

# MINUTES of the EASTER MEETING of CHIEF PLEAS

Held in The Island Hall, Sark on 26<sup>th</sup> March 2008 at 10.00am.

**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. His Excellency the Lieutenant Governor, Vice-Admiral Sir Fabian Malbon, KBE, also attended.

Members were present at the roll call as follows: **30<sup>1</sup> Tenants and 12 Deputies**  
There were no apologies<sup>1</sup>.

## Opening remarks

- a <sup>1</sup>The Seneschal informed the House that six Tenants had nominated representatives to stand in their stead; Mdm. Snelling (Mr. D. Bird), Mdm. Drawmer (Mr. W. Rang), Sir F. Barclay (Ms. J. McDermott), Sir D. Barclay (Mr. G. Dawes), Sieur Willis (Dr. S. Henry) & Mlle. Perrée (Mr. S. Couldridge). In the case of Mlle. Perrée, the Seneschal had last week received an apology for her absence on holiday; yesterday a medical certificate was produced and a representative nominated. Mlle. Perrée left the Island yesterday to go on holiday. The Seneschal asked that the House should decide whether Mr. Couldridge should take the seat on behalf of Mlle. Perrée.  
**The House voted against and Mr. Couldridge was obliged to stand down and take a place in the public seats.** The number of Tenants was consequently reduced to 29.

Interruptions of protest were made by Mr. Dawes, Sieur Donnelly and Sieur Rang to this action. The Seneschal would not accept any such interruptions to what was a matter of procedure and a decision by the House.

<sup>1</sup>Sieur Jackson retired from the meeting at the lunch break and did not return for the afternoon sessions thus reducing the number of Tenants to 28.

- b The Seneschal welcomed His Excellency the Lieutenant Governor, Vice-Admiral Sir Fabian Malbon, KBE.
- c The Seigneur paid tribute to Alice de Carteret, 93, who died last week. Although not a Member of Chief Pleas, he recognised her considerable contribution to Island life through her fund-raising for local charities, especially the Professor Saint Fund, and for this she had been awarded an MBE. He passed condolences to her family and announced that £1,000 had been raised by the raffle held at her wake.
- d Deputy Armorgie, President of the Constitution 2007 Committee, read a statement received last week from the Ministry of Justice confirming that the Committee for the Affairs of Jersey and Guernsey will make a report to Her Majesty in Council with a recommendation that petitions be dismissed and Royal Assent granted to The Reform Law and The Real Property Law at the next available Privy Council meeting, which is due to take place on 9 April 2008. **This is attached as APPENDIX 1.**
- e Deputy R. Dewe, President of General Purpose & Advisory Committee, read out a statement –  
*The General Purposes and Advisory Committee has had sight of eight different versions of the propositions from Sieur Donnelly, seven of which were seconded by Deputy Paul Burgess, the first being seconded by Mlle. Perrée. I believe all Chief Pleas' Members have recently received by post a letter dated 17<sup>th</sup> March 2008 with documents containing further amended proposals and drafts of two Projets de Loi, commissioned privately by Sieur Donnelly.*  
*The Seneschal has been very tolerant over this matter and has allowed the version circulated with the other official Chief Pleas Addendum Agenda papers for debate. The Committee is supportive of the Seneschal's stance on this issue and I will now read a copy of the letter I sent on behalf of the Committee to the Seneschal dated 19<sup>th</sup> March 2008.* **This is attached as APPENDIX 2.**
- f There was a further interruption from Mr. Dawes at this point. The Seneschal told him to sit down and reminded him that he, The Seneschal, was the President of the meeting and its proceedings and responsible for the way the meeting was conducted. He went on to remind those present that recording devices and mobile 'phones should be switched off and the use of cameras was not allowed during proceedings. He also gave warning to the large numbers of the public present and to the Members of the House that he would not tolerate interruptions or unseemly behaviour and anyone persistently doing so would be escorted from the Hall by the Constables.

- g The Seneschal announced that Sark has been offered the use of an Army Gazelle Helicopter over the period 3<sup>rd</sup>-4<sup>th</sup> July. Any bids for a task to the Seneschal as soon as possible please. He stressed that this offer is not yet firm and it involves a Territorial Squadron who get great training benefit from working on tasks in aid of civil powers, on this occasion in Jersey and the Bailiwick; the House will recall the last Army task in Sark last year and that was also by the same Squadron who conducted tasks in all the larger Islands. The Helicopters will be based in Jersey.

## 1 Minutes of the Extraordinary Meeting on 21<sup>st</sup> February 2008

- 01 Seneschal Asked for any factual corrections and none were offered.

Acceptance of the minutes was proposed and seconded and **APPROVED** by the House.

- 02 Seneschal Asked if there were any matters arising from the minutes.
- 03 Dep.R. Dewe **Page 1 Item 1.04** –confirmed that the Brecqhou Sub-Committee papers had been handed to the GP&A Committee this morning by the former Chairman of the Sub-Committee, Sieur Donnelly.
- 04 Dep. Cocksedge Referred back to the minutes of Christmas Chief Pleas on 17<sup>th</sup> January 2008  
**Page 18 Item 10.33** – following the debate on the provision of Sunday boats and carriages, a questionnaire has been sent to all households on the Island. The returns have been analysed and results of the survey will be sent out to all households in the near future.
- 05 Sieur Baker **Page 1 Item 1.04** – Asked if the Brecqhou Sub-Committee had ever used the Committee Secretary's services for any of its meetings.
- 06 Sieur Donnelly Some meetings were held with the GP&A Committee however many meetings were held on Brecqhou but notes were taken.
- 07 Sieur Baker Took that answer to mean no.

## 2 Questions not related to the business of the day

- 01 Seneschal No questions had been submitted.

## 3 Finance & Commerce Committee

### Report with Proposition – Financial Statements

- 01 Dep. S. Williams Introduced the report on the financial statements drawing attention to the final figure on the comparison sheets which showed a net surplus of £213k for 2007. It had been a containing budget by the Committee and she thanked the Treasurer for the accounts.  
The Treasurer would take any questions on the accounts.
- 02 Dep. Olsen Observed that the figure of £55k for investment income was noteworthy.
- 03 Sieur Perrée Similarly appreciated the level of the figure and asked how it had been achieved
- 04 Treasurer Modestly put it down to being prudent and maximising available funds.
- 05 Sieur Perrée Offered his congratulations.  
He asked about the high level of miscellaneous income.
- 06 Treasurer Although high it was the combination of many minor income sources.

### **Proposition – CARRIED**

That the Financial Statements of the Island for the year ended 31<sup>st</sup> December 2007 be approved.

- 07 Mr. Dawes Asked that a vote of thanks be given to the Treasurer.

## 4 Finance & Commerce Committee

### Verbal Report – Membership of the Tax Tribunal

- 01 Dep. S. Williams Asked that a change be accepted in the membership of the Tax Tribunal. Mr. Magell was retiring from the Tribunal and the Committee nominated Mr. Graham Maguire as replacement.

### **Verbal Proposition – CARRIED**

That Mr. Maguire is elected to the Tax Tribunal.

**NB. Sworn into office on 28<sup>th</sup> March 2008**

- 02 Sieur Baker Remarked that it was not a heavy workload; to his knowledge the Tribunal had never yet met.
- 03 Seneschal Asked for a vote of thanks to be recorded to Mr. Magell who had been involved in the setting up of the Tribunal.

## **5 Medical Committee**

### **Report & Projet de Loi with Propositions – The Medicines (Human & Veterinary)(Bailiwick of Guernsey) Law, 2008**

- 01 Dep. Olsen Introduced the report and highlighted the considerable consultation that had been given to Sark over a number of years on this Projet; it had involved four Presidents of the Medical Committee and two Sark Doctors. The Committee has worked closely with Guernsey on the content of this Projet. The Doctor will still be able to dispense medicine and the Vet will still be able to make his visits. The Projet does control the sale of alternative medicines (those that make unproven claims) but does not include dietary supplements. The business operating from The Avenue, has been directly consulted, would be okay.  
Nurses and Midwives can now prescribe medicines and this might prove useful when the new doctor arrives, as his wife is a fully qualified nurse. There is better regulation of the manufacturing of drugs and previous loopholes have been closed.
- 02 Seneschal Interrupted Deputy Olsen to highlight the problem of those at the other end of the Hall who could not hear his soft American drawl. He asked that the essence of his comments could be repeated for Sieur Jackson's benefit in particular.  
Deputy Olsen obliged.
- 03 Mr. Dawes Asked if the Committee had considered the wider implications of the control invested in Guernsey's Health and Social Services Department by this legislation. Once again it undermines the autonomy of Sark and is a further erosion of Sark's powers as a jurisdiction. One must ask whether Sark actually needs the new regulations. Again the "opt-out", rather than an "opt-in" clause is the option offered in the legislation if Chief Pleas does not approve.
- 04 Dep. R. Dewe This will allow St. John Ambulance paramedics to administer drugs on the Flying Christine during an emergency call out and could save the Doctor having to travel with the patient and leave the Island without medical cover. The Minister responsible for the legislation brought a delegation to explain the bill but there was a disappointing turn out with only three Deputies, no Tenants and four members of the public attending.
- 05 Dep. Le Lievre It was held in the middle of the working day.
- 06 Seneschal It was a large delegation of officers to cover all aspects of this and the draft Children's Law and practicalities dictate that it had to be a daytime meeting.
- 07 Sieur Gomoll Asked whether consideration had been given to those people receiving advice and/or medicines from outside the Bailiwick.
- 08 Dep. Olsen Yes.

#### **Proposition – CARRIED**

That Chief Pleas approve The Medicines (Human and Veterinary)(Bailiwick of Guernsey) Law, 2008.

- 09 Seneschal Confirmed that the States of Guernsey approved the legislation on 6<sup>th</sup> March and by the States of Alderney last week.

## **6 General Purposes and Advisory Committee**

### **Report & Projet de Loi with Proposition – The Magistrate's Court (Guernsey) Law, 2008**

- 01 Dep. R. Dewe Introduced the report and moved to the proposition.
- 02 Mr. Dawes Again there are wider consequences of this legislation for Sark residents. Any cases transferred from Sark to Guernsey could be heard in a Magistrates Court with the potential for sentences of up to three years being imposed. The criminal law applying in Sark is made by the Guernsey States without any reference to Chief Pleas' representatives.

#### **Proposition – CARRIED**

That Chief Pleas approve the Projet de Loi, entitled The Magistrate's Court (Guernsey) Law, 2008.

## **7 Sea Fisheries Committee**

### **Report & Ordinance with Proposition – The Fishing (Sark)(Amendment) Ordinance, 2008**

- 01 Dep. Cocksedge Reminded the House that the issue was considered at the Christmas meeting and this is the amending ordinance requested then. It covers a loophole involving winter fishing for crabs and lobsters, removing lady crabs from the permitted categories.

#### **Proposition - CARRIED**

That Chief Pleas approve the Ordinance entitled "The Fishing (Sark)(Amendment) Ordinance, 2008"

## 8 Education Committee

### Information Report – Headteacher at Sark School

#### Supplementary Information Report – Inspection Report for Sark School

- 01 Mdm. Magell Confirmed the appointment of Mrs Sarah Cottle, as Headteacher at Sark School and that she would be starting in September. Thanks were given to the valuable contribution made by Mr. Graham Dawson from Guernsey Education Department who had joined with the Committee and assisted with the interview process.
- 02 Mdm. Magell Turned to the supplementary item, thanking Mr. Colin Masterman, a Head Teacher in Jersey, who had carried out the inspection of Sark School and produced a report that was attached here. Mrs Hunt, the Acting Headteacher has provided an update on the latest position of some of the matters arising from the inspection report.
- 03 Sieur Donnelly Noted the problems with IT at the school and asked if anyone was assisting with the situation. Such a system needs constant maintenance and even with two servers, one backing up the other, there is always a danger of the system crashing and making recovery impossible. If anyone can assist please help.
- 04 Mdm. Magell The current service provider has assisted and taken hardware to Guernsey for investigation but the fragility of the system remains. A different company is in the school today assessing the whole set-up and it is hoped that recommendations will soon emerge about a way forward.

## 9 General Purposes and Advisory Committee

### Progress Report – Renewable Energy

- 01 Dep. R. Dewe Some GP&A representatives held a useful meeting in Alderney on 7<sup>th</sup> March with the Directors of Alderney Renewable Energy (ARE). This was a follow-up to an earlier meeting in Sark. Whilst there, the opportunity was taken in company with the President of Sea Fisheries, to meet with the President and some Deputies of Alderney States to discuss common issues. Handed over to Deputy Olsen who is leading this project.
- 02 Dep. Olsen Following the two meetings the Committee continue to think that the Alderney model would be suitable for Sark and ARE has agreed to come to Sark to undertake an evening presentation. **Date now confirmed as 10<sup>th</sup> April at 7pm.** The presentation will include issues such as the harvesting of energy and the mechanics of how to move the project forward.
- 03 Mr. Dawes Asked whether there had been progress on the 3-12 mile extension to territorial waters.
- 04 Dep. R. Dewe It was discussed in the meeting with Alderney States and identified some common ground but the discussion is ongoing. No consensus yet.
- 05 Seneschal Questioned whether GP&A were looking at seabed legislation with the Law Officers.
- 06 Dep. R. Dewe Confirmed that, as instructed by Chief Pleas, the Law Officers were drafting legislation. In the 0-3 mile limit there is no problem but the extension to 12 miles has to be resolved before it can be included in any legislation.
- 07 Sir Peter Miller Thought that the most obvious place for tidal energy would be in the Gouliot Passage.
- 08 Dep. Olsen Could not agree; it would be a navigational hazard and impinge on wildlife. Locations for the generating equipment need to be in deep water, (ideally 100metres deep) where it would not interfere with boating, fishing or on marine life.
- 09 Seneschal The Gouliot Passage would be too close to the RAMSAR site at the Gouliot Caves.
- 10 Sieur Donnelly There are differences between Sark and Alderney especially the effect that might be imposed on the Sark fishing industry. There is a wish to work with Guernsey on the limits but a need to protect fishing rights.
- 11 Dep. Cocksedge Had spoken with the Alderney Harbourmaster on the visit and have agreed that both Sark and Alderney must be represented at a future meeting with DEFRA about the extension of the 0-3 mile limit and future legislation.
- 12 Mr. Dawes There was a lot of mischief created by Guernsey over extending territorial limits and fishery protection over recent years that caused disputes with Jersey.
- 13 Dep. Cocksedge Accepted that he was not a lawyer but Sark currently has its own version of the Law for 0-3 miles and any development could similarly be Sark Law once the general agreement between the Bailiwick and the UK was in place.

**The report was approved by the House which endorsed the Committee proceeding further as outlined.**

## 10 Harbours & Pilotage Committees

### Joint Report with Propositions – Amalgamation of Committees and Works at La Maseline Harbour

- 01 Dep. Cocksedge Introduced the report, explaining that as he is President of Pilotage with Deputy Le Lievre as President of Harbours and both sit on both Committees, it seemed that now was a logical time to amalgamate.  
He remembered the late Sieur Philip Perrée who had also been a member of Pilotage until his death on New Year's Eve and acknowledged his contribution to the work of the Committee. Deputy Cocksedge also thanked Mr. Dick Adams for his involvement in teaching would-be pilots the rules and giving of his vast knowledge of the seas around Sark; his contribution as a co-opted member of the Pilotage Committee was invaluable. Mr. Bas Adams was also thanked for his input in testing candidates and again giving freely of his knowledge.
- 02 Dep. Le Lievre Had nothing to add and there was no further debate.

#### **Proposition 1 – CARRIED**

That Chief Pleas agree to the amalgamation of the Pilotage and Harbours Committees into a new Committee entitled Harbours and Pilotage Committee, retaining the same constitution as the present Harbours Committee and combining the mandated functions of both Committees.

#### **Proposition 2 – CARRIED as amended**

That Mr. R. Adams is co-opted as a **non-Chief Pleas Member** to the new Harbours and Pilotage Committee to attend when Pilotage matters arise.

#### **Proposition 3 – CARRIED as amended**

That Mr. Andrew Cook is co-opted as a **non-Chief Pleas Member** to the new Harbours & Pilotage Committee.

- 03 Dep. Le Lievre Sieur Rang was leading the works at Maseline Harbour.
- 04 Sieur Rang Since reporting to Christmas Chief Pleas when it was expected to start work on the project almost immediately, a further discussion with the Engineer, the early Easter, and a more intense boat service had led to the conclusion that postponement until the Autumn was necessary. Stockpiling of materials will continue and some urgent temporary repairs are taking place.

## 11 Tourism Committee

### Report & Ordinance with propositions – The Tourism (Accommodation Permits)(Fees) Ordinance, 2008

#### Report with Proposition – Visitors' Officer at Committee

- 01 Dep. S. Williams The drafting of an Ordinance for accommodation fees was started before she had joined the Committee and Mdm. Magell was Acting President and would deal with the issues involved.
- 02 Mdm. Magell Explained that the Law Officers had drafted an Ordinance as requested but although it deals with the raising of fees in retrospect for this year, it does not offer the required flexibility to be selective when an annual rise in fees is applied in future. The Committee is offering a choice of propositions to allow Chief Pleas the opportunity to have the Ordinance redrafted to include the flexible increases in amount and category that might be required.
- 03 The second part of the report was advising of the action taken by sending Mr. Colin Guille, former President of Tourism, to two promotional exhibitions early in 2008. This was expedient as the shows were already booked and Mr. Guille had the necessary experience.
- 04 The third element of the report dealt with the concern expressed at a previous Chief Pleas that three members of the Committee were involved in the hospitality trade on the Island and may be biased when decisions have to be made. It was suggested that a Visitors' Officer should attend the Committee in an ex-officio capacity to inform and redress any bias.
- 05 Dep. S. Williams The Committee was recommending that in the first part, Proposition 2 be adopted.
- 06 Dep. R. Dewe Suggested that to make the fees already charged for 2007 legal, it was necessary to go for Proposition 1. He further suggested that Chief Pleas approve both propositions and that the Committee return with an amending Ordinance once redrafted by the Law Officers. He felt it was necessary to approve Proposition 1 now.
- 07 Dep. Burgess Questioned the practice of electing people to Committees who did not have the public's vote.

- 08 Seneschal Members of the public may be elected to Committees as non-Chief Pleas Members for their expertise. The number of such Members is limited in the Constitution of each Committee.
- 09 Dep. R. Dewe Reminded Deputy Burgess that members so elected did not have a vote in Committee.
- 10 Mdm. Magell Agreed that to recommend Proposition 1 now and bring back Proposition 2 once the Ordinance was redrafted, was acceptable to the Committee.
- 11 Seneschal It is feasible to amend Proposition 2 and put both propositions forward today.
- 12 Sieur Donnelly The Education Committee invites the Headteacher to attend when necessary. A Visitors' Officer can always be invited when needed to attend.
- 13 Sieur Baker Questioned why the Committee wished to continue using Mr. Colin Guille when a Visitors' Officer should be attending such events.
- 14 Dep. S. Williams That issue has not yet been discussed in Committee and the report is referring to commitments made in early 2008 before the present Committee was organised and seemed the most expedient and sensible way to cover the booking.  
The Committee would report back on its future plans.
- 15 Mr. Dawes Suggested that Proposition 2 be amended to allow the flexibility required.
- 16 Seneschal Called a recess to allow the Committee to confer.

**A ten minute recess was taken at 11.20am**

- 17 Dep. S. Williams As suggested the Committee will accept that Proposition 1 go forward and an amended Proposition 2. Revised wording was provided.
- 18 Sieur Donnelly Does there have to be a limit on the level of fees.
- 19 Dep. S. Williams That is why the Committee propose bringing each year's increase back to Chief Pleas for approval.

**Proposition 1 – CARRIED**

That Chief Pleas approve the attached Ordinance, The Tourism (Accommodation Permits)(Fees) Ordinance, 2008.

**Proposition 2 – CARRIED as amended**

That Chief Pleas request the Tourism Committee to ask the Law Officers to amend the attached Ordinance, The Tourism (Accommodation Permits)(Fees) Ordinance, 2008, to allow increases annually as drafted but with discretionary arrangements **for the Committee to amend fees** for each or all categories in any one year **and to bring to Chief Pleas for approval.**

**Proposition 3 – CARRIED**

That Chief Pleas approve the attendance, ex-officio, of a Visitors' Officer at Tourism Committee.

**12 Constitution 2007 Committee (C07C)**

**Report<sup>2</sup> with propositions – The Reform (Sark) Law, 2008**

<sup>2</sup>as revised and circulated with the Addendum papers.

- 01 Dep. Armorgie Introduced the report, acknowledging the co-operation of the Law Officers in Guernsey in amending the Law following the Extraordinary meeting of Chief Pleas on 21<sup>st</sup> February. As directed by Chief Pleas the amended Law was checked and approved by C07C and the Humble Petition was sent to the Privy Council on 25<sup>th</sup> February for Royal Assent. The Humble Petition was not put before the Privy Council as had been anticipated on 12<sup>th</sup> March and Deputy Armorgie referred to his statement at the beginning of the meeting (**APPENDIX 1**).
- 02 Dep. Armorgie The propositions included in this report assume Royal Assent and are designed to deal with the logistics of handling the supplementary legislation required to enable elections to take place in December 2008. This revised version of the report follows consultation with the GP&A Committee.
- 03 Seneschal Explained that C07C was a special committee of Chief Pleas set up for a particular purpose. Once Royal Assent is granted its role is then ended and it is dissolved and replaced with an enactment Committee.  
Invited debate but there was none forthcoming.

**Proposition 1 - CARRIED**

That Chief Pleas direct for the Constitution 2007 Committee to be dissolved once The Reform (Sark) Law, 2008, has received Royal Assent.

**Proposition 2 - CARRIED**

That Chief Pleas approve the establishment of The Reform Law Enactment Committee.

- 04 Dep. Melling Asked if Chief Pleas was looking for nominations at this meeting.
- 05 Seneschal If Royal Assent is granted on 9<sup>th</sup> April, it will need a Committee in place to deal with the supplementary legislation.

**Proposition 3 – CARRIED as amended**

That the Reform Law Enactment Committee, consisting of five Chief Pleas Members, is mandated to consider all the sub-ordinate legislation necessary for the introduction of The Reform Law (**Sark**), 2008, and to enable elections for the newly constituted Assembly to sit in January 2009.

- 06 Seneschal Invited nominations for membership of the new Committee to which he would apply the acronym – ReLEC.
- 07 Dep. Armorgie Asked whether it would not be better to wait until the end of the meeting.
- 08 Seneschal The House has already approved the formation of the Committee and its constitution and mandate so best do it now. He invited nominations, firstly from the present Committee.
- 09 Dep. Armorgie As shown in the report, Deputy Sandra Williams and Mdm. Baker were willing to continue with the work already started. Mdm. Rang was not standing and he thanked her for the input she had given to C07C.
- 10 Seneschal Wished to echo those sentiments and similarly thanked Mdm. Rang. He then invited other nominations from the floor of the House.
- 11 Dep. Armorgie Then proposed Sieur Gomoll, who was prepared to stand.
- 12 Dep. S. Williams Proposed Deputy E. Dewe, who was prepared to stand.
- 13 Mdm. Baker Proposed Deputy Plummer, who was prepared to stand.
- 14 Dep. Olsen Proposed Deputy Armorgie.
- 15 Dep. Armorgie Was willing to accept the nomination but on the clear understanding that he was not prepared to be President of the new Committee.
- 16 Dep. E. Dewe Proposed Deputy Dunks, who was prepared to stand.
- 17 Mr. Dawes Proposed Sieur Rang but he was not prepared to stand.
- 18 Seneschal There being no further nominations prepared for the vote.
- 19 Sieur R. de Carteret Asked whether the Committee could not be seven and take all the nominations.
- 20 Seneschal Reminded him that the House had just approved a Constitution for the Committee that specified only five members.

**By a show of hands the five with the most votes were elected -**

Mdm. Baker (29), Deputy Plummer (29), Deputy S. Williams (26), Deputy Armorgie (23), Sieur Gomoll (20). Deputies Dunks (16) and E. Dewe (16) were unsuccessful.

- 21 Mdm. Baker Was disappointed that Deputy Armorgie and Sieur Gomoll had not let the rest of the Committee know of their intention to stand.
- 22 Dr. Henry Asked if the Committee had the right to co-opt further members.
- 23 Seneschal No. Not included in the Constitution.
- 24 Dep. Armorgie Apologised to Mdm. Baker but he had not made up his mind until moments ago as to whether he would stand again.
- 25 Sieur Gomoll Likewise had wanted to wait until Royal Assent was granted before making up his mind.

**Proposition 4 – CARRIED**

That Chief Pleas directs the Reform Law Enactment Committee to consult with the Law Officers in Guernsey to develop the necessary sub-ordinate legislation and that this should be brought forward to meetings of Chief Pleas between Easter and Michaelmas 2008.

- 26 Seneschal Gave warning to the House that to achieve an election date in December 2008 would likely require (an) extraordinary meeting(s) of Chief Pleas and he would advise of dates as soon as possible.
- 27 Seneschal During the recess he had received a note from Mdm. Perrée confirming that her daughter Mlle. Perrée was genuinely ill and she had advised her not to travel on holiday.

## 13 Sieurs Rang & Curtis

### Report with propositions – Staggered Elections

- 01 Sieur Rang Had nothing to add to the report. This had been discussed before but it was when the proposal on the table was for an equal number of Tenants and Deputies (14/14). The Seneschal has informed him that on average there was one by-election during each four-year term. By splitting the elections with fourteen members elected every two years the saving on by-elections would offset the additional cost of the increased main election.
- 02 Sieur Curtis Had nothing to add but felt the two yearly intervals would keep politics alive on Sark.
- 03 Dep. R. Dewe Asked whether either had bothered to find out whether this amendment to the Reform Law can be carried out by Ordinance or not.
- 04 Sieur Rang No, it would be left to ReLEC to investigate and act accordingly.
- 05 Seneschal If the House approves this proposition, ReLEC will have to deal quickly with it and if an amending Projet is required, it will need to be drafted and fast tracked through the Law Officers, Chief Pleas and the Privy Council. If it can be done by Ordinance there is no pressure.
- 06 Sir Peter Miller The people who stand down after the initial two years, will they be eligible to stand again for election?
- 07 Seneschal Yes they would.
- 08 Sieur Baker Will Sieur Curtis be prepared to stand for election?
- 09 Sieur Curtis At present - no.
- 10 Seneschal That doesn't invalidate the proposition.
- 11 Sieur Gomoll Circumstances may change between now and the nominations for December 2008.
- 12 Mr Dawes Advised that it would need a change in the Law and an amending Projet but it is possible to achieve given the correct political will.
- 13 Sieur Rang A similar call for staggered elections was being considered in Alderney.
- 14 Seneschal When the States of Alderney met last week the proposal was lost on a vote of 5/5 and the status quo remains.
- 15 Sieur Rang Called for a named vote.
- 16 Dep. Le Lievre Pointed out that the methodology of splitting the 28 elected members is not included in the proposition. If the House votes in favour will it not be necessary to introduce an additional proposition to cover this issue? If it is "blown out of the water", there will be no need.
- 17 Sieur Gomoll This proposition must not delay things and will not be allowed to delay elections in December 2008
- 18 Dep. R. Dewe There is no practical way this could be introduced into the Reform Law before 9<sup>th</sup> April when the Privy Council considers it.
- 19 Seneschal Agreed and, if it required an amending Projet, that could go forward with the hope that it would clear its passage and be approved in law in time to apply to elections in December 2008.

#### **Proposition 1 – CARRIED on a named vote – 32 Pour, 6 Contre and 3 No votes**

That 28 Conseillers shall be elected at the first election after commencement of the Reform Law, with 14 Conseillers being elected for 2 years and 14 Conseillers being elected for 4 years. Thereafter there shall be an election held every two years for 14 Conseillers to be elected for a term of 4 years each.

#### **Proposition 2 – CARRIED**

That a by-election shall only be called if the number of Conseillers falls below 26.

- 20 Seneschal Suggested that the appropriate Committee to investigate and instruct the Law Officers would be C07C and he proposed that this should replace the word "*appropriate*" in the proposition. This was accepted.

#### **Proposition 3 – CARRIED as amended**

That Chief Pleas instructs the **Constitution 2007 Committee** to either have the Law amended or if possible have the above propositions implemented by Ordinance.

- 21 Seneschal Invited Sieur Rang to specify what system to split those elected into two groups, one for two years service and the other for four years, he would prefer to adopt.
- 22 Sieur Rang Preferred the 1<sup>st</sup>, 3<sup>rd</sup>, 5<sup>th</sup> etc. method for one group and the 2<sup>nd</sup>, 4<sup>th</sup>, 6<sup>th</sup> etc. for the second group as it was less divisive than a straight 14/14 top/bottom split.
- 23 Sieur Curtis Supported that choice.
- 24 Sieur Gomoll Spoke for the alternative 14/14 split but pointed out the problems of tied votes and that some method of ordering successful candidates had to be devised which took ties into account. There is also a need to deal with instances of resignations before elections.

- 25 Dr. Henry Asked for due consideration of this to be deferred to C07C.
- 26 Mr. Dawes Agreed this was a sensible suggestion and suggested that another alternative might be to draw lots after the twenty-eight Conseillers had been elected.
- 27 Mdm. Baker Could C07C invite Sieurs Rang & Curtis to the next meeting before coming back with a definitive answer?
- 28 Seneschal This debate is very helpful and he would support that line of action.
- 29 Mlle. Bull Commented that it was conceivable that with so many candidates (28) there could be as many as seven individuals tying on the same number of votes.
- 30 Seneschal Mr. Dawes suggested method would resolve that problem, as it only has to be done after the election is over. The legislative draftsman allocated to this work is about to go on holiday for two weeks.  
He asked if C07C would give this matter its urgent attention before the end of the week.

## 14 Sieur Hurden & Deputies Olsen and S. Williams

### Report with Propositions – The Reform (Sark) Law, 1951, Substitutes at Chief Pleas

- 01 Sieur Harris Believed that two members attending Chief Pleas today are remunerated for their attendance.
- 02 Mr Dawes Presumably, this is a reference to himself and Ms McDermott. We may be paid but have no pecuniary interest in the outcome of debates.
- 03 Seneschal Quoted from the existing Reform Law, 1951, Part 1 Clause 6(3) about representatives –  
*Where the owner of a tenement, whether a married woman or not, is incapacitated by reason of infirmity from attending the Chief Pleas, he or she may by an instrument in writing lodged at the Greffe appoint a person, not being the owner of a proprietary interest in a tenement, or a person otherwise entitled to sit in, or an official required, to attend, the Chief Pleas to represent him or her at the sitting of Chief Pleas then next to be held, and the person so appointed shall, at that sitting, have the like rights in the Chief Pleas as the appointor would have had had he or she not lodged the instrument of appointment.*  
*Provided that the lodgement at the Greffe of an instrument of appointment under this subsection shall be of no effect unless made not later than three hours before the time of the sitting and accompanied by a certificate signed by a Medical Practitioner that the infirmity of the appointor is such as reasonably to make it impracticable for the appointor to attend the Chief Pleas.*

In the Rules of Chief Pleas, Rule 12 (Declaration of Interest) states -

*Where any Member of Chief Pleas has a direct pecuniary interest, being an interest which is immediate and personal and not merely of a general or remote character, in the subject submitted to the Assembly, he shall, as soon as is practicable, declare his interest and withdraw from the Chamber during the consideration of and voting on the issue save that, at the request of another Member, supported by a simple majority of Chief Pleas, he may stay during the consideration of an issue but not vote. Every declaration made in pursuance of this section shall be recorded in the Minutes of the Meeting.*

However, that still doesn't get to the nub of what Sieur Harris asked; they may not get a direct payment but they are obligated to those they represent.

The Seneschal suggested that, as the issue has been raised, they may not wish to vote and he left it to their conscience.

- 04 Mr Dawes Had no intention of withdrawing or of not voting.
- 05 Sieur Harris If the propositions are approved, Mr. Dawes and Ms. McDermott will not be allowed to attend in future; having lost their fees, he suggested that this time they donate their fees to the Professor Saint Fund.
- 06 Sieur Gomoll The matter has been raised?
- 07 Mdm. Rang Surprised to see this item on the agenda. No law is being broken and the 1951 Reform Law will be redundant by the end of the year.
- 08 Seneschal That is appreciated but the issue under discussion is the eligibility of two members present.
- 09 Ms. McDermott Declared that in conscience she had no wish to withdraw.
- 10 Sieur Hurden Assured the House that he was not trying to get at anybody in particular but was just concerned at the large number of substitutes. It could include in the future someone who has never been to Sark, has no idea about the Island, its customs or the views of its people. After discussion he was prepared to withdraw Proposition 1.
- 11 Dep. Olsen Quoted from The Barclay sponsored publication The Sark News – *Sark people want to rule themselves*. Proposition 2 follows this ideal.
- 12 Dep. Burgess If he walked onto the Island as a new Tenant and fell ill tomorrow he would know nobody to stand in for him at Chief Pleas.

- 13 Dep. S. Williams Stated that she would like to stress that she was between a rock and a hard place here. Whatever she does will be wrong, however, Chief Pleas' Members should be aware that her position as a Deputy has been severely compromised, with threats of boycott upon her business and other threats. She was fully aware of the work situation on the Island and had no wish to jeopardise this in any way but she also felt that she must be able to do what she thought right for Sark and its people without fear of reprisals. She was voted into Chief Pleas to do a job and that is what she is doing. She felt sad today and slightly intimidated by the fact that all these workmen are here because they are in fear of the decisions made today may put them out of work. Her political standing should have no bearing on her business, as they are completely different.
- 14 Dep. P. Williams Will be voting for this proposition. Many Members of the public have asked him to express a concern as to how this system of government is being used and abused. The concern they put before him and he in turn will put to the House, is how can it be right for lawyers and advocates who do not live on this Island nor understand its ways and who in turn are sitting for Tenants who also do not live here, are able to tell the Island residents how to administer their affairs. The public find the ethics questionable to say the least. He supported Deputy Sandra Williams, who has been told her business will be boycotted because she feels that something in Chief Pleas is not correct. He admired her for standing by her principles knowing how difficult it must be when she is under severe stress and is feeling very intimidated. He too was concerned that things may impact on his business from the things he might say in Chief Pleas. What is being done on this Island by investors should not influence what decisions are made in this chamber, and everybody should abide by that simple rule, including the investors themselves who should not throw their toys out of the pram when things do not go their own way. That should be a totally separate issue. He believed that nobody on this Island has a problem with investment; however political manipulation is a different animal altogether. There appear to be too many people making bullets for others to fire, seemingly making sure the Island and its people are divided and presumably working on the premise that divided it falls. That may be the case but do not forget those aforementioned concerned members of the public will fight for what is right for their Island and Deputy Williams vowed to be there next to them.
- 15 Sieur Gomoll Are we saying that stand-ins must know about Sark, its laws etc. or is this just against the two who are here today? We need to be careful about legislating for a specific case. Will all those standing have to take an exam to qualify before they can stand?
- 16 Mr Dawes This is 57-year-old legislation. It takes no account of aliens etc. He asked what message it gives to Sir David and Sir Frederick Barclay who are attempting to invest & build up the Sark economy. It is self-defeating to bring this type of proposition. The proposition is foolish.
- 17 Sieur Hurden Repeated that it was not getting at anybody and he accepted that the Barclays have done a great deal by investing in improvements to Island property.
- 18 Mdm. Rang Pointed out the new Reform Law will not allow representatives to replace Conseillers.
- 19 Sieur Barclay Changes are happening here but it should be remembered that much of the law drafted for this Island is drafted by people who have never lived here, they live in Guernsey.
- 20 Sieur Donnelly Pointed out that the Barclays' contribution was not for their own sakes but for the benefit everyone. We want to take but not listen to their point of view.
- 21 Dep. R. Dewe What is happening here may be within the law but it is not within the spirit of the law. In 1951 when this Reform Law was drafted, life was much simpler then and he gave examples of how members of a family substituted if the Tenant was unwell and unable to attend and the wishes of the Tenant were clearly understood and represented. He will not be voting for this proposition, as it was a waste of time and too late.
- 22 Mdm. Baker It is the fact that the seats have never been used by their owners until now, that is annoying everyone. The opportunity to make contributions to the debate has always been there.
- 23 Sieur Rang Felt this proposition is a step too far; the Tenant can give instruction for stand-ins to vote how the Tenant would wish. If unable to attend he was sure the Seigneur would have a stand-in.
- 24 Seneschal Seigneur would be deputised by the Deputy Seigneur. **(NB. The Deputy Seigneur must be a family member or a resident of Sark).** The Seneschal checked that Proposition 1 was withdrawn and Sieur Hurden confirmed this to be the case.
- 25 Sieur Donnelly Called for a named vote.

**Proposition 1 – WITHDRAWN**

That Chief Pleas agrees to amend The Reform (Sark) Law, 1951 by the deletion of sub-clause 6(3) and that the General Purposes and Advisory Committee be empowered to instruct the Law Officers of the Crown to progress the amendment and to present the amended Projet de Loi to Chief Pleas in due course.

**Proposition 2 – LOST on a named vote – 15 Pour, 15 Contre and 11 No votes**

That Chief Pleas agrees to amend The Reform (Sark) Law 1951 by adding the provision that a person representing a Tenant who is incapacitated by reason of infirmity from attending the Chief Pleas must be a Sark resident of twelve months standing and a British subject and that the General Purposes and Advisory Committee be empowered to instruct the Law Officers of the Crown to progress the amendment and to present the amended Projet de Loi to Chief Pleas in due course.

**LUNCH RECESS**

**15 Seigneur & Sieur Raymond**

**Report with Proposition –**

**The Use of Unlicensed Vessels to Transport Cargo from Guernsey to Sark**

01 Seigneur Explained that this report followed a meeting held on 6<sup>th</sup> February called by the Isle of Sark Shipping Company (IoSS), to which Members of Chief Pleas were invited to hear representations made by the Company in response to a letter sent by the Shipping Committee to Sark Estate Management (SEM) on the 30<sup>th</sup> January 2008.

02 Sieur Raymond Introduced himself as a non-executive Director of IoSS, pointing out this was without financial reward or prerequisites. He referred to the unfortunate circumstances that led to the potential closure of development sites on Sark and the subsequent letter on 30<sup>th</sup> January from the Shipping Committee that has led to this report. IoSS Directors have attempted to resolve the problem commercially by offering very attractive freight rates to SEM but no substantive response has been received.

At issue is the Alderney and Sark (Licensing of Vessels) Law, 1951 that is currently under scrutiny following the Review of Shipping Services between Guernsey and Sark, carried out last year by Dr. Jonathan Spencer CB. Until that Law is repealed it remains the law and should be complied with. The effect of this is that the carriage of passengers or cargo in connection with an “Act of Trade” can only be performed by a vessel that is licensed by the Lt. Governor.

IoSS feel that the Shipping Committee has no authority to give such dispensation and the thrust of this report is that IoSS wish the 1951 Law to be upheld and any vessel or company aspiring to bring cargo to Sark must apply for and be granted a licence to be within the law.

Dr. Spencer sets out clearly in Annex 2 of his review report what constitutes a licensable activity. It concludes that cargo, in the context of an act of trade is prohibited without a licence under the 1951 Law when it is more than just the carriage of a small quantity of goods ancillary to the main purpose of the voyage. If the goods are the purpose of the voyage then it points to it being a licensable act.

Without the sanction of Chief Pleas the letter from the Committee is ultra vires, that is outside its mandate and IoSS ask you to vote on the proposition accordingly, to the effect that should SEM or any similar company wish to carry licensable quantities of cargo to Sark, then they should apply for a licence under the Law.

03 Mr. Dawes Just because IoSS and Chief Pleas agree something it does not constitute the Law. The Barclays by using their own vessel to carry their own materials to their own building site does not make it illegal. Someone reported this initially to the Constable and it was following the subsequent investigation (which was not pursued) that the reaction took place. If the Barclays are making such an investment in Sark why are so many obstacles being raised to stop it happening? The carrying of Brecqhou freight and cargo to/from Sark is used as a reason for ordering the *Sark Viking* but provision of freight facilities by the *Brecqhou Warrior* is adequate for the regular supply of materials for SEM. The Barclays are operating within the law and this proposition should be rejected.

04 Sir Peter Miller Doesn't normally believe in monopolies but there are moments when a monopoly is justifiable and this is one such case. IoSS would not survive by refusing cargo. He asked for the Barclays to work with the Island rather than seeking confrontation. The development and investment they are putting into Sark is most welcome. However, if IoSS goes to the wall, the lifeline to this Island would be put into someone else's hands and effective control would be lost.

05 Mdm. H. Carré Supported the proposition as Sark cannot support two rival companies. When it last happened fares came down but one of the companies very quickly went to the wall. She has a project this year for which she needs the transportation of a lot of cargo, but that is this year and not every year for the next twenty years.

- 06 Dep. Cocksedge How does the law deals with the *Brecqhou Warrior* carrying between Guernsey and Brecquou.
- 07 Mr. Dawes Rejected the argument.
- 08 Sieur Raymond Goods being taken to Brecqhou are different from those coming to Sark. The Law Officer (Richard McMahon) advised Dr. Spencer on this issue and the arrangement is well defined. Chief Pleas makes the Law but does not interpret it - that is the work for the Courts.
- 09 Sieur Donnelly We all move our own goods from time to time. The people you are trying to irritate are loSS's best customers with the increased number of people coming to/from the Island. It is unfair to blame the Shipping Committee as you cannot force people to do things against their will. We should leave it to the Shipping Committee. If our boat was tied up, the *Brecqhou Warrior* could bring all the cargo from Guernsey and it could go to France as well. There needs to be a better understanding between both sides. If we are all working together we all want loSS to continue. There needs to be a better definition of one's own goods.
- 10 Sieur Delaney Things are not as polarised as some may think. If SEM is to proceed, there will be much more cargo to come. If there were sufficient confidence in loSS, SEM would consider a contract with loSS but need to have more time.
- 11 Sieur Raymond There is nothing confrontational in the proposals put forward by loSS. There is no malice in this either. The Shipping Inquiry produced excellent supporting papers but the law is the law at the moment, even if it is to be redrafted. loSS are very willing to talk to SEM.
- 12 Dep. Burgess What about Fishermen buying pots in Guernsey and bringing them back to Sark?
- 13 Sieur Raymond Exempt.
- 14 Sieur Delaney If this proposition is withdrawn, SEM will certainly enter into discussions.
- 15 Sieur Rang Supported the considerable investment by Brecqhou into Sark. The Island has full employment now and we need to work together and move forward. Sark and Brecqhou are good for each other.
- 16 Sieur Gomoll Asked for the Shipping Committee letter to SEM to be read.
- 17 Sieur Raymond Read as follows -  
*The Shipping Committee understands that you have in the past and intend in the future to arrange for building materials, machinery and plants for use on building sites operated by your company (the "Materials") to be shipped into Sark on vessels operated by your company or group of companies.*  
*We further understand that you do not wish to provide shipping services to third parties and do not wish to land any goods in Sark which are intended for re-sale.*  
*The Committee hereby confirms that it has no objection to the landing of the Materials on Sark irrespective of its place of origin.*  
*In case you have further queries, please do not hesitate to contact the Committee who would be happy to meet with you to discuss any suggestions or proposals you may have.*

**Proposition – CARRIED on a named vote – 23 Pour, 15 Contre and 2 No votes**

That Chief Pleas confirms it will not condone the use of any vessel for the transportation of any cargo between Guernsey and Sark if the goods carried on that vessel are to be used in any commercial activity unless the vessel that is used for the carriage of those goods has been licensed to do so by the Lieutenant-Governor of Guernsey, in accordance with the provisions of the Alderney and Sark (Licensing of Vessels) Law, 1951.

**16 General Purposes & Advisory Committee**

**Report & Ordinance with proposition – The Protection of Animals (Sark) Ordinance, 2008**

- 01 Dep. R. Dewe The Constable had requested this Law, as the old Law was not fit for purpose.

**Proposition – CARRIED**

That Chief Pleas approve the Ordinance entitled The Protection of Animals (Sark) Ordinance, 2008.

**17 Deputies Melling and E. Dewe**

**Report with proposition – Carriages on Sundays**

- 01 Dep. Melling This is not about Sunday boats or Sunday trading. We need to bring a common sense approach to allow our Sunday visitors the opportunity of a carriage ride.

- 01 cont Dep. Melling The existing law restricts the use of carriages on Sundays to –
- o the conveyance of passengers who are arriving in or leaving the Island from or to any of the harbours (ie. as a taxi);
  - o the conveyance of any person who is an official visitor;
  - o the conveyance of persons to Church with the written consent of the Constable;
  - o to attend any meeting arranged by the *Sark Driving Society* (e.g. The Horse Show).
- To return to the report, many arguments are put up for not allowing the carriages to trade on a Sunday, none of these seem to have much merit and the overriding fact is to ask - do we want to offer our visitors the best possible service on all days or continue to downgrade the service to those visiting on a Sunday?
- 02 Dep. Cocksedge Following the January 2008 meeting of Chief Pleas, the Road Traffic Committee met and agreed to send a questionnaire on these issues to every household on the Island. This has been done and he had the preliminary results available. 54% of forms issued were completed and returned. Asked their view on carriages operating on Sundays under the same conditions as weekdays, 55% supported the idea. Only 26% were against any more carriages on Sundays. Many felt that there should be no compulsion on carriage-owners or their drivers to turnout on Sundays but if they wished to they should ply for hire as on weekdays and not be restricted. The final results are being prepared and will be circulated to all households once complete.
- 03 Sieur Donnelly This is a common sense issue that he would support. When the business is there we must go for it. He questioned what arrangement would be made for picking-up horse manure on Sundays.
- 04 Dep. E. Dewe Supported Deputy Melling and had nothing else to add.
- 05 Dep. Melling Appreciated the finer points about removing manure and these would be considered by the Douzaine. At present Public Works department doesn't work on a Sunday but he assumed that if there were a job to be done a way would be found to resolve it.
- 06 Sieur Baker The same applies on Saturdays now. He suggested that the proposition be changed to harden the resolve and that the Road Traffic Committee request the Law Officers to bring this into effect.
- 07 Dep. Melling Together with Deputy E. Dewe, accepted this amendment.
- 08 Dep. S. Williams Asked for a named vote.

**Proposition – CARRIED as amended on a named vote – 31 Pour, 7 Contre and 2 No votes**

That Chief Pleas agrees to remove the restriction of the use of Horse Drawn Carriages on a Sunday and request the Road Traffic Committee to **request** the Law Officers to bring this into effect.

- 09 Dep. Cocksedge Asked whether it was the wish of the House, in advance of the law being drafted, to allow carriages to operate with the new freedom this summer.
- 10 Sieur Harris Considered that it should wait until the law is changed. We do not want one rule for shipping and another for other disciplines.

## 18 Education Committee

### Report with Proposition – Computer System at Sark School

- 01 Mdm. Magell Thanked Sieur Curtis for preparing this report, as she was off-Island at the time it was needed.
- 02 Sieur Curtis Explained that it was a simple dilemma – “the system is broke and needs fixing”. The request for the increased budget is a safeguard but it is hoped that savings can be made from within the Education budget, particularly from not having to pay a Headteacher for two terms.
- 03 Sieur Donnelly It is easy to buy equipment but we need someone to manage the system and ensure that it is constantly and professionally supervised. Constant upgrades can fail on just one item of equipment that makes the whole system unworkable.
- 04 Mdm. Magell The difficulty is that the system is remote from the source of professional supervision and to come here for a day, companies charge premium rates. The expert here today is one recommended by Guernsey Education and used in their schools.

**Proposition – CARRIED**

That Chief Pleas allows the Education Committee the provision to draw up to £7,000 as deemed necessary after further appraisal, to ensure that the computer system at Sark School operates successfully, both in the short and medium term.

## 19 Sir David & Sir Frederick Barclay Report with propositions – The Reform (Sark) Law, 2008

- 01 Seneschal Reminded the House that it was the custom for those proposing and seconding items to be present on the day to introduce their papers.
- 02 Mr. Dawes Protested.  
Sieurs Donnelly and Barclay agreed to propose and second the papers.  
Mr. Dawes went on to suggest that many would say this paper was too late with the news that the Privy Council would be considering the reform Law on 9<sup>th</sup> April. However, petitions are being prepared to challenge the decision going forward to the Privy Council.  
He concentrated on the letter from the Treasury Solicitors dated the 25<sup>th</sup> February in which disclosures of correspondence and other communications were revealed; he highlighted the Seigneur's letter dated 20<sup>th</sup> November 2007 to the Ministry of Justice in which his views on new constitutional arrangements were clearly set out. Mr. Dawes asked if the Constitution 2007 Committee (C07C) were aware of this letter or its content before it was sent.  
C07C was not aware.
- 03 Dep. Armorgie
- 04 Mr. Dawes Chief Pleas did not know of that letter either. He had every respect and deference for the Seigneur but he can influence decisions by his actions. The Seneschal was in regular communication with the Law Officers and the Ministry of Justice expressing his views on the progress of the Reform Law and the implications of delay. Was C07C included in the circulation of this correspondence?  
C07C was not aware.
- 05 Dep. Armorgie
- 06 Seneschal As President of Chief Pleas, it his responsibility to communicate to outside agencies. Whatever he sends will be disclosed to Withers anyway under the UK Freedom of Information Act.
- 07 Mr. Dawes The Seneschal may be a conduit for Chief Pleas but it goes a lot further than that. He manipulates things outside this House. The Lord Chancellor has already confirmed his concern about the Seneschal's dual role in letters to the Law Officers in Guernsey.
- 08 Dep. S. Williams Why would Chief Pleas' Members know about letters between the Lord Chancellor and the authorities in Guernsey?
- 09 Mr. Dawes Went on again to refer to the private meeting between the Seigneur and the Lord Chancellor and letters between the Seneschal and Mr Mark Hughes at the Ministry of Justice. The wording and action within these letters show the Seneschal is going beyond his remit, especially by delaying the release of the letter received from the Lord Chancellor ahead of the January 2008 meeting of Chief Pleas.
- 10 Dep. S. Williams As a member of C07C, she was aware of the letter from the Lord Chancellor and the Committee needed to meet with the Seigneur and the Seneschal, to whom the letter was addressed, for it to be handed over and its contents discussed. It was the Committee which decided to delay the release of the letter until lunchtime on the first day of the Christmas Chief Pleas meeting to allow a supplementary report from C07C to accompany it and for the earlier items on the agenda to be given their due consideration.  
We are more intelligent than you give us credit for, Mr. Dawes.
- 11 Seneschal Confirmed that his meeting with C07C, in company with the Seigneur, was very brief and it was C07C which decided to release it and when it did.
- 12 Mdm. Rang With regard to C07C meeting on 15<sup>th</sup> January at 10.30am, Mr. Dawes claim is a gross misrepresentation of the facts. She could only speak of a meeting at which she was present and the following is an accurate account of what took place. The Seneschal together with the Seigneur asked to meet with the Committee to inform it of the content of a letter which had been received the day before from the Ministry of Justice (MoJ). The Committee listened intently at what was said but at no time did we comment or give any indication of our reaction, as it is the policy of the Committee not to be influenced by anyone, thereby maintaining our own opinion and judgement. She admitted that the thought occurred to her that the Committee's guests must have retired from the meeting with a certain degree of frustration. However, that was just an observation and she repeated that at no time did the Seigneur or the Seneschal attempt to influence the Committee and therefore Mr. Dawes' statement is quite untrue and the accusation false.  
The three propositions presented to Chief Pleas by the Committee on 16<sup>th</sup> January in respect of the letter were arrived at unanimously after subsequent debate.
- 13 Mr. Dawes Continued his speech based on the Treasurer Solicitors revelations in the letter of the 25<sup>th</sup> February and as outlined in the report supporting the propositions.
- 14 Dep. S. Williams How much longer do we have to put up with listening to your verbal assassination of the Seigneur?

- 15 Seigneur Asked why Mr. Dawes was treating everyone like criminals in a court of law. He was very willing to circulate the full text of his letter to all Members if they wished to read it.
- 16 Mr. Dawes Was not to be deflected and continued with his presentation finally asking why the Seigneur was offering a long lease on La Seigneurie
- 17 Seneschal That has nothing to do with this “debate”.
- 18 Seigneur It is not true anyway.
- 19 Mr. Dawes He was pleased to note that. However, he still remains concerned that £28k per annum is to be paid to someone who wrote to the MoJ and questioned his own role and wishes to revise his own role.
- 20 Ms. McDermott The letter of the 25<sup>th</sup> February from the Treasury Solicitors was for most the first knowledge of these exchanges through disclosure. The Judicial Review will only be introduced if these propositions are not passed today. He clients would much prefer it to be sorted out today.
- 21 Sieur Baker Threats bullying and more threats, Proposition 5 has been held up for some considerable time and therefore the island has lost the ability to charge on recent property transactions.
- 22 Dep. S. Williams The House has discussed this issue for the last three years. We had a debate last month and decided to leave it for the new Assembly to resolve.
- 23 Dep. Olsen The Reform Law Projet is with the Privy Council and it would be wrong to withdraw it at this stage.
- 24 Sieur Donnelly It is common sense to acknowledge these changes need to take place. If Tenants lose their seats, why should the Seigneur and Seneschal remain in theirs?  
As to the Property Transfer Tax, he had frequently asked Sieur Baker to explain his dealings on property purchase. If we don’t deal with these issues, it will be taken out of our hands and this has been threatened.
- 25 Sieur Harris Was strongly opposed to all five propositions. The Reform Law is about universal suffrage and the issues about the Seigneur and Seneschal are minor and peripheral to that central proposition. The position of the Seneschal in Sark is equivalent to that of the Bailiff in both Jersey and Guernsey, in that as in Jersey and Guernsey he is speaker of the House and Judge in the island court. There are two judgements of the European Court that support the existing dual role in Jersey and Guernsey subject to safeguards. The Barclays may be able to persuade the court that procedures in Sark should be distinguished on the facts but he considered this unlikely, meaning that a challenge to the Seneschal’s dual role would probably not succeed.
- 26 Dep. Olsen Had already decided to oppose but the point is well covered by Sieur Harris.
- 27 Dep. R. Dewe He has served on Chief Pleas since 1958 and has experienced the guidance of five different Seneschals during that time and the present Seigneur and his Grandmother before him. There has never been any necessity for change so he would be perfectly happy to leave it until the new legislation is approved and a new reformatted House is in being and can make up its own mind as to how it wishes to continue.
- 28 Sieur Barclay (Statement, using script supplied by Sieur Donnelly).  
*It is clear there are entrenched views here. In spite of this I believe that most people are acting in good faith. The way in which this “house” currently works doesn’t help and I look forward to these points of view being expressed within a proper democratic framework. Surely it is not beyond us to put aside any animosity and to take this opportunity to work together to create a fully functional democracy and to achieve this we will require a proper separation of powers to go with universal suffrage.*  
*On my part, I am committed to this, as well as a stable, functioning, independent and prosperous economy, an open society that is run in the interest of all the people of Sark.*  
*The aim is full democracy, not half democracy. I am open to meet with and discuss this with anyone who is interested. Thank you.*
- 29 Sieur Gomoll It hasn’t been easy with communications from outside going direct to the Seigneur and Seneschal and not being copied to the Committee involved. That is not however their fault. Those communications have included some private and personal issues but he requested a greater sharing with the Committee. The two roles of the Seneschal can easily be separated and the House could elect the same person for both roles for the time being and that may or may not be the Seneschal. We are not far apart and not polarised.
- 30 Seneschal Then took the propositions to the vote.

### **Proposition 1 – LOST**

In the light of the Treasury Solicitors’ letter dated 25<sup>th</sup> February 2008 addressed to Messrs Withers, Solicitors, Chief Pleas decisions concerning the Projet de Loi known as The Reform (Sark) Law, 2008 from the Christmas meeting 2008 and the meeting of 21<sup>st</sup> February 2008, be set aside.

### **Alternative Proposition 2 – WITHDRAWN**

The Petition seeking Royal assent for the Projet de Loi known as The Reform (Sark) Law 2008 be withdrawn and the return of the draft legislation requested.

### **Alternative Proposition 3 – WITHDRAWN**

That the legislation or draft legislation be amended in the ways proposed in the document entitled: "Reform (Sark) Law, 2008, Commentary on Proposed Changes to Law" produced by Messrs Bircham Dyson Bell LLP, dated 19<sup>th</sup> February 2008.

### **Proposition 4 – LOST**

That the legislation or draft legislation known as The Reform (Sark) Law, 2008 be amended in the following ways:

- I. to remove the powers of patronage and veto that were to be retained by the Seigneur in the draft prepared by the Law Officers, in order to give powers of self-determination to Chief Pleas appropriate to the 21st century;
- II. to separate the legislature and the judiciary of Sark by transferring the powers of the Seneschal as presiding officer of Chief Pleas to a President elected from among the Conseillers;
- III. to rectify the provisions inconsistent with international law that only allow British citizens to stand for election in Sark; and
- IV. to introduce electoral reform requiring the counting of votes using the "single transferable vote" procedure or some other preference voting system and allowing for the creation of constituencies and the maintenance of a rolling register of electors.

### **Proposition 5 – LOST**

That the Petition seeking Royal Assent for the draft legislation known as The Real Property (Transfer Tax, Charging and Related Provisions)(Sark) Law, 2007 be withdrawn, alternatively that the draft legislation or legislation be amended so as to delete section 13, namely, the funding of the Seigneur's civic responsibilities.

**Sieur D. Barclay, with apologies, left the meeting at this point  
A ten minute recess was taken at 4.00pm**

## **20 Sieur Donnelly & Deputy Burgess**

### **Report with Propositions – The Reform (Sark) Law, 2008**

- 01 Sieur Donnelly Offered his apologies for the misdemeanours of his submitting this report as outlined earlier in the meeting.
- 02 Seneschal The apology is accepted.
- 03 Sieur Donnelly This was now the allowable version as passed onto the agenda.  
He referred to the Freedom of Information Act that had only recently been introduced into the UK and there had been no disasters. Guernsey might introduce similar legislation but why can't Sark's GP&A Committee get there first and not wait for Guernsey to tell us what to do.  
In his Proposition 3, it was a shame that the proposals in "the document that cannot be named" cannot be included. He felt that his Proposition 1 listing the seven principles of public life as outlined by Dr. Spencer in his Shipping Review were worthwhile and commended them to the House.
- 04 Dep. Burgess Believed there should be more open access for the public to attend Committees.
- 05 Seneschal Wrote five years ago to the then Presidents of Committees suggesting that they should open up the proceedings of their Committees and was told to mind his own business. It is down to you as a House as to whether more information is made available to the public.
- 06 Dep. R. Dewe He had no problems with Proposition 1 and the seven principles.  
The GP&A Committee had received a letter on 5<sup>th</sup> February from Mr. Dawes concerning the subject of Proposition 2 which was read out as follows –

*I am instructed on behalf of Sir David and Sir Frederick Barclay to request that you and your committee consider the introduction of Freedom of Information legislation into Sark law and bring that proposal to Chief Pleas.*

*I attach, for your convenience, a copy of the Freedom of Information Act 2000 taken from Halsbury's Statutes (sic) of England & Wales 2004 Reissue, which might serve as a model. Although perhaps in simplified form. It may be that there is a better model to adopt from another jurisdiction.*

06 Dep. R. *My clients believe that there should be a general right of access to information held by public*  
cont Dewe *authorities, subject to clearly defined and truly necessary exceptions, such as national security.*  
*My clients also take the view that the potential for injustices to take place on these islands*  
*should be a matter for all concerned. Secrecy is unacceptable in the 21<sup>st</sup> century and*  
*transparency is fundamental to the principles of democracy.*  
*I do not know if Guernsey intends to introduce such legislation but that is no obstacle to Sark*  
*proceeding. We would be happy to supply you with a suitable draft statute to consider with the*  
*Law Officers if you wish to pursue the matter further.*

A reply was sent on 5<sup>th</sup> March, the day after Committee and he read out the reply –

*Further to my letter dated 7<sup>th</sup> February, the [GP&A] Committee discussed your letter of 5<sup>th</sup>*  
*February with enclosed copy of the U.K. Freedom of Information Act.*

*Whilst the Committee is not rejecting the suggestion of recommending Chief Pleas to enact*  
*similar legislation, it is reluctant at this stage to propose such an action without further*  
*consideration and implications with regard to administration costs etc. Your clients must*  
*realise, that Sark has a very limited Civil Service and the Members of Chief Pleas are not*  
*salariéd or even have expense accounts. We give our time freely for the benefit of Sark and at*  
*times [this] can be an onerous task.*

*If, and when the States of Guernsey decide to implement comparable legislation, we may be in*  
*a better position to decide whether there is a need for Sark to adopt Freedom of Information*  
*legislation. It certainly would not be in the life of this present Chief Pleas.*

In essence the Committee are not rejecting it but reluctant to go forward with it at the moment.  
The Committee always tries to be open and honest.

07 Mr. Dawes Accepts Proposition 1, he accepted Proposition 2 and he accepted Deputy Dewe's comments  
about the UK legislation.  
08 Sieur The Jersey and Guernsey letter is available whereas GP&A refused. There need to be some  
Donnelly guidelines for GP&A.  
09 Sieur Baker Made reference to Sieur Donnelly's involvement 4-5 years ago with Rwanda.  
10 Seneschal Intervened as the exchanges were not appropriate and went to the vote.

### **Proposition 1 – CARRIED**

That Chief Pleas accept the following principles of public life being selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

### **Proposition 2 – WITHDRAWN (on the understanding that the GP&A Committee will recommend investigation of freedom of information legislation to the new Assembly)**

That Chief Pleas request the General Purposes and Advisory Committee to report back to Chief Pleas with recommendations in respect of freedom of information legislation.

### **Proposition 3 – WITHDRAWN**

That in order to expedite necessary amendments to The Reform (Sark) Law, 2008 that Chief Pleas directs the Constitution 2007 Committee to recall the Law and seek advice and consult with all relevant parties (including the Law Officers, the Seigneur, the Deputies, Tenants and the public) before presenting an appropriately amended draft to the next meeting of Chief Pleas.

**Sieur Harris, with apologies, left the meeting at this point**

## **21 Shipping Committee**

### **Report with Propositions – Isle of Sark Shipping Company Annual General Meeting MV Sark Viking**

01 Dep. Started with reference to the AGM and the question of public attendance. The Seneschal had  
Le Lievre advised him that the public could attend in a listening capacity but it was pointed out that this  
was not usually the case at an AGM; if this were to happen, it would be for the Committee to  
decide. On the night there was confusion over whether or not the public could attend and they  
were excluded for which he apologised.  
02 Seneschal It has been the custom of the House that Chief Pleas could meet with the Directors and  
Managers at the AGM in private. The Committee is now asking for a change in the custom.  
03 Mlle. Bull If the custom is changed, it removes the opportunity to ask sensitive commercial questions.  
04 Seneschal That is for the House to decide and you have an opportunity to vote against.  
05 Sieur Asked a question about the use of the *Brecqhou Warrior* and whether, if a case had been  
Perrée made and it had gone to court, the name of the complainant would be known.

- 06 Seneschal Had the complaint resulted in a criminal charge then the name of the person who had complained would have been revealed in the case papers. As the Guernsey Police made no such prosecution as a result of the investigation, then the name of the complainant has not been released.
- 07 Mr. Dawes How much was Alderney Shipping paid based on the 2006 accounts.
- 08 Sieur Raymond Between £103 and £104k.
- 09 Mr. Dawes How does that differ from the amount paid to Ship and Fly?
- 10 Sieur Raymond It is about £25k - £30k more.
- 11 Sieur Donnelly Is there a Trust Deed for the Trustees of IoSS?
- 12 Seneschal The Trustees will write back to you with that information.
- 13 Sieur Donnelly There is a need to get our house in order for the new House to take over.
- 14 Seigneur It is ongoing and is held up with the Law Officers.
- 15 Seneschal The Law Officers will draft new Trust Law once they have finished with the Reform Law legislative process.
- 16 Dep. Burgess Questioned the value of the boats as shown as fixed assets.
- 18 Sieur Raymond The question was answered at the AGM. The valuation is by a qualified shipbroker and the Directors had no input. Assets are shown at their original cost, working assets are shown at their original cost with an allowance for depreciation. Investments are shown at market value.
- 19 Dep. Burgess The set of accounts should be accurate.
- 20 Sieur Raymond The lenders are satisfied and so are the auditors.

### **Proposition 1 – CARRIED**

That Chief Pleas ratify the decisions made and approves the accounts for 2006 as adopted by the Shareholders attending the Annual General Meeting held on the 6<sup>th</sup> March 2008.

### **Proposition 2 – CARRIED as amended**

That Chief Pleas approve a change to the **customary** rule governing attendance of the Shipping Company's Annual General Meeting and allow attendance by the general public to observe proceedings.

- 21 Dep. Le Lievre The second part of the report deals with the refinancing of the loan as requested by the Directors. It was always envisaged that when the building of the Sark Viking was complete that the vessel would be commercially refinanced. The details are in the report.
- 22 Sieur Raymond It is anticipated that claims will be made against those who defaulted during the build but the Directors have not seen the totality of those likely claims yet.
- 23 Sieur Donnelly Would like to see the full picture on the new boat before agreeing from figures on a sheet of paper the total cost of the boat, the commissioning costs etc. Sark may have a legal case but it may not be possible to obtain compensation. There should be more openness in these issues.
- 24 Sieur Raymond There must be confidentiality in these matters at the present time; it is not in Chief Pleas or in IoSS interest to disclose more.
- 25 Seneschal Will you be able to reveal more when an AGM is held to look at the 2007 accounts?
- 26 Sieur Raymond Was unable to crack a whip on the three groups of professionals who are working on behalf of IoSS to provide the information required.
- 27 Seneschal The House will know eventually.
- 28 Dep. Burgess Picked out the level of loans from the balance sheets and asked for more details
- 29 Sieur Raymond Details are all included at Note 12 with explanations and he gave a brief resume of the history of the loans. The loans exist because Chief Pleas has never introduced meaningful sums of capital into IoSS.
- 30 Dep. Burgess Asked for an explanation of the second figure of £13k referred to as ticket loans.
- 31 Sieur Raymond It is money paid in advance for ticket sales.

### **Proposition 3 – CARRIED**

That Chief Pleas authorise the President of the Shipping Committee and the Seneschal to sign a guarantee document in favour of Lombard with a maximum exposure to Chief Pleas of £100,000.

- 32 Dep. Le Lievre The Shipping Committee has asked that the 2007 audited accounts should come into the public arena as soon as possible.

## Forthcoming meetings for Chief Pleas Members

### **EXTRAORDINARY SUMMER MEETING – Wednesday 2<sup>nd</sup> July 2008 at 7.00pm**

Agenda closes on Friday **6<sup>th</sup> June 2008 at 3.00pm**

Papers distributed to Members by Wednesday 11<sup>th</sup> June 2008.

The Seneschal gave warning that it may be necessary to hold an unscheduled extraordinary meeting to process legislation associated with The Reform (Sark) Law, 2008 and The Real Property (Transfer Tax, Charging and Related Provisions)(Sark) Law, 2007 and this is likely to happen in early May.

Chief Pleas approved the distribution of papers for such a meeting to be at not less than 10 days notice.

**This meeting closed 4.59pm.**

Brian Garrard (Sark Committee Secretary) 4<sup>th</sup>-11<sup>th</sup> April 2008

**14<sup>th</sup> April 2008**



Seneschal



Greffier



## MEMBERS OF CHIEF PLEAS

Easter Chief Pleas Meeting 26<sup>th</sup> March 2008.

Tenants	Attending	Propositions			
		Item 13 - 1	Item 14 - 2	Item 15	Item 17
Michael Beaumont	/	NV	P	P	P
Lawrence de Carteret					
Iris Williams					
Helen Magell	/	P	P	P	P
John Donnelly	/	P	C	C	P
Rosford de Carteret	/	C	C	P	C
Duncan Barclay	/	P	C	C	P
David Curtis	/	P	P	P	C
John Jackson	/	P	P		
Heather Snelling	/	P	C	C	P
Kevin Delaney	/	P	C	C	P
Christopher Rang	/	P	C	C	NV
Suzie Thorpe	/	P	P	P	P
Gwendoline Drawmer	/	P	C	C	P
June Carré	/	C	NV	P	P
Stefan Gomoll	/	P	C	C	P
Phyllis Rang	/	P	C	C	P
Sir Frederick Barclay	/	P	C	C	P
Diane Baker	/	C	P	P	P
Edric Baker	/	C	NV	P	P
George Steinmetz					
Simon de Carteret	/	P	C	C	C
Dennis Hurden	/	P	P	C	P
Andrew Miller					
Sir David Barclay	/	P	C	C	P
Isabel Perchard					
Molly Bull	/	P	NV	P	NV
Philip Perrée	/	P	C	P	C
Esther Perrée	/	P	C	P	C
William Raymond	/	NV	P	P	P
Christopher Harris	/	P	NV	P	P
Sir Peter Miller	/	P	NV	P	P
Donald Willis	/	NV	NV	P	P
Elizabeth Perrée	/				
Harriet Carré	/	P	P	P	P

Deputies	Attending	Propositions			
		Item 13 - 1	Item 14 - 2	Item 15	Item 17
Helen Plummer	/	C	P	P	P
Dave Cocksedge	/	P	NV	NV	P
Dave Melling	/	P	P	P	P
Paul Williams	/	P	P	P	P
Tony Le Lievre	/	P	NV	C	P
Richard Dewe	/	P	NV	NV	P
Sandra Williams	/	C	P	P	C
Paul Armorgie	/	P	NV	C	P
Roger Olsen	/	P	P	P	P
Elizabeth Dewe	/	P	NV	P	P
Anthony Dunks	/	P	P	P	C
Paul Burgess	/	P	C	C	P

P - POUR  
C- CONTRE  
NV – NO VOTE

Brian Garrard, Committee Secretary 27 March 2008



To Whom It May Concern:

Please note the content of a message I have just received from the Ministry of Justice in relation to the Reform (Sark) Law, 2008 and the Real Property (Transfer Tax, Charging and Related Provisions) (Sark) Law, 2008.

**The decision of the Committee for the Affairs of Jersey and Guernsey**

That meeting took place yesterday (19 March). The Committee decided to recommend that:

- (1) petition dated 17 September 2007 be dismissed insofar as it relates to the Real Property Law;**
- (2) the petition dated 6 November 2007 of the first petitioner be dismissed insofar as it relates to the Real Property Law;**
- (3) the petition dated 27 February 2008 of the first petitioner be dismissed insofar as it relates to the Reform Law and the Real Property Law;**
- (4) petition dated 3 March 2008 be dismissed;**
- (5) Royal Assent be granted for the Real Property Law; and**
- (6) Royal Assent be granted for the Reform Law.**

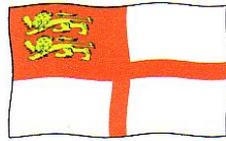
**The Committee will make a report to Her Majesty in Council with a recommendation that the said petitions be dismissed and Royal Assent granted to the proposed Laws at the next available Privy Council meeting, which is due to take place on 9 April 2008. (The Committee did not need formally to consider those parts of any petitions that related to the Reform (Sark) Law, 2007, as that Projet de Loi has now been recalled.)**

Lt Col R.J. Guille MBE  
Seneschal



Tel: (01481) 832382

Mobile: (07781) 100806



# Sark General Purposes & Advisory Committee

A Committee of the Chief Pleas of Sark  
Committee Office, La Chasse Marette, Sark. GY9 0SF  
e-mail [dewesark@cwgsy.net](mailto:dewesark@cwgsy.net) or [commsec@sark.gov.gg](mailto:commsec@sark.gov.gg)

19<sup>th</sup> March, 2008

Lt. Col. R.J. Guille, MBE.,  
Seneschal,  
Seneschal's Office,  
La Chasse Marette,  
Sark.

Dear Reg,

### Re: Chief Pleas Agenda Documents.

The above Committee fully support your stance on not accepting draft legislation for inclusion on the Agenda that the drafting has not been instigated by Chief Pleas approving a Committee Report or a written Proposition, duly seconded by Chief Pleas members.

The Reform (Sark) Law, 1951 gives the Seneschal responsibility for setting Chief Pleas Agendas. There is no ambiguity there.

Chief Pleas approved the 21 day rule that members should have the Agenda with supporting documents circulated to them before the Statutory or Extraordinary Meeting, subject to the Seneschal's discretion allowing a minimum of 10 days in circumstances where it is expedient not to delay the item until the next sitting of Chief Pleas. Even in a minimum event circumstance, it is common practice for a committee to place a Report on the Agenda stating that further documents will be forthcoming before the expiry of the 10 day rule. By tradition/custom any Proposition, duly seconded, with supporting papers, other than from a committee, requires the full 21 day period for acceptance.

To allow the Agenda and supporting documents to be copied and posted for circulation, a reasonable deadline has to be fixed prior to circulation. This has been the custom by the Seneschal and Chief Pleas members are told in advance in Chief Pleas and recorded in the Minutes, which again are circulated to all members, of the closing date for items to be included on the Agenda. The Seneschal is within his rights to refuse late items for inclusion on the Agenda.

I personally, have been a Deputy for a total of over 36 years and I cannot recall ever having received a copy of any legislation, be it an Ordinance or Projet de Loi, that the drafting of has not firstly been authorised by Chief Pleas. The only exception to this is "Fast Track" emergency legislation instigated by H.M. Procureur or H.M. Comptroller in the control of /

/ terrorism, international sanctions etc. Other long term members of the Committee confirmed this. If this is not customary procedure, the Committee would like to know what is.

This Committee, also take the view, that Chief Pleas being a legislative body, can be the only authority to initiate the legislative process.

The Committee therefore support the Seneschal's decisions of 8<sup>th</sup> March, to restrict members' Reports which were late, incomplete and/or which sought to include draft legislation not requested by Chief Pleas.

After discussion, subject to Chief Pleas approval, this Committee would accept the distribution of papers which might at a later date be discussed by a Chief Pleas committee or in a public forum; however, we would not support the consideration of draft legislation in conflict or in opposition with a Projet de Loi currently being considered by the Privy Council for Royal Assent.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Richard". The signature is written in a cursive style with a large initial 'R'.

Deputy R.J. Dewe - President