

**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 25th DAY OF APRIL, 2019**

**The States resolved as follows concerning Billet d'État No VII
dated 29th March, 2019**

STATES' ASSEMBLY & CONSTITUTION COMMITTEE

GENERAL ELECTION 2020
P.2019/22

II: After consideration of the policy letter entitled "General Election 2020" dated 7th March 2019:-

1. That a General Election of People's Deputies be held on Wednesday, 17th June 2020.
2. That *the Reform (Guernsey) Law, 1948*, be further amended to provide that with effect from the General Election to be held in June 2020 there shall be one island-wide electoral district to elect 38 Deputies for a four-year term and that each voter would have up to 38 votes at each election.
3. To agree the following proposals with effect from the June 2020 General Election:
 - (a) For the purposes of entitlement to be inscribed on the Electoral Roll, the phrase "ordinarily resident" should be defined. A person should be treated as being ordinarily resident during any period only if they were living lawfully in Guernsey and had their home in Guernsey throughout that period.
 - (b) Individuals with no fixed or permanent address should be able to register on the Electoral Roll.
 - (c) A person should be able to apply to the Registrar-General of Electors for their name and address to be omitted from the Electoral Roll available for public inspection. Such application shall be made in such form and manner and accompanied by such information, documents and other material as the Registrar-General of Electors may require.
 - (d) The right to make rules relating to the publication, inspection and availability of the Electoral Roll should be transferred from the States' Assembly & Constitution Committee to the Committee *for* Home Affairs.
 - (e) References to 'Christian names' should be changed to 'forenames' in the legislation and in relevant documents.
 - (f) The Registrar-General of Electors should in relevant circumstances be able to request proof of the date of birth of Islanders wishing to be registered on the

Electoral Roll. A failure unreasonably to provide proof of age following a request shall entitle the Registrar-General to refuse to inscribe an elector on the Roll.

- (g) The Registrar-General of Electors should have the power to remove a person's name from the Electoral Roll where satisfied, on the basis of evidence available to them, that the person is no longer resident or is deceased.
- (h) The Registrar-General of Electors should have the ability to create a Supplementary Register and Supplementary Electoral Roll.
- (i) Existing provisions should be amended to enable the Registrar-General of Electors to provide to each polling station a mechanism or facility through which the details of those Islanders casting their vote can be recorded, and which can subsequently be used to identify any instances of double voting.
- (j) The *Loi Relative au Scrutin Secret, 1899*, as amended should be repealed and replaced by appropriate, equivalent provisions in the Reform Law.
- (k) The full age to be eligible to stand for election as a People's Deputy should be reduced to 18 years old and the Law Reform (Age of Majority and Guardianship of Minors) (Guernsey) Law, 1978 amended accordingly.
- (l) Candidates should be required to be inscribed on the Electoral Roll to be eligible to stand for election as a People's Deputy.
- (m) Nomination of a candidate for office as a People's Deputy should be made in such form and during such period and subject to such conditions as the Presiding Officer prescribes and that the nomination period should commence and end as determined by the Presiding Officer further to a recommendation from the States' Assembly & Constitution Committee.
- (n) The regulated period should commence from the start of the nomination period and end on the day of the election.
- (o) The definition of political parties should be based upon the criteria set out by the Venice Commission.
- (p) A registration process based upon paragraphs 10.6 to 10.12 should be created for political parties who wish to endorse one or more of their members for candidacy in the 2020 General Election.
- (q) Expenditure limits for candidates who are members of political parties and political parties should be set by Ordinance to allow for developments over time for this new process and the *Reform (Guernsey) Law, 1948* should be amended to include power enabling the States to make such an Ordinance.

- (q)(a) To direct the States' Assembly & Constitution Committee - as part of its next policy letter - to propose a maximum expenditure limit for political parties in elections which:
- is made available by virtue of party-affiliated candidates assigning a proportion of their own allowance to their party; and
 - does not exceed the expenditure limit available to a candidate.

- (r) The rules relating to donations/loans to candidates and parties should be based upon the recommendations in paragraphs 10.23 - 33.

In accordance with Article 3.(4) of The Reform (Guernsey) Law, 1948, as amended, whilst a majority of Members supported this proposition, it will not be deemed to be carried before the expiration of seven days from 25th April, 2019 (provided that no application is made to the Presiding Officer from at least seven members of the States of Deliberation to bring the resolution back to the States).

- (s) The rules relating to postal votes should be amended to enable:
- (i) a person to also return their vote to a polling station; and
 - (ii) the Registrar-General to re-issue or cancel postal ballot packs in specific circumstances.
- (t) Every eligible voter should be entitled to vote at an advance polling station and the relevant arrangements should be introduced in line with paragraphs 11.15 - 22.
- (u) The Committee should be able to make regulations, in consultation with the Registrar-General, regarding the dates and times at which polling stations must be open for advance voting and on Election Day.
- (v) The Registrar-General of Electors, rather than the Constables of a Parish, should provide for the establishment of polling stations (further to consultation with the Constables of the Parishes concerned) and any such additional polling stations as they may deem convenient to the voter.
- (w) The structure overseeing the administration of elections should be amended to enable the appointment of a Returning Officer for the Island and the appointment of polling station Officers as set out in paragraphs 13.23 to 13.30.
- (x) Relevant arrangements should be put in place to enable an electronic vote count and a manual vote count, if required.
- (y) Following a recount (or if no eligible candidate requests a recount within the permitted period) a tied election should be broken by drawing lots using a method decided by the Returning Officer.
- (z) TO NEGATIVE THAT a by-election should be triggered when the casual vacancies

in the office of Deputy reaches two vacancies.

- (aa) Arrangements should put in place to enable international observers to be invited to participate in an election observation exercise.
 - (bb) The dates of the July 2020 States' Meetings should be as set out in column two of the table (subject to substitution of the contents of the seventh row, entitled "Election of Departments/Committees, with "13.07.20 (+6 days))" and subject to substitution of the contents of the eight row, entitled "First States Meeting of new term (b)", with "22.07.20 (+9 days)") under Section 17 and that a 'special meeting' is scheduled on Tuesday 21st July to debate 'The States of Guernsey Accounts 2019'.
4. To direct the preparation of such legislation as may be necessary to give effect to the above decisions.

COMMITTEE FOR HOME AFFAIRS

PREPARATION FOR A NEW ELECTORAL ROLL P.2019/21

III: After consideration of the Policy Letter dated 11th March 2019 of the Committee *for* Home Affairs:-

1. To approve the compilation of a new Electoral Roll for the 2020 General Election of People's Deputies.
2. To direct the drafting of legislation to provide for:
 - (i) the creation of the new Electoral Roll in Proposition 1;
 - (ii) the validity of the current Electoral Roll to cease at 23:59 hours on 30th November 2019; and
 - (iii) the closure of the new Electoral Roll between 30th April 2020 and the date of the Election.
3. To direct the Policy & Resources Committee to use its delegated authority to transfer funding of a maximum of £236,000 from the Budget Reserve to the 2019 revenue expenditure budget for the Committee *for* Home Affairs to fund the 2019 costs associated with compiling the new Electoral Roll and managing the election process.
4. To direct the Policy & Resources Committee to recommend a 2020 Cash Limit for the Committee *for* Home Affairs that includes a specific additional allowance of £144,000, to fund the 2020 costs associated with compiling the new Electoral Roll and managing the election process.

5. To direct the Policy & Resources Committee when delivering Phase 2 of the Rolling Electronic Census Project (as approved by the States on 26th March 2013¹) to ensure that:
- (i) there is included in its functionality, the capacity for automated generation of a list of persons eligible to vote; and
 - (ii) any relevant legislation is submitted to the States for approval,
- in accordance with a time-scale which will enable use of the capacity for automated generation of such a list for the purposes of the 2024 general election and all elections thereafter.
6. To direct the Committee *for* Home Affairs to take such measures as may be necessary to enable elections to take place on the basis of an Electoral Roll compiled from an automatically generated list of persons eligible to vote, as soon as possible following delivery of Phase 2 of the Rolling Electronic Census Project in accordance with Proposition 5.

S. M. D. ROSS

HER MAJESTY'S GREFFIER