



DIRECTIONS
OF
THE SPEAKER OF CHIEF PLEAS
Made under
The Emergency Powers (Coronavirus)
(General Provision) (Bailiwick of Guernsey)
Regulations, 2020
(Came into force 16 April 2020)

CHIEF PLEAS MEETINGS

1. **Public.** Meeting of Chief Pleas are not open to the public.
2. **Remote Meeting.** After consultation with the Policy & Finance Committee the Speaker has agreed that under the current lock down procedures that the Easter Meeting of Chief Pleas will take place remotely, with Conseillers and other Members joining the Meeting by way of Microsoft Teams, as organised by the administrative staff.

To enable a remote meeting to take place it has been necessary to amend the Chief Pleas Rules of Procedure by inserting a new paragraph 55D, as follows:

Rules of procedure for remote meetings of the Chief Pleas.

55D. (1) The Chief Pleas of Sark Rules of Procedure made on 2nd October, 2013 under section 36(1) ("the Rules of Procedure") apply to remote meetings of the Chief Pleas subject to the provisions of this section.

(2) The Greffier must make arrangements to enable members of the Chief Pleas who are absent at the start of a day on which a remote meeting of the Chief Pleas takes place to declare that they are present at the meeting, that they intend to follow the proceedings of the Chief Pleas

and that they are able to vote by means of electronic communications or telecommunications on that day.

(3) The Greffier must inform the Speaker of the names of every member who has made the declaration under subsection (2) and the Speaker must state that those persons are present and instruct the Greffier to record that fact in the Minutes.

(4) The following modifications to the Rules of Procedure shall apply to remote meetings –

(a) rules 4(2), 11(2) and (6), 14(3) and 18(2) shall not apply,

(b) in rule 1 –

(i) in paragraph (3), the words "the same place and" shall not apply,

(ii) in paragraph (4), for "placed in the official Island Notice Boxes" substitute "published on the official Sark Government Website and in such other form as the Speaker may determine", and the words "publicly available in paper form and" shall not apply,

(c) in rule 12(2), the words "from the floor" shall not apply,

(d) in rule 14 –

(i) in paragraph (1), for "written declaration, or any updated information, is submitted" substitute "declaration of interests, or updated information, is submitted to the Greffier, which may be submitted via electronic communications or telecommunications, and which declaration or updated information shall be communicated by the Greffier to the Speaker",

(ii) in paragraph (2), for "declare his interest and withdraw from the Chamber during" substitute "declare his or her interest to the Speaker via electronic communications or telecommunications and take no part in",

(iii) for paragraph (4), substitute "A Conseiller who has declared his or her interest in an issue and is taking no part in the consideration of that issue in accordance with paragraph (2) may, if so requested by any other Conseiller, contribute factual or technical information for the purpose of any general debate of the issue in question.",

(e) in rule 17, add at the end "For the purposes of, and subject to, this rule, a Member may interrupt another Member by notifying the Greffier via electronic communications or telecommunications stating "Point of Order" or "Point of Correction", as the case may be, and waiting to be invited to speak by the Speaker",

(f) in the first sentence of rule 19, for "a vote shall be conducted" substitute "a vote shall be conducted by appel nominal by means of electronic communication or telecommunications",

(g) in rule 21 –

(i) for paragraph (1), substitute "A Conseiller may vote only by appel nominal by means of electronic communication or telecommunications (except where the Conseiller is entitled by virtue of section 55E to vote by proxy)",

(ii) in paragraph (2), the first sentence shall not apply.

(5) The Policy & Finance Committee may make rules of procedure applicable to remote meetings of the Chief Pleas, including (but not limited to) provision supplementing this section, and provision modifying the Rules of Procedure.

(6) For the avoidance of doubt, and without prejudice to subsection (5), the Chief Pleas may, whether meeting remotely or otherwise, by resolution –

(a) make rules of procedure applicable to remote meetings of the Chief Pleas, and

(b) amend, or revoke, rules of procedure made by the Policy & Finance Committee under subsection (5).

3. Proxy Voting. A Conseiller (First Conseiller) who has an Authorised Absence, related to Coronavirus measures only, may arrange to have their vote cast by another Conseiller, acting as a proxy. The Conseiller that holds the proxy vote must inform the Speaker, at the commencement of the Meeting, of the name of the First Conseiller whose vote he may cast in any named vote. A proxy vote is not valid in any vote called for by a show of hands.

When a named vote is called for, Conseillers will vote when their name is called and if they hold a proxy vote then when the First Conseiller's name is called they will cast the proxy vote.

The proxy vote is only valid for one meeting during an Authorized Absence.

4. Quorum. The quorum at a Meeting of Chief Pleas shall be seven (7) Conseillers in addition to the person presiding at that Meeting.

Interpretation:

Authorised Absence. An authorised absence may only be granted by the Speaker after application by a Conseiller. In general terms the absence is authorised only if the Conseiller is under Mandatory or Self Isolation. A normal illness or absence not related to Coronavirus are not authorised absences and the usual formalities shall apply.

COMMITTEE MEETING

(1) A member of a committee of the Chief Pleas who is in communication with the other members of the committee by telephone, live television link or any other means of telecommunications or electronic communications, so that each member of the committee can hear or read what is said or communicated by each of the others, is deemed, subject to subsection (2), to be present at a

meeting of the committee for all purposes relating to that meeting, including calculating the quorum at the meeting under section 43(5) or 44(5) and under rule 13 of the Constitution and Operation of Chief Pleas Committee Rules, made on 2nd October, 2013.

(2) In the event that a means of communication referred to in subsection (1) fails or is corrupted, or the chairman or other person presiding at a meeting in accordance with section 46(3) ("person presiding") considers that confidentiality is compromised, the person presiding shall have the discretion at any time during the meeting to determine that a member who is affected by that failure, corruption or compromise of confidentiality is no longer deemed to be present at the meeting.

(3) For the avoidance of doubt, a determination under subsection (2) does not affect the validity of the proceedings of the committee for any purpose prior to the making of that determination.

Duration of Directions

These directions shall remain in force until varied or repealed by direction of the Bailiwick Civil Contingencies Authority, on which Sark is represented by a Conseiller Member. This Direction repeals the Speaker's Direction made on the 10 April 2020.

NOTE: The Regulation makes amendment or variation to the Reform Law and Chief Pleas Procedures.

Lt Col RJ Guille MBE

Speaker of Chief Pleas

17 April 2020