

THE CONSTITUTION AND OPERATION OF CHIEF PLEAS COMMITTEES

As amended consequential upon amendments made to the 2008 Reform Law
by the Reform (Sark) (Amendment) (No. 2) Law, 2010.

Approved by Michaelmas Chief Pleas on 2nd October 2013 and further approved,
as presented to Chief Pleas on 1st October 2014, on 21st January 2015, 30th September 2015,
6th April 2016, 26th April 2017 and 17th January 2018 (coming into effect on the 11th January 2019, less for Rule 5
(1) & (2) that shall be effective from the 4th January 2019), 5th October 2022, 3rd July 2024, 19th March 2025,
2nd July 2025, 1st October 2025 and 21st January 2026.

1. Constitution

Prescribed by Resolution of Chief Pleas with the following provisions, except where contrary provision is made -

- (a) by any enactment;
- (b) by any subsequent resolution of Chief Pleas.

2. Definitions

In these Rules the expression -

“Chief Pleas Committee” means any body constituted either by enactment or by Resolution of Chief Pleas, whether it be styled Committee, Board, Authority, or otherwise. This excludes the Policy Development Group.

“Standing Chief Pleas Committee” means any permanent Chief Pleas Committee.

“Special Chief Pleas Committee” means any temporary or *ad-hoc* Chief Pleas Committee charged with the execution or investigation of a particular matter.

“Sub-Committee” means a temporary or *ad-hoc* Committee of a Standing Committee charged with the execution or investigation of a particular Standing Committee matter.

“Ex-Officio Member” means any Committee member by virtue of their office (i.e. Medical Officer, Constable, Vingtenier or Harbourmaster etc.) Unless otherwise provided for, *ex-officio* members shall not have a committee vote.

The “Policy Development Group” is a group, consisting of all Conseillers, whose purpose is to prioritise the work streams of Chief Pleas.

The ‘Sark Branch of the Commonwealth Parliamentary Association (CPA)’ is a group consisting of five members as detailed in Section 22.

3. Size

- (1) Standing Chief Pleas Committees, less the Douzaine and Policy and Finance Committee, shall consist of four Conseillers, unless Chief Pleas specifically resolve to have a larger or smaller size committee; a minimum size shall not be less than three Conseillers.

- (2) A sub-committee shall consist of three Conseillers.
- (3) The Policy and Finance Committee shall consist of six Conseillers.
- (4) The Douzaine: The Douzaine shall consist of seven Conseillers, unless under Section 43 of The Reform (Sark) Law, 2008 Chief Pleas resolve to have a larger or smaller size (such number to be at least 3 but no more than 12).
- (5) A sub-committee of the Douzaine shall consist of not less than three Conseillers.

4. Non-Chief Pleas Committee Members

- (1) At the request of a Chief Pleas' Committee, Chief Pleas may elect up to three non-Chief Pleas members onto a Committee. (Also applicable to special purposes committees and sub-committees.)
- (2) No non-Chief Pleas members on Committees shall have voting rights, except for Non-Chief Pleas members of the Scrutiny Management Committee.

5. Chairman

- (1) The Chairman of the Policy and Finance Committee shall be elected by Chief Pleas in a secret ballot, with the Greffier acting as Returning Officer, nominations are to be proposed and seconded and given to the Greffier a minimum of 5 working days before the meeting at which the election is to take place. The person so elected shall have a mandate to speak to the outside world on behalf of Chief Pleas.
- (2) The Deputy Chairman of the Policy and Finance Committee shall be elected by Chief Pleas using the same election procedures as the Chairman.
- (3) Other Chief Pleas Committee shall elect a Chairman and a Deputy Chairman from amongst those persons on that Committee who are Conseillers. The Speaker of Chief Pleas [the Speaker] must be informed within seven working days of the appointment/s or any changes thereto.
- (4) The Chairman of a Chief Pleas Committee, or in the absence of the Chairman the member who presides at a meeting of such a Committee, shall have an original vote but not a casting vote.

6. Members

- (1) To be eligible for election to membership of a Chief Pleas Committee as a non-Chief Pleas member a person should be, but does not have to be, a person normally resident on the Island.
- (2) A person in the role of the Seigneur, the Speaker, the Seneschal, the Prévôt, the Greffier, the Tax Assessor or their Deputies may not serve on any governmental committee.

- (3) There shall be no restriction on the number of Chief Pleas Committees on which a Conseiller may serve.

(4) Conseillers shall not be co-opted to membership of any Chief Pleas Committee.

7. Term of Office of Committee Members

Conseillers shall serve their Conseiller term of office on committees but may resign their membership at any time. A member whose term of office has come to an end shall be deemed to have resigned from their Committees, including Special Committees, at midnight of the day before the new Conseillers are sworn in and, if re-elected to Chief Pleas, shall be required to be elected to committees.

8. Term of Office of Non-Chief Pleas & Ex-Officio Committee Members

(1) The term of office for non-Chief Pleas Committee members shall be for the duration of the project or work to which they are contributing.

(2) Ex-officio members' term rests with the length of their original office.

9. Removal from Committee

Chief Pleas may, by Resolution, remove a person from any committee, including the Douzaine.

10. Resignations

Any Conseiller or non-Chief Pleas member of a Chief Pleas Committee wishing to resign before their term of office has expired, shall inform the Speaker and the Committee Chairman of their resignation from the specified Committee(s).

11. Motions of No Confidence

Motions of no confidence cannot be made against the Chairman or other member(s) of that Committee in Committee.

12. Nominations of Candidates for Election to a Committee by Chief Pleas

Conseillers shall be eligible for nomination from the floor of the Assembly on the day of election, less for the Chairman and Deputy Chairman of the Policy and Finance Committee, see 5 (1) and (2) above. Where a person is nominated as a non-Chief Pleas member of Chief Pleas, the Committee shall provide the Assembly with a verbal report containing background information of the candidate and the reasons for his name having been put forward. The committee must have had the prior consent of the proposed candidate for his name being put forward.

13. Quorum

(1) The quorum of any Chief Pleas Committee, less the Douzaine, shall be three Conseillers or such larger number of members as the Chief Pleas may, in respect of a specific committee, resolve.

(2) The quorum at a meeting of the Douzaine shall be half the number of Conseillers elected to the Douzaine rounded up to the next whole number, but never less than three.

14. Declaration of Interest

Where a decision relating to an agenda item has a direct pecuniary impact either positive or negative upon any member of that Committee, then that member shall remove himself from the debate and decision-making process for that agenda item.

15. Human Rights Compatibility

Every Chief Pleas Committee shall be cognisant of the need to review their existing legislation together with the associated policies, procedures and practices with human rights compatibility.

16. Presence of Officers, etc. at Committee Meetings

- (1) Any Committee meeting (where there are enough members to be quorate) shall be attended by a CSO and minuted fully.
- (2) In addition to the CSO, the Senior Executive Officer or Senior Operations Officer shall attend all meetings of the Policy & Finance, Douzaine, Education and Medical & Emergency Services Committees.
- (3) The Senior Executive Officer or Senior Operations Officer shall attend the meetings of all Committees at least once annually also when requested by the Chairman.

17. Special Chief Pleas Committees

- (1) Except for those parts which refer solely to standing Chief Pleas Committees, the principles set out above shall be followed in the constitution and operation of all Chief Pleas Committees including Special Chief Pleas Committees.
- (2) Such Special Chief Pleas Committees (i.e. the members thereof) shall continue in office until –
 - (a) they have fulfilled their task, and
 - (b) any legislation designed to give effect to such recommendations of the Committee as Chief Pleas may have resolved to adopt has been presented to Chief Pleas, approved and registered.

18. Sub-Committees

- (1) A sub-committee is formed by resolution of Chief Pleas at the request of a Standing Committee.
- (2) Members are elected by Chief Pleas.
- (3) A sub-committee reports directly to its Standing Committee.
- (4) A sub-committee is disbanded by Resolution of Chief Pleas at the request of the Standing Committee.

19. Policy Development Group

(1) Except for those parts which refer to standing Chief Pleas Committees, the principles set out above shall be followed in the operation of the Policy Development Group.

20. Douzaine

Other rules for the Douzaine are contained in Section 43 of "The Reform (Sark) Law, 2008" as amended. Where any rule herein contained is at variance with Section 43 that Section takes precedence.

21. Committee attendance

(1) Attendance at Committee meetings (including, Special Committees and Sub-Committees) is to be recorded and published on the Chief Pleas' website.

(2) A failure by a Committee member to attend in person or online three consecutive Committee meetings (including Special Committees and Sub-Committees) without a valid and justifiable reason (for example, but not limited to, bereavement, medical emergencies) is to result in that member's dismissal from the Committee concerned.

After the second such absence, the Committee's chairman, or if not available the Committee's deputy chairman, is to provide a written notification to the member concerned, namely that that failure to attend the following (third) meeting will result in that member's dismissal from the Committee concerned.

22. Sark Branch of the Commonwealth Parliamentary Association (CPA)

1) The Branch shall consist of all Members of Chief Pleas during their term of service.

2) Former Members of Chief Pleas and Members of any other Branch of the Association permanently resident in Sark may be enrolled as Associate Members on application to, and at the discretion of, the Executive Committee. Associate Members shall play no part in the management of the Branch.

3) Members or Associate Members of any other Branch of the Association visiting Sark may be admitted to Temporary Honorary Membership of the relevant category for a period not exceeding three months, unless otherwise determined by the Executive Committee.

4) The privileges of Members, Associate Members and Temporary Honorary Members shall be as defined in the Branch Mandate approved by Chief Pleas.

5) The affairs of the Branch shall be managed by an Executive Committee, comprising:

- The Speaker of Chief Pleas (Chair).
- The Deputy Speaker of Chief Pleas (Vice-Chair).
- The Honorary Secretary, appointed by the Branch from among its Members or the Greffier of Sark.
- The Honorary Treasurer, if required.
- Three Members elected by Chief Pleas, of whom one shall be elected from the Policy & Finance Committee and two from the wider membership of Chief Pleas (at least one of whom shall not be a member of the Policy & Finance Committee).

6) The Branch shall hold an Annual General Meeting before its Christmas meeting for consideration of the annual report from the Executive Committee, the Treasurer's statement of accounts (if applicable), and any other business of which notice has been given in accordance with the Branch Mandate.

7) Special General Meetings may be convened by the Executive Committee, or upon requisition by not fewer than 7 Members of Chief Pleas.

8) Summaries of all Branch meetings shall be published on the Chief Pleas website.

9) The Executive Committee shall provide regular updates to Chief Pleas, including an Annual Report submitted via the Policy & Finance Committee.

10) This Section shall be read in conjunction with the Branch Mandate (constitution), as approved by Chief Pleas, which sets out the detailed purposes, membership, privileges, governance, finance, and dissolution of the Branch.