

EXTRAORDINARY MEETING OF CHIEF PLEAS

**Minutes of the meeting held in the Assembly Room, Sark
on 31st May 2007 at 7.00 pm.**

Present:

J.M.Beaumont OBE, Seigneur; Lt.Col. R.J. Guille MBE, Seneschal; A.W.J. Adams, Prévôt;
T.J. Hamon, Greffier; Mrs.W. Kiernan, Treasurer; and the Constables.

Members were present as follows: **23 Tenants and 8 Deputies**

Apologies: Sieur D. Spence, Sieur C. Teers, Sieur D. Willis, and Deputy P. Armorgie

Opening Remarks

- 01 Seneschal Gave a special welcome to Mlle. Bull who, despite having had a fall at home and needing the use of a wheelchair, had made the effort to attend and he wished her a speedy recovery.
- 02 Seneschal Explained that since the Easter Meeting three Deputies of the People (Guille, Cole and Guy) had resigned and as a result and after consultation, he had called this meeting to approve the holding of a By-Election to replace them.
- 03 Seneschal Went on to thank the ex-Deputies for their service to the Island. Adrian Guille had topped the poll in 1996 and has since served for 11 years on a number of Committees – Constitution Review (from 2000) and then onto the smaller Constitutional Steering Committee, as President of GP&F and DCC and in July 2003 organised the successful Inter Island Meeting on Sark, including representatives from the Isle of Man. Peter Cole was first elected in 2002 and has been a member of GP&F, DCC and the Douzaine as well as President of Medical. His most difficult task came when he took over as President of Education in May 2005 to sort out an unfortunate time in the history of our school and he remained on the Committee to see through to conclusion the previous headmaster's dismissal claim. Jan Guy has not served a full term but since 2005 has contributed as President of Harbours, where she brought back stability, as a member of Education, giving of her experience as a teacher in Sark and also as a Member of the Douzaine.
The House recorded a vote of thanks to all three.
- 04 Seneschal There are some resultant changes in Presidencies of Committees –
 - o Deputy Olsen on Medical replaces Mdm. Hester who remains on the committee;
 - o Sieur Rang on Harbours replaces Deputy Guy;
 - o Mdm. Magell on Education replaces Deputy Cole;
 - o Sieur Baker on DCC replaces Deputy Guille.
- 05 The Constable interrupted the meeting as he had suspicions that the proceedings were being recorded. The Seneschal asked if anyone was using a recording device but when nobody admitted to so doing, he warned that if someone was caught abusing the rules, he would have them removed from the building.

1. To APPROVE the Ordinance entitled “The Deputies of the People (By-Election) Ordinance, 2007”.

- 01 Seneschal Invited any questions.
- 02 Mlle Char Made it clear that she spoke as an individual and not as a Member of the Constitution 2007 Committee (C07C) and her remarks should in no way reflect on the work or other members of that Committee.
At the Extraordinary meeting of 5th July 2006, an apology to Sieur David and Sieur Frederick Barclay was presented, and an additional statement made to the Chief Pleas that –

“Most importantly, I am responsible to you, my fellow Members of Chief Pleas, and I am sure that you would be swift to remind me of my duties should any of you feel I overstep the mark. If any interventions of mine in debate may occasionally be regarded as going beyond ensuring the proper dispatch of business, I would ask you to remind me of my position. I always strive to be impartial, and I can assure you that I shall exercise my functions independently, though I accept that this may not always be perceived to be the case.....”

- 02 Mlle. Char As both the President of Chief Pleas and Seneschal, the standard of duty to neutrality and impartiality is even higher, than if the roles were separate. No role is above the position and responsibility of the Seneschal, as the voice of judgement on Sark. It is, and must be supreme, even over that of the President of Chief Pleas, adhering to impartiality, unbiased and adherence to legislation and procedure. Without adherence, laws have no effect. Her point was that this meeting had been called without the necessary 21 days notice required in the Rules of Procedure.
- 03 Seneschal Quoted from the 1951 Law which states that the Seneschal can summon an Extraordinary Meeting of Chief Pleas, with the approval of the Seigneur, at any time. Whilst 21 days notice is the norm for notification it is not obligatory, and instances when shorter notice has been given are numerous and he gave many examples. Short notice is often necessary if a crisis or urgent issue needs the attention of the House and it cannot wait for 21 days. He abides by the Law and the customs of this House. With a quarter of the Deputies of the People gone, the will of the people cannot be fully expressed and, after consultation, it was considered essential that the people should be fully represented before the House next meets on the 4th July.
- 04 Mlle Char Challenged the response and suggested that in this instance there was no urgency which necessitated the shortening of the 21 days notice.
- 05 Sieur Rang Asked that the House go straight to the vote.
- 06 Sieur Baker Fully supported the actions of the Seneschal and recounted many instances in all the years that he had served in Chief Pleas when a shorter notice period had been given. He emphasised the need to replace these Deputies as soon as possible, as the loss of Committee members was putting a strain on those remaining as some committees were barely quorate.
- 07 Dep. Melling The action of some Tenants and possibly Deputies over the last fortnight in trying to stop this meeting and any By-Election taking place have been unnecessary and not worthy of those serving this Island. All manner of stories and rumours are passing around the Island and it does no credit to the integrity of this House.
- 08 Mdm. Rang Has always understood in the 38 years she has served in Chief Pleas that only 10 days are required for a notification of an Extraordinary Meeting of Chief Pleas.
- 09 Seigneur Called for a named vote.

A named vote on whether to APPROVE the Ordinance entitled "The Deputies of the People (By-Election) Ordinance, 2007, The result was –

30 pour

1 contre

The By-Election will be held on Tuesday the 26th day of June 2007 and, in the event of two or more candidates securing an equal number of votes, a deciding election will be held on Tuesday 3rd July 2007.

The Seneschal reminded the House that the next scheduled meeting is –

MIDSUMMER MEETING – Wednesday 4th July 2007 at 7.00pm

Agenda closes on Friday 8th June 2007.

Papers distributed to Members by Wednesday 13th June 2007.

This Meeting ended at 7.35pm.

Brian Garrard (Sark Committee Secretary) 1st June 2007

5^h June 2007

Greffier

Seneschal