

General Election 2020

Guidance on the changes to the General Election rules

July 2019

Guernsey is changing the way it chooses its government - the States of Deliberation - from June 2020.

This guidance note sets out the decisions of the States so far and what is happening next. It will be updated as preparations progress in 2019 and 2020.



States' Assembly &
Constitution Committee

Introduction

Guernsey is changing the way it chooses its government (the States of Deliberation) in 2020. There will be one Island-wide vote for all 38 Deputies on **Wednesday 17 June 2020**. The States' Assembly & Constitution Committee (known as 'SACC') is responsible for making sure this happens. There's a lot of work to do before the election, and SACC is working on it in phases.

We have completed our first phase of work which looked at the changes that need to be made to Guernsey's election law – the Reform (Guernsey) Law, 1948. The States debated the 'General Election 2020' report at its April meeting. You can read this report and what the States decided on the States of Guernsey website by clicking here: [General Election 2020](#).

This document explains the main changes that were agreed by the States. We are now working to prepare for the revised Law to be brought to the States for agreement later this year. We are also looking at other initiatives to enable the election to be held. Read through, or click on the questions on the following page, to find out more.

IMPORTANT: While the States agreed the changes that need to be made to the election law, they will not take effect until the States has approved the draft legislation and it receives Royal Assent.



Questions and Answers

Introduction	1
Questions and Answers	2
What's happening?	3
Why are we changing the way we choose our Deputies?	3
Why does this matter to me?	4
What's actually going to change?	5
When will the election happen?	6
Will I be allowed to vote?	7
How can I sign up to the Electoral Roll?	8
Who will have access to my information on the Electoral Roll?	8
How can I vote?	9
Will I be able to vote online?	10
How will I know where to vote?	10
How will I choose who I want to vote for?	11
Will anyone know how I've voted?	11
Can I stand to be a Deputy?	12
How do I put my name forward as a candidate?	12
Can I give money or help to someone I want to vote for?	13
What are candidates and parties allowed to spend?	14
Can candidates spend money before the election period starts?	15
Can candidates accept donations?	15
Will political parties be allowed?	16
What happens at the end of the election?	17
What if there is a tie or the result is really close for the final seat(s)?	18
How will you make sure the election is fair to everyone?	19
How much will it cost?	20
Is everything in place yet to allow this to happen?	20
How can I have my say?	21

What's happening?

In Guernsey, we choose our government (the States of Deliberation) every four years, in a General Election.

There are 38 Deputies in the States of Deliberation, plus two representatives from Alderney. In **June 2020**, everyone who wants to be a Deputy will ask people from across the whole Island to vote for them.

People who want to be Deputies put their names forward and ask people to vote for them. Every voter will be able to choose up to 38 people to represent them in the States. The 38 people with the most votes will get elected, which means that they become the Members of the States of Deliberation for the next four years.

This is a big change from previous years, when Guernsey has been divided up into districts, and you've been able to vote for only 5 or 6 people, depending on what parish you live in. It will be the first time Guernsey has had full Island-wide voting for all Deputies.

Why are we changing the way we choose our Deputies?

In October 2018, there was a referendum on Guernsey's voting system. Voters in Guernsey were asked to decide how they'd like to choose their Deputies in the future. There were five different options and the most popular option was a single, Island-wide vote for all 38 Deputies on one day. So the States promised to make this happen before our next General Election, which will be on **Wednesday 17th June 2020**.

Why does this matter to me?

- **You have the right to vote** if you are eligible to be on the Electoral Roll (learn more about this on page 7) and choose the people you want to be Deputies in the States of Deliberation for the next four years. Deputies make lots of important decisions about the future of Guernsey, which will affect us all. Your vote counts, so it's important that you know how to use it.
- **You have the right to stand for Deputy** and represent people in the States of Deliberation – so long as you're old enough, and you meet some other basic requirements, which are set out on page 12. It's important that you understand how the General Election will work, so you can decide if this is something you want to do.
- **There will be changes to how things are done in 2020:** even if you've voted in General Elections before, some things will be new to you, because an Island-wide vote requires some practical changes from what we've done in the past. It is intended to introduce more ways to make it easier to vote, including the introduction of advance polling stations (which are explained on page 9).

It's important that we explain these now, so that people know what to expect on Election Day.



What's actually going to change?

We need to change the law relating to elections for People's Deputies so that voters can vote for any candidate they want on an Island-wide basis, rather than the district system we have at the moment.

To start this change, the States' Assembly & Constitution Committee submitted a report entitled [General Election 2020](#) which was debated by the States of Deliberation at its April 2019 Meeting.

The States considered a number of recommendations and agreed to change the official rules which support elections (set out in the Reform (Guernsey) Law, 1948). Now the proposals have been approved, the law will be changed.

It is important for us to do this as soon as possible, because it can take a long time to change laws, and the new law will need to be ready before the 2020 election. Our April report (linked above) covered things like:

- the date of the General Election and other important dates;
- who is allowed to vote;
- who can be a Deputy;
- different ways of voting (like postal votes and advance polling stations); and
- rules about political parties.

There are other important questions we need to consider, like: how will voters find out information about all the different people who want to be Deputies? Or, how much specifically can people spend on the election? We are looking at these questions as part of our next policy letter which will be published later this year.

When will the election happen?

June 2020						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

Election Day will take place on **Wednesday 17 June 2020**.

The current States of Deliberation will meet for the last time on **Wednesday 6 May 2020**.

The **Nomination Period** will open for people who want to stand as Deputies (before an election, they're known as "candidates") at 12 noon on **Tuesday 12 May 2020** and will close at 4pm on **Friday 15 May 2020**.

May 2020						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

The **campaign period** – that's the period when candidates promote themselves to voters – will run for five weeks, from Tuesday 12 May, when the Nomination Period starts, until Wednesday 17 June, which is Election Day.

May 2020						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

June 2020						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

There will be opportunities to vote ahead of Election Day. You can vote by post, or you can go to an advance polling station. The advance polling stations will be available in the week before Election Day.

Remember: If you vote by post, or at an advance polling station, you can't vote again on Election Day.

Will I be allowed to vote?

You have to be on the **Electoral Roll** to vote. The Electoral Roll lists the names and addresses of everyone who is registered to vote.

To sign up to the Roll, you must be:

- 15 years of age or older (you won't be able to vote until you're 16); and
- ordinarily resident in Guernsey, and
- have been ordinarily resident in Guernsey for the last two years consecutively or for a total of five years at any time.

When you sign up to the Roll, you will have to give your full name and address. This is so that your identity can be checked when you go to vote. You might also be asked to give your date of birth. This won't be published, but will be used to check if anyone's accidentally signed up twice.

We are changing the rules so that, if you don't have a permanent home address, you will still be able to sign up to the Roll. You will just be asked to give an address you regularly spend time at instead.

What does 'ordinarily resident' mean: there has been some confusion in the past as to what ordinarily resident means. We will define it in the Law to mean that you are lawfully living in Guernsey and your home is in Guernsey.

We put together a new Electoral Roll before every election. This is to make sure that people's details are up-to-date, and people who have moved away or died are no longer on the Roll. This means that, even if you've signed up to vote before, **you must sign up again** if you want to vote in 2020. You will be invited to do so between November 2019 and April 2020.

How can I sign up to the Electoral Roll?

There will be a public campaign asking people to sign up when the new Electoral Roll opens. This is likely to be between November 2019 and April 2020. You must sign up then if you want to vote in 2020.

When the new Electoral Roll opens, you will have several options to sign up. You will be able to:

- register online; or
- complete and return the form that will be sent to your home; or
- complete a form in various public buildings.

There will be much more information available on this later this year.

Who will have access to my information on the Electoral Roll?

The Electoral Roll is available to be viewed in hard copy by the public for a period before the General Election, and copies of the Roll are available to candidates standing for election, who might use it to get in touch with you about the election.

If you don't want your name and address to be included on a public Roll - because you're worried about that information being public (perhaps because of the job you have or because your safety might be at risk if your details are made public) it has been agreed that you can apply to have your name omitted from the public Roll. This will still be used to check your identity when you vote but won't be available to candidates or for public inspection. Additional information will be provided nearer the time on how people can register in this way.

Under Data Protection legislation, you have a right to know what data is being collected about you (like your name and address) and how it will be used. The Committee *for* Home Affairs, who organise the Electoral Roll, will provide a clear explanation of this when registration opens.

How can I vote?

We are trying to make it as easy as possible for people to vote in June 2020. We are looking at a range of different options:

Voting by post:

- Anyone who wants to vote by post will be allowed to do so. You will be able to apply for a postal vote which enables you to vote when it is convenient for you before the day of the General Election or if you are going to be away on Election Day.
- Given the number of votes available, you might find it easier to fill out your ballot paper at home rather than at a polling station.
- We are making some changes to the rules relating to postal voting, so that you will be able to drop your vote back to a polling station on Election Day if you forget to post it back in time. We're also changing the rules so that if your postal vote is damaged beyond repair, you should be able to get a replacement.

Advance polling stations:

- In the week before the election (including a weekend), people would be able to vote at an **advance polling station** where anyone from any parish can vote.

Election Day and Election Day 'eve': Tuesday 16th and Wednesday 17th June:

- It is proposed that all the Parish polling stations are open on Tuesday 16th June and Wednesday 17th June ('Election Day'). On these two days, people will have the option to either vote at a polling station in the Parish that they live in or at a 'super' polling station.

We are thinking about issuing Polling Cards, as a way of helping to check that you're on the Electoral Roll. You'll still be allowed to vote in person if you forget your Polling Card, but we think it may help to speed things up if you've got one. If we decide to do this, we'll provide more information closer to the time.

Further information about how to vote will be published nearer the election.

Will I be able to vote online?

No –it will not be possible for people to vote online in 2020. We are working towards this goal for future elections, if it can be done safely and privately. We will be exploring using technology to help manage the Electoral Roll and to help with the vote count after the election.

How will I know where to vote?

We want to make sure that people are confident that they know where they can vote, so we'll be publishing a lot more information closer to the election in 2020.

At the moment, we are working out the details. We are proposing that on Tuesday 16 June and Wednesday 17 June, 2020 ('Election Eve' and Election Day), anyone who wants to vote in person will have to vote:

- in the polling station in the parish where they live; or
- at a 'super' polling station where people can go to vote wherever they might live.

This is because we think many people will still choose to vote on Election Day itself. To avoid long queues, and to make it easier to check if anyone has voted twice, we think that people will still have to vote close to home.

We are also planning to open a small number of **advance polling stations** in the week before the election. You should be able to vote at any of these, no matter which Parish you live in. You'll be able to choose the one that's most convenient or accessible for you.

How will I choose who I want to vote for?

With a single Island-wide vote for all Deputies, there could be a large number of possible candidates. Every voter will be able to choose up to 38 candidates. You don't have to use all 38 votes, but you can if you want to.

We know that looking at information about so many candidates will present voters with some challenges and that government is going to have to help with this, by providing some central information about all the candidates, in paper and online.

We're also going to have to think about opportunities for meeting candidates face-to-face, too, because it won't be practical for people to knock on every single door in the Island in five weeks.

We're giving this a lot of thought right now, and we are going to include our plans in another report later this year. **We would welcome your feedback** and you can find out how at the end of this document.

Will anyone know how I've voted?

No. One of the most important rules about General Elections is that you need to feel free to vote in absolute privacy, and no one should be able to find out who you voted for.

Can I stand to be a Deputy?

If you want to become a Deputy, you'll need to put your name forward as a candidate for the 2020 General Election when the nomination period opens.

We are changing the rules before 2020 so that anybody who is at least 18 years old will be able to stand as a candidate in the election. In previous elections, you had to be at least 20. We don't think it is right that anyone who is legally an adult should be stopped from standing for election.

There are a couple of other requirements – you must be:

- ordinarily resident in Guernsey on the day you are nominated; and
- have been ordinarily resident in Guernsey for the last two years consecutively or for a total of five years at any time.
- on the Electoral Roll in Guernsey.

If you've been sentenced to imprisonment (whether suspended or not) for a period of at least 6 months, any time in the five years before the election, you won't be allowed to stand as a Deputy.

How do I put my name forward as a candidate?

You will need to fill out the nomination form available from the Bailiff's Chambers or online and get two people who are on the Electoral Roll to formally nominate and second you (by signing the form).

It is intended that the **Nominations Period** (when you need to submit your nomination form) will run from 12 noon on Tuesday 12 May, 2020, until 4pm on Friday 15 May, 2020. You can't put in your form outside of this period. Once the Nominations Period closes, everyone who meets the criteria above who has put their name forward will officially be a candidate to be elected as Deputy.

Can I give money or help to someone I want to vote for?

Yes – but we are introducing rules regarding who candidates and parties can accept money from. We're doing this as it will help the public to understand how candidates and parties are funded.

We will be producing guidance on this later this year and if you are thinking of donating money to a candidate, you should read this guidance.

People who want to be elected as Deputies are only allowed to spend a certain amount on their election campaigns (we're deciding exactly how much right now). They will have to count any money or help you give them as part of their election spending.

If you give a donation of £50 or more to a candidate for Deputy, they will have to publish it and explain who gave it to them. Candidates won't be allowed to accept anonymous donations, or donations from organisations or people outside of Guernsey, who wouldn't be allowed to vote in our elections.

Guidance for both candidates and the public on election expenditure will be produced nearer the election.

What are candidates and parties allowed to spend?

There will be a limit set on how much candidates and parties can spend on campaigning before the election. In 2016, the limit was £2,300. We expect it will be higher in 2020, because candidates will need to reach the whole Island, rather than just their district.

The exact amount hasn't been decided yet, but we are looking to set a limit that would:

- allow every candidate to communicate with the voters; but
- stop excessive spending by a candidate or a party

In addition, there may be some support from government to all candidates. In 2016, this was a grant of £600 available to each candidate. We don't think we will be suggesting giving financial grants in 2020 – instead, we are looking to offer some practical help, including:

- a book of all candidates' manifestos paid for by the States and sent to all households; and
- online information about candidates, including videos

We are asking people to let us know what they think will be most useful for candidates – and, most importantly, for voters! We will make recommendations to the States later in 2019.

Candidates must keep a record of all their spending, as they will need to declare this at the end of the election period. The States will publish clear guidelines about what spending is allowed, and how it should be recorded.

Can candidates spend money before the election period starts?

People who want to become Deputies are going to need to start planning early, because they'll only have five weeks to get their message across to the whole Island.

There will be a "regulated period", which starts on the day that nominations open, and ends on Election Day. This is the period during which rules about election spending will apply. The rules will also cover materials which were prepared early, for use during the "regulated period". In other words, candidates will be able to spend money on certain things before nominations open, but they'll have to keep track of it carefully, as it will count towards their total spend, and they will need to declare this spending.

Clear guidelines will be published ahead of the election, and we recommend that all candidates read these carefully and seek advice if they're not certain.

Can candidates accept donations?

Sometimes. Candidates can't accept donations if they don't know who made them. They'll have to try and return the money or hand it over to the States. Candidates also can't accept donations from organisations outside Guernsey, or from people who aren't entitled to be on Guernsey's Electoral Roll.

Other donations can be accepted. But all donations worth £50 or more must be declared on a candidate's record of election spending. Candidates can also receive help "in kind" from friends, family or supporters. This could include things like help designing posters or websites or giving services at 'mates rates'. The candidate needs to put a reasonable value on this and include it on their spending record. Clear guidelines will be published before the election to explain what does and doesn't count as election spending and how it should be counted.

Will political parties be allowed?

Yes – but we are bringing in rules to ensure any such groups operate in an open and transparent way.

Any organisation that wants to participate in the management of public affairs, including through presenting candidates to elections, will be classed as a political party (even if they call themselves something else). Every political party will have to be registered.

Every candidate who is linked to a political party will have the right to transfer up to half (50%) of their spending allowance to their party. The party can use this money to promote what it stands for in the run-up to the election. Party spending will be up to a certain limit which will be equal for all parties and equal to the limit available to individual candidates. Parties will not be allowed to spend any money except for what's been transferred to them by their candidates.

Parties will have to follow the same rules about receiving donations as candidates do. Parties will have to keep a record of all their spending, as they will need to declare this at the end of the election period. The States will publish clear guidelines about what spending is allowed, and how it should be recorded.

What happens at the end of the election?

Election Day will be on **Wednesday 17 June 2020**. After that, everyone's votes will be counted, and the results will be announced. This could be a long process, because there will be a lot more votes than usual – if every voter currently on the Electoral Roll uses all 38 of their votes, we could have over 1 million votes to count.

Once the votes have been counted, we'll know who the 38 new Deputies are. The old States will officially end, and the new States will be sworn in to take up office on 1st July 2020. Swearing in means taking a public vow to serve the people of Guernsey and to be loyal to the British Crown (because Guernsey is a Crown Dependency, although we're not part of the UK).

During the period between Election Day on 17th June and Deputies taking up office, there will be opportunities for Deputies to learn more about their new roles (through an Induction or training programme), to meet other Deputies, and to think about Committee positions.

From 1st July to 13th July, the States will meet to elect Committee Presidents and Members of Committees. On 21st and 22nd July 2020, the new States of Deliberation will meet formally for the first time, to consider the States of Guernsey Accounts and other business.

What if there is a tie or the result is really close for the final seat(s)?

It is possible that there could be tie: one or more people might get the same number of votes as each other. If 37 people have been clearly elected, and two people are tied for the 38th seat, who should get it?

Or, 38 people might have been clearly elected, but the person who came 39th only got a few votes less than the person who came 38th. It is possible that such a small difference could be due to a counting error. What should be done then?

Our rules say that if there's a difference of 2% or less between the number of votes cast for someone who got elected, and the number cast for someone who didn't, the unsuccessful person has 24 hours, after the results are announced, to ask for a recount. Only one recount will take place, and those results will be final.

If there's a tie-break for 38th place, and it isn't solved by a recount, then the candidates who are tied will have to draw lots (like tossing a coin) to decide who gets elected. This is a common method used in other countries and while it is obviously not ideal, the alternative is to hold another election involving just those candidates.

How will you make sure the election is fair to everyone?

We fully appreciate the move to Island-wide voting is a big change for Guernsey and that it will be a new experience for voters, even people who have voted for years. We have used lots of international standards for free and fair elections, to make sure that the law that will underpin the General Election in 2020 is as good as it can be.

We also hope to invite a team of international observers to come and oversee our election. Many countries do this at election time. For example, Jersey had a team of observers for their General Election in 2018. It is a good way of making sure that everything is running smoothly and helping people to have confidence in the election results.

We are involving lots of community groups – like the Youth Forum, Age Concern and the Guernsey Disability Alliance – as we continue to prepare for the General Election. This is to try and make sure that the General Election is inclusive and accessible for everyone. We are also working with the parish Douzaines, who have always helped to deliver Guernsey's elections in the past.

How much will it cost?

We don't know yet. The States has agreed the request from the Committee *for* Home Affairs for £380,000 to cover the costs of the Electoral Roll and the election team. We know that there will be other costs, which might include:

- Communicating with the public about the election
- Running polling stations
- Getting good vote-counting technology
- Bringing over international observers
- Providing a book of manifestos and/or other support to all candidates

We will be working out these costs over the next few months. In our next report to the States, later in 2019, we will ask for the budget we need to cover these costs.

Is everything in place yet to allow this to happen?

Not yet – we have cleared the first stage of the process in getting the States to sign up to changing the Law. That draft Law will need to return to the States for its consideration and approval. If approved, it will then be sent to the Privy Council in the UK for Royal Assent.

We will keep the public regularly informed in the lead up to the General Election.

How can I have my say?

There are lots of areas you might want to comment on or you might have ideas on. You can get in touch with us:

By completing our survey:

The Committee has published a questionnaire to learn how you would like to receive information from the States of Guernsey about candidates to guide what the Committee will look to produce.

The questionnaire is available to be completed online here:

www.gov.gg/election2020consult

It can also be posted out by the Committee – please contact us by e-mail or by phone – our details are below.

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Please get in touch and let us know your views.