### COMMISSION FOR STANDARDS IN PUBLIC LIFE 7th MEETING OF 2013 MINUTES

22<sup>nd</sup> JULY, 2013

## CONFERENCE ROOM, COMMISSIONS SECRETARIAT

PRESENT:

Karin M. Thompson

Nyda Mae Flatley

Chairman Member Member

Ian Wight

APOLOGIES: Hedley Robinson

Member

## SECRETARIAT MEMBERS PRESENT:

Deborah Bodden

Manager, Commissions Secretariat

### 1. Meeting called to order

The meeting was called to order at 3:15pm and a prayer was offered.

## 2. Confirmation of Minutes

The minutes of the previous meeting held on 24 June, 2013 were approved.

## 3. Outstanding Business

Members were advised that the Chairman had recently received comments from the Cabinet Office regarding several aspects of the SPL Bill. Those comments have been reviewed and feedback will be offered to the Honourable Attorney General and Legal Drafting shortly. It is hoped that any further changes will be made quite quickly and the Bill submitted to Cabinet for its consideration for onward submission to the Legislative Assembly.

# b. Working Group and Sub-Committee on Procurement

The Commission understands from the Honourable Deputy Governor that the issue of procurement is one of utmost importance to the government and thus it is expected that the outstanding issues will be considered in the near future.

c. Chairman's Presentation to MLA's The Chairman is currently waiting for a new date to be fixed in which she will be able to make a presentation on the remit and work of the Commission to the Members of the Legislative Assembly.

## d. Report on FOI Law/Regulations

The Members were provided with a copy of the Report laid in the Legislative Assembly regarding the Review of the FOI Law, 2007 and Regulations, 2008. The Commission notes that at no time was it contacted for input regarding its inclusion under the FOI Law. Whilst the Commission remains committed to the position taken at its very first meeting to publish all meeting minutes and other documentation, save for any particular instance where the subject matter is deemed to be of a privileged or sensitive nature or otherwise restricted by law, those members present agreed that the Commission must ensure that with the impending passing of the SPL Bill there are adequate exemptions to protect the personal information of those persons who will be subject to the requirements of the SPL Bill i.e. the Register of Interests. It is the belief of the Commission that the current exemptions in the Law will not adequately cover the needs of the Commission once its own enabling legislation is passed. The Manager (Commissions Secretariat) has indicated that in an informal discussion with the FOI Unit it was suggested that the Commission be contacted to submit such necessary exemptions.

#### e. Seventh Report of the Commission

Members were advised that the Chairman is in the process of completing the Commission's Seventh Report that is to be submitted for tabling in mid-August. Draft copies will be disseminated to members for their review and feedback prior to the next meeting.

#### f. Appointments to Statutory Boards

Members were advised that during the upcoming reporting period the Commission will resume its ongoing review and focus will be placed on establishing procedures for appointing members to Public Authorities and the terms of their appointment in accordance with section 117(9)(2) of the 2009 Constitutional Order. Members were asked to review the preliminary findings, recommendations and the various work done to date prior to the next meeting.

#### 4. New Business

#### a. Performance Audit Consultation

Members were provided with copies of the letter from the Auditor General on this matter. A short discussion followed on the proposed performance audits as they relate to the Commission's remit.

#### 5. Any Other Business

#### a. Membership of the Commission

A brief discussion took place in relation to the current vacancy and the membership of the Commission. It was agreed that there are matters that will have to be addressed by the incoming Governor before the term of current members comes to an end in January 2014.

#### 6. Action List

The members were asked to:

- a. consider how the Commission will proceed with the issue of appointments to Statutory Boards as it relates to its constitutional mandate to discuss at the next meeting;
- b. give further consideration to the letter from the Auditor General re: the Performance Audit Consultation in order to provide feedback to the Secretariat; and
- c. the Chairman will complete and provide members with a draft copy of the Seventh Report.

The Secretariat was tasked with:

- a. submitting the comments to the Honourable Attorney General regarding the SPL Bill;
- b. following up on the submission on the Report of the Working Group on Procurement;
- c. following up on the date for a presentation by the Chairman to the MLA's;
- d. following up with the FOI Unit regarding the submission of necessary exemptions; and
- e. drafting a letter to the Auditor General regarding the Performance Audit Consultation.

#### 7. Items to be discussed at the next meeting

- a. Update on the SPL Bill
- b. Update on the Working Group on Procurement's Report
- c. Chairman's Presentation to the MLA
- d. Report on FOI Law/Regulations
- e. Seventh Report of the Commission
- f. Appointments to Statutory Boards

#### 8. Next meeting

The next meeting will be held on 19 August, 2013 at 2:30pm.

#### 9. Adjournment

The meeting was adjourned at 4:34pm.

Karin Thompson

CHAIRMAN

COMMISSION FOR STANDARDS IN PUBLIC LIFE