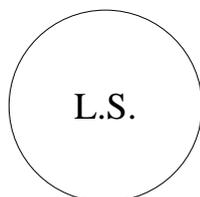


ISLAND GOVERNMENT (ASCENSION) ORDINANCE, 2008

ISLAND COUNCIL (PROCEDURE) RULES 2020

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ASCENSION



ISLAND GOVERNMENT (ASCENSION) ORDINANCE, 2008

ISLAND COUNCIL (PROCEDURE) RULES 2020

In exercise of the powers conferred by sections 12 and 16 of the Island Government (Ascension) Ordinance, 2008, the Governor makes the following Rules:

Citation

1. These Rules may be cited as the Island Council (Procedure) Rules, 2020.

Interpretation

2. In these Rules—

“**Chair**” means the Governor, unless the Governor is absent or otherwise unable to preside, in which case it means the Administrator;

“**Clerk**” means the person from time to time performing the duties of clerk to the Council;

“**Elected Member**” means a member of the Council duly elected in accordance with the provisions of the Ordinance (as opposed to *ex officio* members);

“**FCO Desk Officer**” means a UK Government official at the Foreign and Commonwealth Office from time to time fulfilling the role of desk officer with responsibility for Ascension Island;

“**official e-mail address**” means an e-mail address provided to each Elected Member by the Government, during the currency of their tenure, for the purposes of sending and receiving electronic correspondence concerning proceedings of the Council and for related purposes.

Meetings

3. (1) The written notice of the date, time and place of each Council meeting sent to every member by, or on authority of, the Governor not less than three working days before the meeting in accordance with section 12(1) of the Ordinance, must also be displayed, where possible, on public notice boards (in addition to the official notice board) and published in the *Islander* newspaper.

- (2) Save in exceptional circumstances, the written notice to members must be accompanied by the agenda referred to in rule 5.

(3) In accordance with section 12(1) of the Ordinance, in the case where the Governor considers a meeting to be of urgency, the period of notice in rule 3(1) may be reduced or dispensed with.

Elected Members may requisition meeting

4. (1) If the Governor receives a request for a meeting from Elected Members in accordance with section 12(2A) of the Ordinance, the Governor must, without undue delay, summon the Council to meet by notice referred to in rule 3.

(2) A request by Elected Members to summon a meeting in accordance with section 12(2A) of the Ordinance must be made in writing signed by the Elected Members and may be made by a series of written requests, each signed by one or more Elected Members or by e-mail or a series of e-mails from the official e-mail addresses of the Elected Members so requesting the meeting.

(3) At a meeting of the Council summoned under this rule, no business is to be considered other than that stated in the request for it to be held.

Agenda

5. (1) Save in exceptional circumstances, the Chair must decide the agenda for each meeting and a copy of the agenda must be sent to each member together with the notice of the meeting.

(2) Where an agenda is provided, each substantive agenda item must be supported by a concise memorandum identifying the subject matter and the issues for consideration by the Council (unless the Chair dispenses with this requirement).

(3) Each item on the agenda will either be for decision or for information, and the accompanying memorandum must make this clear, and where a decision is sought, the memorandum must contain a clear recommendation which is amenable to being decided by a vote.

(4) All such memoranda (together with any other papers referred to in the memoranda) must be circulated to members either with the agenda or, in any event, not later than two working days before the meeting.

(5) If the Chair considers that there is a matter on the agenda that could be of importance or interest (whether internationally or locally) to either the United States Air Force or the Royal Air Force based on Ascension, this must be brought to the attention of the FCO Desk Officer not later than the date on which the agenda is circulated to members.

(6) An item may be withdrawn from the agenda at the discretion of the Chair either before the relevant meeting has started, or as a matter arising at the start of that meeting.

(7) No business other than that shown on the agenda is to be brought before a meeting, unless the Chair considers it of such urgency as would justify convening a meeting at short notice

pursuant to section 12 of the Ordinance. No decisions may be made about an item raised under Any Other Business until a memorandum has been prepared and members have had the opportunity properly to consider it.

Confidentiality

6. (1) If the Chair directs or the Council resolves under section 12(7) of the Ordinance that the public should be excluded from all or part of an otherwise public meeting on the ground that the subject matter of the business to which it relates is such that it ought to be considered confidential, that direction or resolution and the content of the confidential business must be recorded in the Minute of the meeting.

(2) The Minute under paragraph (1) must not be published and an edited version, which includes the fact of the direction or resolution but excluding the content of the confidential business, may be published instead.

Persons who may attend Council meeting

7. The Chair may invite any person to attend a meeting of the Council (either generally, or for a specific item of business) even if the person is not a member of the Council, if in the opinion of the Chair the presence of that person is desirable. A person attending in this capacity may speak at that meeting but may not vote.

Quorum

8. The Chair is responsible for ensuring that the Council remains quorate in accordance with section 12(4) of the Ordinance (i.e. that the number of Elected Members present and voting is no less than half of the total Elected Members); and if the Council becomes inquorate then the Chair must adjourn the meeting.

Conflicts of interest

9. (1) If a member has any financial or other interest, direct or indirect, in any matter under consideration by the Council, the member must disclose the fact as soon as such business is entered upon.

(2) If it is apparent to a member in advance of a meeting that he or she will be required to make a declaration of interest in relation to any item of business, the member must inform the Chair as soon as it is reasonably practicable to do so.

(3) When a declaration of interest has been made by a member of the Council, the Chair (acting in his or her discretion) may—

- (a) require a member who has made the disclosure to withdraw from the meeting while the item of business is discussed;
- (b) order that the member be allowed to remain but may neither participate in the discussion nor vote; or
- (c) order that the member be allowed to remain and participate in the discussion but may not vote;

- (d) declare that the interest disclosed is not one which materially affects the ability of the member to participate objectively in the determination of the item of business (in which case, the member may vote on the issue).

(4) An Elected Member who has made a disclosure of interest must not be counted as part of the quorum, unless the Chair makes a declaration as outlined in paragraph(3)(d), and if the meeting thereby becomes inquorate, the item of business must stand adjourned to the next meeting of the Council.

(5) This rule applies notwithstanding that the member may have given notice of the interest previously, including by completing a register or other record to that effect.

Voting

10. The Chair is responsible for ensuring that votes are cast in accordance with section 13 of the Ordinance, either by a show of hands, or where one or more members attends via telephone or similar means, each member must state audibly whether he or she votes for or against the motion or abstains from voting.

Minutes

11. (1) Within seven working days of each meeting, the Chair must prepare (or cause to be prepared by the Clerk) a draft Minute of the meeting and send a copy of it to each member.

(2) If any member wishes to provide a suggested correction to a draft Minute, he or she must give notice of it to the Chair (or the Clerk on behalf of the Chair) by no later than 4.00 p.m. on the third working day after the circulation of the draft; if no such notices are received by the Chair (or by the Clerk on behalf of the Chair), or if the matters raised in such notice or notices are subsequently resolved through correspondence to the satisfaction of all members, then the draft Minute will be taken to be approved as a true record of the meeting.

(3) Whether or not a notice as outlined in paragraph (2) is received within the prescribed timescale, the Chair must cause the draft Minute to be placed on the agenda for the next meeting of the Council either for information if it has been approved, or for approval if it has not been possible for it to be approved in advance of the meeting (and, if necessary, calling an extra meeting for that purpose).

(4) When the draft Minute has been approved by the Council (with or without amendment), the Chair must sign the approved Minute (including by electronic means) certifying it to be a true record of the meeting.

(5) Paragraph (3) does not apply to the draft Minute of the final Council meeting before dissolution in accordance with section 22 of the Ordinance.

(6) No objection is to be allowed as to the accuracy of a Minute after it has been certified as a true record.

(7) Subject to the requirements of confidentiality under rule 6, an agreed summary of the meeting, as may be prepared, may be circulated to the general public and be published in the Islander newspaper and / or electronically.

Use of e-mail

12. (1) Notices and documents relating to Council business may be sent to and by Elected Members by e-mail using their official e-mail address.

(2) This rule does not prevent correspondence from being sent by means other than e-mail.

Made this 21st day of February 2020.

Philip Rushbrook
Governor of Ascension

EXPLANATORY NOTE

(This note does not form part of the Regulations)

These Rules of Procedure regulate the calling of meetings and the conduct of the business and proceedings of the Island Council.