



**5th MEETING OF 2012
37th MEETING OF
THE CONSTITUTIONAL COMMISSION
21 SEPTEMBER, 2012
COMMISSIONS SECRETARIAT**

PRESENT: Jude Scott Chairman
 Sara Collins Member
 Wil Pineau Member

APOLOGIES: N/A

Secretariat members present:

 Deborah Bodden Manager, Commissions Secretariat
 Michael Ebanks Analyst, Commissions Secretariat

1. Call to order

The Chairman welcomed the members and the meeting was called to order at 10:10am.

2. Confirmation of Previous Minutes

The minutes of 22 June, 2012 were agreed subject to a minor change.

3. Outstanding Business

a. Approval of Updated Version of Policies and Procedures Manual

Members agreed to adopt the revised version of the Policies and Procedures Manual and as such it will now replace the original version on the Commission’s website and Facebook page.

b. Commission’s Remit

A discussion was held amongst the members regarding the remit of the Commission in order to plan its work going forward. Members discussed the phrase “constitutional status and development” as stated in the Constitution regarding the Commission’s remit and agreed that “development” relates to high level enhancements as opposed to administrative and minor amendments to the Constitution. Members discussed whether there is a need for the Commission to seek legal advice on the matter but agreed that it is not necessary at this time. The members further agreed that the work of the Commission falls into two broad categories, namely, public education and advice to the Government on constitutional matters. The Commission discussed the parameters around promoting understanding of the

Constitution to the general public versus providing advice to Government. Going forward, the Commission would like to enhance its relationship with senior management of the Government and encourage them to seek advice from the Commission, when needed, on Constitutional matters.

It was noted, however, that at this stage it is unclear as to the frequency in which the Government encounters instances in which advice on constitutional matters has been necessary, and if advice has been taken on such matters, from which body such advice is typically sought.

c. Status Update on Current Projects

- i. The updated Informational Brochure was approved and will now be published on the Commission's website, displayed in the Secretariat's Offices and distributed in public places to encourage awareness of the Commission.
- ii. The Educational Booklets – "You and Your Constitution" – will be reviewed by the Legal member of the Commission (Sara Collins) and once approved by the Commission as a whole, will be sent to Government Information Services (GIS) for editing. It is hoped that these will be released during Constitution Week 2013.
- iii. The Directory of Government, Portfolios, Ministries, Departments, Board, Committees, and Statutory Authorities – "You and Your Government" – will be forwarded to the Deputy Governor's Office. The Commission will request a presence at a Chief Officer's Meeting to provide background on the paper and to encourage its editing and use. The Commission will hand over for ownership of the document to the Deputy Governor.
- iv. The research supporting the Standing Orders Paper 1 has been completed. The Commission will forward this document to the Deputy Governor, in his capacity as Chairman of the Standing Orders Committee, to share the findings of the Commission in relation to the necessary changes required to align the Standing Orders Law with the 2009 Constitution.
- v. Research supporting the Standing Orders Paper 2 has been completed. However, this project has been put on hold in order that a determination can be made as to whom the paper's ownership would be best suited.
- vi. Research supporting the Crown Land Paper has been completed. However, this project has been put on hold in order that a determination can be made as to whom the paper's ownership would be best suited.
- vii. The Self-Determination Paper will be reviewed by all members and a decision will be taken regarding editing and ownership at a future meeting.

4. New Business

There was no new business discussed.

5. Any other Business

The Commission received a briefing by the Data Protection Working Group Chairman and Deputy Chairman in relation to the fundamentals of the Data Protection Bill.

6. Action List

Members were tasked with the following –

- a. Review the *You and Your Constitution* document in order to provide feedback at the next meeting (Member Sara Collins); and
- b. Review the Self-Determination paper (all members).

The Secretariat was tasked with the following –

- a. Upload the amended Policies and Procedures Manual to the Commission's website and Facebook page;
- b. Distribute and upload the Informational Brochure to the Commission's website and Facebook page;
- c. Draft a letter for the Chairman to the Deputy Governor regarding 3(c)(iii) above; and
- d. Draft a letter for the Chairman to the Deputy Governor regarding 3(c)(iv) above.

7. Items to be Discussed at the Next Meeting

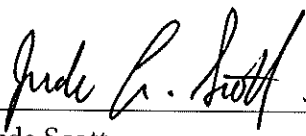
- a. You and Your Constitution document
- b. Meetings with the Deputy Governor

8. Next Meeting

The next meeting is scheduled for 19 October, 2012 in the Commissions Secretariat's conference room at 10:00am.

9. Adjournment

The meeting was adjourned at 12:35 pm.



Jude Scott
CHAIRMAN
CONSTITUTIONAL COMMISSION