

Privileges and Procedures Committee

(15th Meeting)

Electronic business

22nd December 2025

Part A (Non-Exempt)

All members were present with the exception of Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter.

Deputy S.M. Ahier of St. Helier North, Chair
 Deputy C. S. Alves of St. Helier Central, Vice Chair
 Deputy M. R. Ferey of St. Saviour
 Deputy T.A. Coles of St. Helier South
 Deputy M. Tadier of St. Brelade (item No. A4 only)
 Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter (item Nos. A1, A2 and A4 only)

In attendance -

K.M. LARBALÉSTIER, Principal Secretariat Officer, Specialist Secretariat

Note: The Minutes of this meeting comprise Part A only.

Draft Elections
 Amendment
 (Jersey)
 Commence-
 ment Act 202-.

A1. The Committee, with reference to its Minute No. A15 of 10th November 2025, considered the Draft Elections Amendment (Jersey) Commencement Act 202-, which brought into force the Elections (Jersey) Amendment Law 2025 on 10th February 2026.

The Committee recalled that the aforementioned Law amended various provisions of the Elections (Jersey) Law 2002 and made further minor amendments to the Elections (Jersey) Regulations 2002 and the Political Parties (Registration) (Jersey) Law 2008, all of which were designed to improve the electoral system. Changes included extending the vote to all prisoners, placing responsibility for the management of the hustings process with the Jersey Electoral Authority and altering deadlines for postal voting.

The Committee approved the Draft Elections Amendment (Jersey) Commencement Act 202-, and requested that it be lodged 'au Greffe'.

Draft Elections
 (Consequential
 amendments)
 (Jersey)
 Amendment
 Regulations
 202-.

A2. The Committee, with reference to its Minute No. A5 of 7th July 2025, considered the Draft Elections (Consequential Amendments) (Jersey) Amendment Regulations 202-.

The Committee noted that the aforementioned Regulations amended the Elections (Jersey) Law 2002 and the Regulation of Care (Jersey) Law 2014. The amendments were consequential upon, or incidental/supplementary to the provisions of the Elections (Senators) (Jersey) Amendment Law 2025. It was recalled that when this legislation had been adopted by the States in September 2025, other Laws amending the Elections (Jersey) Law 2002 (the Elections (Electoral Registers) (Jersey) Amendment Law 2025) had been adopted by the States but had not yet received Royal Assent and had not been registered in the Royal Court. The amendments made

by the Regulations were required to take account of the reinstated office of Senator in provisions substituted or inserted by the Electoral Registers Law or the Elections Amendment Law. The Regulations also made a consequential amendment to the provisions of the Regulation of Care Law, which had been adopted by the States in November 2025 (before the Senators' Law had been registered in the Royal Court).

The Committee approved the Draft Elections (Consequential Amendments) (Jersey) Amendment Regulations 202- and requested that the legislation be lodged 'au Greffe'.

Jersey
Electoral
Authority –
appointment of
member.

A3. The Committee considered a draft report in connexion with the appointment of Mr. C. Gott to the Jersey Electoral Authority (JEA) in accordance with Article 13A of the Elections (Jersey) Law 2002.

The Committee recalled that the aforementioned Law provided for the establishment of the JEA to oversee public elections in Jersey. In accordance with the provisions of the Law, the Privileges and Procedures Committee was responsible for appointing the Chair and members of the JEA and was required to provide the States Assembly with 15 days' notice of its intention to appoint to the roles.

The Committee noted that following the recent resignation of a member of the JEA, a recruitment process overseen by the Jersey Appointments Commission had identified Mr. Gott as a suitable candidate.

The Committee endorsed the recommendation to appoint Mr. Gott to the JEA and requested that the report be presented to the States.

Draft Public
Records
(Jersey)
Amendment
Law 202-
(P.95/2025).

A4. The Committee, with reference to its Minute No. A8 of 10th November 2025, considered a report in connexion with the draft Public Records (Jersey) Amendment Law 202- (P.95/2025), which had been lodged 'au Greffe' by the Minister for Sustainable Economic Development.

The Committee noted that the draft Law sought to amend the Public Records (Jersey) Law 2002, which provided the legal framework for the management, preservation and accessibility of public records in Jersey. The Law provided a structured approach to the retention and disposal of Government and public sector documents, safeguarding historic and administrative records for future generations and the amendments were designed to clarify and streamline current obligations.

The Committee noted that Article 7 of the draft Law sought to insert new provisions under Article 38, as follows –

(2A) If the Panel (the Records Advisory Panel) becomes aware that a public institution is in breach of its duty of records management, the Panel may notify the Minister (the Minister for Sustainable Economic Development), who may take the steps that the Minister, on the advice of the Panel, considers necessary.

(2B) Those steps may include directing the public institution to remedy the breach with the assistance of the Archivist.

The Committee noted that the proposed amendment appeared to grant authority for compliance to the Minister for Sustainable Economic Development in respect of the States Assembly records and the States Greffe, which was at odds with Article 41(9) of the States of Jersey Law 2005, which stipulated that –

“An officer [of the States Greffe] who is appointed under paragraph (6) –

- (a) *shall discharge his or her duties under that appointment under the direction and general supervision of the Greffier of the States; and*
- (b) *shall not be directed or supervised in the discharge of those duties by the Chief Executive Officer, the States Employment Board, a Minister or a person acting on behalf of such a person.”*

Having considered the above matter, the Committee agreed that the Chair should write to the Minister in the first instance drawing attention to the potential conflict between the draft amendment and the provisions of the States of Jersey Law.