended to a period not exceeding ten clear days if in any particular case the Presiding Officer, on application of the President of the Committee, in the interests of good government so directs, and the President of the Committee advises the questioner of the Presiding Officer's direction as soon as reasonably practicable.

- (5) When more than one question is asked at any Meeting the order in which questions are put shall be determined in accordance with the order of voting prescribed in Rule 26(4);

Provided that:

any Member who asks a question which is on the same topic as one asked by a Member earlier in the order shall immediately follow the earlier Member. It shall be for the Presiding Officer to determine whether the questions are on the same topic.

- (6) If, at the conclusion of one hour after the commencement of question time, all the questions have not been disposed of, the Presiding Officer may, in his or her discretion, postpone dealing with questions not then disposed of to no later than the conclusion of the meeting.

- (7) A Member asking or replying to a question or a supplementary question who;

- (a) has a direct or special interest in the subject matter of the question, or
- (b) is aware that his or her spouse, co-habiting partner, infant child or any company in which he or she has a controlling interest on his or her, or their, behalf has such an interest

shall, without prejudice to the requirements of Rule 29, before he or she asks or replies to the question declare the said interest by disclosing it to the Meeting.

Urgent questions

12. (1) A Member may, not less than half an hour before a meeting commences, seek the leave of the Presiding Officer, subject to Rule 15 and to the conditions set out in paragraph (2), to address a question to the President of a Committee of the States.
- (2) The conditions referred to in paragraph (1) are that no Member may ask more than one question pursuant to this Rule at any meeting and that the question:
- (a) shall not seek information which is readily accessible in the public domain;
 - (b) shall be on a matter which falls within the mandate of that Committee;
 - (c) shall relate to a matter of public importance and shall be of an urgent character or relate to a matter which has become known or been announced only in the preceding seven days;
 - (d) shall not relate to the business of the day;
 - (e) shall not relate to more than one topic and shall not exceed one minute in duration; and
 - (f) shall be supplied in writing to the Presiding Officer, Her Majesty's Procureur and the Member to whom it is addressed.

- (3) If the Presiding Officer considers that the proposed question complies with the conditions set out in paragraph (2) he or she shall determine when the question shall be put.
- (4) The Member replying to the question shall furnish in writing a copy of the proposed answer to the Presiding Officer and to Her Majesty's Procureur as soon as possible before the time determined by the Presiding Officer in accordance with paragraph (3). The answer, when given in the Assembly, shall not exceed one and a half minutes in duration.
- (5) Supplementary questions arising out of the reply to a question may be addressed to the Member answering the question, by any Member, as may be allowed by the Presiding Officer;

Provided that:

- (a) no Member may ask more than two supplementary questions in respect of each principal question;
- (b) each supplementary question shall not exceed one minute in duration and the answer thereto shall not exceed one and a half minutes in duration;
- (c) such supplementary questions are put before the business of the day is resumed; and
- (d) a Member answering a supplementary question may decline to answer the question if, in his or her opinion, any answer given might be inaccurate or misleading but shall provide the answer to the said question in writing not later than five clear days (excluding Saturdays, Sundays and Public Holidays) following the date of the meeting;

Provided also that:

the period of five clear days referred to in sub paragraph (d) may be extended to a period not exceeding ten clear days if in any particular case the Presiding Officer, on application of the President of the Committee, in the interests of good government so directs, and the President of the Committee advises the questioner of the Presiding Officer's direction as soon as reasonably practicable.

- (6) If, at the conclusion of one half hour after the question is asked, any supplementary questions have not been disposed of, the Presiding Officer may, in his or her discretion, postpone dealing with questions not then disposed of to no later than the conclusion of ordinary business that day.
- (7) Paragraph (7) of Rule 11 shall apply to questions asked pursuant to this Rule.

Questions where information sought is in the public domain

- 13. (1) When, pursuant to Rule 11(2) or Rule 12(2), the President of the Committee is of the opinion that the answer is publicly and easily accessible he or she shall request the Presiding Officer to determine that the question is inadmissible on that ground.
- (2) If the Presiding Officer so determines he or she shall forthwith advise the Member asking the question and the President of the Committee that the question is inadmissible on that ground.
- (3) The President of the Committee shall reply to the questioner, in writing, advising where the information sought may be obtained.

Questions for written reply

- 14.** (1) A Member may at any time place a question on any subject in accordance with this Rule for written reply by addressing the same to the President of a Committee and by furnishing a copy thereof to the Presiding Officer, Her Majesty's Procureur and to the official postal or email address of the relevant Committee. The recipient of the question shall acknowledge receipt in writing to the questioner by letter or e mail within three clear days (excluding Saturdays, Sundays and public holidays) of receipt. The subject matter of the question must relate to the mandate of the Committee to which it is addressed.
- (2) Where a question is placed in accordance with this Rule the President of the Committee shall, subject to Rule 15, furnish a written reply thereto to the Member who placed the question within 15 clear days of the receipt of the question; and the President of the Committee shall furnish a copy of the reply to the Presiding Officer and the Greffier;

Provided that:

the President of the Committee shall furnish a copy of the proposed answer to the Presiding Officer and to Her Majesty's Procureur not later than noon on the day (excluding Saturdays, Sundays and Public Holidays) preceding the day on which it is proposed to reply to the Member who placed the question;

Provided also that:

the period of 15 clear days referred to in this paragraph may be extended to a period not exceeding 30 clear days if in any particular case the Presiding Officer, on application of the President of the Committee, determines that it would be unreasonable to expect the question to be answered within 15 clear days, and the President of the Committee advises the questioner of the Presiding Officer's direction as soon as reasonably practicable.

- (3) A copy of every question and of the reply thereto deposited in accordance with this Rule shall be available at the Greffe for inspection by any member of the public throughout the hours of each weekday, other than Saturday, during which the Greffe is open for normal business.
- (4) The Greffier shall, subject to Rule 15, cause a copy of every question placed in accordance with this Rule and of the reply thereto to be sent as soon as reasonably practicable in electronic format to every Member who has furnished the Greffier with an e-mail address or, when no such address has been furnished, by such other means as shall be determined by the Greffier.
- (5) The placing of a question in accordance with this Rule or the receipt of a reply thereto shall not preclude the Member who placed the question or any other Member from addressing a question on the same subject at any Meeting in accordance with Rules 11 and 12.

Questions not in the public interest

- 15.** The Presiding Officer may, on the ground of public interest, decline to allow a question to be put, or rule that a question need not be answered.

Elections

- 16.** (1) When at any time there are vacancies in two or more of the following offices, the elections to fill those vacancies shall be held in the following order:
- (a) President, Policy & Resources Committee;
 - (b) Members of the Policy & Resources Committee;
 - (c) Presidents of the Principal Committees;
 - (d) President, Scrutiny Management Committee;
 - (e) Presidents of other Committees;
 - (f) Members of the Scrutiny Management Committee;
 - (g) Members of Principal Committees;
 - (h) Members of other Committees;
 - (i) Chairmen and Members of Non-Governmental Bodies.
- (2) Where the Presidents and / or members of more than one Committee are elected at the same Meeting then the elections shall be held in the order in paragraph (1) and within each category in alphabetical order by the name of the Committee.
- (3) Where, in any election by the States, the number of candidates exceeds the number of vacancies:
- (a) voting shall be carried out by secret ballot;
 - (b) if two or more candidates secure an equal number of votes and the addition of one vote to his or her poll would have entitled any such candidate to be declared elected, a second ballot shall be held in respect of such candidates only; and where in such a second ballot the addition of one vote to his or her poll would have entitled a candidate to be declared elected, the Presiding Officer shall either rule that a further ballot, or, if necessary, further ballots, shall be held, or direct that the candidates shall draw lots to determine the matter;
 - (c) if there are more than two candidates for the office of President of a Committee and the candidate receiving the most votes does not receive a majority of the votes cast (disregarding any abstentions or spoilt papers), a further ballot, or ballots as required, shall be held, excluding every candidate who received fewer than six votes in the previous ballot or, when there are no such candidates, the candidate who received the fewest votes in the previous ballot;
 - (d) if two or more candidates having secured six votes or more are tied in polling the fewest votes, or if the process set out in sub-paragraph (c) would result in the elimination of all but one of the candidates, a further ballot shall be held in respect of such candidates only to determine which of them shall be eliminated from further ballots.

- (4) On a proposition to elect a President of a Committee the Presiding Officer shall:
- (a) first invite Members to propose eligible candidates. Candidates must be proposed and seconded. Nobody shall speak about a candidate at that stage;
 - (b) invite, in respect of each candidate in turn (or the candidate if there is only one), first the proposer to speak for not more than five minutes and then the candidate to speak for not more than ten minutes and thereafter, if there are two or more candidates, allow Members to question the candidates;

Provided that:

- i. the question shall relate to areas of policy included in the mandate of the Committee;
 - ii. no Member may ask more than one question, save that if before the expiration of the period prescribed in sub-paragraph vi there are no further questions, Members who have already asked a question may be permitted to ask further questions;
 - iii. the questioner may not speak for more than 30 seconds;
 - iv. each candidate shall be entitled to respond to each question, but no response shall exceed 1 minute;
 - v. candidates shall answer the first question in the order in which they are nominated and thereafter the order of answering the questions shall, after each question has been answered by the candidates, be rotated by moving the name of the candidate at the top of the list to the bottom of that list;
 - vi. the session shall conclude at the expiration of the period calculated by multiplying 15 minutes by the number of candidates; and
 - vii. no Member shall be entitled to speak other than in accordance with the provisions of this sub-paragraph.
- (5) On a proposition to elect members of the Policy & Resources Committee the Presiding Officer shall first invite the President of the Committee, and thereafter other Members, to propose eligible candidates. Candidates must be proposed and seconded. Nobody shall speak about a candidate at that stage; and if no more candidates are proposed and seconded than there are vacancies the Presiding Officer shall put the election of the candidate(s) to the vote without speeches. If there are more candidates than vacancies the Presiding Officer shall invite each proposer to speak for not more than five minutes in respect of each candidate proposed by that person and then each candidate to speak for not more than ten minutes, before voting takes place.
- (6) On a proposition to elect members of a Committee the Presiding Officer shall first invite the President of the Committee concerned, and thereafter other Members, to propose eligible candidates. Candidates must be proposed and seconded. Nobody shall speak about a candidate at that stage; and if no more candidates are proposed and seconded than there are

vacancies the Presiding Officer shall put the election of the candidate(s) to the vote without speeches. If there are more candidates than vacancies the Presiding Officer shall invite each proposer to speak, for not more than five minutes in respect of each candidate proposed by that person, before voting takes place; and neither the candidates nor any other member shall be entitled to speak.

- (7) On a proposition to elect a Chairman or members of a non-governmental body, the Presiding Officer shall invite Members to propose eligible candidates. Candidates must be proposed and seconded. Nobody shall speak about a candidate at that stage; and if no more candidates are proposed and seconded than there are vacancies the Presiding Officer shall put the election of the candidate(s) to the vote without speeches. If there are more candidates than vacancies the Presiding Officer shall invite each proposer to speak, for not more than five minutes in respect of each candidate proposed by that person, before voting takes place; and neither the candidates nor any other member shall be entitled to speak.

Rules of debate

- 17. (1) When speaking in the States a Member shall always address the Presiding Officer and must not address another Member.
- (2) A debate on any matter before a Meeting (including any requête, amendment or sursis) shall be opened by a representative of the Committee or of those Members from whom the matter originated and that or some other representative of the Committee or of those Members shall be entitled to reply on the debate. The Member who replies on the debate may also have spoken during the course of ordinary debate. If the same Member opens and replies to the debate, he or she shall not be permitted to speak again during the course of ordinary debate.
- (3) Immediately before opening or replying on a debate, the representative referred to in paragraph (2) may propose an adjournment of not more than 15 minutes. Such a proposal shall be put to the States by the Presiding Officer without debate.
- (4) The Member who replies on the debate shall respond to the points made during the debate only and shall not rehearse any new or further arguments.
- (5) When a Member wishes to be called to speak in the course of ordinary debate the Member shall stand in his or her place and wait to be called to speak by the Presiding Officer. A Member who is not standing shall not be called to speak, except in the circumstances described in paragraph (7).
- (6) Debate must be relevant to the matter before a Meeting.
- (7) Before calling the next Member to speak the Presiding Officer may ask if any Member wishes to express a contrary view to the generality of the views expressed up to that point in the debate. If such a wish is expressed then the Presiding Officer may call the Member to speak at that point.
- (8) Other than in the specific circumstances prescribed elsewhere in these Rules, no Member may speak more than once on the same motion without the leave of the Presiding Officer;

Provided that:

when a particular matter is to be or is being debated the States may suspend the operation of this paragraph as regards that matter if it appears that the matter can be more effectively dealt with by reason of such suspension.

- (9) Where a Committee originating a matter for debate before the States is of the opinion that the proposals it is submitting to the States are of general policy, and where it is desirable that the principles of that policy should be considered, the Committee may have its propositions considered by the States without amendment on the understanding that if the propositions are accepted the Committee would return with detailed proposals which could be accepted or rejected with or without amendments. Where a Committee invokes the provisions of this paragraph it shall make express reference to it in its recommendations.
- (10) A point of order may be raised only for the purpose of drawing attention to a breach of a Rule of Procedure.
- (11) A Member may interrupt another Member who is addressing a Meeting only:
 - (a) on a point of order; or
 - (b) on a point of correction, in respect of an inaccurate or misleading statement made by that other Member;

and shall do so by standing and calling "Point of Order" or "Point of Correction", as the case may be, and waiting to be invited to speak further by the Presiding Officer.

- (12) A Member who wishes to make an interjection relevant to the point being made by the Member speaking may do so if the Member speaking agrees to give way. The Member speaking should at all times be aware that another Member may wish to interject. The Member speaking may, in his or her discretion, refuse to give way. A Member wishing to make the interjection shall so signify by standing and remaining silent until the Member speaking either gives way or refuses to give way. When a request to give way has been refused the Member standing shall resume his or her seat immediately.
- (13) An interruption or interjection in accordance with paragraphs (11) or (12) shall be permissible notwithstanding that the Member concerned has already spoken on the matter then under debate, and shall not prejudice the right of a Member who has not exhausted his or her right to speak in that debate to speak therein.
- (14) Where a Member is speaking in accordance with paragraphs (11) or (12), the Member who had been speaking until the interruption or interjection shall resume his seat and shall not stand again until the Member making the interruption or interjection has resumed his seat.
- (15) A Member who has a direct or special interest in the subject matter of a proposition submitted to a Meeting at which he or she is present, or who is aware that his or her spouse, co-habiting partner, infant child or any company in which he or she has a controlling interest on his or her, or their, behalf has such an interest, shall, without prejudice to the requirements of Rule 29:
 - (a) before he or she speaks on the proposition; or
 - (b) if he or she does not speak, before a vote is taken on the proposition

declare the said interest by disclosing it to the Meeting.

- (16) Where a Member declares an interest in accordance with paragraph (15), he or she may declare the extent of the interest.
- (17) A Member shall not, by reason only of declaring an interest in accordance with paragraph (15), be precluded from voting on the proposition.

Urgent propositions

- 18.** A proposition as regards which an immediate decision is necessary or desirable may, with the permission of the Presiding Officer, be submitted to the States on behalf of a Committee at any Meeting, and may be debated and decided upon, with or without amendment, at that Meeting. Such proposition shall be in writing and shall be headed "Proposition in pursuance of Rule 18 submitted by the [President of the ... Committee]", and copies thereof shall be delivered beforehand to the Presiding Officer, Her Majesty's Procureur and the President of the Policy & Resources Committee;

Provided that:

- (a) if the postponement of the debate, or of the taking of a decision, on the proposition be moved and be supported by not less than one third of the Members voting on the motion, the debate, or the taking of a decision, on the proposition, as the case may be, shall be postponed until a date to be fixed by the Presiding Officer; and
- (b) on any such postponement, a motion for the immediate publication or circulation, in such manner as the Presiding Officer shall decide, of all relevant material shall have effect if supported by not less than one third of the Members voting on the motion.

Motion to annul a Statutory Instrument or Ordinance

- 19.** (1) This rule applies to any Statutory Instrument laid before the States pursuant to a Law or Ordinance providing that it may be annulled and to any Ordinance laid before States pursuant to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended.
- (2) Every motion to annul a Statutory Instrument or Ordinance must be in writing and must state the names of its proposer and seconder.
- (3) A Member who proposes to move a motion of annulment must furnish the proposed motion to the Presiding Officer and copies thereof:
- (a) to the President, Policy & Resources Committee;
 - (b) to the President of the Committee concerned with the Statutory Instrument or Ordinance to which the proposed motion relates;
 - (c) to H. M. Procureur; and
 - (d) to the Greffier

not later than five clear days (excluding Saturdays, Sundays and Public Holidays) before the Meeting of the States at which the motion is proposed to be moved. Immediately after the closing date for the receipt of such motions the Greffier shall cause a copy thereof to be delivered to every Member.

- (4) Unless the enactment governing the instrument otherwise provides, a motion to annul may be proposed either at the Meeting at which the Statutory Instrument or Ordinance is laid before the States or at the next subsequent Meeting.
- (5) When notice of a proposed motion of annulment has been given in accordance with paragraph (3), the Presiding Officer shall invite the President of the Committee which made the Statutory Instrument or proposed the enactment of the Ordinance to speak on the matter:
 - (a) if the motion is to be proposed at the Meeting when the Statutory Instrument or Ordinance is laid before the States, immediately after it has been so laid by the Greffier; or
 - (b) if the motion is to be proposed at the next subsequent Meeting of the States following the meeting at which the Statutory Instrument or Ordinance is laid before the States, immediately before consideration of any business contained in the Billet d'État for that day.
- (6) The motion of annulment shall then be proposed and seconded, following which general debate shall be permitted. After general debate, if any, the President of the Committee concerned shall be entitled to respond to the debate, following which the proposer of the motion shall be entitled to respond to the debate.

Motion to debate an appendix report

- 20.** (1) This rule applies to any report of a Committee published as an appendix to a Billet d'État.
- (2) Every motion to debate an appendix report must be in writing and must state the name of its proposer and seconder.
 - (3) A Member who proposes to move a motion to debate an appendix report must furnish the proposed motion to the Presiding Officer and copies thereof to:
 - (a) the President, Policy & Resources Committee;
 - (b) the President of the Committee concerned with the appendix report to which the motion relates;
 - (c) H. M. Procureur; and
 - (d) the Greffier

not later than five clear days (excluding Saturdays, Sundays and Public Holidays) before the Meeting of the States at which the motion is proposed to be moved. Immediately after the closing date for the receipt of such motion the Greffier shall cause a copy thereof to be delivered to every Member.

- (4) When notice of a motion to debate an appendix report has been given in accordance with paragraph (3), the Presiding Officer shall, at the meeting convened to consider the business listed in the Billet d'État containing the appendix report to which the motion relates and at the time prescribed in Rule 9, invite:

- (a) the proposer of the motion to speak thereon;
- (b) the seconder to second the motion, but not speak thereon;
- (c) the President of the Committee concerned to speak on the matter

following which, without further debate, the Presiding Officer shall immediately put the said motion to the vote.

- (5) If the motion to debate an appendix report is carried the matter shall stand adjourned to the time prescribed in Rule 9, at which time:
 - (a) the President of the Committee concerned shall open the debate on the appendix report and he or she shall reply to the debate;
 - (b) the proposer and seconder of the motion to debate an appendix report shall not speak more than once in the debate;
 - (c) the proposition shall be "To take note of the Report"; and
 - (d) no Member shall propose a sursis of the debate or amendment of the proposition.

Motions of no confidence

- 21. (1) If any seven Members (but not more than seven) address a request in writing to the Presiding Officer that a motion of no confidence in a Committee be laid before the States, the Presiding Officer shall include that request in a Billet d'État as soon as reasonably practicable.
- (2) For the purposes of this Rule a "motion of no confidence" is one that, if carried, requires the immediate resignation in accordance with this Rule of all the members of a particular Committee, including the President of that Committee.
- (3) Before submitting the request to the Presiding Officer the seven Members shall invite in writing all the Members of the particular Committee, including the President thereof, to tender their resignations, which invitation shall have attached to it the full text of the proposed request.
- (4) A motion of no confidence shall include within its petition:
 - (a) a statement that it is a motion of no confidence for the purposes of this Rule, and shall set out the full details on the basis of which the petitioners propose the motion of no confidence; and
 - (b) a statement that all the members of the Committee, including the President thereof, were invited in writing to tender their resignations and that all or some of them had not done so within five days (excluding Saturdays, Sundays and Public Holidays) of that invitation.

- (5) Where a motion of no confidence in respect of a Committee is approved by the States:
 - (a) all the members of that Committee, including the President thereof, shall thereupon be deemed to have tendered their resignations and those resignations shall be deemed to have been accepted by the States; and
 - (b) the motion shall be deemed to include such propositions to the States as may be appropriate for the election at that Meeting of new members of the Committee, and a President thereof, to complete the respective unexpired portions of the terms of office of the previous members and President.

Motions of censure

- 22. (1) If any seven Members (but not more than seven) address a request in writing to the Presiding Officer that a motion of censure of a Committee be laid before the States, the Presiding Officer shall include that request in a Billet d'État as soon as reasonably practicable.
- (2) A motion of censure shall include within its petition a statement that it is a motion of censure for the purposes of this Rule, and shall set out full details of the basis on which the petitioners propose the motion of censure.

Policy & Resource Plan

- 23. (1) Committees of the States must contribute to the formulation and, once agreed by the States, the application of the States' Policy & Resource Plan.
- (2) The Policy & Resource Plan should be reasonably straightforward, flexible and un-bureaucratic. It should focus on significant policy matters and lay down a framework of overall policy assumptions in order to assist Principal Committees in the setting of their policies and priorities. The Policy & Resource Plan should be seen as a means of strengthening leadership, co-ordination and accountability and not as an end in itself.
- (3) The Policy & Resource Plan shall be formulated according to the following timetable from 2016 and quadrennially in every States' term thereafter:
 - (a) quarter 1, 2016 – preparations are made to provide the new Policy & Resources Committee with the information and support it will need to develop the States' overall policy objectives in a timely manner;
 - (b) March / April, 2016 – each of the existing Committees shall produce a handover document to apprise their successors of what are considered to be the main policy and operational challenges facing the Committee in the next term;
 - (c) April / May, 2016 – General Election of People's Deputies and elections of Presidents and members of Committees of the States.

(4) Policy & Resource Plan Phase 1

- (a) May-August, 2016 – the Policy & Resources Committee develops a statement of overall policy objectives for the long term (say, 20 years) and medium term (say, three to five years) in connection with issues of strategic importance to the Island, e.g. fiscal and economic affairs, social affairs, the environment, population and external relations;
- (b) October, 2016 – the States debate and make resolutions on their overall policy objectives.

(5) Policy & Resource Plan Phase 2

- (a) quarter 4, 2016 and quarters 1 and 2, 2017 – each Principal Committee develops a policy plan setting out its policies and priorities over the short and medium term to contribute to the agreed States' objectives and to fulfil its purpose and policy responsibilities which are set out in its mandate;
- (b) quarter 4, 2016 and quarters 1 and 2, 2017 – alongside the work described in the preceding sub-paragraph, the Policy & Resources Committee works with Principal Committees to ensure that the policy plans are co-ordinated and consistent with the States' objectives and with each other, including identifying any conflicts and areas where prioritisation is necessary, and the Policy & Resources Committee facilitates cross-committee working where policy areas span more than one Principal Committee, and the policy plans are then submitted to the States by the Policy & Resources Committee, if necessary with Committees' differences of opinion highlighted in order for the States to resolve the points at issue;
- (c) June, 2017 – the States debate and make resolutions on the Principal Committees' policy plans and ultimately finalise the content of the Policy & Resource Plan Phase 1 and Phase 2;
- (d) June, 2018 and June, 2019 – every 12 months the Policy & Resources Committee re-submits the Policy & Resource Plan to the States together with commentary on overall progress from the Policy & Resources Committee, annual performance reports from the Principal Committees, commentary from the Scrutiny Management Committee and any proposals to amend the Policy & Resource Plan which are considered necessary;
- (e) the Policy & Resources Committee's duties in relation to advising the States on progress against extant States' Resolutions which remain outstanding and to laying before the States annually an order of priority for the drafting of significant items of legislation for the year ahead should be incorporated in the annual debates on the Policy & Resource Plan;
- (f) each year the Policy & Resource Plan shall be debated at a States' meeting at which no other business shall be considered.

Amendments, sursis and motions to withdraw

24. (1) Any Member who intends to lay before the States an amendment, sursis, motion to withdraw, motion to debate an appendix report or motion to annul a Statutory Instrument or Ordinance shall cause it to be delivered to the Greffier who shall circulate it to all Members. An amendment, sursis, motion to withdraw, motion to debate an appendix report or motion to annul a Statutory Instrument or Ordinance shall be circulated only if it includes the names of the proposer and seconder. If the amendment, sursis, motion to withdraw, motion to debate an appendix report or motion to annul a Statutory Instrument or Ordinance was delivered to the Greffier by 15.00 on the day preceding the seventh clear day before the Meeting (excluding Saturdays, Sundays and Public Holidays), the Greffier shall circulate it in the way the Member has requested as soon as practicable. Between that time and the day of the Meeting the Greffier shall circulate by electronic means any amendment, sursis, motion to withdraw, motion to debate an appendix report, or motion to annul a Statutory Instrument or Ordinance which has been delivered to him. The Greffier shall provide a paper copy of each amendment, sursis, motion to withdraw, motion to debate an appendix report or motion to annul a Statutory Instrument or Ordinance, whenever it may have been delivered to him, at the start of each Meeting or as soon as practicable if he or she receives it during the Meeting.
- (2) A Member who proposes to move an amendment or sursis (other than one proposed on behalf of the Committee submitting the original proposal or one proposed on behalf of requérants in the case of a requête):
- (a) to a Projet de Loi or draft Ordinance; or
 - (b) which may have the effect of increasing expenditure; or substituting another contractor; or altering the timing of any works; or
 - (c) to the Annual Budget; or
 - (d) to a proposition relating to taxation, fees or other charges bearing on the revenues of the States; or
 - (e) to a proposition to approve a Policy & Resource Plan; or a draft Strategic Land Use Plan, or any amendment to such a Plan, which is laid before the States pursuant to section 5(3) of the Land Planning and Development (Guernsey) Law, 2005; or any proposals for a Development Plan, Subject Plan or Local Planning Brief or any amendment to such a Plan or Brief, which is laid before the States pursuant to section 9(4) of the Land Planning and Development (Plans) Ordinance, 2007

must furnish the proposed amendment or sursis to the Presiding Officer and copies thereof to: the President of the Policy & Resources Committee; the President of the Committee concerned with the matter to which the proposed amendment or sursis relates; H.M. Procureur; and the Greffier not later than 15.00 on the day preceding the seventh clear day before the meeting (excluding Saturdays, Sundays and Public Holidays) or, in respect of an amendment to propositions which have financial implications and which is proposed to be moved by the President or another representative of the Policy & Resources Committee, not later than 15.00 on the day preceding the second clear day before the meeting (excluding Saturdays, Sundays and Public Holidays).

- (3) A Member who wishes to lay an amendment, sursis or motion to withdraw shall state the name of the proposed seconder and the proposition to which it relates. The Member may then read out the text of the amendment, sursis or motion to withdraw; or that Member or any other Member may ask that the text be read out by the Greffier. After it has been read out, if that right has been exercised, the proposer shall formally propose it and make any speech supporting it.
- (4) Immediately after an amendment or sursis has been proposed and formally seconded (i.e. before any speech by its seconder or further debate) any Member may request the Presiding Officer to invite Members who support debate on the amendment or sursis to stand in their places; neither the Member making that request nor any other may address the Meeting about it; and if fewer than seven Members stand when so invited the amendment or sursis shall not be debated, and no vote thereon shall be taken.
- (5) Subject to paragraph (4), when a sursis of a matter has been proposed and seconded debate shall be limited strictly to the sursis, and no other issues relating to that matter (including proposed amendments) shall be debated until the sursis has been voted upon.
- (6) An amendment which goes further than the original proposition shall not, on that account, be ruled out of order, but a motion that the amendment be not debated and no vote be taken thereon may be laid only immediately after the amendment has been proposed and formally seconded (i.e. before any speech by its seconder or further debate) and shall have effect if supported by a majority of the Members voting on the motion.
- (7) Where an amendment or sursis is debated the President (or a representative) of the Committee from which, or in the case of a requête a representative of those Members from whom, the matter originated shall have the right to speak on the amendment or sursis immediately after its proposer has proposed the amendment or sursis or immediately before its proposer replies to the debate under Rule 17(2) or at any other time during the debate but at one of those points in the debate only.
- (8) If a sursis is carried, which was proposed and seconded after the commencement of general debate on a matter, the person who would otherwise have been entitled to reply on that debate under Rule 17(2) shall be so entitled notwithstanding that sursis.
- (9) If several amendments relating to the same matter are proposed the Presiding Officer shall decide the order in which they are debated and voted upon.
- (10) An amendment within sub-paragraph (2)(e) shall (unless the States, with the agreement of the Development & Planning Authority ("the Authority") otherwise resolve) be treated as an amendment to defer adoption (but not debate) of the Plan or Brief or amendment thereto, until:
 - (a) the Authority has been given the opportunity to withdraw the proposals to consider any implications of such amendment within paragraph (2)(e) in accordance with section 10(2) of the Land Planning and Development (Plans) Ordinance, 2007;
 - (b) where relevant, the inspector has reported on the amendment within paragraph (2)(e) pursuant to section 10(3) of that Ordinance; and

- (c) the Committee *for the Environment & Infrastructure* has, at the request of the Authority, laid before the States any alterations or additions to the documentation laid before the States pursuant to section 9(4) of that Ordinance as a result of the consideration of the implications of the amendment within paragraph (2)(e).
- (11) Where the procedure envisaged by paragraph (10) has been followed, and alterations or additions are accordingly laid before the States:
 - (a) that paragraph shall not then apply as respects any matter referred to in any amendment dealt with in those alterations or additions; but
 - (b) no other matter may then be the subject of any further amendment or debate.
- (12) Where a Committee (or in the case of a requête, the requérants) has resolved to request that an article or proposition be withdrawn, a motion to withdraw the said article or proposition shall be in writing and must state the names of its proposer and seconder. Debate on such a motion shall be limited strictly thereto and no other issues relating to the article or proposition shall be debated until the motion to withdraw has been voted upon.

Sittings in committee

- 25. (1) Before a debate commences or during the debate, the Presiding Officer or any Member may propose a motion that the States sit "in committee" on the grounds that the matter being debated would be better considered subject to the specific provisions of this Rule.
- (2) For the duration of when the States are sitting in committee the following provisions will apply notwithstanding that they may be contrary to specific other provisions of these Rules.
- (3) A Member may be called to speak more than once in the same debate.
- (4) A person who is not a Member may be called to speak. That person shall have no other rights held by Members other than to speak while the States are sitting in committee.
- (5) The Presiding Officer shall determine the rules of debate.
- (6) No vote shall be taken while the States are sitting in committee.

Closure and voting

- 26. (1) A Member who has not already spoken in the debate, otherwise than in pursuance of Rule 17(3), (11) or (12), may at any time (but without interrupting another Member who is addressing the Meeting) request the Presiding Officer to close a debate on any matter (including an amendment or a sursis). Neither the Member making that request nor any other may address the Meeting about it. The Presiding Officer shall immediately put the said request to the vote and if the majority of the Members voting support it then (except that the President, Policy & Resources Committee shall be entitled to comment on any financial implications, if he or she has not already done so, and, subject to Rules 17(2), 24(7) or 28(3)), the debate shall be closed, and (subject to Rule 27) the matter shall be put to the vote.

- (2) A Member may vote only from his or her seat in the States' Chamber. Immediately before announcing his or her vote in a division (appel nominal), a Member must switch on his or her microphone and switch it off again immediately after he or she has voted.
- (3) Where voting on any matter is carried out otherwise than by a division or by ballot, any Member may, before the Presiding Officer rules that the matter was carried or was lost, or immediately after such a ruling, claim a division.
- (4) The order of voting on a division at any Meeting of the States shall be the same for each division taken at that Meeting (including a Meeting adjourned in accordance with Rule 6, and including a division on a matter adjourned from a previous meeting) but shall be rotated by moving the entry for the time being at the top of the following list, to the bottom of that list, between each Meeting and the next:
 - St. Peter Port South
 - St. Peter Port North
 - St. Sampson
 - The Vale
 - The Castel
 - West
 - South East
 - Alderney Representatives.
- (7) On the announcement of the result of a division, any Member may challenge the accuracy thereof and thereupon a fresh division shall take place. Such further division cannot be challenged.
- (8) Unless otherwise stated, in order for a proposition to be carried it needs to be supported by the nearest whole number above one-half of the Members present and voting on the proposition.
- (9) Where a Proposition is rejected which had proposed that a particular action not be taken, such rejection is not a positive instruction for the action to be undertaken.

Proposals relating to taxation and the financial implications of proposals

- 27. Where, in relation to taxation, any alteration is moved and is opposed or is not assented to by the Policy & Resources Committee, the Presiding Officer, if he or she considers that more mature consideration should be given to the advisability of passing or rejecting the proposed alteration, shall rule that a vote thereon shall be postponed until the views of the Policy & Resources Committee have been laid before a Meeting.

Requêtes

- 28. (1) If any seven Members (but not more than seven) desire that a requête be laid before a Meeting they shall first submit it to the Greffier who shall provide a copy to the Presiding Officer and H.M. Procureur. The Greffier shall also provide a copy to the Policy & Resources Committee, for that Committee's opinion on the matters referred to therein, within the time specified in Rule 3 (1).

- (2) Upon submission to it of a requête the Policy & Resources Committee shall:
 - (a) consult any Committees appearing to that Committee to have a particular interest in the subject matter of the requête; and
 - (b) set out its opinion in a letter of comment, appending thereto the views of all Committees so consulted, for inclusion in a Billet d'État with the requête.
- (3) When a requête is laid before the States, the President, Policy & Resources Committee and the President of each of the Committees referred to in the preceding paragraph shall be entitled to speak
 - (a) immediately after a representative of the requérants has opened the debate; and
 - (b) immediately before a representative of the requérants replies to the debate.

Register of Members' Interests

- 29. (1) The Greffier shall maintain (whether electronically or otherwise) a Register to be known as the Register of Members' Interests in which shall be kept all declarations of interests lodged in accordance with paragraph (3).
- (2) The Register of Members' Interests shall be available at the Greffe for public inspection whenever the Greffe is open for normal business. Current entries in the Register of Members' Interests shall also be published on the States' website.
- (3) All persons elected shall within seven days of being elected or re-elected and subsequently during the month of May annually make and lodge with the Greffier a Declaration of Interest.
- (4) All Declarations of Interest required to be lodged with the Greffier under paragraph (3) shall be in the form set out in Schedule 2 to these Rules.

Interpretation

- 30. (1) In this section:

"clear days" means the number of consecutive whole days referred to, regardless (unless otherwise indicated) of whether or not any such day falls on a weekend or public holiday;

"Her Majesty's Procureur" includes Her Majesty's Comptroller;

"Meeting" means a meeting of the States convened in accordance with these Rules;

"Member" means any Member of the States other than (except in Rule 10) Her Majesty's Procureur;

"Presiding Officer" means the Presiding Officer of the States, and includes the Deputy Presiding Officer of the States and any Acting Presiding Officer of the States;

"requête" means a request to the Presiding Officer, made in writing and signed by any seven Members (but not more than seven), that a matter other than a motion of no confidence be laid before a Meeting;

"sursis" means a motion the effect of which is to defer debate on an article or proposition and includes a **"sursis motivé"** which has the same effect but which also directs a course of action during the period of deferral;

"the Greffier" means Her Majesty's Greffier, and includes any Deputy Greffier;

"the Sergeant" means Her Majesty's Sergeant, and includes any Deputy Sergeant;

"the Sheriff" means Her Majesty's Sheriff, and includes any Deputy Sheriff;

"the States" means the States of Deliberation.

(2) In these Rules, unless the context otherwise requires:

- (a) a reference to a provision by number or letter is to the provision of that number or letter in these Rules;
- (b) a reference within a provision to a subdivision by a number or letter is to the subdivision of that number or letter within that provision;
- (c) a reference to an enactment is to that enactment as amended, extended, applied or replaced from time to time by or under any other enactment.

Revocations in respect of this section

- 31.** The States' Resolutions relating to the Rules of Procedure in and in relation to assemblies of the States of Deliberation of the Island of Guernsey of 30th October 2003, 30th March 2005, 27th April 2006, 28th September 2006, 28th February 2008, 30th September 2009, 25th February 2010, 29th April 2010, 29th July 2010, 27th May 2011, 26th October 2011, 9th February 2012, 1st, 8th, 11th and 30th May 2012, 29th and 31st May 2013, 24th September 2013, 12th November 2014 and 29th April 2015 are revoked with effect from 1st May 2016.

SECTION 2 – COMMITTEES OF THE STATES AND RULES OF COMMITTEES**INDEX**

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Definitions

32. List of Committees of the States with effect from the 1st of May, 2016 –

Senior Committee of the States –
Policy & Resources Committee

Principal Committees of the States –
Committee *for* Economic Development
Committee *for* Education, Sport & Culture
Committee *for* Employment & Social Security
Committee *for the* Environment & Infrastructure
Committee *for* Health & Social Care
Committee *for* Home Affairs

Other Committees of the States –
Civil Contingencies Authority
Development & Planning Authority
Overseas Aid & Development Commission
Scrutiny Management Committee
States' Assembly & Constitution Committee
States' Trading Supervisory Board
Transport Licensing Authority

From time to time the States may by Resolution establish any number of States' Investigation & Advisory Committees to enquire into particular but temporary pieces of work. At present there are no such Committees of the States.

Non-Governmental Bodies –
Elizabeth College Board of Directors
Guille-Allès Library Council
Ladies' College Board of Governors
Priaulx Library Council

Interpretation

33. In this section the expression:

"**Committee**", unless the context otherwise requires, means any Committee of the States as named in Rule 32;

"**Her Majesty's Procureur**" includes Her Majesty's Comptroller;

"**Member**", in relation to a Committee, includes its President, unless the context otherwise requires;

"**Non-Governmental Body**" means any such bodies named in Rule 32;

"**office holder**" means a person elected by the States to the office of President or member of a Committee;

"Principal Committee" means any of the following Committees: Committee *for* Economic Development; Committee *for* Education, Sport & Culture; Committee *for* Employment & Social Security; Committee *for the* Environment & Infrastructure; Committee *for* Health & Social Care; and Committee *for* Home Affairs;

"Sitting Member of the States" means any person with a seat in the States of Deliberation;

"States' Investigation & Advisory Committee" means any temporary States' Committee charged with the execution or investigation of a particular matter;

"the Greffier" means Her Majesty's Greffier, and includes any Deputy Greffier.

Rules relating to committees of the States

34. The procedure and operation of all Committees of the States shall be determined in accordance with the following provisions, except where contrary provision is made.

Eligibility for membership of a Committee

35. (1) To be eligible for appointment or election to membership of a Committee of the States as a non-sitting Member of the States a person must be a person described in article 8 of the Reform (Guernsey) Law, 1948, as amended.
- (2) Jurats shall not be eligible to serve on Committees which administer legislation which includes the provision of a right of appeal to the Royal Court against a decision of such Committees.
- (3) States' employees shall not be eligible to serve on Committees.

Nomination of candidates for election by the States

36. Subject to any specific provisions regarding nomination rights which are set out in the constitution of any particular Committee, persons shall be eligible for nomination by any Member of the States from the floor of the Assembly on the day of election, but where a person nominated is not a sitting Member of the States the proposer shall provide to Members of the States, no later than the start of the Meeting at which the election is to be held, a full report in writing containing background information about the candidate, including a statement that the proposer had seen a Declaration of Interest from the candidate and was satisfied that there would be no conflict of interest if the candidate were appointed, or if there was potentially one it could be managed, the candidate's willingness to seek election and the reasons for his or her name having been put forward. The Declaration in respect of the successful candidate shall be lodged with the Greffier and published by him as if the person concerned was subject to the provisions of Rule 29.

Term of office

37. (1) The term of office of all Presidents and all the members of all Committees shall expire at the end of a States' term. Where an office is required to be filled by a sitting Member of the States the said office shall be deemed to have been vacated upon the office holder ceasing to be a sitting Member of the States.

- (2) Elections for Presidents and Members of Committees shall be held in the first month of a new States' term.
- (3) If a member elected by the States to a Committee ceases to be a member of that Committee before the expiration of the term for which he or she was elected, a successor shall be elected by the States to complete the unexpired portion of that term of office, save that where the vacancy occurs by reason of the death or resignation of a People's Deputy it shall not be filled until a new People's Deputy has been elected in his or her place.
- (4) If the President 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.
- (5) A person elected as President or member of a Committee by reason of the fact that he or she is a sitting Member of the States shall, if that person ceases to be a sitting Member of the States, be deemed to have placed his or her resignation in the hands of the Presiding Officer on such cessation and that resignation shall be deemed to have been accepted by the States.
- (6) Persons referred to in the preceding paragraph shall remain eligible for appointment or election to fill any vacancy on that or on any other Committee which is not restricted to sitting Members of the States.
- (7) If a majority of the voting members of a Committee believe that the continued membership of that Committee by one member is unreasonably hindering the ability of the Committee to fulfil its mandate then the majority may bring a recommendation to the States that the period of office of the said one member should be terminated with immediate effect, and the States may, notwithstanding the other provisions of this rule, by resolution so terminate that period of office.

Officeholders eligible for re-election

- 38. No limit shall be set on the number of times that a person may be elected by the States to the same office, whether consecutively or otherwise.

Membership of more than one Committee

- 39. A Member shall be deemed to have resigned with immediate effect, and his or her resignation deemed to have been accepted from his or her position, as the President or a member of a Committee, immediately upon election to the Presidency or membership of a Committee whose constitution precludes membership of the former office.

Quorum

- 40. (1) The quorum of any Committee (subject to paragraphs (3) and (4)) shall be the nearest whole number above one-half of the number of voting members specified in that Committee's constitution.
- (2) When calculating a quorum the number of voting members shall include the person presiding.

- (3) The quorum of the Policy & Resources Committee when exercising its function under article 66(3) of the Reform (Guernsey) Law, 1948 as amended (immediate or early enactment of Ordinances in the public interest) shall be any two members.
- (4) The members forming the quorum of the States' Trading Supervisory Board shall include a member who is a Member of the States.
- (5) During May 2016 when a Committee is not yet constituted or is inquorate and an urgent decision is required, the insufficiency of members shall be replaced as follows.
- (6) From 00.01 on the 1st of May, 2016 until the election of the President, Policy & Resources Committee, a number of former members of the Policy Council (as it was constituted on the 30th of April, 2016) who have been re-elected as Members of the States shall act as if they were members of the Committee in question. The number of them required is one half of those re-elected plus one. If fewer than three have been re-elected then the insufficiency of members shall be replaced by the senior Members by length of service. While the only elected post holder is the President, Policy & Resources Committee that person shall be able to make an urgent decision as if he or she is a quorate meeting of the Committee concerned. Once the other members of the Policy & Resources Committee have been elected then a quorate meeting of that Committee shall be able to make an urgent decision as if it is the Committee concerned. Once the Presidents of the Principal and other Committees have been elected then each President shall be able to make an urgent decision as if he or she is a quorate meeting of his or her Committee.
- (7) At all other times, when a Committee is inquorate and an urgent decision is required, the insufficiency of members shall be replaced by Member(s) of the States chosen in the following order: members of the Policy & Resources Committee according to their length of service in the States, Presidents of Principal Committees according to their length of service in the States, Presidents of other Committees according to their length of service in the States, other Members according to their length of service in the States.

Person who shall preside at meetings

- 41. The President shall preside at all meetings of a Committee or, if he or she is absent, indisposed or otherwise unable to preside, the Vice-President shall preside. If both are absent, indisposed or otherwise unable to preside then the remaining voting members of the Committee present at the meeting shall appoint one of their number to preside.

Casting votes

- 42. The person who presides at a meeting of a Committee shall have an original vote and no casting vote. In the event that the voting members of that Committee are equally divided on any issue, the person presiding shall declare the proposition lost.

Vice-Presidents

- 43. (1) All Committees shall elect a Vice-President from amongst those persons on that Committee who are sitting Members of the States.

- (2) The requirement that the Vice-President of a Committee be a member who is a sitting Member of the States shall not apply to the Overseas Aid & Development Commission or the non-governmental bodies.
- (3) The Vice-President shall be elected at the first meeting of the Committee following the election of a President by the States, save that if following the election of the President there remains any vacancy in the voting membership of the Committee the election of a Vice-President shall be deferred until the first meeting following the filling of that vacancy by the States.
- (4) In any Committee, if the President ceases to hold office before the expiration of the period for which he or she was elected and a new President is elected by the States, the term of office of the Vice-President shall be deemed to have terminated and a new election of a Vice-President shall take place in accordance with paragraph (3).
- (4) In any Committee, if the Vice-President ceases to be a sitting Member of the States, or ceases to be a member of that Committee before his or her term of office as Vice-President has been completed, a new Vice-President shall be elected from amongst those persons on that Committee who are sitting Members of the States to serve the unexpired portion of the Vice-President's term of office, but such an election shall not be held until the vacancy in the membership of the Committee caused by the departure of the member who held the office of Vice-President has been filled by the States. The election of a Vice-President shall be held at the first meeting following the filling of that vacancy by the States.

Method of election of Vice-Presidents

- 44. (1) Subject to the provisions of Rule 43, the person presiding shall ask eligible members to declare their candidature. No proposers or seconders will be required.
- (2) Where there is only one candidate the person presiding shall declare that candidate elected.
- (3) Where the number of candidates exceeds one, voting shall be carried out by ballot.
- (4) Where there are more than two candidates and the candidate receiving the greatest number of votes does not receive a majority of the votes cast, a second ballot shall be held to determine which of the two candidates who received the greatest number of votes in the first ballot shall be elected.
- (5) The person presiding shall have an original vote but no casting vote. In the event of an equality of votes he or she shall cause a further ballot to be held and, if, after such further ballot, there continues to be an equality of votes the two candidates shall draw lots to determine the matter.
- (6) Where a ballot is necessary the votes shall be counted by the person presiding and an officer of the Committee.
- (7) At the conclusion of the voting the person presiding shall declare the successful candidate elected and a record of that declaration shall be made in the minutes of the meeting.
- (8) The person presiding shall communicate the result of the election to the Presiding Officer within 48 hours of the declaration (excluding Saturdays, Sundays and public holidays).

Lead Members

45. (1) The Policy & Resources Committee shall designate its President or one of its members as the States' lead member for external relations and constitutional affairs.
- (2) Any committee of the States may designate its President or one of its members as the lead member for a specific responsibility of the committee.

Non-voting members of Committees

46. (1) If permitted by the terms of its constitution, any Committee may elect non-voting members, who shall not be sitting Members of the States, and whose appointments, subject to the provisions below, shall expire at the same time as the terms of office of the sitting Members of the States. Such members shall have the same rights and duties as ordinary members (other than the right to vote, unless specifically provided with the right to vote in that Committee's constitution).
- (2) Before electing any such non-voting members the Committee concerned shall be provided by each candidate with a completed Declaration of Interest as set out in Schedule 2.
- (3) Any such non-voting member may resign from the office at a date earlier than that on which it would otherwise terminate, by a letter addressed to the President, and such resignation will take effect immediately. Notwithstanding Rule 37(3), a replacement need not be elected.
- (4) By decision of the voting members the term of office of any such non-voting member may be terminated with immediate effect. A replacement need not be elected.
- (5) Immediately after the election the Committee shall submit a letter to the Presiding Officer for publication as an appendix to a Billet d'État setting out the full name of the person or persons so elected, the date of the election and a statement that the Principal Committee had seen a completed Declaration of Interest in respect of that person before the election and was satisfied that the appointment of the person would not lead to a conflict of interest, or if there was potentially one it could be managed. The Declaration in respect of the person appointed shall be lodged with the Greffier and published by him as if the person concerned was subject to the provisions of Rule 29.
- (6) Immediately after a resignation or any termination of office the Committee shall submit a letter to the Presiding Officer for publication as an appendix to a Billet d'État stating the name of the person who has ceased to be a non-voting member of the Committee.

Meetings, etc. with third parties

47. (1) When a Member of the States meets with a third party, and the circumstances are such that it is unclear as to the capacity in which the Member is attending the meeting, the Member shall make it clear to the third party that the Member is attending, either as the representative of a Committee or as an individual Member of the States or in a private capacity.
- (2) When a President or member of a Committee represents that Committee at a meeting with a third party, the President or member shall make a record of the meeting stating the date and time of the meeting, the reason for the meeting, the participants therein and the key points

discussed, following which he or she shall send a copy of the record for filing to the senior-most officer in the service of that Committee.

- (3) In this rule reference to “the meeting” shall include telephone conversations and meetings in person.

Committee correspondence

- 48. (1) All correspondence, howsoever received, between a Committee and a Member of the States shall be treated as confidential under the Code of Practice for Access to Public Information unless expressed otherwise and shall not be disclosed to any third party, whether within the States or outside, in whole or in part, by any means, without the express consent of the author of that correspondence.
- (2) Any Member of the States while he or she continues to be a Member of the States may request from a Committee of which the said Member was formerly a member a copy of any document which he or she was given when a member of that Committee, except any material which he or she was allowed to see but not retain.

Declaration of interest at Committee meetings

- 49. (1) A Member of a Committee who (or whose spouse, or any of whose infant children or any company in which the Member has a controlling interest on the Member’s own or their behalf) has a direct or special interest in the business under consideration by the Committee must not participate in either discussion or voting thereon and must immediately declare the interest and withdraw from the meeting during the discussion and voting on the matter concerned.
- (2) In the preceding paragraph ‘spouse’ includes any co-habiting partner.
- (3) Every declaration made in pursuance of paragraph (1) and the member’s subsequent withdrawal from the meeting shall be recorded in the minutes of the meeting.
- (4) (a) when an interest has been declared pursuant to paragraph (1) of this Rule, the officer of the Committee concerned responsible for the despatch of agenda papers shall not send to the said member any paper relevant to the matter concerned;
- (b) when an interest has not been declared but the said officer has reason to believe that a member may have an interest in a matter to be discussed, he or she shall request the President to make enquiries of the person concerned, following which the President shall direct whether agenda papers relating to the matter should be withheld from the member;
- (c) when the member referred to in the preceding paragraph is the President, the officer shall refer the matter to the Vice-President;
- (d) notwithstanding the foregoing, it shall be the duty of any member who receives agenda papers which should not have been sent to him or her by virtue of the provisions of this Rule to return such papers to the Committee and he or she shall not disclose the content or existence of the papers to any person nor shall he or she use the information contained therein in his or her own personal interest or that of his or her family, friends, business associates or any voluntary or charitable organisation with which he or she is involved;

- (e) in this Rule the expression “agenda papers” shall include the relevant section of the minutes of the Committee relating to the matter concerned and any electronic communication relating to the matter concerned.

Register of appointments

50. Any Committee of the States which appoints one of its members to a position on the board of an extra-governmental body which is not a Committee of the States, or which has a member who has been appointed to such a position by the board of an extra-governmental body which is not a States’ committee, shall notify the Greffier of that appointment. The cessation of any such appointment shall also be notified to the Greffier. The Greffier shall keep a record of that appointment in a document known as the ‘Register of Appointments’ and shall cause that document to be posted on the appropriate part of the States’ website.

Performance of functions by members of Committees

51. In accordance with the provisions of Article 2 of the States (Reform) (Guernsey) Law, 2015, a Committee may arrange for any of its functions to be performed in its name by any one or more members of the Committee.

Performance of functions by other Committees

52. In accordance with the provisions of Article 3 of the States (Reform) (Guernsey) Law, 2015, a Committee may arrange for any of its functions to be performed in its name by another Committee.

States’ Investigation & Advisory Committees

53. (1) Except for those rules which refer specifically to the Policy & Resources Committee or Principal Committees, the principles set out above shall be followed in the constitution and operation of all States’ Investigation & Advisory Committees.
- (2) Such States’ Investigation & Advisory Committees (i.e. the members thereof) shall continue in office until they have fulfilled their mandate and any legislation designed to give effect to such recommendations of the Committee as the States may have resolved to adopt has been presented to the States, approved, and where necessary registered.

Establishment of other Committees

54. The States may, by resolution, at any time dissolve any Committee of the States or constitute any Committee of the States.
55. The constitutions and mandates of all Committees of the States as at the 1st of May, 2016 are set out in Appendix A to these Rules.
56. A Committee of the States may at any time it chooses convene a sub-committee or working party to consider any matter which falls within the mandate of the Committee. The constitution, mandate and working practices of the sub-committee or working party shall be at the discretion of the Committee;

Provided that:

any authority delegated to the sub-committee or working party shall be in accordance with the provisions of the States Committees (Constitution and Amendment) (Guernsey) Law, 1991 and the States Reform (Guernsey) Law, 2015 relating to delegation of a Committee's functions;

Provided also that:

the Rules relating to the declaring of interests in Committee meetings shall apply in full to the members and proceedings of sub-committees and working parties;

Provided also that:

the Committee shall at all times remain responsible for anything done by a sub-committee or working party which it has established.

Presence of officers, etc. at Committee meetings

57. (1) A member of the established staff of the Civil Service shall be present at all Committee meetings and shall keep an independent record of the decisions made at the meetings.
- (2) (a) the notes taken pursuant to paragraph (1) of this rule shall be kept in a paper notebook or electronic data file reserved exclusively for that purpose and shall include the name of the person making the contemporaneous record and the date when the minutes are actually written;
- (b) each such paper notebook or electronic data file shall be retained for a period of six years counting from the date of the last meeting recorded therein;
- (c) an audio recording may be made in addition to, but not in place of, the written record. The medium used to store such recording shall be retained for a period of six years from the date of the meeting.
- (3) Where the President is of opinion that, in view of the nature of the business to be discussed, it would be inappropriate for any of the Committee's officers to be in attendance at a Committee meeting, he or she shall request the Chief Executive of the States to arrange for an appropriate alternative officer to attend the meeting in question.
- (4) The provisions of this rule shall not apply to the Non-Governmental Bodies.
- (5) One of the Law Officers or a Crown Advocate shall be present at all meetings of the Legislation Review Panel and, when it is exercising its function under article 66 (3) of the Reform (Guernsey) Law, 1948 as amended (immediate or early enactment of Ordinances in the public interest), the Policy & Resources Committee.
- (6) The Presiding Officer and the Greffier shall be entitled to attend meetings of the States' Assembly & Constitution Committee for the purpose of advising that Committee on matters relating to the Rules of Procedure and on matters relating to the functioning of the States.

Accountability of officers

58. (1) The States resolved on Billet d'État XII of 2015 that the President of a Principal Committee has the right to inform the Chief Executive that the committee is losing confidence in a senior

officer or in the level of support it receives. If, after the exhaustion of reasonable procedures, the Principal Committee still has no confidence in a senior officer there will be an expectation that the officer will be transferred out of the service of that Principal Committee.

- (2) The States resolved on Billet d'État XII of 2015 that the Chief Executive and other senior officers must take into account the views of the President of a Principal Committee, and through them the members thereof, when appointing and appraising senior staff in the service of that Principal Committee.
- (3) The States resolved on Billet d'État XII of 2015 that the senior officers of a Committee are accountable to that Committee in respect of policy direction.

Support provided to committees

59. The States resolved on Billet d'État XII of 2015 that the senior officers of a committee should ensure that: Performance data are freely available; Committee papers are clear and concise, showing options and making recommendations for action; members receive their papers for Committee meetings a reasonable period in advance; minutes and decisions lists are concise and circulated within a few days of meetings; and the quality of policy letters is high.

Amendments to mandates

60. The Policy & Resources Committee has the power to allocate operational functions to Committees, and to transfer them between Committees, as set out in Annex Two to the mandates of Committees of the States, without requiring the approval of the States;

Provided that:

the allocation or transfer has the agreement of all committees concerned and also provided that neither mandates of committees of the States nor Annex One attached thereto may be amended without resolution of the States and

Provided also that:

this power to allocate or transfer operational functions shall not have effect until such time as the Committee has approved a comprehensive schedule of Committees' operational functions.

Revocations in respect of this section

61. The States' Resolutions relating to the Constitution and Operation of States' Departments and Committees of 30th October 2003, 30th March 2005, 29th June 2005, 27th April 2006, 28th September 2006, 28th September 2007, 12th December 2007, 28th February 2008, 12th March 2008, 30th September 2009, 27th May 2011, 24th September 2013, 14th November 2013 and 29th April 2015 are revoked with effect from the 1st of May, 2016.

Commencement

62. These Rules shall come into operation on the 1st of May, 2016.

APPENDIX A

MANDATES OF COMMITTEES OF THE STATES
WITH EFFECT FROM THE 1ST OF MAY, 2016

Order of Committees

Policy & Resources Committee

Committee *for* Economic Development

Committee *for* Education, Sport & Culture

Committee *for* Employment & Social Security

Committee *for the* Environment & Infrastructure

Committee *for* Health & Social Care

Committee *for* Home Affairs

Civil Contingencies Authority

Development & Planning Authority

Overseas Aid & Development Commission

Scrutiny Management Committee

States' Assembly & Constitution Committee

States' Trading Supervisory Board

Transport Licensing Authority

Elizabeth College Board of Directors (non-governmental body)

Guille – Allès Library Council (non-governmental body)

Ladies' College Board of Governors (non-governmental body)

Priaulx Library Council (non-governmental body)

Annex One to the Mandates of Committees of the States

Annex Two to the Mandates of Committees of the States – Schedule of Committees' Operational Functions

- **Title – Policy & Resources Committee**

Constituted as the Senior Committee of the States with effect from the 1st of May, 2016 by resolutions of the States of the 9th of July, 2015 and the ** of November, 2015.

- **Constitution**

A President and four members who shall be members of the States: provided that neither the President nor any member of the Policy & Resources Committee shall be the President or a member of any of the six Principal Committees or the President or a member of the Scrutiny Management Committee or the President or a member of the Development & Planning Authority or the President or a member of the Transport Licensing Authority.

The Policy & Resources Committee shall designate its President or one of its members to be the States' lead member for external relations.

- **Duties & Powers**

To advise the States and to develop and implement policies and programmes relating to:

(a) leadership and co-ordination of the work of the States, which includes:

1. developing and promoting the States' overall policy objectives;
2. leading the policy planning process as set out in the States' Rules of Procedure;
3. promoting and facilitating cross-committee policy development;
4. advising, when necessary, on the implications of other committees' proposals, policies and activities and in particular whether they accord with States' objectives and policy plans;
5. advising other committees on the implications of policies which it is itself developing;
6. examining issues which expressly do not fall within the mandates of other committees;
7. requiring any committee to examine any issue whether within or extraneous to its mandate;
8. requiring, and monitoring, the implementation of extant States' resolutions;
9. submitting to the States annually a report on progress on outstanding States' resolutions;
10. initiating reviews in areas where it appears that performance could be improved;
11. recommending to the States the agenda items for future meetings of the States;
12. prioritising the States' legislative programme and submitting to the States annually an order of priority for the drafting of significant items of legislation for the year ahead;
13. enacting urgent legislation in accordance with Article 66 of the Reform Law;
14. advising on the allocation of policy responsibilities to committees;
15. allocating operational functions to committees, or transferring them between committees, as set out in Annex Two to the mandates of committees of the States, without requiring the approval of the States provided that the allocation or transfer has the agreement of all committees concerned and also provided that neither mandates of committees of the States nor Annex One attached thereto may be amended without resolution of the States and further provided that this power to allocate or transfer operational functions shall not have

effect until such time as the Committee has approved a comprehensive schedule of committees' operational functions.

(b) fiscal policy, economic affairs and the financial and other resources of the States, which includes:

1. setting the framework for the planning, approval and control of public expenditure;
2. preparing the States' budget and submitting it to the States annually;
3. preparing the States' accounts and submitting them to the States annually;
4. monitoring financial performance against budgets;
5. advising, when necessary, on the financial implications of other committees' proposals, policies and activities;
6. raising and collecting taxes and revenues;
7. the States' Treasury functions, including authorising committees' borrowings and loans;
8. the role of the States as an employer;
9. policies on financial management, assets and corporate services, including information and communication technology, internal audit, risk management, the corporate identity and communications of the States, procurement, property, and statistics and research;
10. annually recommending the appointment of external auditors to the States.

(c) external relations and international and constitutional affairs, which includes:

1. the Island's constitutional position and the relationship with the Crown;
2. relations with the United Kingdom and other jurisdictions;
3. relations with the European Union and other supranational organisations;
4. relations with the other islands of the Bailiwick and the Island's parishes;
5. representing, or overseeing the representation of, and negotiating for, the Island;
6. executing and requesting the extension of international agreements to which the Island is invited to acquiesce;
7. the policy framework regarding overseas aid and development;
8. authorising for external relations purposes only the adaptation of titles and offices held within the States.

(d) other matters which have been delegated to the Committee, which include:

1. the policy framework for the regulation of financial services;
2. non-operational matters in an emergency to preserve life, wellbeing and law and order.

To exercise powers and perform duties conferred on the Committee by extant States' resolutions, including those resolutions or parts of resolutions which relate to matters for the time being within the mandate of the Policy & Resources Committee and which conferred functions on the former Policy Council and Treasury and Resources Department.

To fulfil the responsibilities set out in Annex One to the mandates of committees of the States.

- **Operational Functions**

To deliver or oversee the delivery of, and to be accountable to the States for, any operational functions conferred on the Committee by way of extant legislation or resolutions of the States or which may be allocated to the Committee in Annex Two to the mandates of committees of the States.

- **Title – Committee *for* Economic Development**

Constituted as a Principal Committee of the States with effect from the 1st of May, 2016 by resolutions of the States of the 9th of July, 2015 and the ** of November, 2015.

- **Constitution**

A President and four members who shall be members of the States: provided that neither the President nor any member of the Committee *for* Economic Development shall be the President or a member of the Policy & Resources Committee or the President of the Scrutiny Management Committee or the President or a member of the Transport Licensing Authority; and up to two non-voting members appointed by the Committee who shall not be members of the States.

- **Purpose**

To secure prosperity through the generation of wealth and the creation of the greatest number and widest range of employment opportunities possible by promoting and developing business, commerce and industry in all sectors of the economy.

- **Responsibilities – Policy, Advisory & General**

To advise the States and to develop and implement policies on matters relating to its purpose, including:

1. the promotion and development of all sectors of business, including construction, creative industries, digital, financial services, horticulture, intellectual property, manufacturing, media, retail and tourism;
2. the reputation of the Island as a centre for commerce and industry;
3. securing the provision of, and promoting, air and sea links to and from the Bailiwick;
4. inward investment at the corporate and individual level;
5. the labour skills necessary to sustain economic prosperity;
6. competition, innovation, diversification and regulation in the economy;
7. broadcasting and the media;
8. safeguarding living marine resources and the sustainable exploitation of those resources.

To exercise powers and perform duties conferred on the Committee by extant States' resolutions, including those resolutions or parts of resolutions which relate to matters for the time being within the mandate of the Committee *for* Economic Development and which conferred functions on the former Commerce and Employment Department, Culture and Leisure Department and Home Department.

To fulfil the responsibilities set out in Annex One to the mandates of committees of the States.

- **Operational Functions**

To deliver or oversee the delivery of, and to be accountable to the States for, any operational functions conferred on the Committee by way of extant legislation or resolutions of the States or which may be allocated to the Committee in Annex Two to the mandates of committees of the States.

- **Title – Committee *for* Education, Sport & Culture**

Constituted as a Principal Committee of the States with effect from the 1st of May, 2016 by resolutions of the States of the 9th of July, 2015 and the ** of November, 2015.

- **Constitution**

A President and four members who shall be members of the States: provided that neither the President nor any member of the Committee *for* Education, Sport & Culture shall be the President or a member of the Policy & Resources Committee or the President of the Scrutiny Management Committee; and up to two non-voting members appointed by the Committee who shall not be members of the States.

- **Purpose**

To encourage human development by maximising opportunities for participation and excellence through education, learning, sport and culture at every stage of life.

- **Responsibilities – Policy, Advisory & General**

To advise the States and to develop and implement policies on matters relating to its purpose, including:

1. pre-school, primary, secondary, further and higher education;
2. apprenticeships;
3. skills;
4. lifelong learning;
5. sport, leisure and recreation;
6. youth affairs;
7. the arts;
8. libraries, museums, galleries and heritage;
9. Island Archives;
10. civic celebrations and commemorations, including Liberation celebrations.

To exercise powers and perform duties conferred on the Committee by extant States' resolutions, including those resolutions or parts of resolutions which relate to matters for the time being within the mandate of the Committee *for* Education, Sport & Culture and which conferred functions on the former Commerce and Employment Department, Culture and Leisure Department, Education Department, Health and Social Services Department and Policy Council.

To fulfil the responsibilities set out in Annex One to the mandates of committees of the States.

- **Operational Functions**

To deliver or oversee the delivery of, and to be accountable to the States for, any operational functions conferred on the Committee by way of extant legislation or resolutions of the States or which may be allocated to the Committee in Annex Two to the mandates of committees of the States.

- **Title – Committee *for* Employment & Social Security**

Constituted as a Principal Committee of the States with effect from the 1st of May, 2016 by resolutions of the States of the 9th of July, 2015 and the ** of November, 2015.

- **Constitution**

A President and four members who shall be members of the States: provided that neither the President nor any member of the Committee *for* Employment & Social Security shall be the President or a member of the Policy & Resources Committee or the President of the Scrutiny Management Committee; and up to two non-voting members appointed by the Committee who shall not be members of the States.

- **Purpose**

To foster a compassionate, cohesive and aspirational society in which responsibility is encouraged and individuals and families are supported through schemes of social protection relating to pensions, other contributory and non-contributory benefits, social housing, employment, re-employment and labour market legislation.

- **Responsibilities – Policy, Advisory & General**

To advise the States and to develop and implement policies on matters relating to its purpose, including:

1. financial and social hardship;
2. social housing, including States' housing and the States' relationship with housing associations;
3. supplementary benefit and housing benefit;
4. social insurance;
5. pensions;
6. health insurance;
7. long-term care insurance;
8. social inclusion, including in relation to disability;
9. the unemployed and the various initiatives to encourage employment and re-employment;
10. labour market legislation and practices;
11. health and safety in the workplace;
12. industrial relations;
13. legal aid.

To exercise powers and perform duties conferred on the Committee by extant States' resolutions, including those resolutions or parts of resolutions which relate to matters for the time being within the mandate of the Committee *for* Employment & Social Security and which conferred functions on the former Commerce and Employment Department, Housing Department, Policy Council and Social Security Department.

To fulfil the responsibilities set out in Annex One to the mandates of committees of the States.

- **Operational Functions**

To deliver or oversee the delivery of, and to be accountable to the States for, any operational functions conferred on the Committee by way of extant legislation or resolutions of the States or which may be allocated to the Committee in Annex Two to the mandates of committees of the States.

- **Title – Committee *for the Environment & Infrastructure***

Constituted as a Principal Committee of the States with effect from the 1st of May, 2016 by resolutions of the States of the 9th of July, 2015 and the ** of November, 2015.

- **Constitution**

A President and four members who shall be members of the States: provided that neither the President nor any member of the Committee *for the Environment & Infrastructure* shall be the President or a member of the Policy & Resources Committee or the President of the Scrutiny Management Committee or the President or a member of the Development & Planning Authority or the President or a member of the Transport Licensing Authority; and up to two non-voting members appointed by the Committee who shall not be members of the States.

- **Purpose**

To protect and enhance the natural and physical environment and develop infrastructure in ways which are balanced and sustainable in order that present and future generations can live in a community which is clean, vibrant and prosperous.

- **Responsibilities – Policy, Advisory & General**

To advise the States and to develop and implement policies on matters relating to its purpose, including:

1. infrastructure, including but not limited to water, wastewater, the ports and the airports;
2. spatial planning, including the Strategic Land Use Plan;
3. climate change;
4. protection and conservation of the natural environment;
5. waste, water and stone reserves;
6. energy, including renewable energy;
7. solid waste;
8. general housing policy in relation to land use, spatial planning and infrastructure;
9. the coast and coastal defences and the breakwater in Alderney;
10. traffic and transport;
11. the road network;
12. biodiversity;
13. agriculture, animal health and welfare and the sustainability of food and farming;
14. maritime affairs;
15. public parks;
16. security of supply of essential commodities.

To exercise powers and perform duties conferred on the Committee by extant States' resolutions, including those resolutions or parts of resolutions which relate to matters for the time being within the mandate of the Committee *for the Environment & Infrastructure* and which conferred functions on the

former Commerce and Employment Department, Culture and Leisure Department, Environment Department, Policy Council and Public Services Department.

To fulfil the responsibilities set out in Annex One to the mandates of committees of the States.

- **Operational Functions**

To deliver or oversee the delivery of, and to be accountable to the States for, any operational functions conferred on the Committee by way of extant legislation or resolutions of the States or which may be allocated to the Committee in Annex Two to the mandates of committees of the States.

- **Title – Committee *for* Health & Social Care**

Constituted as a Principal Committee of the States with effect from the 1st of May, 2016 by resolutions of the States of the 9th of July, 2015 and the ** of November, 2015.

- **Constitution**

A President and four members who shall be members of the States: provided that neither the President nor any member of the Committee *for* Health & Social Care shall be the President or a member of the Policy & Resources Committee or the President of the Scrutiny Management Committee; and up to two non-voting members appointed by the Committee who shall not be members of the States.

- **Purpose**

To protect, promote and improve the health and well-being of individuals and the community.

- **Responsibilities – Policy, Advisory & General**

To advise the States and to develop and implement policies on matters relating to its purpose, including:

1. adult social care;
2. the welfare and protection of children, young people and their families;
3. the prevention, diagnosis and treatment of acute and chronic diseases, illnesses and conditions;
4. mental health;
5. care of the elderly;
6. health promotion;
7. environmental health;
8. public health.

To exercise powers and perform duties conferred on the Committee by extant States' resolutions, including those resolutions or parts of resolutions which relate to matters for the time being within the mandate of the Committee *for* Health & Social Care and which conferred functions on the former Health and Social Services Department and Housing Department.

To fulfil the responsibilities set out in Annex One to the mandates of committees of the States.

- **Operational Functions**

To deliver or oversee the delivery of, and to be accountable to the States for, any operational functions conferred on the Committee by way of extant legislation or resolutions of the States or which may be allocated to the Committee in Annex Two to the mandates of committees of the States.

- **Title – Committee *for* Home Affairs**

Constituted as a Principal Committee of the States with effect from the 1st of May, 2016 by resolutions of the States of the 9th of July, 2015 and the ** of November, 2015.

- **Constitution**

A President and four members who shall be members of the States: provided that neither the President nor any member of the Committee *for* Home Affairs shall be the President or a member of the Policy & Resources Committee or the President of the Scrutiny Management Committee; and up to two non-voting members appointed by the Committee who shall not be members of the States.

- **Purpose**

To support a high standard of living and quality of life by maintaining and promoting a safe, stable and equitable society which values public protection and justice and respects the rights, responsibilities and potential of every person.

- **Responsibilities – Policy, Advisory & General**

To advise the States and to develop and implement policies on matters relating to its purpose, including:

1. crime prevention;
2. law enforcement, including policing and customs;
3. justice policy;
4. the association between justice and social policy, for example domestic abuse and the misuse of drugs and alcohol;
5. the new population management regime, once introduced;
6. immigration and the housing control and right to work regimes;
7. imprisonment, parole, probation and rehabilitation;
8. fire, rescue and salvage;
9. consumer protection and advice;
10. trading standards;
11. data protection;
12. emergency planning;
13. civil defence;
14. lotteries and gambling;
15. the electoral roll.

To exercise powers and perform duties conferred on the Committee by extant States' resolutions, including those resolutions or parts of resolutions which relate to matters for the time being within the mandate of the Committee *for* Home Affairs and which conferred functions on the former Commerce and Employment Department, Home Department and Housing Department.

To fulfil the responsibilities set out in Annex One to the mandates of committees of the States.

- **Operational Functions**

To deliver or oversee the delivery of, and to be accountable to the States for, any operational functions conferred on the Committee by way of extant legislation or resolutions of the States or which may be allocated to the Committee in Annex Two to the mandates of committees of the States.

- **Title – Civil Contingencies Authority**

Constituted with effect from the 4th of February, 2013 by the Civil Contingencies Law, 2012 (Commencement) (Bailiwick of Guernsey) Ordinance, 2013; and constituted as a committee of the States with effect from the 1st of May, 2016 by resolutions of the States of the 9th of July, 2015 and the ** of November, 2015.

- **Constitution**

The permanent members of the Authority are the holders of the following offices:

President of the Policy & Resources Committee, who is the Chairman of the Authority⁴;
 President of the Committee *for the* Environment & Infrastructure;
 President of the Committee *for* Health & Social Care;
 President of the Committee *for* Home Affairs⁵.

- **Duties & Powers**

To carry out the functions set out in the Civil Contingencies Law, 2012.

To fulfil the responsibilities set out in Annex One to the mandates of committees of the States.

- **Operational Functions**

To deliver or oversee the delivery of, and to be accountable to the States for, any operational functions conferred on the Authority by way of extant legislation or resolutions of the States or which may be allocated to the Authority in Annex Two to the mandates of committees of the States.

⁴ In the absence of the President of the Policy & Resources Committee, the Vice-President of the Policy & Resources Committee is the Chairman of the Authority; and in the absence of the President and Vice-President of the Policy & Resources Committee, a member of the Policy & Resources Committee nominated by the President is the Chairman of the Authority.

⁵ In the absence of the President of a Principal Committee, the Vice-President of that Principal Committee is a member of the Authority; and in the absence of the President and Vice-President of a Principal Committee, a member of that Principal Committee nominated by the President is a member of the Authority. See paragraph 1 of Schedule 1 to the Civil Contingencies (Bailiwick of Guernsey) Law, 2012.

- **Title – Development & Planning Authority**

Constituted as a committee of the States with effect from the 1st of May, 2016 by resolutions of the States of the 9th of July, 2015 and the ** of November, 2015.

- **Constitution**

A President and four members who shall be sitting members of the States: provided that neither the President nor any member of the Development & Planning Authority shall be the President or a member of the Policy & Resources Committee or the President or a member of the Committee *for the* Environment & Infrastructure; and up to two non-voting members appointed by the Committee who shall not be members of the States.

- **Duties & Powers**

To advise the States on land use policy and to develop and implement land use policies through development plans and any other relevant instruments.

To determine development applications of all kinds, including planning, building control, protected buildings and scheduled sites.

To maintain and keep under review schemes of delegation in order that only the most contentious or high profile or atypical development control applications are referred to the elected members of the Authority, and when they are so referred to ensure that they are heard at open planning meetings held in public.

To exercise powers and perform duties conferred on the Authority by extant States' resolutions, including those resolutions or parts of resolutions which relate to matters for the time being within the mandate of the Development & Planning Authority and which conferred functions on the former Environment Department.

To fulfil the responsibilities set out in Annex One to the mandates of committees of the States.

- **Operational Functions**

To deliver or oversee the delivery of, and to be accountable to the States for, any operational functions conferred on the Authority by way of extant legislation or resolutions of the States or which may be allocated to the Committee in Annex Two to the mandates of committees of the States.

- **Title – Overseas Aid & Development Commission**

Constituted as a committee of the States with effect from the 1st of May, 2016 by resolutions of the States of the 9th of July, 2015 and the ** of November, 2015.

- **Constitution**

A President who shall be a member of the States and six members who need not be members of the States, all elected on the nomination of the Policy & Resources Committee.

- **Duties & Powers**

To distribute funds voted by the States for aid and development overseas by making contributions to on-going programmes and to emergency and disaster relief.

To develop programmes relating to the collection and distribution of funds involving the private sector.

To carry out the duties and powers above in accordance with policies set out by the Policy & Resources Committee.

To fulfil the responsibilities set out in Annex One to the mandates of committees of the States.

- **Operational Functions**

To deliver or oversee the delivery of, and to be accountable to the States for, any operational functions conferred on the Commission by way of extant legislation or resolutions of the States or which may be allocated to the Commission in Annex Two to the mandates of committees of the States.

- **Title – Scrutiny Management Committee**

Constituted as a committee of the States with effect from the 1st of May, 2016 by resolutions of the States of the 9th of July, 2015 and the ** of November, 2015.

- **Constitution**

A President who shall be a member of the States: provided that the President of the Scrutiny Management Committee shall not be the President or a member of the Policy & Resources Committee or the President or a member of any of the six Principal Committees; and two members who shall be members of the States: provided that a member of the Scrutiny Management Committee shall not be the President or a member of the Policy & Resources Committee or the President or a member of more than one of the six Principal Committees; and two voting members who shall not be members of the States and who shall be elected by the States.

- **Duties & Powers**

To lead and co-ordinate the scrutiny of committees of the States by reviewing and examining legislation, policies, services and the use of monies and other resources for which committees are responsible.

As far as is reasonably practicable, to appoint scrutiny panels (whether task and finish or standing panels) to carry out the work of reviewing and scrutinising committees' policies and services and their management of monies and other resources entrusted to them: provided that neither the President nor the members of the Policy & Resources Committee shall serve on such scrutiny panels and also provided that the Committee retains the power, if it so wishes, to carry out any review itself rather than through an appointed panel and also provided that the Committee shall at all times be responsible, and accountable to the States, for everything done by the Committee and any panels it has appointed, including the content of any report issued under its name.

To appoint a Legislation Review Panel to carry out the functions of legislative scrutiny in Article 66 of the Reform Law and also to recommend any changes to legislation from which it believes the Island may benefit: provided that the Committee shall at all times be responsible, and accountable to the States, for everything done by the Legislation Review Panel; and to constitute the Legislation Review Panel as follows: a President who shall be a member of the Scrutiny Management Committee and also a member of the States, a minimum of four other States' members, a minimum of two non-voting members who shall not be members of the States, and any number of additional and occasional non-voting members as the Scrutiny Management Committee sees fit for the purposes of review of any item of legislation or any other matter: provided that such additional and occasional non-voting members may or may not be members of the States and also provided that neither the President nor the members of the Policy & Resources Committee shall serve on the Legislation Review Panel.

To scrutinise any matter contained in a policy letter which has been referred to the Committee by resolution of the States in accordance with any terms set out in the resolution and to submit to the States

its findings thereon within a period of time set out in the resolution, which findings, together with the original matter, shall be laid before the States.

To promote and facilitate the participation in scrutiny of the widest possible range of States' members and persons independent of the States.

When determining the subject of its reviews and examinations, to pay particular attention to the performance of committees in contributing to States' objectives and policy plans and to matters which are of substantial importance or of significant public interest.

To recognise that the carrying out of scrutiny in public where possible is likely to contribute positively to public perceptions of scrutiny.

To submit a report to the States annually which reviews the work of the Committee and its panels over the previous 12 months and which sets out the Committee's objectives and, to the extent that it is possible while retaining a flexible and responsive approach to scrutiny, an indicative programme of work over the next 12 months.

To represent the work of scrutiny in the States, and publicly to promote and champion the value of scrutiny.

To advise the States if and when in its opinion circumstances justify the establishment of a Tribunal of Inquiry in accordance with the Tribunals of Inquiry (Evidence) (Guernsey) Law, 1949, as amended.

To exercise powers and perform duties conferred on the Committee by extant States' resolutions, including those resolutions or parts of resolutions which relate to matters for the time being within the mandate of the Scrutiny Management Committee and which conferred functions on the former Legislation Select Committee, Public Accounts Committee and Scrutiny Committee.

To fulfil the responsibilities set out in Annex One to the mandates of committees of the States.

- **Operational Functions**

To deliver or oversee the delivery of, and to be accountable to the States for, any operational functions conferred on the Committee by way of extant legislation or resolutions of the States or which may be allocated to the Committee in Annex Two to the mandates of committees of the States.

- **Title – States’ Assembly & Constitution Committee**

Constituted as a committee of the States with effect from the 1st of May, 2016 by resolutions of the States of the 9th of July, 2015 and the ** of November, 2015.

- **Constitution**

A President and four members who shall be members of the States.

- **Duties & Powers**

To advise the States and to develop and implement policies in relation to:

1. the constitutions of the States of Deliberation and the States of Election;
2. the procedures and practices of the States of Deliberation and committees of the States;
3. the practical functioning of the States of Deliberation and the States of Election;
4. the induction, on-going support and provision of facilities and equipment for States’ members;
5. the broadcasting of proceedings of the States of Deliberation and States of Election;
6. elections to the office of People’s Deputy;
7. matters concerning the propriety and conduct of States’ members.

To exercise powers and perform duties conferred on the Committee by extant States’ resolutions, including those resolutions or parts of resolutions which relate to matters for the time being within the mandate of the States’ Assembly & Constitution Committee and which conferred functions on the former States’ Assembly & Constitution Committee which existed until the 30th of April, 2016.

To fulfil the responsibilities set out in Annex One to the mandates of committees of the States.

- **Operational Functions**

To deliver or oversee the delivery of, and to be accountable to the States for, any operational functions conferred on the Committee by way of extant legislation or resolutions of the States or which may be allocated to the Committee in Annex Two to the mandates of committees of the States.

- **Title – States’ Trading Supervisory Board**

Constituted as a committee of the States with effect from the 1st of May, 2016 by resolutions of the States of the 9th of July, 2015 and the ** of November, 2015.

- **Constitution**

The constitution of the Board shall be determined by the States on a recommendation made by the Policy & Resources Committee: provided that the President of the Board shall be a member of the States, at least one other member of the Board shall be a member of the States and at least two other members of the Board shall not be members of the States and also provided that neither the President nor any member of the States’ Trading Supervisory Board shall be the President or a member of the Transport Licensing Authority.

- **Duties & Powers**

Within a framework of policies, guidance and instructions of the States and any of their relevant committees, to:

- (a) carry out the States’ role as shareholder of any incorporated companies which are owned by the States and which the States have resolved to include in the mandate of the Board, which for the time being is the following:
 - 1. Cabernet Group;
 - 2. Guernsey Electricity;
 - 3. Guernsey Post;
 - 4. Jamesco 750.
- (b) ensure the efficient management, operation and maintenance of any States’ unincorporated trading concerns and commercial interests which the States have resolved to include in the mandate of the Board, which for the time being is the following:
 - 1. Channel Islands’ lottery;
 - 2. Guernsey Airport, which includes Alderney Airport;
 - 3. Guernsey Dairy;
 - 4. Guernsey Harbours;
 - 5. Guernsey Water;
 - 6. Property and real estate owned or leased by the States;
 - 7. States’ Works;
 - 8. States’ corporate engineering and architectural services.
- (c) be the Waste Disposal Authority.

To exercise powers and perform duties conferred on the Board by extant States’ resolutions, including those resolutions or parts of resolutions which relate to matters for the time being within the mandate of the States’ Trading Supervisory Board and which conferred functions on the former Commerce and

Employment Department, Culture and Leisure Department, Public Services Department and Treasury and Resources Department.

To fulfil the responsibilities set out in Annex One to the mandates of committees of the States.

- **Operational Functions**

To deliver or oversee the delivery of, and to be accountable to the States for, any operational functions conferred on the Board by way of extant legislation or resolutions of the States or which may be allocated to the Committee in Annex Two to the mandates of committees of the States.

- **Title – Transport Licensing Authority**

Constituted as a committee of the States with effect from the 1st of May, 2016 by resolutions of the States of the 9th of July, 2015 and the ** of November, 2015.

- **Constitution**

A President and four members who shall be members of the States: provided that neither the President nor any member of the Transport Licensing Authority shall be the President or a member of the Policy & Resources Committee or the President or a member of the Committee *for* Economic Development or the President or a member of the Committee *for the* Environment & Infrastructure or the President or a member of the States' Trading Supervisory Board; and up to two non-voting members appointed by the Committee who shall not be members of the States.

- **Duties & Powers**

To determine applications for air route licences and to carry out any other transport licensing and regulatory functions which the States may confer on it from time to time.

To exercise powers and perform duties conferred on the Authority by extant States' resolution, including those resolutions or parts of resolutions which relate to matters for the time being within the mandate of the Transport Licensing Authority and which conferred functions on the former Commerce and Employment Department.

To fulfil the responsibilities set out in Annex One to the mandates of committees of the States.

- **Operational Functions**

To deliver or oversee the delivery of, and to be accountable to the States for, any operational functions conferred on the Authority by way of extant legislation or resolutions of the States or which may be allocated to the Authority in Annex Two to the mandates of committees of the States.

- **Title – Elizabeth College Board of Directors**

Constituted by Order in Council registered on the 11th of January, 1853 and subsequently amended.

- **Constitution**

Nine Directors, including the Dean of Guernsey (*ex-officio*).

Two Directors shall be appointed by the Lieutenant-Governor to serve for six years.

Six Directors shall be appointed by the States, one every year; and each of them shall serve for six years from the 6th of January of the year of appointment.

Any person having served the office of Director shall not be qualified for re-appointment until after the expiration of twelve months from the time of going out of office.

Any new Director appointed by the States upon a casual vacancy shall serve only for the unexpired term of the Director's predecessor.

- **Duties & Powers**

General superintendence and management of the affairs of the College.

The duties and powers of the Directors are detailed in the above Order in Council.

- **Title – Guille-Allès Library Council**

Relationship with the States set out in resolutions of the States of the 25th of January, 1978, the 21st of June, 1978, and the 25th of January, 2012.

- **Constitution**

The Council shall include, *inter alia*:

One member of the States who is a member of the Committee *for* Education, Sport & Culture; and one other member of the States.

The terms of office of these members shall be coterminous with those of ordinary members of committees of the States.

- **Duties & Powers**

The administration of the Guille-Allès Library.

- **Title – Ladies' College Board of Governors**

Constituted by the Ladies' College (Guernsey) Law, 1962, as amended, and by resolutions of the States of the 28th of November, 1990.

- **Constitution**

A Chairman who shall be a member of the States.

Two governors who shall be appointed by the States.

Two governors who need not be members of the States who shall be nominated by the Committee *for* Education, Sport & Culture for election by the States.

Two governors who need not be members of the States who shall be nominated by the Chairman and the four aforementioned Governors for election by the States.

- **Duties & Powers**

The conduct of the College in accordance with the provisions of the Law.

- **Title – Priaulx Library Council**

Constituted by Article II of Billet d'État V of 1880.

- **Constitution**

Nine members, including two trustees appointed for life by the States, and two ordinary members appointed by the States.

One of the ordinary States-appointed members shall retire annually according to seniority.

Vacancies resulting from death or resignation shall be filled by the Council.

- **Duties & Powers**

The administration of the Priaulx Library.

Annex One to the Mandates of Committees of the States

A. General Responsibilities of the Policy & Resources Committee and all Principal Committees

1. to contribute to fulfilling the States' objectives and policy plans, including by supporting and participating in cross-committee work;
2. to monitor and report on policy outcomes in areas relating to its mandate;
3. to ensure that public funds and other resources are used to best advantage, including through co-operative and flexible working practices.

B. General Responsibilities of all Committees of the States

1. to exercise powers and perform duties conferred on the committee by extant legislation and by extant States' resolutions;
2. to be accountable to the States for all policies developed, actions taken and services delivered or overseen by the committee;
3. to be accountable to the States for the management and safeguarding of public funds and other resources entrusted to the committee;
4. in any policy letter submitted to the States to set out clearly how the proposals contained therein relate to the duties and powers or the purpose and policy responsibilities of the committee, how the proposals contribute to the States' objectives and policy plans and what joint working or consultation has taken place with other committees;
5. to act in accordance with the Rules of Procedure of the States and their committees;
6. to be aware of the powers, duties and limits of the committee's mandate and to respect and not to undermine the mandates of other committees of the States;
7. to be aware that a committee of the States is in effect an agent of the States of Guernsey exercising functions conferred on it by resolution of, or legislation approved by, the States of Deliberation; and as such to respect that, save in specific circumstances where legislation provides otherwise, the States may at any time they consider it desirable issue directions to a committee and that committee shall be expected to carry into effect any such directions irrespective of whether that committee or any of its individual members agree or disagree with such directions: provided that the rejection by the States of recommendations or advice of a committee shall not *ipso facto* require the resignation of that committee.

C. Reference to Enactments

1. unless otherwise provided, or the context requires otherwise, a reference to an enactment in the mandate of a committee is to be interpreted as a reference to the enactment as from time to time amended, re-enacted with or without modification, extended or applied.

Annex Two to the Mandates of Committees of the States

Schedule of Committees' Operational Functions

- **Policy & Resources Committee – Operational Functions**

The **Policy & Resources Committee** shall deliver or oversee the delivery of those operational functions which immediately before the 1st of May, 2016 were delivered by:

(a) the **Policy Council**, with the *exception* that the following operational functions will transfer:

to the **Committee for Education, Sport & Culture**

- Island Archives

to the **Committee for Employment & Social Security**

- Legal Aid

to the **Committee for the Environment & Infrastructure**

- Operational matters relating to the preparation of the States' Strategic Land Use Plan
- Regulatory, advisory, administrative and appeals functions relating to land planning other than those relating to certifying the States' Strategic Land Use Plan

to H M Greffier

- Administrative functions relating to the preparation and publication of the Agenda, Billets d'État and other accompanying papers for meetings of the States of Deliberation and the States of Election

(b) the **Treasury and Resources Department**, with the *exception* that the following operational functions will transfer:

to the **States' Trading Supervisory Board**

- Shareholder's functions and duties in respect of the States' trading companies
- Management of all States-owned and leased property and real estate including the provision of advice to the organisation on property matters and the provision of corporate engineering and architectural services

(c) the **Legislation Select Committee**, in relation to the following operational functions *only*:

- Advice and support in relation to legislative functions

(d) the **Public Accounts Committee**, in relation to the following operational functions *only*:

- Advice and support in relation to the appointment of external auditors and their remuneration

- **Committee for Economic Development – Operational Functions**

The **Committee for Economic Development** shall deliver or oversee the delivery of those operational functions which immediately before the 1st of May, 2016 were delivered by:

- (a) the **Commerce and Employment Department**, with the *exception* that the following operational functions will transfer:
 - to the **Committee for Education, Sport and Culture**
 - The Guernsey Training Agency
 - to the **Committee for Employment & Social Security**
 - The offices of Health and Safety
 - Employment Relations Service
 - to the **Committee for the Environment & Infrastructure**
 - Agriculture, the rural environment, biodiversity and countryside management advisory services
 - Farm loans scheme and farm management including dairy farm manure management plans
 - Guernsey global breeding plan
 - Animal communicable disease monitoring, animal health and welfare including import and export of live animals, vet licencing, the pet passport scheme and veterinary medicines
 - Certification of meat imports and exports
 - Provision of the slaughterhouse and incinerator
 - Liaison with relevant regulatory and advisory bodies on environmental matters
 - Security of supply of essential commodities including food, fuel and energy
 - Energy advisory services, including in relation to renewable energy
 - States' Vet
 - to the **Committee for Home Affairs**
 - The offices of trading standards, and consumer protection advice
 - to the **Transport Licensing Authority**
 - Issuing air route licences
 - to the **States' Trading Supervisory Board**
 - Management of the Guernsey Dairy, including liaison with its stakeholders
- (b) the **Culture and Leisure Department**, in relation to the following operational functions *only*:
 - The Information Centre
- (c) the **Home Department**, in relation to the following operational functions *only*:
 - Broadcasting services

- **Committee for Education, Sport & Culture – Operational Functions**

The **Committee for Education, Sport & Culture** shall deliver or oversee the delivery of those operational functions which immediately before the 1st of May, 2016 were delivered by:

(a) the **Education Department**

(b) the **Culture and Leisure Department**, with the *exception* that the following operational functions will transfer:

to the **Committee for Economic Development**

- The Information Centre

to the **Committee for the Environment & Infrastructure**

- La Vallette Bathing Pools
- Management of public parks

to the **States' Trading Supervisory Board**

- Administration and promotion of the Channel Islands' lottery

(c) the **Commerce and Employment Department**, in relation to the following operational functions *only*:

- The Guernsey Training Agency

(d) the **Health and Social Services Department**, in relation to the following operational functions *only*:

- The Institute for Health and Social Care Studies

(e) the **Policy Council**, in relation to the following operational functions *only*:

- Island Archives

- **Committee for Employment & Social Security – Operational Functions**

The **Committee for Employment & Social Security** shall deliver or oversee the delivery of those operational functions which immediately before the 1st of May, 2016 were delivered by:

(a) the **Social Security Department**

(b) the **Housing Department**, with the exception that the following operational functions will transfer:

to the **Committee for Health & Social Care**

- Provision of domiciliary care services at Le Grand Courtil and La Nouvelle Maritaine

to the **Committee for Home Affairs**

- Administration of the Housing Control and Right to Work Laws
- Administration of the Open Market Housing Register

(c) the **Commerce and Employment Department**, in relation to the following operational functions *only*:

- The offices of Health and Safety
- Employment Relations Service

(d) the **Policy Council**, in relation to the following operational functions *only*:

- Legal Aid

- **Committee for the Environment & Infrastructure – Operational Functions**

The **Committee for the Environment & Infrastructure** shall deliver or oversee the delivery of those operational functions which immediately before the 1st of May, 2016 were delivered by:

- (a) the **Environment Department**, with the *exception* that the following operational functions will transfer:

to the **Development & Planning Authority**

- Operational functions arising out of planning legislation (except those that relate to planning inquiry administration), including –
 - Enforcing planning legislation
 - Operational functions relating to preparing development plans, subject plans, local planning briefs, guidance notes, development briefs and frameworks
 - Administering planning applications and pre-application advice requests
 - Making building regulations and Guernsey technical standards
 - Administering building regulation applications and pre-application advice requests
 - Conservation and design advice
 - Administering statutory registers of protected buildings and protected monuments
 - Administering tree protection orders and functions in relation to sites of special significance and conservation areas
 - Immunity certificates and property searches
- *Salles Publique*, public building and public entertainment inspection and licencing
- Clearance of ruins

- (b) the **Public Services Department**, with the *exception* that the following operational functions will transfer:

to the **States' Trading Supervisory Board**

- Management of Guernsey and Alderney airports
- Management of St Peter Port and St Sampson's Harbours including:
 - Coast guard services
 - Guernsey register of British ships
 - Maritime safety including the investigation of marine accidents, provision of navigational aids, safety information and liaison with search and rescue services
 - Monitoring the compliance with international and local laws of all vessels in Bailiwick waters and control of shipping in Bailiwick waters, excluding receiver of wreck and responding to pollution at sea
 - Pilotage services
- Management of the collection, disposal and recovery of solid waste
- The Waste Disposal Authority
- Management of the public water supply and waste water disposal including:
 - Monitoring water catchment area for pollution and nutrient levels
 - Management of controlled streams
 - Collection and treatment of rainfall
 - Water pollution
- Management of a direct labour organisation and emergency works response team (States' Works)

(c) the **Commerce and Employment Department**, in relation to the following operational functions *only*:

- Agriculture, the rural environment, biodiversity and countryside management advisory services
- Farm loans scheme and farm management including the dairy farm manure management plans
- Guernsey global breeding plan
- Animal communicable disease monitoring, animal health and welfare including import and export of live animals, vet licencing, the pet passport scheme and veterinary medicines
- Certification of meat imports and exports
- Provision of the slaughterhouse and incinerator
- Liaison with relevant regulatory and advisory bodies on environmental matters
- Security of supply of essential commodities including food, fuel and energy
- Energy advisory services, including in relation to renewable energy
- States' Vet

(d) the **Culture and Leisure Department**, in relation to the following operational functions *only*:

- La Vallette Bathing Pools
- Management of public parks

(e) The **Policy Council**, in relation to the following operational functions *only*:

- Operational matters relating to the preparation of the States' Strategic Land Use Plan
- Regulatory, advisory, administrative and appeals functions relating to land planning other than those relating to certifying the States' Strategic Land Use Plan

- **Committee for Health & Social Care – Operational Functions**

The **Committee for Health & Social Care** shall deliver or oversee the delivery of those operational functions which immediately before the 1st of May, 2016 were delivered by:

- (a) the **Health and Social Services Department**, with the *exception* that the following operational functions will transfer:

to the **Committee for Education, Sport and Culture**

- The Institute for Health and Social Care Studies

- (b) the **Housing Department**, in relation to the following operational functions *only*:

- Provision of domiciliary care services at Le Grand Courtil and La Nouvelle Maritaine.

- **Committee for Home Affairs – Operational Functions**

The **Committee for Home Affairs** shall deliver or oversee the delivery of those operational functions which immediately before the 1st of May, 2016 were delivered by:

- (a) the **Home Department**, with the *exception* that the following operational functions will transfer:
 to the **Committee for Economic Development**
 - Broadcasting services
- (b) the **Housing Department**, in relation to the following operational functions *only*:
 - Administration of the Housing Control and Right to Work Laws
 - Administration of the Open Market Housing Register
- (c) the **Commerce and Employment Department**, in relation to the following operational functions *only*:
 - The offices of trading standards, and consumer protection advice.

- **Civil Contingencies Authority – Operational Functions**

The **Civil Contingencies Authority** shall deliver or oversee the delivery of those operational functions which immediately before the 1st of May, 2016 were delivered by the **Civil Contingencies Authority**.

- **Development & Planning Authority – Operational Functions**

The **Development & Planning Authority** shall deliver or oversee the delivery of those operational functions which immediately before the 1st of May, 2016 were delivered by the **Environment Department** in relation to the following operational functions *only*:

- Operational functions arising out of planning legislation (except those that relate to planning inquiry administration), including:
 - Enforcing planning legislation
 - Operational functions relating to preparing development plans, subject plans, local planning briefs, guidance notes development briefs and frameworks
 - Administering planning applications and pre-application advice requests
 - Making building regulations and Guernsey technical standards
 - Administering building regulation applications and pre-application advice requests
 - Conservation and design advice
 - Administering statutory registers of protected buildings and protected monuments
 - Administering tree protection orders and functions in relation to sites of special significance and conservation areas
 - Immunity certificates and property searches
- *Salles Publiques*, public building and public entertainment inspection and licensing
- Clearance of ruins

- **Overseas Aid & Development Commission – Operational Functions**

The **Overseas Aid & Development Commission** shall deliver or oversee the delivery of those operational functions which immediately before the 1st of May, 2016 were delivered by the **Overseas Aid Commission**.

- **Scrutiny Management Committee – Operational Functions**

The **Scrutiny Management Committee** shall deliver or oversee the delivery of those operational functions which immediately before the 1st of May, 2016 were delivered by:

- (a) the **Public Accounts Committee**, except that the following operational functions will transfer:
 - to the **Policy & Resources Committee**
 - Advice and support in relation to the appointment of external auditors and their remuneration
- (b) the **Scrutiny Committee**,
- (c) the **Legislation Select Committee**, except that the following operational functions will transfer:
 - to the **Policy & Resources Committee**
 - Advice and support in relation to legislative functions

- **States' Assembly & Constitution Committee – Operational Functions**

The **States' Assembly & Constitution Committee** shall deliver or oversee the delivery of those operational functions which immediately before the 1st of May, 2016 were delivered by the **States' Assembly and Constitution Committee**.

- **States' Trading Supervisory Board – Operational Functions**

The **States' Trading Supervisory Board** shall deliver or oversee the delivery of those operational functions which immediately before the 1st of May, 2016 were delivered by:

- (a) the **Public Services Department**, in relation to the following operational functions *only*:
 - Management of Guernsey and Alderney airports
 - Management of St Peter Port and St Sampson's Harbours including:
 - Coast guard services
 - Guernsey register of British ships.
 - Maritime safety including the investigation of marine accidents, provision of navigational aids, safety information and liaison with search and rescue services
 - Monitoring the compliance with international and local laws of all vessels in Bailiwick waters and control of shipping in Bailiwick waters, excluding receiver of wreck and responding to pollution at sea
 - Pilotage services
 - Management of the collection, disposal and recovery of solid waste
 - The Waste Disposal Authority
 - Management of the public water supply and waste water disposal including:
 - Monitoring water catchment area for pollution & nutrient levels
 - Management of controlled streams
 - Collection and treatment of rainfall
 - Water pollution
 - Management of a direct labour organisation and emergency works response team (States' Works)
- (b) the **Commerce and Employment Department**, in relation to the following operational functions *only*:
 - Management of the Guernsey Dairy including liaison with its stakeholders
- (c) the **Culture and Leisure Department**, in relation to the following operational functions *only*:
 - Administration and promotion of the Channel Islands' lottery
- (d) the **Treasury and Resources Department**, in relation to the following operational functions *only*:
 - Shareholder's functions and duties in respect of the States' trading companies
 - Management and administration of all States-owned and leased property and real estate including the provision of advice to the organisation on property matters and the provision of corporate engineering and architectural services

- **Transport Licensing Authority – Operational Functions**

The **Transport Licensing Authority** shall deliver or oversee the delivery of those operational functions which immediately before the 1st of May, 2016 were delivered by the **Commerce & Employment Department** in relation to the regulation and licensing of transport services under the Air Transport Licensing (Guernsey) Law, 1995, including the issuing of air route licences.

Schedule 1

Proposed dates for the first day of States' Meetings in 2016
(the May Meetings are as set out in the appendix to Billet d'État XVI of 2015)

(all Wednesdays, except for the annual Budget Meeting)

May 4th (election of the President of the Policy & Resources Committee only)

6th (election of the Members of the Policy & Resources Committee only)

11th (election of the Presidents of other Committees only)

18th (election of the Members of other Committees only)

June 8th

29th

September 7th

28th

October 12th (Policy & Resource Plan Phase 1 debate only)

18th (Budget Meeting), followed by 19th (ordinary Meeting)

November 9th

30th

December 14th

Proposed dates for the first day of States' Meetings in 2017.
(all Wednesdays)

January 11th

February 1st

15th

March 8th

29th

April 26th

May 17th

June 7th

21st (Policy & Resource Plan Phase 2 debate only)

28th

N.B. At the time of submission of this policy letter, the States' schools term dates have so far been set as far as July, 2017 only. They are as follows:

Term starts on the 25th of April, 2016 (pupils)

Half term is the 30th of May to the 3rd of June

Term ends on the 21st of July

Term starts on the 6th of September (pupils)

Half term is the 24th to the 30th of October

Term ends on the 20th of December

Term starts on the 5th of January, 2017 (pupils).

Half term is the 20th to 24th of February.

Term ends on the 7th of April.

Term starts on the 25th of April (pupils)

Half term is the 29th of May to 2nd of June.

Term ends on the 21st of July.

SCHEDULE 2

DECLARATION OF INTERESTS
MADE PURSUANT TO RULES 29 AND 36 OF THE RULES OF PROCEDURE
OF THE STATES OF DELIBERATION AND THEIR COMMITTEES

<i>Surname:</i>	<i>Forenames in full:</i>
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I hereby certify that, to the best of my knowledge and belief, this Declaration of Interests gives full and complete particulars, as at the date of this declaration, of all matters which I am required to declare, as a Member of the States of Deliberation, pursuant to Rules 29 and 36 of the Rules of Procedure of the States of Deliberation and their Committees or as a person who is a non-States member of a States' Committee pursuant to Rule 46.

I understand that I am required to declare interests or benefits of which I am aware received by my spouse, co-habiting partner or infant children.

I further understand that this form is a public document and will be published on the States' website.

<i>Signature:</i>	<i>Date:</i>
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**This form must be returned to Her Majesty's Greffier
 not later than the 31st May 20**.**

For use by H. M. Greffier:

Date return received:

PART 1
Employment

Enter 'none' in box if there
is no interest to declare

<i>Name and address of each Employer</i>	<i>Brief description of the business/work</i>

PART 2
Directorships

Enter 'none' in box if there
is no interest to declare

<i>Name and address of each Company</i>	<i>Brief description of the business/work</i>

PART 3
Partnerships

Enter 'none' in box if there
is no interest to declare

<i>Name and address of each Partnership</i>	<i>Brief description of the business/work</i>

PART 4
Offices Held

Enter 'none' in box if there
is no interest to declare

<i>Name and address of each Office held</i>	<i>Brief description of the business/work</i>

PART 5
Self-Employment and any other Consultancy, Profession, Trade, Vocation or other work not declared in
Parts 1-4

Enter 'none' in box if there
is no interest to declare

<i>Brief description of the business/work</i>	<i>Name and address of any person or entity from whom you receive payment or benefit which forms a significant portion of either your income from this work or your total income</i>

PART 6
Real Property situated in the Bailiwick

Enter 'none' in box if there
is no interest to declare

<i>Address of each Property</i>	<i>State whether owned, leased, rented or held in trust</i>	<i>Purpose for which Property is held</i>

PART 7

Company Shareholdings

Enter 'none' in box if there
is no interest to declare

<p><i>Name and address of each Company</i></p>
<p><i>In respect of companies listed above where the holding is over 10% of the issued share capital, give a brief description of their business/work and state what real property, if any, they hold (either directly or indirectly) in the Bailiwick.</i></p>

PART 8

Trusts (excluding Professional Trusteeships)

Enter 'none' in box if there is no interest to declare

<i>Name and address of each Trust</i>	<i>State whether as beneficiary or trustee</i>

PART 9
Payments received for Public Speaking

Enter 'none' in box if there
is no interest to declare

<i>Name and address of each organisation from which a payment was received in the period from 1st May 20** to 30th April 20** §</i>	<i>Brief description of the function at which the speech was made</i>

§ This section does not apply to Members who were not in office during the relevant period.

PART 10
Other Gifts, Benefits and Hospitality Received

Enter 'none' in box if there
is no interest to declare

<i>Declare all gifts and material benefits received by you, a close family member or associate in the period from 1st May 20** to 30th April 20** § which are of a value greater than 1% of basic allowance payable to States Members</i>	
<i>Nature of gift or benefit:</i>	
<i>By whom received:</i>	
<i>Name of donor or benefactor:</i>	
<i>Value of gift or benefit:</i>	
<i>If gift was money or a tangible item state date that money or item was transferred or delivered to the States</i>	

§ This section does not apply to Members who were not in office during the relevant period.

PART 11
Any Other Interests

Enter 'none' in box if there
is no interest to declare

Declare here any other interest or benefit received which, whilst not required to be registered under Parts 1-10 might reasonably be perceived by other persons to influence actions as an elected Member of the States.

Part 12
Employment by the States of close Family Members

Enter 'none' in box if there
is no interest to declare

Declare here the name, familial relationship, job title and usual place of work of any of the following who is an employee of the States, that is to say parent, spouse, cohabiting partner, child, grandchild or sibling.

CONTINUATION SHEETS

If there was insufficient space provided in any Part of this form please add a continuation sheet.

Are any continuation sheets attached?	YES / NO If yes, specify number of sheets
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EXPLANATORY NOTES

Applicability of Declaration to Interests of the Member's spouse, co-habiting partner and infant children

Throughout this form, in addition to those matters which relate directly to you, you are also required to declare any interests of which you are aware which relate to your spouse, co-habiting partner and infant children. An infant child is one who has not yet attained the age of 18 years.

PART 1
Employment

If you are currently employed, whether or not you are in receipt of remuneration, state the name and address of every employer and give a brief description of the main business activities of each of those employers.

Do **not** include your position as a Member of the States of Deliberation.

You are **not** required to declare the amount of any remuneration or benefit received.

PART 2
Directorships

State the name and address of every company of which you are a director, whether or not you are in receipt of remuneration, and give a brief description of the main business activities of each of those companies.

You are **not** required to declare the amount of any remuneration or benefit received.

PART 3
Partnerships

State the name and address of every partnership or firm of which you are a partner, whether or not you are in receipt of remuneration, and give a brief description of the main business activities of each of those partnerships or firms.

You are **not** required to declare the amount of any remuneration or benefit received.

PART 4
Offices Held

State the name and address of every organisation in which you are the holder of any office, whether or not you are in receipt of remuneration, and give a brief description of the main activities of each of those organisations.

An office-holder is someone who by virtue of that office is able to take part in the making of executive decisions on behalf of the organisation.

You are **not** required to declare the amount of any remuneration or benefit received. Similarly you are **not** required to declare any general membership or similar relationship with those organisations. The following two examples are offered as illustrations:

- X is an ordinary member of a natural history society – this is **not** declarable but if X were a member of the Society's Council it would be declarable.
- Y is member of a church congregation – this is **not** declarable but if Y were a Churchwarden it would be declarable.

PART 5

Self-Employment and any other Consultancy, Profession, Trade, Vocation or other work not declared in Parts 1-4

Give a brief description of the main business activities relating to any business in which you are self-employed, consultancies, professions, trades or vocations or other work not otherwise declared.

If you receive a payment or other benefit from any person or entity which forms either a significant portion of your total income or your income from that particular work, then you must also declare the name and address of such person or entity.

"Significant" in this regard means more than one-third.

You are **not** required to declare the amount of any payment or benefit received.

PART 6

Real Property situated in the Bailiwick

List all real property – including your principal place of residence – which you own either in your own name or jointly with others, or lease, or rent, or which is held in trust on your behalf.

A brief statement declaring the purpose for which the property is held is also required, for example – "principal residence"; investment property for letting", agricultural land let to farmer", etc.

PART 7

Company Shareholdings

List the name and registered office of every limited liability company in which you own shares which exceed 1% of the issued share capital. A declaration must also be made when the aggregate of the shareholdings of one or more of yourself, your spouse, co-habiting partner and infant children exceeds 1% of the issued share capital.

In addition, if the shareholding, or aggregate shareholding, exceeds 10% of the issued share capital you must also give a brief description of the main business activities of each of those companies and state what real property, if any, situated in the Bailiwick is held, either directly or indirectly, by the company.

PART 8 Trusts (excluding Professional Trusteeships)

List any trust of which you are either a trustee or a beneficiary. This includes family trusts but **excludes** any trust of which you are trustee in a professional capacity. In such cases an appropriate declaration should be made in Part 5.

You are **not** required to declare the value of the trust or the value or nature of any beneficial interest which you may have therein.

PART 9 Payments received for Public Speaking

Give the name and address of each organisation from which you received for your personal benefit a payment for public speaking during the year ending 30th April 20^{**}, together with a brief description of the function at which the speech was made. You are **not** required to declare public speeches where the payment received was wholly for the benefit of a charitable organisation.

You are **not** required to declare the amount of any remuneration or other benefit received.

PART 10 Other Gifts, Benefits and Hospitality Received

1. Any gift or material benefit received by a Member, or to the Member's knowledge by his or her spouse, co-habiting partner or infant children, must be declared if it:
 - (a) in any way relates to membership of the States; and
 - (b) is of a value greater than 1% of the basic remuneration for the time being payable to ordinary States Members (*i.e. the rate payable to Members who are not the President, Policy & Resources Committee, Committee Presidents or Vice-Presidents*) – hereafter referred to as the "qualifying value".
2. **Gifts of money or tangible items (e.g. jewellery, glassware), or other benefits (e.g. hospitality, tickets to sporting and cultural events, relief from indebtedness, loan concessions, provision of services, etc.) must be declared if they exceed the qualifying value. The Code of Conduct for States' Members requires that any such money or tangible gifts received by a Member must not be retained but must be transferred or delivered into the ownership of the States.**
3. This means that any gift, or other benefit, which in any way relates to membership of the States and which is given gratis, or at a cost below that generally available to members of the public, shall be declared whenever the value of the gift or benefit is greater than the qualifying value. Any similar gift or benefit which is received by any company or organisation in which the Member, his or her spouse, co-habiting partner or infant children have a controlling interest must also be declared.
4. Gifts and other benefits from the same or associated sources in the course of the relevant 12 months which cumulatively are of greater value than the qualifying value must be registered, even if each single gift or benefit is of lesser value.

5. Benefits, such as tickets to sporting or cultural events, received by another person together with or on behalf of a Member must be declared as if they had been received by the Member.
6. Gifts or other benefits from another Member of the States are to be declared in the same way as those received from other persons.
7. Excepted from declaration:
 - a. are gifts and benefits known to be available to all Members of the States;
 - b. is attendance at a conference or a site visit within the Bailiwick, the United Kingdom, Jersey and the Isle of Man in the context of legitimate States' business where the organiser meets reasonable travel and subsistence costs only;
 - c. is hospitality provided in the context of legitimate States' business by the States of Guernsey, States of Alderney, Chief Pleas of Sark or the governments the United Kingdom, Jersey or the Isle of Man or the devolved institutions in Scotland, Wales or Northern Ireland.
8. Gifts and material benefits are exempt from declaration if they do not relate in any way to membership of the States. Whether this exemption applies in any particular case is necessarily a matter of judgment. Both the possible motive of the giver and the use to which the gift is put have to be considered: if it is clear on both counts that the gift or benefit is entirely unrelated to membership of the States, and would not reasonably be thought by others to be so related, it need not be declared. If a Member has any doubt the gift or benefit must be declared.

PART 11 Any Other Interests

List any other interest or benefit received which you have not been required to declare in other parts of this form but which might reasonably be perceived by other persons to influence your actions as an elected Member of the States.

You are **not** required to declare the value of any interest or benefit received.

You may also use this section to record any interests or other matters that are not required to be registered but which, in your opinion, should be disclosed to the public.

WHAT HAPPENS TO THIS RETURN?

Declarations must be made annually between the 1st and the 31st May.

The information required in Parts 9 and 10 is in respect of the 12 months ending on the previous 30th April.

The declarations are available for public inspection at the Greffe during normal opening hours and are published on the States' website.

The States are asked to decide:-

I.- Whether, after consideration of the Policy Letter dated 19th October, 2015, of the States' Assembly and Review Committee, they are of the opinion:-

1. To agree that, with effect from 1st May 2016, the Rules of Procedure of the States of Deliberation and their Committees shall be as set out in Appendix 1 to this Policy Letter, conditional upon the States approving at their January, 2016 Meeting, with or without amendment, recommendations presented by the States' Assembly & Constitution Committee in relation to the sections of the Rules of Procedure in Appendix 1 which are shown underlined in that report.
2. To agree that the recommendations to be presented to the States by the States' Assembly & Constitution Committee in January, 2016 in respect of Rules relating to the submission of policy letters and related matters shall be based on the the proposals contained in the section of that policy letter headed 'Submission of items for consideration by the States'.
3. To agree that States' Meetings between the 1st May, 2016 and the 31st August, 2017 shall begin on the dates set out in Schedule 1 of that Policy Letter.