

**3. Council of Ministers (Amendment) Bill 2019 –  
First Reading approved**

HM Attorney General to move:

*That the Council of Ministers (Amendment) Bill 2019 be read a first time.*

**The President:** Item 3, Council of Ministers (Amendment) Bill, First Reading. I call on the learned Attorney General.

**The Attorney General:** Thank you, Mr President.

I am moving the Council of Ministers (Amendment) Bill in this Chamber as the Crown's Principal Law Officer on the Island and on behalf of the Council of Ministers, because its significance in terms of the fundamental principles of the supremacy of the Rule of Law and the independence of our judiciary should not be underestimated. Although these principles have been unwritten, they have been followed and accepted by all, by convention, as if they had had the force of law. This convention has served us well. However, times are changing and in many cases conventions are being replaced by statute law, both here and on the adjacent island.

Hon. Members will know, for example, that the principles set out in many of the Articles of the European Convention on Human Rights expressly require important matters to be set out in, or prescribed by, law. The Bill also provides assurance to the judiciary that its independence is so important that the duty on the Council of Ministers to uphold and support that independence should be stated in law.

Responsibility for ensuring the Rule of Law and the independence of the judiciary may not currently be set out in law, but it does not mean that no-one is responsible. In fact, responsibility currently lies with His Excellency on behalf of the Crown. This Bill will place a responsibility on our own Council of Ministers. This is important because it is another step along the road of the Island taking fuller and greater responsibility for its own affairs and represents a further constitutional development on the part of the Island. This Bill also speaks to the international community and says that we are a mature and responsible jurisdiction that is taking responsibility for more and more aspects of our own good governance.

Mr President, the Bill has three clauses: clause 3 contains the detail as it inserts new sections 6A and 6B into the Council of Ministers Act 1990. I will go into more detail about those two new sections during the clauses stage of the Bill.

Mr President, Hon. Members, I have outlined the purpose and context of the Bill and now beg to move that the Council of Ministers (Amendment) Bill 2019 be read for the first time.

**The President:** Miss August-Hanson.

**Miss August-Hanson:** Thank you, Mr President.

I second, and I would also cite the level of importance of this piece of legislation in separating powers between the judiciary and Government. And what I will say is that the principle itself of judicial independence is one of the core values of any justice system.

Thank you, Mr President.

**The President:** Does any other Member wish to speak?

In that case, I put the question that the Council of Ministers (Amendment) Bill be read for the first time. Those in favour, say aye; against, no. The ayes have it. The ayes have it.

Hon. Members, that brings us to the end of the Order Paper. Our next sitting will take place on Tuesday 7th May. I take the opportunity to wish Hon. Members a happy Easter recess.

*The Council adjourned at 11.56 a.m.*