

STATES OF ALDERNEY

RULES OF PROCEDURE FOR STATES COMMITTEES

1. Every Committee Member shall be appointed in accordance with the provisions of section 49 of the Government of Alderney law, 2004 ("the Law") and the duration, membership and quoracy of each Committee shall be as set down in that section.
2. The Chairman of each Committee shall be elected by the States in accordance with section 50 of the Law.
3. The functions of a Committee shall be those set down in accordance with sections 49(3) and 51 of the Law and in accordance with any other enactment.
4. Deputy Chairmen of each Committee shall be appointed by the Committee under section 50(2) of the Law and, unless that person resigns from office or ceases to be a Member of the Committee or of the States, shall hold office until the next following Annual Meeting of the States.
5. All meetings of a Committee shall be convened by the Chairman by the issuing of an agenda.
6. An agenda for each Committee meeting shall be prepared by the Secretary to the Committee in association with the Chairman. Each agenda and accompanying reports shall be issued at least 3 business days before the date of the meeting.
7. The Secretary of the Committee, or a person approved in his stead under the provisions of section 4(1)(b) of The Public Functions (Transfer and Performance) (Bailiwick of Guernsey) Law, 1991, shall attend every Committee meeting.
8. Members of a Committee can request items for inclusion in the Agenda and the Chairman is entitled at his discretion to delay the inclusion of that item for consideration to the Agenda for the next scheduled Committee meeting immediately following the meeting in respect of which the request was made.
9. Where decisions are required, all Members of the Committee shall vote subject to the following provisions of these rules including provisions relating to declarations of interest. The Chairman, or other person presiding in the meeting, shall have an originating and casting vote in accordance with section 50(4) of the Law. The vote shall be recorded in the minutes. All votes shall be taken as named votes and names shall be recorded in the minutes unless the Committee votes for a non-named vote.
10. (a) The Committee shall appoint a Minute Clerk who shall draft all minutes for approval by the Chairman and Secretary to the Committee before circulation to Members of the Committee. The draft minutes shall be made available to the Chairman and Secretary as soon as possible and within 6 business days beginning on the date of the meeting to which they relate. Following approval of the draft minutes by the Chairman and Secretary to the Committee, the minutes shall be circulated to Members of the Committee for consideration.

(b) After circulation to Members of the Committee, any amendments required to the minutes shall be notified to the Secretary of the Committee within 3 business days beginning on the date of circulation, and reported to the Chairman who shall decide whether or not to accept the amendment. The draft minutes shall be published within a period of 11 business days, beginning on the date of the meeting to which they relate, except those parts contained in confidential annexures. Minutes should only be set out in confidential annexures under this rule and rule 11 where they accord with the criteria set out in the Protocol for Confidentiality

and Access to Information which have been determined by the Policy and Finance Committee.

11. Minutes shall be formally approved by the Committee at its next full meeting, and following that approval shall be circulated to all Members of the States and the President.
12. Matters for "Any Other Business" must be notified in writing to the Chairman at least 2 business days before the date of the meeting, other than where the matter is urgent or at the Chairman's discretion.
13. The date and time of the next following meeting of the Committee shall be agreed at the close of each meeting.
14. Emergency meetings may be called by the Chairman at any time to deal with a specific item or items of exceptional importance whereupon the provisions of Rules 5 and 6 shall not apply.
15. Additional meetings may be called by the Chairman at any time to deal with specific urgent matters in which case the provisions of Rules 5 and 6 shall apply.
16.
 - (a) All Members of the States may attend a Committee meeting but, if they have not been appointed to a seat on that Committee, they may not speak or vote.
 - (b) All Members of the States, specially invited by the Chairman to attend a Committee meeting for a specific item, may speak on that item, but not vote on it.
 - (c) The President may attend all Committee meetings and may, at the discretion of the Chairman speak but not vote.
 - (d) In the event that a non-Committee Member attends a meeting and persists in interfering or speaking at that meeting, the Chairman has the power to require that Member of the States to leave the meeting.
 - (e) Where the President or any Member of the States, including any Members of the States who are not Committee Members attend a meeting where they are known to have an interest in the subject matter of any agenda item, the President or any Member of the States shall be subject to Rule 21 of the States Rules of Procedure relating to a declaration of interests. The Chairman shall have the power to require that the President or the Member of the States, as the case may be, leaves the meeting.
 - (f) Where the President or a Member of the States refuses to leave the meeting when asked so to do, the Chairman shall adjourn the meeting. The meeting may be re-convened at his discretion.
17. The Chairman is authorised to invite members of the public to address the Committee on specific items appearing on the agenda after which they must withdraw. The Chairman may exclude any member of the public so invited from a meeting if, in the Chairman's view, that person is acting in a disorderly way.
18. Where a Committee is inquorate, (no meeting of the Committee or subcommittee of the States of Alderney will be valid unless a quorum as set out in the table below is present in person with secretary in addition) the President or in his absence, the Vice-President, shall attend the meeting as a full Member of the Committee with full voting rights. Where the President or Vice-President attends a Committee meeting to make up the required quorum, the President or Vice-President cannot preside at the Committee Meeting consistent with section 44(4) of the Law.

<i>Committee Membership</i>	<i>Quorum</i>
5 or less	3
6 or 7	4
8 or 9	5
10	6

19. The Rule relating to the recording of meetings, applied to the States of Alderney by Rule 23 of the States Rules of Procedure, shall apply to all Committee meetings.
20. A Committee may at any time it chooses convene a subcommittee or working party to consider any matter which falls within the mandate of the Committee. The constitution, mandate and working practices of the subcommittee or working party shall be at the discretion of the Committee, provided that -
- (a) any authority delegated to the subcommittee or working party shall be in accordance with the provisions of section 51 of the Law relating to delegation of a Committee's functions;
 - (b) the Rules relating to the declaring of interests in Committee meetings shall apply in full to the Members and proceedings of subcommittees and working parties; and
 - (c) the Committee shall at all times remain responsible for anything done by a subcommittee or working group.

EMERGENCY PROCEDURES-REMOTE MEETINGS OF COMMITTEES.

21. Remote meetings of Committees are permitted only in accordance with Part IVA (Emergency Procedures) of the Law¹: These Rules apply to the holding of such remote meetings subject to the provisions of Part IVA of the Law and Rule 22.
22. At a remote meeting of a Committee -
- (a) The Secretary to the Committee shall, as far as is practical, identify and record all Members of the Committee and others in attendance,
 - (b) Rule 17 shall apply with invitations being issued to attend remotely and the references in that rule to "appearing", "withdraw" and the power to "exclude" a member of the public from the meeting shall be construed accordingly, and consistently with sections 55I and 55J of the Law.

INTERPRETATION.

23. In these Rules, unless the context requires otherwise, "**Chairman**" means the Chairman of a Committee or, if he is absent, the Deputy Chairman of a Committee.

INFORMATIVE NOTES NOT FORMING PART OF THE RULES.

¹ Under section 55A Government of Alderney Law, 2004, emergency procedures - including the provisions relating to remote meetings of Committees in section 55J - only apply when the CCA has made representations to the President, and the President has subsequently made a determination that Part IVA, dealing with emergency procedures, should apply. Under section 55J(2) of the Law the Chairman, or other person presiding, has a discretion to deem that a person is no longer deemed to be present at a remote meeting where a remote means of communication fails or is corrupted or where confidentiality is compromised.

1. *The words "Chairman" and Deputy Chairman" shall include "Chairwoman" and "Deputy Chairwoman" respectively and all reference to "he" "his" or "him" shall include "she" or "her" in accordance with the Interpretation and Standard Provisions (Bailiwick of Guernsey) Law, 2016 ("the Interpretation Law").*

2. *Words and expressions which are not defined in the Rules shall, unless the context requires otherwise, have the same meaning as in the Government of Alderney Law, 2004 ("the Law") in accordance with the Interpretation Law.*

3. *Words and expressions which are not defined in the Law but are defined in the Interpretation Law shall, unless the context requires otherwise, have the same meaning as in the Schedule to the Interpretation Law e.g. the expression "business day".*