

Minutes of a meeting of the Parliamentary Select Committee on Elections held in the House of Assembly library on Friday, December 6, 2013 at 12.30pm.

PRESENT

Mr. C. Walton Brown, Jr., JP, MP—Chairperson

Mrs. Jeanne J. Atherden, JP, MP

Mr. Glen C. Smith, JP, MP

Ms. Kim N. Wilson, JP, MP

Ms. Meredith Ebbin—Committee Clerk

APOLOGIES

Ms. Susan E. Jackson, JP, MP

The Chairman called the meeting to order at 12.35pm.

He proposed that the meeting begin with a discussion of the legal opinion. Mrs. Atherden said she was not sure whether members could arrive at a consensus at the meeting, but she was prepared to discuss the opinion.

Mr. Smith said he was unable to comment as he had not had time to review it.

Ms Wilson said she agreed with the opinion.

Mr. Brown said by his reading of the opinion it is beyond doubt that all parliamentary candidates who meet a particular set of circumstances are required to make a declaration of their interest in a Government contract.

There was discussion about the exceptions to the requirement in the 1968 Legislature (Qualification and Disqualification) Act.

The position of Mr. Brown and Ms. Wilson, based on their reading of the opinion, was that the Constitution prevailed and any exceptions must be interpreted narrowly.

Mrs. Atherden said she needed to give further to the exceptions issue and the question of interpreting it narrowly.

Mr. Brown said it was critical for the committee to reach a consensus. Without a consensus it is likely that two reports will have to be written.

All members were in agreement with a recommendation proposed at the public hearings, for an Elections Commission and with the need to make the declaration of interest requirement more explicit on nomination forms.

Ms. Smith proposed that another recommendation should be to make it mandatory for Members of Parliament to disclose their interest in government contracts.

Mr. Brown said he was happy to accept that recommendation, but the remit of the committee was the legal requirement for parliamentary candidates.

It was agreed that discussion would continue at the next meeting in January at a date to be decided.

Mr. Brown said he would begin drafting a report. He also said he would ask the Speaker to extend the February deadline for completion of the final report.

He also said the committee will have to decide at one point to make the legal opinion public.

The Centre for Justice, which commissioned the report, intends to make it public.

The meeting concluded at 1pm.

CONFIRMED THIS

DAY OF

2013

CHAIRPERSON