

**COMMISSION FOR STANDARDS IN PUBLIC LIFE
6th MEETING OF 2019
MINUTES
3 SEPTEMBER 2019
COMMISSIONS SECRETARIAT**

PRESENT: Rosie Whittaker-Myles Chairman
 Sheenah Hislop Member
 Isatou Smith Member

SECRETARIAT MEMBERS PRESENT:

 Deborah Bodden Manager, Commissions Secretariat
 Sheila Alvarez Administrator/Analyst, Commissions Secretariat
 Lise Hurlstone Administrator/Analyst, Commissions Secretariat

1. Meeting called to order

The meeting was called to order at 1:15pm. The Chairman thanked all for attending and the meeting was opened with a prayer.

2. Confirmation of Previous Minutes

The minutes of the meetings of 18 February 2019, 2 April 2019, and 9 July 2019 (approved previously via email) were signed by the Chairman.

3. Outstanding Business

a. The Standards in Public Life (“the SPL”) Regulations and Commencement of Law

Following a submission in 2017 by the Commission of proposed amendments to the draft SPL Regulations, 2014, a number of comments (21 in total) were received on 23 August 2019 from Legal Drafting. Members reviewed, discussed, and agreed responses to each of the comments.

Members agreed to recommend a Commencement Date of 1 December 2019 following a request from the Honourable Deputy Governor for the Manager to draft a Cabinet Paper detailing such a date.

The responses to the comments will be circulated via email to all Members for final review before being submitted to Legal Drafting along with the recommended Commencement Date.

The Commission also discussed the requirements/arrangements which will need to be arranged prior to the commencement of, and in preparation for the receipt of Declarations under the SPL. The Manager has made contact with the Clerk of the Legislative Assembly (who serves as the Registrar under the Register of Interests Law) and has discussed preliminary arrangements for handing over of the existing Registers.

This, the launching of a public education campaign and other preparatory work to facilitate the commencement of the SPL will continue.

b. The Standards in Public Life Law (“the SPL”)

The Commission was aware that the Honourable Premier had engaged in a consultation process with persons who serve on boards and committees of Statutory Authorities and Government Companies (“SAGCs”) to ascertain any concerns regarding the SPL. The Manager requested sight of the collated responses from the Attorney General, following discussions with His Excellency the Governor, for the Commission’s review given that it is currently assisting the Government with the drafting of the necessary Regulations to accompany the SPL. Members briefly reviewed the comments and feedback which they received at the meeting. The Commission’s observations will be relayed to His Excellency the Governor who has given his commitment to ensuring the commencement of the SPL and who is receiving regular updates from the Manager on the work being undertaken in this regard. Members undertook to review the comments in more detail prior to the next meeting but will take no further action given that the Commission was not involved in the consultation process.

c. Ministerial Code of Conduct/CSPL Code of Conduct

Given that one of the functions of the Commission is to recommend codes of conduct, the Chairman queried, during discussions regarding the SPL, whether the Ministerial Code of Conduct (“the CoC”), previously reviewed and commented on by the Commission, is drafted exclusively for Ministers and Members of Cabinet, or whether the document will also make provision for extension to Chief Officers and other senior civil servants. The Secretariat will request this information from the Cabinet Secretary, as well as the current status of the document.

4. Meeting with the Director of the Central Procurement Office

At the request of the Commission, the Director of the Central Procurement Office (“the CPO”), Taraq Bashir attended the meeting (from 2:43pm until 3:45pm) to discuss how the Commission and the CPO will interact given s.117(g) of the Constitution which requires the Commission to “review and establish procedures for awarding public contracts”. The Director indicated that the Commission had his full support in carrying out the relevant constitutional mandate and advised that the Commission should consider what level of involvement they would like to have with his office and on what frequency. During the meeting the Director provided an overview of the current procurement and tendering processes, discussed the Bonfire portal on the CPO’s website, and also detailed the work of his office to date. The Commission will consider this matter further during its next meeting and also consider whether it remains necessary to meet with the Public Procurement Committee at this time.

5. Action Items

The Commission was asked to:

- a. Review the Commission’s responses to the AG’s Chambers’ comments on the proposed amendments to the SPL Regulations (once in receipt of the same from the Secretariat) by the close of business on Friday, 6 September;
- b. Review, in further detail, the comments received from persons appointed to serve on the boards and committees of SAGC’s for further discussion at the next meeting; and

- c. Consider matters relating to procurement and the need to meet with the PPC as detailed in 4. above.

The Secretariat was asked to:

- a. Circulate, via email, the proposed responses to Members as detailed in 3.a. above; and to the Legal Drafting once finalised;
- b. Relay the concerns of the Commission as detailed in 3.b. above and update His Excellency the Governor on the work related to the drafting of the SPL Regulations and recommended Commencement Date of the SPL Law;
- c. Query with the Cabinet Secretary re: the Ministerial Code of Conduct as detailed in 3.c. above; and
- d. Arrange a meeting with the PPC if deemed necessary.

6. Items to be discussed at the next meeting

- a. SPL Regulations and Commencement Date
- b. SPL Law
- c. Public Education/Awareness Campaign (for the SPL/Regs)
- d. Ministerial Code of Conduct
- e. Procurement

7. Next meeting

The next meeting date will be agreed via round robin.

8. Adjournment

The meeting was adjourned at 4:38pm.



Rosie Whittaker-Myles

CHAIRMAN

COMMISSION FOR STANDARDS IN PUBLIC LIFE