



**OFFICIAL REPORT**  
**OF THE**  
**STATES OF THE**  
**ISLAND OF ALDERNEY**

**HANSARD**

**The Court House, Alderney, Wednesday, 19th June 2013**

*All published Official Reports can be found on the  
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**Present:**

**Mr Stuart Trought, President**

**Members**

Mr Paul Arditti

Mr Raymond Berry

Mr Matthew Birmingham

Mr Neil Harvey

Mr Louis Jean

Mr Robert McDowall

Mr Steve Roberts

Mr Chris Rowley

Mr Francis Simonet

Mr Ian Tugby

**The Greffier of the Court**

Mrs Sarah Kelly

**Business Transacted**

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*The Assembly adjourned at 6.02 p.m.*

## States of Alderney

*The States met at 5.29 p.m. in the presence of  
His Excellency Air Marshal Peter Walker, C.B., C.B.E.  
Lieutenant-Governor and Commander-in-Chief of the Bailiwick of Guernsey*

[THE PRESIDENT *in the Chair*]

### PRAYERS

*The Greffier*

### ROLL CALL

*The Greffier*

## Billet d'État for Wednesday, 19th June 2013

### Order of the Day

#### **The Speed Trials (Alderney) Ordinance, 2013 approved**

*Item I.*

*The States is asked to approve:  
The Speed Trials (Alderney) Ordinance, 2013.*

**The President:** Thank you very much, Madam Greffier. If you would like to move to Item I when you are ready, please.

5 **The Greffier:** Thank you, sir.  
Item I is The Speed Trials (Alderney) Ordinance 2013 and the States is asked to approve that Ordinance.

10 **The President:** Thank you very much.  
Mr Birmingham, as Convener. Mr Simonet, sorry, I apologise – Mr Simonet as Convener.

**Mr Simonet:** Your Excellency, Mr President and States Members, there were at the People's Meeting, President, 32 members of the public and four members of the press.  
15 On Item No. I, there were no comments.

**The President:** Thank you very much.  
Mr Jean, I believe you wish to propose this Item.

20 **Mr Jean:** I do indeed, sir. With great pleasure, it is an event that we regularly look forward to and grateful that it is coming again.  
Thank you, sir.

**The President:** Thank you. Mr Tugby, I believe you wish to second this.

25 **Mr Tugby:** Yes, sir.

**The President:** Do any States Members wish to comment on this Item? Thank you very much, Mr Birmingham.

30 **Mr Birmingham:** Thank you, Mr President, Your Excellency, fellow Members.  
I would just like to thank Mr Jean and his Committee for bringing this forward. I think it is over 25 years now that we the Cart and Motor Club have been coming to Alderney for the organisation and to help out. I would just like to take this opportunity to thank them for the work that they do in forming this very important event on the Alderney's tourism schedule.

35 **The President:** Thank you very much, Mr Birmingham.  
Does any other Member wish to comment on this?  
I think we can take it that the Ordinance is approved, Madam Greffier.

40 **The Greffier:** Thank you, sir.

45 **Further Sanctions against North Korea**  
**The North Korea (Restrictive Measures) (Alderney) (Amendment)**  
**Ordinance, 2013 approved**

*Item II.*  
*The States is asked to approve:*  
50 *The North Korea (Restrictive Measures) (Alderney) (Amendment) Ordinance, 2013.*

**The President:** We move on to Item II, please.

55 **The Greffier:** Item II, Further Sanctions against North Korea. The States is asked to approve the North Korea (Restrictive Measures) (Alderney) (Amendment) Ordinance, 2013.

**The President:** Thank you very much.  
Mr Simonet as Convener.

60 **Mr Simonet:** Mr President, there were no comments on this Item.

**The President:** Thank you very much.  
Mr Simonet, you may stay on your feet, I believe you wish to propose this Item.

65 **Mr Simonet:** Yes, I would like to propose this Item. This is just an amendment to an existing Ordinance of 2007.

70 **The President:** Thank you very much, Mr Simonet.  
Mr Harvey, I believe you wish to second this.

**Mr Harvey:** Thank you Mr President, Excellency.  
I am happy to second this proposal.

75 **The President:** Thank you very much. Does any Member wish to speak on this Item?  
Very well, thank you. We will take that as approved, thank you very much.

80 **Changes to the Council Regulations of the EU Sanctions Regime**  
**The Iran (Restrictive Measures)(Alderney) (Amendment) Ordinance, 2013 approved;**  
**The Tunisia (Freezing of Funds) (Alderney) (Amendment) Ordinance, 2013 approved;**  
**The Egypt (Freezing of Funds) (Alderney) (Amendment) Ordinance, 2013 approved**

85 *Item III.*  
*The States is asked to approve:*

1. *The Iran (Restrictive Measures)(Alderney) (Amendment) Ordinance, 2013;*
2. *The Tunisia (Freezing of Funds) (Alderney) (Amendment) Ordinance, 2013; and*
3. *The Egypt (Freezing of Funds) (Alderney) (Amendment) Ordinance, 2013.*

90 **The President:** We move to Item III, please.

**The Greffier:** Item III is the Changes to the Council Regulations of the EU Sanctions Regime. The States is asked to approve the following: The Iran (Restrictive Measures) (Alderney) (Amendment) Ordinance, 2013; The Tunisia (Freezing of Funds) (Alderney) (Amendment) Ordinance, 2013; and The Egypt (Freezing of Funds) (Alderney) (Amendment) Ordinance, 2013.

**The President:** Thank you very much, Madam Greffier.  
Mr Simonet, as Convener.

100 **Mr Simonet:** Mr President, there were no comments made on this Item.

**The President:** Mr Simonet, I believe you wish to propose this Item.

105 **Mr Simonet:** Yes, I do, Mr President. This, again, is an amendment to an existing Ordinance.

**The President:** Thank you very much, Mr Simonet.  
Mr Birmingham, I believe you wish to second this.

110 **Mr Birmingham:** Yes, thank you, Mr President, Your Excellency, fellow Members.  
It gives me great pleasure to second this Item. I always believe that it is important that the Island maintains its international obligations and this is a case of changing two existing Sanction Regimes, as a technical exercise, but it is important that Alderney undertakes this technical exercise.

115 **The President:** Thank you very much, Mr Birmingham.  
Does any Member wish to speak on Item III? In that case, we will take all three Items at one go as read, Madam Greffier.

120 **The Greffier:** Thank you, sir.

**Building and Development Control Committee Members  
Mr Roberts and Mr Simonet appointed as members;  
Mr Birmingham appointed as Chairman**

125 *Item IV.*  
*The States is asked to appoint:*  
130 *(a) two Members to the Building and Development Control Committee; and*  
*(b) a Chairman of the Building and Development Control Committee.*

**The President:** We move to Item IV.

135 **The Greffier:** Sir, Item IV is the Building and Development Control Committee Members.  
The States is asked to appoint two Members to the Building and Development Control Committee; and a Chairman of that Committee.

140 **The President:** Thank you very much.  
Mr Simonet as Convener.

**Mr Simonet:** Mr President, there were no comments on this Item.

**The President:** Thank you, Mr Simonet. I believe you wish to propose this Item.

145 **Mr Simonet:** I do indeed, Mr President. This is just to fill the spaces left by the resignation of Mr Llewlyn and the resignation of myself as the Chairman of the Building and Development Control Committee.

150 **The President:** Thank you very much, Mr Simonet.  
Mr McDowall, I believe you wish to second this.

**Mr McDowall:** Yes, indeed, I do, Mr President, Your Excellency. I do indeed.  
Thank you.

155 **The President:** Thank you very much.

**The Greffier:** Sir, we need proposers and seconders for Members to the Committee.

160 **The President:** Thank you.  
Do we have any proposals for Item (a) the two Members to the Building and Development Control Committee? Do we have any proposals as to the Members to take their place on the Building and Development Committee?

165 **Mr Simonet:** I think it is really up to myself to propose them.

**The President:** Okay. Would you care to... Well, somebody needs to... We need a proposer and a seconder for each person who is looking for a place.

170 **Mr Simonet:** I will propose Mr Stephen Roberts for one of the positions.

**The President:** This is for a member of the Building and Development Control Committee, is that correct? (**Mr Simonet:** Indeed, yes.)  
Do we have a seconder for Mr Roberts?

175 **Mr McDowall:** I would be delighted to second.

**The President:** Thank you very much.  
Do we have a second proposal?

180 **Mr Birmingham:** Thank you, Mr President.  
I propose Mr Simonet as the second member of the BDCC.

**The President:** Do we have a seconder for this?

185 **Mr Berry:** I will second that, sir.

**The President:** Thank you very much, Mr Berry.  
Do we have any other Members...? Does anybody want to propose anybody else for these positions? No, in that case, there being the correct number of people for two places, we take them as voted in.

190 We now move to section (b), which is for the Chairman of the Building and Development Control Committee. Do we have a proposer to put somebody in as Chairman, please?

195 **Mr Berry:** Sir, Your Excellency, Mr President, fellow Members, when I was informed that our current Chairman of the Building and Development Control Committee was wishing to stand down, my initial concern was would the person I feel would be suitable and adequate as Chairman of the Committee be willing to stand? His agreement to do so has removed that concern.

200 I therefore have the greatest pleasure in proposing Mr Matt Birmingham for the position of Chairman of the Building and Development Control Committee. I have served with Mr Birmingham on our main Committees and a number of sub-committees since our election. I have come to appreciate Mr Birmingham as a man of ability, integrity and an asset to our Government and the Island he serves with such dedication.

I commend Mr Birmingham to the House.

205 **The President:** Thank you very much, Mr Berry.

Do I have a seconder for Mr Birmingham?

**Mr Rowley:** Yes, I will do, Mr President. I am happy to second that.

210

**The President:** Thank you very much, Mr Rowley.

Do we have any other proposals for this position? Madam Greffier, take that as voted in, please.

215

**The Greffier:** Yes, sir.

**The President:** And, when you are ready, we will move to Item V, please.

220

**Finance Committee Members  
Mr Roberts appointed**

*Item V.*

*The States is asked:*

225

*To appoint a third member to the Finance Committee.*

**The Greffier:** Yes, sir. Item V, the Finance Committee Members. The States is asked to appoint a third member to the Finance Committee.

230

**The President:** Thank you very much.  
Mr Simonet as Convener.

235

**Mr Simonet:** Thank you, Mr President.  
There were no comments on this Item.

**The President:** Thank you. Mr Simonet, I believe you wish to propose this Item.

240

**Mr Simonet:** Yes, I do, I am pleased to propose that we do elect a member for the Finance Committee.

**The President:** Thank you very much. Mr McDowall, I believe you wish to second this.

**Mr McDowall:** I do indeed.

245

**The President:** Thank you, Mr McDowall.

Do we have any proposals to appoint as the third member of the Finance Committee? Mr McDowall.

250

**Mr McDowall:** Yes I do, I would like to propose Mr Stephen Roberts.

**The President:** Thank you very much indeed.  
Do we have a seconder for Mr Roberts?

255

**Mr Tugby:** I will second it, sir.

**The President:** Thank you, Mr Tugby.

Do we have any other proposals for this position? Madam Greffier, if you take that as...

260

**The Greffier:** Thank you, sir.

**The President:** And when you are ready, we will move on to the next Item, please.

**The Greffier:** Thank you, sir.

265

**Code of Conduct**  
**Adoption via amendment to Government of Alderney Law, 2004**  
**Item approved**

270

*Item VI.*

*The States is asked:*

275

*to approve that Law Officers Chambers be requested to draft the necessary amendment to the Government of Alderney Law, 2004 to provide express power by resolution to adopt a Code of Conduct.*

280

**The Greffier:** And the next Item, sir, Item VI is the Code of Conduct. The States is asked to approve that Law Officers Chambers be requested to draft the necessary amendment to the Government of Alderney Law, 2004 to provide express power by resolution to adopt a Code of Conduct.

**The President:** Thank you.

285

I think, for the sake of clarity, we should point out that it is not actually to bring in a Code of Conduct. This is to ask the Law Officers to draft a necessary amendment so that if the States Members wish to bring in a Code of Conduct, they have the draft already done, so they can vote it in.

Right, Mr Simonet, were there any comments on this from the People's Meeting, please?

290

**Mr Simonet:** Thank you, Mr President.

Indeed, there were a number of comments. I will read them out. These included: it was queried why the Law Officers had only now acknowledged that the Code of Conduct from 2009 was defective. The Convener advised that the matter had been brought forward for debate from last year.

295

It was queried whether the wording of the Code would remain the same in the final document as stated in the Billet. The Convener assumed that this would be the case, but said that it would be up to the States Members to debate.

It was further queried whether the second sections (a) to (e) would be added to the new Code of Conduct. This was confirmed.

300

It was queried whether the 'panel' referred to in the first subsection (d) would be selected from the members of the public. The Convener advised that it would be a matter for the President.

It was queried by what authority the reports submitted by the Chairman of the Policy Committee could be included in the Billet. It has since been established that this is in accordance with the States of Alderney Rules of Procedure under Item 4, 'Matter for inclusion in the Billet', section (a), and I will read it:

305

'Any letter to the President signed by the Chairman of a Committee of the States and received by the President at least 16 days before that meeting, or at such other lesser time as the President may notify to members of the States.'

310

Thank you, Mr President.

**The President:** Thank you very much.

Mr Simonet, I believe you wish to propose this.

315

**Mr Simonet:** Yes, I do indeed. This, hopefully will, in the end of the process, give power of the Law to the Code of Conduct.

I would just like to briefly run through the Code of Conduct phonology, as there were a number of queries about why it has now come to the States.

320

The Code of Conduct was created in 2009 and circulated to all States Members. It was understood that it was within the Law and the States Members voted for it. It was believed by the 2010 States of Alderney that it came into effect from January 2010.

When President Trought took office in 2011, he started looking into the Code of Conduct and found that it was *ultra vires* – i.e in layman's language, it was outside the law.

325

In September 2011, President Trought sent a memo to the Chairman of the Policy and Finance Committee, then made up of all States Members, and advised them that if they wished to have a legally effective Code of Conduct – the same as in Guernsey, Jersey and the UK Houses of Parliament – they would need to make changes to the Government of Alderney Law.

At a meeting of the Policy and Finance Committee on 27th March 2012, the issue was debated and the States Members decided not to make any changes. Therefore, the Code of Conduct would



330 remain *ultra vires*. The minutes from this meeting are in the public domain and can be found on the Alderney Government website.

At their meeting on 28th May 2013, tabled under ‘Any Other Business’, the current Policy Committee debated the issue and decided that they would like to revisit the Code of Conduct and recommend to the States that changes are made to the Government of Alderney Law in order that the Code of Conduct is no longer *ultra vires*. The minutes of this meeting will also be available on the Government website from 2016.

**The President:** Thank you very much, Mr Simonet.

340 **Mr Simonet:** Sorry, I will just clarify, the 21st of the sixth; not 2016! (*Laughter*)

**The President:** Thank you.  
Mr Harvey, I believe you wish to second this motion.

345 **Mr Harvey:** Thank you, Mr President.  
I was going to point out that this is merely about the Law Officers, but you were ahead of me. So I am happy to second this motion.  
Thank you.

350 **The President:** Thank you very much, Mr Harvey.  
Does any Member wish to speak on Item VI, Code of Conduct?  
Mr Jean.

**Mr Jean:** Very interesting, Your Excellency, sir and distinguished guests.  
355 When I see this Item, I am reminded of last month’s mention of the Code of Conduct and the censure motion against Mr Arditti. I am surprised that this has come so quickly and also that we do not have the opinion of the Law Officers.

360 Bringing this Item is, to me, a vain and useless attempt to clothe yourselves in respectability and, unlike the buying of a new set of clothes for the Emperor, there is little or nothing that any of you from the top of the States down can do. This is just an excuse: *why* is it an excuse? Because it is alright for the rest of the States and you, sir, to refer and use the Code of Conduct to suit yourselves and for your own purposes, when myself and the then Chairman of Policy, Mr Arditti, asked for the Code of Conduct and its rules and provisions for its staged recommendations, which included the setting up of a panel to hear the allegations against my Chairman!

365 We were told no. This Code of Conduct given to us in January in our Inception Papers was not to be extended to us. I never believed you, sir, and said so at the time. To see a Chairmanship given out as a reward for betrayal has been hard to take and on top of that, it is not my part in all of this; my first thoughts are out there amongst the electorate. It is they who have been deprived of an elected Member of this House, removed of all responsibility in Alderney – almost all.

370 I say you have no right to do this; the public should be the only people to have the right to remove an elected Member, at the end of his or her term of office. There are those who lead and those who follow blindly, signing with lame excuses, nearly one and all; but I and Mr Arditti have lived to tell our tale to all and any member of the public who would listen – and a surprising number did. Many voices sung unheard before now spoke at the outrage and upset caused.

375 All of you are marked men now, for we have told our story well enough, so that it has become a public cause – a clear and clarion call from the public in thought, voice, action and deed in the form of a petition, which has kept me going until I am strong again.

380 It is the public love and support I have felt all around me and I know, with some enormous gratitude, that my colleague, Mr Arditti, has felt the same. (**Mr Arditti:** Hear, hear.) There is no doubt on my part, I have felt the pain of denial of my rights and the isolation that comes afterwards – surprise surprise, I have deep feelings!

I have written two letters, indicating my wish to resign from my role as Chairman of the ESC. The public support and wise counsel of my own family and friends was enough to keep me from sending those letters.

385 All that is behind me now and I will remain, and I shall continue. I will never forget the kind things the public have said to me, and I take this opportunity to thank those members of the public for their kind thoughts.

I will not vote for this Item, when in Guernsey, the Code of Conduct is used on a regular basis without being made into law. As part of the Bailiwick, that is good enough for Guernsey, it is fine by me and will do nicely for me.

390 Thank you, Your Excellency, sir and distinguished guests, Members of the States.

**The President:** Thank you very much.  
Does any other Member wish to speak on this?

395 **Mr Roberts:** I would like to see all this buried once and for all, this argument between ourselves. I think we really should get on with the business of running Alderney. That is all I would like to say.

400 **The President:** Mr Roberts, I appreciate your sentiments, but we are supposed to keep our comments directed to the Billet Item.

**Mr Roberts:** I am sorry. I am sorry.

405 **The President:** Thank you.  
Just a couple of points of order, in the light of the speech from Mr Jean. I would just call upon the Greffier, if she would be so kind, as to give the legal status of the Code of Conduct both in Guernsey and here.

410 **The Greffier:** Sir, in Guernsey, the Reform Guernsey Law, 1948 was amended on 19th February 2007 by the Reform (Guernsey) (Amendment) Law, 2006, which inserted article 20F into the 1948 Law, which is headed 'Code of Conduct'. That sets out the powers of the States of Deliberation to adopt by resolution a Code of Conduct and also amend that Code of Conduct, revoke it or replace it.

415 There were a couple of amendments subsequent to that, which added in various paragraphs and powers to that article.

In relation to the Alderney Code of Conduct, sir, you have heard that it was passed by resolution to come in on 1st January 2010, but on subsequent investigation, it was found to be *ultra vires* by yourself and therefore at the moment it is not being used as a Code of Conduct on that basis.

420 We are here, Members are here to ask the Law Officers, or not, to draft the legislation to allow the House then to consider bringing in the Code of Conduct.

425 **The President:** Thank you very much and just for clarification, does that mean that the Code of Conduct as used in Guernsey is not *ultra vires*?

**The Greffier:** It has certainly been added into the Reform (Guernsey) Law 1948 that the Members of the States of Deliberation by resolution can adopt, amend, revoke or replace a Code of Conduct.

430 I cannot say whether it has ever been used *ultra vires*, sir, because obviously that is a matter in relation to that particular Code of Conduct; but it is under legislation that they have a Code of Conduct.

435 **The President:** Thank you very much, Madam Greffier.  
There is something else which, if I may, on point of order – Mr Arditti, you go first, please.

**Mr Arditti:** After you, sir.

440 **The President:** It is to do with the instigation of the Code of Conduct, for the general edification of our States Members. Whether we have a Code of Conduct which has been made correctly and is not *ultra vires*, or whether it be a voluntary Code of Conduct, it cannot be instigated, unless somebody – either a member of the public or a States Member – sends a letter through the Greffier to myself asking for that Code of Conduct to be enacted. That has not happened, for the sake of clarity, Mr Jean.

445 Mr Arditti.

**Mr Arditti:** Your Excellency, after the marathon last month, I confess that I did not expect you back quite so soon – welcome though you are.

Sir, I need not detain you and His Excellency for as long as I did last month.

450 **The President:** Thank you.

**Mr Arditti:** At face value, the purpose of this month's proposition from Mr Harvey and Mr Simonet is to overcome the fact that some Members refuse to honour the Code of Conduct unless they are compelled to do so by law. How shocking is that? The shame of it!

455 It gets worse. Last month's proposition from Mr Harvey and Mr Simonet breached the very Code of Conduct which this month they say they want to make legal enforcement. It beggars belief!

This month they appears as champions of the Code of Conduct which, last month, they breached. They had to breach the Code of Conduct last month, because under the Code, they were  
460 required to submit their allegations against me to a panel for independent investigation – *before* bringing these allegations to last month's meeting.

But the allegations were false and would not have stood up to independent investigation. What a tangled web they weave!

Last month, Mr Harvey said, and I quote:

465 'It has become increasingly clear that Mr Arditti has absolutely no respect for his fellow States Members'.

Who would blame me?

Let us be in no doubt, that this month's proposition affords no justification *whatsoever* for the refusal last month of the seven States Members to honour the Code.

470 I have here an open letter which I sent to the seven Members, Messrs Harvey, McDowall, Simonet, Birmingham, Rowley, Berry and Tugby on 18th May, four days before the last States meeting. In the letter I wrote:

475 'The Code was adopted by the States on 16th December 2009 and was handed to us when we were first elected. Surely we have all bought into it. Surely the public expect us to abide by it.'

I went on:

480 'I consider myself bound by the Code of Conduct. Do you?'

They did not reply.

We now have Mr Harvey and Mr Simonet's reply in the form of this Proposition and it will be interesting to see how other States Members decide to vote today.

485 So far, Mr Jean and I are the only States Members who have confirmed that we consider ourselves *duty bound to the public* to abide by the Code and have no need to be compelled by law to do so.

This month's Proposition was considered by the last States in 2011, in response to a note from you, sir, dated 16th September 2011. It will not surprise you to know that Mr Simonet's  
490 chronology is wrong: he missed out the most important bit of it, which is the September meeting of Policy and Finance Committee – the *September 2011* meeting of Policy and Finance Committee, which had, as an Item on it your note, sir.

Mr Birmingham, Mr Berry and Mr Tugby voted against the Proposition, as did I. Indeed, only two of the 10-member Policy and Finance Committee voted for the Proposition. Nothing has  
495 changed since.

The view was that the Law Officers' proposals are not appropriate for a small 10-member Government like ours. Just one example: intimidation of a Member would be too easy; and is it necessary in a tiny community like ours? Members who refuse to honour the Code have nowhere to hide from the public.

500 The decision reached by the last States in 2011 – rightly, in my view – was to refer the matter back to the Law Officers, with instructions to limit the Proposition to the one area where certainty is needed, namely immunity from legal proceedings for persons and Members giving evidence to a Code of Conduct Panel, and at the same time to look at some defects in the Code itself.

The Law Officers have *not* done what they were asked to do in 2011.

505 The Code is a good thing but this Proposition was bad in 2011 and it is bad now. Nothing has changed and the necessary work has not been done.

This Proposition before us this evening has been hastily cobbled together for all the wrong reasons. Let us do this properly: let us reject this Proposition. There is work to be done on this, but there has been no discussion by the Policy Committee, sitting as the newly formed Constitution and Legislation Committee – a basic first step before bringing a proposition such as this to the  
510 States.

Clearly, the instructions to the Law Officers in 2011 were not clear enough, and this needs to

be sorted out by States Members, before we start voting on Propositions like this.

Fellow Members, we cannot properly vote for this Proposition until the Code has been tidied up and the Law Officers' proposals have been tailored to suit all.

515

Thank you, sir.

**The President:** Thank you, Mr Arditti.

Does any other Member wish to speak on this Item? Mr McDowall.

520

**Mr McDowall:** Yes, just very briefly.

If I were here in 2011, I would have voted in favour of the Code of Conduct being legally enforceable. I suggest it should be in *all* jurisdictions.

Thank you.

525

**The President:** Thank you.

**Mr Arditti:** Point of order.

It is not in the UK.

530

**The President:** Thank you very much.

Does anybody else wish to speak on this issue? Mr Birmingham

**Mr Birmingham:** Thank you Mr President, Your Excellency, fellow Members.

535

Mr Arditti is perfectly correct in what he says, in terms of the discussions that we had in the previous States Policy Committee. There was a number of concerns expressed by Members at that meeting, but I feel, from my side, at that particular time, my concern was definitely to do with details concerning the structure of the Code of Conduct itself and my concern was that perhaps that existing Code of Conduct should then automatically be adopted.

540

I think we all have two slightly different issues here, one where we are talking about having a resolution put forward to *allow* that Code of Conduct to be adopted at a later point, which is slightly different to matters of the existing Code of Conduct that we have.

545

I, on reflection from my decision at that Committee meeting, actually believe that it is probably a good thing in the long term for us to have it adopted legally, but that does not necessarily mean that I would agree currently the current Code of Conduct. So, in my view, I believe, it is good for the future that we do have a legally adopted Code of Conduct, but of course this does not mean that we are adopting the Code of Conduct that we have currently. That would still have to be dealt with at a later date.

550

**The President:** Thank you very much, Mr Birmingham.

Mr Rowley, do you wish to speak on this matter? Anybody else wish to speak on this matter? Mr Simonet, would you care to summate, please?

555

**Mr Simonet:** Yes, Mr President.

I have listened to what Mr Arditti has said and Mr Jean and I am sorry that they want to continue the argument about Mr Arditti's being voted off the Committee.

Mr Arditti was voted off the Committee through a democratic process: simple democratic process. He lost the confidence of the Committee, therefore they asked him to resign, and he would not and that is what brought along this whole palaver.

560

So I am sorry about that and listening to Mr Arditti, he does display great talent in persuading himself that what is convenient is true. However, this Code of Conduct, in my view, needs the force of law. It is right that it has the force of law. It does not have the force of law, could never truly be implemented – any States Member could just say, 'I am not accepting it.' Therefore, force of law is something that I think this States should adopt.

565

Thank you, Mr President.

**The President:** Thank you very much, Mr Simonet.

Madam Greffier, could you put this to the vote, please?

570

**The Greffier:** Yes, sir.

*A vote was taken and the result was as follows:*

**FOR**

Mr Roberts  
Mr Rowley  
Mr McDowall  
Mr Simonet  
Mr Harvey  
Mr Berry  
Mr Birmingham  
Mr Tugby

**AGAINST**

Mr Jean  
Mr Arditti

575 **The Greffier:** Thank you. That is carried, sir.

**The President:** Thank you very much, Madam Greffier.

580

**QUESTIONS AND REPORTS**

**Procedural**

585 **The President:** I believe there are no Questions and Reports.

**The Greffier:** I have not received any, sir.

590 **The President:** Thank you. Would you care to bring this meeting of the States to a close, please.

**The Greffier:** Sir.

595

**PRAYERS**

*The Greffier*

*The Assembly adjourned at 6.02 p.m.*