

**STATES OF DELIBERATION**

30<sup>th</sup> July, 2013

**Billet d'État No. XV Volume 2  
Article 15**

**AMENDMENT**

Proposed by: Deputy G A St Pier  
Seconded by: Deputy M M Lowe

**States Assembly & Constitution Committee  
Rules of Procedure of the States of Deliberation**

To delete Proposition 1(g) and replace it with:

“(g) In Rule 5,

Insert a new paragraph as follows at the end of the Rule numbered “(7)”:-

A Member asking *or replying to* a question or a supplementary question who  
(a) has a direct of special interest in the subject matter or the question or  
(b) is aware that the Member's spouse, co-habiting partner, infant child or any  
company in which the Member has a controlling interest on the Member's or  
their behalf has such an interest  
shall, without prejudice to the requirements of Rule 23, before they ask *or reply to*  
the question declare the said interest by disclosing it to the Meeting.”

*Explanatory note: the insertion of the text in italics ensures that both the Member asking the question **and** the Member responding to it should declare an interest, if applicable.*

**STATES OF DELIBERATION**

24<sup>th</sup> September, 2013

**Billet d'État No. XV  
Article 15**

**AMENDMENT**

Proposed by: Deputy M. J. Fallaize  
Seconded by: Deputy P. L. Gillson

**States Assembly and Constitution Committee**

**Amendments to the Rules of Procedure of the States of Deliberation, the Rules relating to the Constitution and Operation of States Departments and Committees, and the Code of Conduct for Members of the States of Deliberation**

To add new propositions 1(h)(a) and 1(h)(b) as follows:

“1(h)(a) in Rule 5(2)(d), delete the words up to but excluding the words ‘PROVIDED THAT’ and substitute therefor:

“5(2)(d) 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 email address of the relevant Department or 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;” ”

“1(h)(b) in Rule 6(1), delete the words “and Her Majesty’s Procureur.” and substitute therefor: “, Her Majesty’s Procureur and to the official postal or email address of the relevant Department or Committee.” ”

**EXPLANATORY NOTE**

There have been incidences recently where a Member has submitted a question directly to the personal email address of the Member who is being asked the question with no copy sent to the address of the Department or Committee concerned, raising the possibility of a delay in the answering of the question in the event that the Member of whom the question is being asked does not forward it to officers of the Department or Committee.

**STATES OF DELIBERATION**30<sup>th</sup> July, 2013**Billet d'État No. XV  
Article 15****AMENDMENT**

Proposed by: Deputy M. J. Fallaize  
 Seconded by: Deputy P. L. Gillson

**States Assembly and Constitution Committee****Amendments to the Rules of Procedure of the States of Deliberation, the Rules relating to the Constitution and Operation of States Departments and Committees, and the Code of Conduct for Members of the States of Deliberation**

To insert a new proposition in the following terms:

“1(y) in Rule 13(6) insert after sub-paragraph (b) the words “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”

**EXPLANATORY NOTE**

If this Amendment and the Committee's proposals at Proposition 1(m) are both approved paragraph 13(6) of the Rules of Procedure will read as follows (new words underlined):

13(6) An amendment which goes further than the original proposition shall not, on that account, be ruled out of order, but a motion:

(a) that the amendment be not debated and no vote be taken thereon; or

(b) that debate on the amendment be postponed,

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; and where a motion that debate on the amendment be postponed has effect the Presiding Officer shall lay the amendment before the States on a suitable occasion.

**STATES OF DELIBERATION**30<sup>th</sup> July, 2013**Billet d'État No. XV  
Article 15****AMENDMENT**

Proposed by: Deputy P. A. Harwood  
Seconded by: Deputy P. A. Luxon

**States Assembly and Constitution Committee****Amendments to the Rules of Procedure of the States of Deliberation, the Rules relating to the Constitution and Operation of States Departments and Committees, and the Code of Conduct for Members of the States of Deliberation**

To insert a paragraph between (b) and (c) in Proposition 2 in the following terms:

(bA) delete Rule 12 and substitute therefor:

- “12. Save in respect of the office of Chief Minister, persons shall be eligible for nomination 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, the candidate’s willingness to seek election and the reasons for his name having been put forward.”

**EXPLANATORY NOTE**

The purpose of this amendment is to require supporting information to be provided about persons who are proposed as non-States members of States Departments, Committees and Boards regardless of whether the election is contested or not. Although candidates for such elections can be proposed *séance tenante*, it is proposed that the information required must be provided before the States meeting begins.

**STATES OF DELIBERATION**30<sup>th</sup> July, 2013**Billet d'État No. XV Volume 2  
Article 15****AMENDMENT**

Proposed by: Deputy G A St Pier  
Seconded by: Deputy H J R Soulsby

**States Assembly & Constitution Committee**  
**The Rules Relating to the Constitution and Operation of States Departments**  
**and Committees**

To delete Proposition 2(c) and replace it with:

“To replace Rule 15 (1) with:

“A Member of a Department or Committee or Sub-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 Department, Committee or Sub-Committee shall immediately declare that interest and *in the event that the Member (or they) would or could derive benefit from the business under consideration must not further participate in either discussion or voting thereon and must immediately withdraw from the meeting during the discussion or voting on the matter concerned.*”

*Explanatory note: the insertion of the text in italics into the existing Rule 15(1) (as proposed to be amended by Proposition 2(c)) makes it clear that a Member shall be required to withdraw from the meeting in the event that he would or could derive benefit from the matter under consideration.*

**STATES OF DELIBERATION**

30<sup>th</sup> July, 2013

**Billet d'État No. XV  
Article 15**

**AMENDMENT**

Proposed by: Deputy M. J. Fallaize  
Seconded by: Deputy P. L. Gillson

**States Assembly and Constitution Committee**

**Amendments to the Rules of Procedure of the States of Deliberation, the Rules relating to the Constitution and Operation of States Departments and Committees, and the Code of Conduct for Members of the States of Deliberation**

To delete Proposition 2(c) and substitute therefor:

“2(c) delete Rule 15(1) and substitute therefor:

“(1) A Member of a Department or Committee or Sub-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 Department, Committee or Sub-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.” ”

**STATES OF DELIBERATION**30<sup>th</sup> July, 2013**Billet d'État No. XV Volume 2  
Article 15****AMENDMENT**

Proposed by: Deputy Paul A Luxon  
Seconded by: Deputy Robert A Jones

**States Assembly & Constitution Committee****Amendments to the Rules of Procedure of the States of Deliberation, the Rules relating to the Constitution and Operation of States Departments and Committees, and the Code of Conduct for Members of the States of Deliberation**

To insert a Proposition between Propositions 2 and 3 as follows:

“2A To direct the States Assembly and Constitution Committee to make such rule changes as necessary by the end of December 2013 so that Members of Department Boards and States Committees shall be able to participate in any Department or Committee meeting and enable it to be quorate whilst not present in person, using accepted technological methods such as, but not limited to, conference calls, video conferencing or Skype; provided that other participants can clearly hear and be heard by, all other members and other participants at the meeting, and only by prior agreement from each Board or Committee Chair Person.”

**Explanatory Note**

It is generally considered that Members must be physically present in order to participate in any Department or Committee meeting. However, SACC understand that there is no express Rule stating physical attendance is required in order for Members to participate in any Department or Committee meeting or for a Board or Committee to be quorate. This amendment, if successful, would enable a Deputy to fully participate in formal meetings from a remote location, should that need arise, which would enhance the effectiveness of States business through continuity of involvement from all Board/Committee members, especially important on complex long running matters.

## **STATES OF DELIBERATION**

24<sup>th</sup> September, 2013

### **Billet d'État No. XV Article 15**

#### **AMENDMENT**

Proposed by: Deputy M. J. Fallaize  
Seconded by: Deputy P. L. Gillson

#### **States Assembly and Constitution Committee**

#### **Amendments to the Rules of Procedure of the States of Deliberation, the Rules relating to the Constitution and Operation of States Departments and Committees, and the Code of Conduct for Members of the States of Deliberation**

To add new propositions 1(h)(a) and 1(h)(b) as follows:

“1(h)(a) in Rule 5(2)(d), delete the words up to but excluding the words ‘PROVIDED THAT’ and substitute therefor:

“5(2)(d) 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 email address of the relevant Department or 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;” ”

“1(h)(b) in Rule 6(1), delete the words “and Her Majesty’s Procureur.” and substitute therefor: “, Her Majesty’s Procureur and to the official postal or email address of the relevant Department or Committee.” ”

#### **EXPLANATORY NOTE**

There have been incidences recently where a Member has submitted a question directly to the personal email address of the Member who is being asked the question with no copy sent to the address of the Department or Committee concerned, raising the possibility of a delay in the answering of the question in the event that the Member of whom the question is being asked does not forward it to officers of the Department or Committee.