

GOVERNMENT  
COMMISSIONER &  
ISLAND COUNCIL

ISLAND COUNCIL APPOINTS ISLAND EXECUTIVE  
VARIOUS AUTHORITIES IN THESE PHASES

PHASE 1

1. ELECTORAL REGISTER READY
2. REORGANISATION OF CIVIL SERVICE
3. PROCEDURES AND WORKING INSTRUCTIONS FOR CIVIL ORGANISATION AND REGISTRY READY
4. AUDIT OFFICE SET UP
5. TRAINING PROGRAMME FOR POTENTIAL POLITICIANS SET UP

PHASE 2.0

1. PROCEDURES AND WORKING INSTRUCTIONS FOR GOVERNING COUNCIL COMPLETED
2. REGULATIONS ENACTED AND IN FORCE
3. A) REGISTRATION OF PERMITS / EXEMPTIONS  
B) SUBSIDIES  
C) LAND REGISTRY IN ORDER
4. SUPERVISION AND ENFORCEMENT (POLICY AND IMPLEMENTATION)

PHASE 2.1

1. ROUNDING OFF PROFESSIONAL SKILLS TRAINING PROGRAMME PROVIDED TO CIVIL SERVANTS
2. ROUNDING OFF TRAINING PROGRAMME OFFERED TO ISLAND COUNCIL AND ISLAND EXECUTIVE MEMBERS
3. STAFF POLICY IN ORDER AND REGULATIONS REGARDING LEGAL POSITIONS RE-ENACTED

PHASE 2.2

1. DIGITALISATION AND CENTRALISATION OF FINANCIAL PROCESSES
2. PLANNING AND CONTROL CYCLE IN ACCORDANCE WITH BES FINANCES ACT (FINBES)
3. ALL FINANCIAL MANAGEMENT ACTIONS COMPLETED

# UPON COMPLETION OF PHASE 1 – ELECTION OF ISLAND COUNCIL

## **CRITERIA:**

1) ELECTORAL REGISTER READY / 2) REORGANISATION OF CIVIL SERVICE / 3) PROCEDURES AND WORKING INSTRUCTIONS FOR CIVIL ORGANISATION AND REGISTRY READY / 4) AUDIT OFFICE SET UP / 5) TRAINING PROGRAMME FOR POTENTIAL POLITICIANS SET UP

## Authorities of Island Council

1. The right to ask questions and the right of interpellation (WolBES, 159)
2. The Island Council can arrange for the tabling of motions in the Standing Orders (WolBES, 17)
3. The right of amendment (WolBES, 151)
4. The right of initiative (WolBES, 150)
5. Enacting (autonomous and co-policy) regulations (WolBES, 149 and 152), except for regulations under the FinBES Act. The regulations must be approved by the Government Commissioner before being enacted (Restoration Act, 10).

## Limitations of Island Council

1. The right to ask questions and the right of interpellation (WolBES, 159)
2. The Island Council can arrange for the tabling of motions in the Standing Orders (WolBES, 17 )
3. The right of amendment (WolBES, 151 )
4. The right of initiative (WolBES, 150)

## Authorities of Government Commissioner

1. The Government Commissioner continues to act on behalf of the Governing Council and the Governor.
2. The Government Commissioner continues to exert the authorities of the Island Council under the FinBES Act and with respect to the Registry officials (Restoration Act, 7 and 8).
3. All the regulations that the Island Council intends to enact must, prior to actual enactment, be approved by the Government Commissioner (Restoration Act, 10 ).

Note: These authorities and limitations are currently being addressed (Phase 1 has been completed).

## UPON COMPLETION OF PHASE 2.0 – ISLAND COUNCIL APPOINTS ISLAND EXECUTIVE / GOVERNMENT COMMISSIONER AND ISLAND EXECUTIVE FORM GOVERNING COUNCIL

### **CRITERIA SATISFIED:**

1) PROCEDURES AND WORKING INSTRUCTIONS FOR GOVERNING COUNCIL COMPLETED/ 2) REGULATIONS ENACTED AND IN FORCE / 3A) REGISTRATION OF PERMITS / EXEMPTIONS / 3B) SUBSIDIES / 3C) LAND REGISTRY IN ORDER / 4) SUPERVISION AND ENFORCEMENT (POLICY AND IMPLEMENTATION)

Note: These authorities and limitations will apply once the criteria pertaining to Phase 2.0 have been met. At such time, Phase 2.0 will commence.

### Authorities of Governing Council

1. All the autonomous and co-policy tasks of the Governing Council.
2. Authorities regarding supervision of compliance with legislation and regulations, and enforcement thereof.
3. The Governing Council appoints an Island Secretary. This decision requires approval from the Government Commissioner.

### Limitations of Governing Council / Island Council

1. Duties / authorities by virtue of the FinBES Act.
2. Duties / authorities vis-à-vis the civil organisation, including decisions relating to legal positions (appointment, suspension, and dismissal).

### Authorities of Government Commissioner

1. The Government Commissioner continues to act on behalf of the Governor.
2. The Government Commissioner continues to exert the authorities of the Island Council and the Governing Council under the FinBES Act with respect to the civil organisation, including the Registry (Restoration Act, 7 and 8).
3. The Government Commissioner is responsible for the regular approval of Island Council regulations, in lieu of the Government Representative.
4. All the decisions of the Governing Council require approval from the Government Commissioner (Restoration Act, 13 and 10 (new)). This is supplementary to regular repressive supervision of the Island Council and the Governing Council by virtue of the WoIBES Act.

## PHASE 2.1 – GOVERNMENT COMMISSIONER AND ISLAND EXECUTIVE FORM GOVERNING COUNCIL

### CRITERIA SATISFIED:

1) PROFESSIONAL SKILLS TRAINING PROGRAMME FOR CIVIL SERVANTS ROUNDED OFF / 2) TRAINING PROGRAMME OFFERED TO ISLAND COUNCIL AND ISLAND EXECUTIVE MEMBERS ROUNDED OFF / 3) STAFF POLICY IN ORDER AND REGULATIONS REGARDING LEGAL POSITIONS RE-ENACTED

Note: These authorities and limitations will apply once the criteria pertaining to Phase 2.1 have been met. At such time, Phase 2.1 will commence.

### Authorities of Governing Council / Island Council

1. The duties/authorities of the Island Council and the Governing Council vis-à-vis the civil organisation, including the Registry, inclusive of taking decisions on legal positions (appointment, suspension, and dismissal of civil servants) (Restoration Act, 14).

### Limitations of Governing Council / Island Council

1. The duties/authorities under the FinBES Act.

### Authorities of Government Commissioner

1. The Government Commissioner is responsible for the regular approval of personnel decisions, in lieu of the Government Representative (Restoration Act, 13 and 10 (new)).

## PHASE 2.2 – GOVERNMENT COMMISSIONER AND ISLAND EXECUTIVE FORM GOVERNING COUNCIL

### CRITERIA SATISFIED:

1) DIGITALISATION AND CENTRALISATION OF FINANCIAL PROCESSES / 2) PLANNING AND CONTROL CYCLE IN ACCORDANCE WITH BES FINANCES ACT (FINBES) / 3) ALL FINANCIAL MANAGEMENT ACTIONS COMPLETED

### Authorities of Governing Council / Island Council

1. The duties/authorities of the Island Council and the Governing Council by virtue of the FinBES Act (Restoration Act, 15).

### Authorities of Government Commissioner

1. The Government Commissioner is responsible for the regular approval of all decisions under the FinBES Act, in lieu of the Government Representative. This extends to all the decisions of the Governing Council (see Phase 2.0), including those of a financial nature, and decisions by the Island Council pertaining to regulations of a financial nature.

Note: These authorities and limitations will apply once the criteria pertaining to Phase 2.2 have been met. At such time, Phase 2.2 will commence.

## PHASE 3.0 – RESTORATION OF THE POSITION OF GOVERNOR

Note: These authorities and limitations will apply following completion of Phase 2.2. At such time, Phase 3.0 will commence.

### Authorities of Governing Council / Island Council

1. All regular administrative relations as outlined in the WoIBES and FinBES Acts.
2. The Island Council and the Governing Council perform all their duties and authorities in a regular manner in accordance with the WoIBES Act and the FinBES Act.
3. The procedure for the appointment of a Governor is launched (WoIBES, 73).

### Authorities of Government Commissioner

## PHASE 3.1 – THE DAY THAT THE GOVERNOR IS APPOINTED

### RESTORATION:

#### GOVERNOR

The duties/authorities of the Governor.

#### GOVERNMENT REPRESENTATIVE

The duties/authorities of the Government Representative.

#### ADDITIONAL SUPPLEMENT

1. Supplementary to the statutory regular supervision exercised by the Government Representative, he may also provide advice regarding administrative relations and mediate if such relations are (or threaten to be) disrupted.
2. He may examine (meeting) documents of the Island Council and the Governing Council, and attend the meetings held by these two bodies (Restoration Act, 16 and 12 (new)).

#### GOVERNMENT COMMISSIONER

His appointment is terminated; he no longer has duties and authorities.

## PHASE 4.0 – ADMINISTRATIVE SITUATION HAS NORMALISED

### GOVERNOR

The duties/authorities of the Governor.

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### GOVERNMENT REPRESENTATIVE

The duties/authorities of the Government Representative.

SITUATION NORMALISED AS OUTLINED IN THE FINBES AND WOLBES ACTS