

Access to Public Information Response

February 13th 2017

REQUEST UNDER THE CODE OF PRACTICE FOR ACCESS TO PUBLIC INFORMATION

Request sent on February 13th 2017:

I have a few questions concerning elections in Guernsey:

1. Could you please tell me whether or not a candidate seeking to be elected to the States of Guernsey, by way of a general election or a by-election, are required to provide the Guernsey Government with the names, addresses and signatures of a certain number of electors who are qualified to vote in the electoral district where the candidate intends to run and who consent to the candidacy in question?
2. Could you please tell me if elections to the States of Guernsey are decided by the first past the post electoral system (as is currently the case with respect to the United Kingdom House of Commons) in all electoral districts represented in the States of Guernsey or is a ranked ballot used instead?
3. As members of the States of Guernsey are currently elected on a strictly non-partisan basis, could you please tell me which specific piece of legislation passed by the States of Guernsey formally prohibits political parties from being allowed to contest elections for the States of Guernsey?
4. Could you please tell me how many candidates on average typically contest an electoral district represented in the States of Guernsey during both a general election and a by-election?
5. As the Government of Guernsey is directly appointed by the non-partisan States of Guernsey, without reference to political parties to form a government, could you please tell me if a general election is automatically triggered in Guernsey, if and when, the Government of Guernsey loses the confidence of a majority of the members of the States of Guernsey, as is the case with all partisan Westminster-style cabinets and their respective legislatures?
6. Could you please tell me if there are currently any term limits applied to elected members of the States of Guernsey?

7. Could you please tell me if the Government of Guernsey along with both its appointment by the non-partisan States of Guernsey and its subsequent relationship with this legislature could accurately be described as a "consensus government" based on the following definition of this term?

https://en.wikipedia.org/wiki/Consensus_government_in_Canada

States of Guernsey response sent 14th February 2017:

1. No. A candidate in an election in Guernsey for the office of People's Deputy must be proposed and seconded by two people whose names are inscribed on the part of the Electoral Roll for the electoral district in which the candidate is standing. Beyond that no other support is necessary in order to stand.
2. Elections to the office of People's Deputy in the States of Deliberation are first past the post, or rather the first five or six (depending on the electoral district) past the post. That is, all the electoral districts are multiple Member seats. All voters can use up to as many votes as there are seats available, one vote per candidate. All the votes count equally. Those who poll the top five or six highest number of votes are elected.
3. There is no legislative ban on political parties. However, the provisions of the Reform (Guernsey) Law, 1948, as amended (which govern much of the conduct of elections) could make it difficult to stand on a partisan basis because of the restrictions on a candidate's election expenses. No candidate has chosen to stand on a partisan basis for many years. In the past, on a few occasions, candidates did stand representing a local party.
4. As of May, 2016 there are 38 People's Deputies in the States of Deliberation, representing seven electoral districts. At the last election, 81 candidates stood. In 2012, when there were 45 Deputies, the number who stood was 78. At the last two by-elections, three and four candidates stood.
5. The Members also include two representatives of the neighbouring island of Alderney, which forms part of the Bailiwick of Guernsey. They represent the interests of that island in the States of Deliberation to reflect the fact that the States have tax-raising, legislative and various other powers in respect of Alderney.
6. To a large extent all 40 Members are part of the government of Guernsey as many decisions are taken in plenary session of the States. Other decisions are devolved to a number of Committees. Most Members have seats on at least one Committee. The States of Guernsey have fixed terms, set out in the Reform Law, with a General Election held every four years. The next one will be in June, 2020. (see also answer 7)
7. There are no term limits on Members holding office.
8. I do not know the system which operates in the Canadian provinces other than what I have read at that link but can say this about the system in Guernsey. It is usually

described by Members and others as a consensus form of government and even Committee Presidents do not have the executive powers which they might in other systems.

The President of the Policy & Resources Committee, which is the senior Committee of the States, is elected by all the Members. The other four members of that Committee are also elected by the full States. The Members also elect the Presidents and all the members of all the other Committees. With the exception of some Committees which can appoint members who are not States Members also to sit on their Committees, all Committee positions are held by the Members themselves. If Members lose confidence in the performance of a particular Committee then seven Members can bring a Motion of No Confidence in the Committee for consideration by the States. If successful, that results in the removal of all five members of that Committee from their posts and the election of new members.

The mandates of the individual Committees are determined by the States as a whole.