



**OFFICIAL REPORT**

**OF THE**

**STATES OF DELIBERATION**

**OF THE**

**ISLAND OF GUERNSEY**

**HANSARD**

**Royal Court House, Guernsey, Thursday, 12th December 2019**

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**Present:**

**Sir Richard J. Collas, Kt, Bailiff and Presiding Officer**

**Law Officers**

R. M. Titterington, Q.C. (H.M. Comptroller)

**People's Deputies**

**St Peter Port South**

Deputies P. T. R. Ferbrache, J. Kuttelwascher, D. A. Tindall,  
B. L. Brehaut, R. H. Tooley

**St Peter Port North**

Deputies C. N. K. Parkinson, L. C. Queripel, M. P. Leadbeater

**St Sampson**

Deputies L. S. Trott, P. R. Le Pelley, J. S. Merrett,  
G. A. St Pier, T. J. Stephens

**The Vale**

Deputies M. J. Fallaize, N. R. Inder, M. M. Lowe,  
L. B. Queripel, J. C. S. F. Smithies

**The Castel**

Deputies R. Graham L.V.O, M. B. E, C. J. Green, M. H. Dorey

**The West**

Deputies A. H. Brouard, A. C. Dudley-Owen, E. A. McSwiggan,  
D. de G. de Lisle, S. L. Langlois

**The South-East**

Deputies H. J. R. Soulsby, H. L. de Sausmarez, P. J. Roffey,  
R. G. Prow, V. S. Oliver

**Representatives of the Island of Alderney**

Alderney Representatives S. Roberts, A. Snowdon

**The Clerk to the States of Deliberation**

J. Torode Esq. (H.M. Greffier)

**Absent at the Evocation**

Miss M. M. E. Pullum, Q.C. (H.M. Procureur);  
Deputy M. K. Le Clerc (indisposée); Deputy B. J. E. Paint, (absent d'Ile);  
Deputy J. A. B. Gollop (relevé à 9h 33); Deputy C. P. Meerveld (relevé à 9h 43);  
Deputy S. T. Hansmann Rouxel (relevée à 9h 43);  
J. I Mooney (relevé à 10h 03); J. P. Le Tocq (relevé à 10h 43)

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# States of Deliberation

*The States met at 9.30 a.m.*

[THE BAILIFF *in the Chair*]

## **PRAYERS**

*The Greffier*

## **EVOCATION**

# Billet d'État XXIV

## **STATES' ASSEMBLY & CONSTITUTION COMMITTEE**

### **XIII. General Election 2020 – Second Policy Letter – Debate continued**

*Article XIII.*

*The States are asked to decide whether, after consideration of the policy letter entitled "General Election 2020 - Second Policy Letter" dated 11<sup>th</sup> November, 2019, they are of the opinion:-*

*1. To agree that a candidate manifesto booklet containing a maximum of two sides of A4 sized paper per candidate will be produced by the States of Guernsey and delivered to all homes on the Electoral Roll.*

*2. To agree that the maximum sum a candidate in an election for the office of People's Deputy may expend in respect of such an election (subject to any assignment to a political party made pursuant to Proposition 3) shall be £9,000 (the candidate's "permitted electoral expenditure").*

*3. To agree that expenditure by a political party on promotion of the party and its policies in an election for the office of People's Deputy is only permissible by virtue of candidates affiliated to that party assigning a maximum of 50% of their permitted electoral expenditure to the party, and that such expenditure by a political party in any election may not exceed £9,000 in total.*

*4. To agree the following arrangements for polling stations:*

*a. to set the opening hours of all polling stations (including advance polling stations and the super polling stations) in the Island at 8 a.m. until 8 p.m.;*

*b. to establish an advance polling station at Beau Sejour Leisure Centre on Saturday 13th June and Sunday 14th June 2020;*

*c. to establish a super polling station at Beau Sejour Leisure Centre on Tuesday 16th and Wednesday 17th June 2020; and*

*d. to establish the Parish polling stations on Tuesday 16th and Wednesday 17th June, 2020 as set out in the table at paragraph 5.14.*

*5. To agree that legislation be prepared to provide that an application for a postal vote should be made not less than five clear days before the date when votes may be cast at a polling station, and*

*that the application period for postal votes is closed on Friday 5th June, 2020 for the 2020 General Election; and to make appropriate provision to give effect to the other administrative changes set out in section 6 of this policy letter.*

*6. To agree that one or more observers of the 2020 General Election will be appointed.*

*7. To approve the transfer of £550,000 from the 2020 Budget Reserve to the Royal Court budget (which funds the expenditure of the States' Assembly & Constitution Committee) to fund the costs of managing the 2020 election.*

*8. To direct the Policy & Resources Committee to use its delegated authority to transfer funding of a maximum of £190,000 from the Budget Reserve to the Royal Court budget to fund, if necessary, a manual count (and, if necessary, recount) of the votes cast at the 2020 election.*

*9. To direct the preparation of such legislation as may be necessary to give effect to the above decisions.*

**The Greffier:** The States' Assembly & Constitution Committee – General Election 2020.

**The Bailiff:** And Deputy Gollop, do you wish to be relevéd?

**Deputy Gollop:** Yes, please.

**The Bailiff:** Members, you will have had some revised amendments circulated, including one that is marked as amendment 8, to be proposed by Deputy Lowe and Deputy Oliver, which clarifies what amendment 4 was intended to do yesterday. I understand the intention is to start with a fresh start and, really, Deputy Lowe, I believe, wishes to apply to withdraw amendment 4 so that amendment 8 can be laid? Is that correct?

**Deputy Lowe:** That is correct, sir, if Members would support withdrawing amendment 4.

**The Bailiff:** Deputy Oliver, are you seconding that?

**Deputy Oliver:** Yes, sir.

**The Bailiff:** I put to you then the Proposition that amendment 4 be withdrawn. Those in favour; those against.

*Members voted Pour.*

**The Bailiff:** It is withdrawn and we will move to amendment 8. Deputy Lowe.

**Deputy Lester Queripel:** Sir, a point of clarification please? Do we not need to suspend the Rules to have the amendment laid?

**The Bailiff:** Why do we need to suspend the Rules, Deputy Lester Queripel?

**Deputy Lester Queripel:** I am just asking for clarification on that point, because the amendment should surely not have been laid? There is a deadline to lay amendments and during debate we are laying amendments.

**The Bailiff:** This does not have expenditure implications for the States. It does for candidates, perhaps, but it does not for the States. So I do not think there is anything in here, as I read it, that would require the Rules to be suspended.

**Deputy Lester Queripel:** Okay, sir. Thank you.

*Amendment 8.*

*To insert immediately before option 2A in Proposition 2 the following option:-*

*"2A1. "2. To agree that the maximum sum a candidate in an election for the office of People's Deputy may expend in respect of such an election (subject to any assignment to a political party made pursuant to Proposition 3) shall be £2,300 (the candidate's "permitted electoral expenditure")."*

*OR, only if 2A1 shall have fallen,"*

*2. For Proposition 3 substitute the following Proposition:-*

*3A. "3. To agree that expenditure by a political party on promotion of the party and its policies in an election for the office of People's Deputy is only permissible by virtue of candidates affiliated to that party assigning a maximum of 50% of their permitted electoral expenditure to the party, and that such expenditure by a political party in any election may not exceed the permissible electoral expenditure for an individual candidate."*

*OR only if 3A shall have fallen,*

*3B. "3. To agree that expenditure by a political party on promotion of the party and its policies in an election for the office of People's Deputy is only permissible by virtue of candidates affiliated to that party assigning a maximum of 50% of their permitted electoral expenditure to the party, and that such expenditure by a political party in any election may not exceed in total twice the permissible electoral expenditure for an individual candidate or £9,000, whichever is the lesser."*

**The Bailiff:** Thank you.  
Deputy Lowe.

**Deputy Lowe:** Thank you.

Right, this amendment, number eight, and I thank Deputy Oliver and Deputy Lindsay de Sausmarez and H.M. Comptroller for their time yesterday to try and get the wording more explanatory on this note than previously on the amendment, as a subsequence of the other decisions that have been taken.

So this amendment now is a lot easier and it is more simplistic. All we are actually asking for this amendment is that one, here on the amendment, 2A number two, would be slotted above the decisions that were made yesterday regarding Deputy de Sausmarez's amendment so you will be then able to vote on substantive Propositions when we get to the end of the debate. So if you vote for this amendment, both of these areas, number two and number three, does not necessarily mean you are supporting them at this stage, it means you have got that opportunity at the end of the debate on the substantive Proposition, to be able to vote for them separately and on the others that are there.

So that gives you that opportunity and that choice. I think that is probably the best way I can explain it. I am looking to see if everybody understands what I am trying to say here. I think yes, well, okay. Deputy Fallaize is happy with that. That is alright then! So, as I say, I thank everybody. It goes back to what we were saying yesterday, really. If you give the expenditure here, which we are proposing on the first part of the expenditure, will be £2,300 for the candidates who, previously, would have had to spend for printing and distribution.

Under the new system that was being proposed by SACC, because they are doing the booklet, there will not be any expenditure for the candidates, so actually they have got £2,300 to promote themselves whether that is through adverts or whether they do not want to do anything, or whether they want to do posters, it is entirely up to them.

But that does give them a considerable amount of money to be able to promote themselves, bearing in mind SACC are doing so much, you can have video, you are going to be online, websites, it is going to be in the booklet, so there is a lot more choice and availability for candidates to be able to do that anyway, so that what they want to do with up to £2,000 of their own money will be a choice for them. I am not going to repeat all that I repeated yesterday, I do not think there is any

need. I think it is so simplistic, we just ask Members to go to the vote to support the amendment to enable these Propositions to go into the substantive Propositions at the end of the report.

Thank you, sir.

**The Bailiff:** Deputy Oliver, you second the amendment?

**Deputy Oliver:** Yes, sir.

**The Bailiff:** Thank you and, Deputy Inder, do you wish to speak at this stage?

**Deputy Inder:** I will do, sir.

We spent five hours debating £2,300 yesterday and all this does is add back the £2,300 that was substantially defeated by this Assembly. So the committee by a majority – not by a majority, all five of us – will not be supporting this amendment. It is likely, in fact, to be perfectly frank we will not be supporting any of the other amendments as we have seen that are likely to be laid, so I would ask Members to move to a vote very quickly, to reject this amendment.

**The Bailiff:** Lots of people jumping up. Is anybody moving a motion under ...

**Deputy Ferbrache:** I will let Deputy St Pier do it. If he had not, I would have done it.

**The Bailiff:** Deputy St Pier.

**Deputy St Pier:** I am happy to jointly move it with Deputy Ferbrache! Rule 26(1) sir.

**The Bailiff:** Rule 26(1). Those who have not spoken on this amendment and wish to do so, please stand in your places. Four people are standing. Do you wish to go ahead?

**Deputy St Pier:** Yes, sir.

**The Bailiff:** I put to you then the motion that debate on amendment 8 –

**Deputy Leadbeater:** Can we have a recorded vote, please sir?

**The Bailiff:** I put to you the motion that debate on amendment 8 be terminated and it is a recorded vote on the guillotine motion on amendment 8.

*There was a recorded vote.*

*Carried – Pour 17, Contre 15, Ne vote pas 2, Absent 6*

**POUR**

Deputy Parkinson  
Deputy Lester Queripel  
Deputy Trott  
Deputy St Pier  
Deputy Stephens  
Deputy Inder  
Deputy Smithies  
Deputy Graham  
Deputy Green  
Deputy Dudley-Owen  
Deputy McSwiggan  
Deputy Langlois

**CONTRE**

Deputy Gollop  
Deputy Leadbeater  
Deputy Le Pelley  
Deputy Merrett  
Deputy Fallaize  
Deputy Lowe  
Deputy Laurie Queripel  
Deputy Dorey  
Deputy Brouard  
Deputy de Lisle  
Deputy de Sausmarez  
Deputy Roffey

**NE VOTE PAS**

Alderney Rep.  
Roberts  
Alderney Rep.  
Snowdon

**ABSENT**

Deputy Le Clerc  
Deputy Mooney  
Deputy Meerveld  
Deputy Hansmann  
Rouxel  
Deputy Le Tocq  
Deputy Paint



Deputy Soulsby  
Deputy Ferbrache  
Deputy Kuttelwascher  
Deputy Brehaut  
Deputy Tooley

Deputy Prow  
Deputy Oliver  
Deputy Tindall

110 **The Bailiff:** Members, the voting on the guillotine motion was 17 in favour, with 15 against and two abstentions. I declare the guillotine motion carried. Debate is therefore terminated, save for closing speeches. So Deputy Lowe, Deputy Oliver is trying to attract my attention but I am not sure quite why as debate is terminated.

**Deputy Lowe:** I am quite happy, if Deputy Oliver wishes to sum up, she may do so, bearing in mind she wants to say something, sir.

115 **The Bailiff:** But it should be a reply to the debate and the only person who has spoken is Deputy Inder. You may reply to Deputy Inder's speech.

**Deputy Oliver:** Thank you, sir. That is fine.

120 I just want to say why the SACC committee should actually vote for this Proposition, because 3A which has been inserted is actually bringing it back to what they have put on their original Propositions. Whatever the party's expenditure turns out to be, it will be exactly the same for parties, I do not see why parties should have an advantage over individuals standing. So this is why people need to vote for this, to see that the parties and individuals are at exactly the same level, whatever the expenditure is.

125 Thank you, sir.

**The Bailiff:** Before we come to the vote, Deputy Hansmann Rouxel, do you wish to be relevé?

130 **Deputy Hansmann Rouxel:** Yes, thank you, sir.

**The Bailiff:** We vote now on amendment –

**Deputy Meerveld:** Sir, may I be relevé as well, please?

135 **The Bailiff:** Deputy Meerveld has entered the Chamber as well. You wish to be relevé as well. We will have a recorded vote (**Deputy Lester Queripel:** Thank you, sir) on amendment 8, proposed by Deputy Lowe, seconded by Deputy Oliver.

*There was a recorded vote.*

*Carried – Pour 19, Contre 15, Ne vote pas 2, Absent 4*

**POUR**

Deputy Gollop  
Deputy Lester Queripel  
Deputy Leadbeater  
Deputy Le Pelley  
Deputy Fallaize  
Deputy Lowe  
Deputy Laurie Queripel  
Deputy Smithies  
Deputy Hansmann Rouxel  
Deputy Dorey  
Deputy Brouard  
Deputy de Lisle  
Deputy Soulsby

**CONTRE**

Deputy Parkinson  
Deputy Trott  
Deputy Merrett  
Deputy St Pier  
Deputy Stephens  
Deputy Meerveld  
Deputy Inder  
Deputy Graham  
Deputy Green  
Deputy Dudley-Owen  
Deputy McSwiggan  
Deputy Langlois  
Deputy Ferbrache

**NE VOTE PAS**

Alderney Rep. Roberts  
Alderney Rep.  
Snowdon

**ABSENT**

Deputy Le Clerc  
Deputy Mooney  
Deputy Le Tocq  
Deputy Paint

Deputy de Sausmarez  
Deputy Roffey  
Deputy Prow  
Deputy Oliver  
Deputy Tindall  
Deputy Tooley

Deputy Kuttelwascher  
Deputy Brehaut

140     **The Bailiff:** The voting on amendment 8 was 19 in favour, with 15 against and two abstentions. I declare it carried. I propose that we come next to amendment 7, which is the one that was circulated late yesterday, proposed by Deputy Meerveld, seconded by Deputy Leadbeater.

*Amendment 7.*

*To delete Proposition 3 and to replace it with the following proposition:*

*3A. To agree that expenditure by a political party on promotion of the party and its policies in an election for the office of People's Deputy is only permissible by virtue of candidates affiliated to that party assigning a maximum of 50% of their permitted electoral expenditure to the party, and that such expenditure by a political party in any election may not exceed five times a single candidate's "permitted electoral expenditure" in total pursuant to Proposition 2.*

*OR, only if 3A shall have fallen,*

*3B. To agree that expenditure by a political party on promotion of the party and its policies in an election for the office of People's Deputy is only permissible by virtue of candidates affiliated to that party assigning a maximum of 50% of their permitted electoral expenditure to the party, and that such expenditure by a political party in any election may not exceed four times a single candidate's "permitted electoral expenditure" in total pursuant to Proposition 2.*

*OR, only if 3B shall have fallen,*

*3C. To agree that expenditure by a political party on promotion of the party and its policies in an election for the office of People's Deputy is only permissible by virtue of candidates affiliated to that party assigning a maximum of 50% of their permitted electoral expenditure to the party, and that such expenditure by a political party in any election may not exceed three times a single candidate's "permitted electoral expenditure" in total pursuant to Proposition 2.*

*OR, only if 3C shall have fallen,*

*3D. To agree that expenditure by a political party on promotion of the party and its policies in an election for the office of People's Deputy is only permissible by virtue of candidates affiliated to that party assigning a maximum of 50% of their permitted electoral expenditure to the party, and that such expenditure by a political party in any election may not exceed two times a single candidate's "permitted electoral expenditure" in total pursuant to Proposition 2.*

*OR, only if 3D shall have fallen,*

*3E. To agree that expenditure by a political party on promotion of the party and its policies in an election for the office of People's Deputy is only permissible by virtue of candidates affiliated to that party assigning a maximum of 50% of their permitted electoral expenditure to the party, and that such expenditure by a political party in any election may not exceed one times a single candidate's "permitted electoral expenditure" in total pursuant to Proposition 2.*

145     **The Bailiff:** A number of versions of amendment 7 have been circulated, so perhaps it would be helpful if it were read, so that everybody knows that they have the correct version?

**Deputy Meerveld:** Yes, please, sir.

**The Bailiff:** Deputy Meerveld, I am being asked does this replace amendment 1?

150

**Deputy Meerveld:** Yes it does, sir.

**The Bailiff:** It does. So amendment 1 will not be laid. Thank you. So perhaps, Greffier, you could read amendment 7 and then we can make sure that everybody is looking at the right version of it?

*The Greffier read out the amendment*

155 **The Bailiff:** Thank you. Deputy Meerveld.

**Deputy Meerveld:** Thank you, sir.

160 Island-wide voting is not a new concept. There have been calls for Island-wide voting going back at least 20 years and this Assembly decided to respond to those calls by putting the issue to the electorate in a binding referendum, the first in Guernsey's history – despite the majority of the Deputies of this Assembly not wanting it to succeed. In fact, I suspect that the hope of many here was to utilise a public referendum to reject Island-wide voting for the foreseeable future.

165 However, the Island-wide voting Referendum became our Brexit moment, with Guernsey's usually conservative, risk-averse electorate resoundingly deciding to take a leap into the dark and adopt Island-wide voting. This is despite the Referendum being more of a wreck-a-rendum, designed to make adoption of Island-wide voting as unlikely as possible and increase the probability of the current system being retained.

170 The current system ultimately came a resounding third in a three-horse race. Yet in yesterday's debate, all I heard were arguments regarding how to preserve our current system of Government, with every Deputy standing as an individual, effectively a party unto themselves, rather than as groups or associations or parties. The debate revolved around how to fit this square pig, this square peg, sorry! (*Laughter*) – actually I would probably have gone with the first one in my description! – into the Island-wide voting round hole. The answer is simple. We cannot and should not.

175 The solution to a hypothetical problem, presented by Deputies Tooley and de Sausmarez yesterday, is simple. Annie, with her £1,000, Mr Billy Billionaire, with his £9,000 and Chris – I cannot remember his surname (*Interjection*) – Cashstrapped, with his £100 need to get together and talk to each other, or talk with other of the 80 or 100 candidates we can expect at this election and find ones that they have commonality with, where they can agree on either an ideology or a common manifesto or common proposals and objectives they wish to pursue.

180 Then they can join together as a group and represent themselves as a party, as an association or just simply as a grouping, under whatever banner they choose, and in that scenario, Annie would donate her £1,000 that she could afford, Chris would donate his £100, or invest his £100 that he could afford, and Billy Billionaire will put in his £9,000, under the original SACC proposal and the aggregated money would be used to get the group elected and the electorate would have a choice  
185 of whether they liked that group, because of their ideology, because of their policies, because of their manifesto or because of their personalities, and decide whether they want to elect them.

The funding issue and the disparity in wealth between the individuals becomes a non-event. There is a massive disparity in wealth, experience, professional qualifications in this room right now. That did not stop people in this room getting elected. So are we, as an Assembly, now trying to  
190 pervert the will of the people at the Referendum, who clearly voted for a dramatic change in the system – our Brexit moment, anything has got to be better than this – went against the usual Guernsey mentality of being very conservative and very risk-averse and jumped into the dark to get away from what they perceive to be the worst States ever, yet again?

195 Or are we going to try and preserve the system we have here, where we stand as individuals and we try and market ourselves as individuals and we try to actively make decisions to hinder groups from forming and effectively competing?

We are looking at here, treating a group, potentially a group fielding 38 candidates, and limiting that group's expenditure to market itself as an entity – remember, each individual within a group has 50% of their money they can preserve or more that they can use to market themselves as an  
200 individual – but we want to limit the group of potentially 38 candidates, certainly the Islanders'

Association aims to field 38 candidates, but they are only going to be able to spend their money on one candidate.

If we adopt the lower spending limits suggested in the now amended Proposition 2, those spending limits go down to such ridiculously low levels that it is impossible for anybody as an individual, or a group, to use the normal range of methods to market themselves on an Island-wide basis. Because, as Deputy Inder pointed out, everything has changed. We are now marketing to a much larger group, we are trying to raise our profile across a larger area. You simply cannot do it on the budgets allocated in previous years.

This amendment is put in there to, it was adjusted and changed from the previous amendment to give people the same pick and mix approach as the successful amendment to Proposition 2 creates. So the Members of the Assembly can choose to provide a multiple to associations or parties. Now I would agree with others in here, we do not want to bias an election too much in favour of any one individual or any one group. We do not want to see the individuals who do want to stand as individuals, and I defend their right to do so, massively handicapped by disproportionately large spending of a party or association.

So I am not asking the Assembly to approve a massive expenditure, allowing all the Members to donate up to 50% or more of their money to the central pot to market the group, because we could end up with a group with £100,000-plus to spend and that really would start overwhelming the individual.

What I am looking for is a sensible multiple that enables an association or party to have enough money to do the very basics, to be able to send out a small manifesto, eight pages is not a lot if you are setting out policies, to all the households and, using the numbers presented by Deputies Tooley and de Sausmarez, that is a £15,000 bill. That is without design work, that is without branding. You need at least, I would think, a reasonable amount would be around £20,000 ... would be a reasonable minimum for a group to market itself on an Island-wide basis and get its message across as a group.

Now I believe that, if this Assembly passes today Resolutions that limit expenditure of a group or a party or an association down to the expenditure of an individual, they are deliberately trying to hinder the formation of those groups. Whilst the Island-wide voting Referendum was not an explicit endorsement of the formations of parties or associations, it was implicit ... I know Members of the Assembly may not agree but at every opportunity, the Option A campaign group, whenever they were asked, whenever they had an opportunity to speak, they said, 'Yes, we believe Island-wide voting will end up and result in the formation of parties and associations.'

We said that at every single opportunity. That would have lost us votes because there are people in this Island who would vote against us because they do not like the idea of parties and associations, and yet we made very clear that the anticipation was that, for Island-wide voting to work, you need groupings. You cannot have 100 independent candidates and expect to choose 38. You need to have blocks of 10, 20, 30 who you can relate to, what they are trying to achieve, who they are and believe that they will deliver and vote for them as a bloc. That would then address the issues in this Assembly of the difficulty we have of making decisions and proceeding, in my opinion.

That was implicit in that campaign. Also, the groups are formed. Whether this Assembly likes it or not, the Islanders' Association, 2020 and others have formed. We were all fully aware of the secret societies meeting behind closed doors, with private invitations, who will eventually emerge, no doubt as fully formed –

**Deputy Hansmann Rouxel:** Point of correction, sir.

**The Bailiff:** Deputy Hansmann Rouxel.

**Deputy Hansmann Rouxel:** There were no secret societies meeting.

**A Member:** How do you know? *(Laughter)*

255 **Deputy Hansmann Rouxel:** If Deputy Meerveld knew of these secret societies, by virtue of that logic, he would not know about them – unless he was part of them.

260 **Deputy Meerveld:** Okay. I am aware of many rumours of secret societies meeting behind closed doors, sending out private emails inviting people to join groups, which no doubt at some stage before the election will form their chrysalises, a fully formed butterfly presenting themselves as the good and great groups to lead the Island forward. It is happening. It is happening right now. I am aware of the conversations. I am aware of the groupings. It is as secret as anything is in Guernsey.

265 These groups are forming. So whether this Assembly likes it or not, the move towards – I am sorry, I will not be giving way – some forms of associations or parties contesting the election, which I believe is a fundamental need within an Island-wide voting structure, is happening. If you look at the Venice Commission's comments on a party:

As a specific type of free association of persons, political parties are central to the function of democracy. They are essential to a pluralist political society and their role in the formation of the will of the people is fundamental.

270 I believe that if this Assembly lowers the amount of money that an individual is allowed to spend to a level, which limits their ability to market themselves to the population, limits their options on how, because if they choose to send out printed manifestos they should be able to, and then tries and limits the spending of a group of association to the same level that it will be fundamentally undermining those principles as laid out by the Vienna Commission and, I think, any reasonable person's assumption of how a democracy, with parties and associations, they exist today, should function, I personally will put in a complaint to the Vienna Commission or any other relevant body to have them review it.

275 If this Assembly thinks this situation will pass snuff then, fine, go ahead. But if it does not we will be in the position that Deputy Le Tocq spoke of yesterday, where our international reputation will be at jeopardy. I am not asking for anything unreasonable, I am simply asking that associations should have a sensible multiple of an individual's allowance to be able to spend to enable them to market their association or party properly.

280 Thank you, sir.

**The Bailiff:** Deputy Leadbeater, do you formally second the amendment?

**Deputy Leadbeater:** I do, sir.

285 **The Bailiff:** And Deputy St Pier –

**Deputy McSwiggan:** Rule 24(4) please, sir.

290 **The Bailiff:** We have had a call for 24(4).

**Deputy St Pier:** Deputy McSwiggan beat me to it, sir.

295 **The Bailiff:** Rule 24(4) is the Rule under which Members who support debate on the amendment are to stand in their places and as long as seven or more stand then debate will go ahead. We have more than seven standing, so debate will go ahead –

**Deputy St Pier:** 26(1), sir.

300 **The Bailiff:** – subject to a guillotine motion proposed by Deputy St Pier – Deputy Mooney, you wish to be relevéd?

**Deputy Mooney:** Thank you, sir.

**The Bailiff:** Under the Rule 26(1) guillotine motion, will those who wish to speak please stand?  
 305 Eight people are standing. Do you wish to go ahead?

**Deputy St Pier:** Yes, sir.

**The Bailiff:** Right, we go ahead then with a guillotine motion on amendment 7. I put to you the  
 310 proposition that debate on amendment 7 be terminated. Those in favour; those against.

*Members voted Pour.*

**The Bailiff:** I believe that is carried, but Deputy Lester Queripel is going to ask for a recorded vote.

**Deputy Lester Queripel:** Can we have a recorded vote, sir, please?  
 315

*There was a recorded vote.*

*Not carried – Pour 16, Contre 19, Ne vote pas 2, Absent 3*

POUR	CONTRE	NE VOTE PAS	ABSENT
Deputy Lester Queripel	Deputy Gollop	Alderney Rep. Roberts	Deputy Le Clerc
Deputy Trott	Deputy Parkinson	Alderney Rep. Snowdon	Deputy Le Tocq
Deputy St Pier	Deputy Leadbeater		Deputy Paint
Deputy Stephens	Deputy Mooney		
Deputy Smithies	Deputy Le Pelley		
Deputy Hansmann Rouxel	Deputy Merrett		
Deputy Graham	Deputy Meerveld		
Deputy Green	Deputy Fallaize		
Deputy Dorey	Deputy Inder		
Deputy McSwiggan	Deputy Lowe		
Deputy de Lisle	Deputy Laurie Queripel		
Deputy Langlois	Deputy Brouard		
Deputy Soulsby	Deputy Dudley-Owen		
Deputy Ferbrache	Deputy de Sausmarez		
Deputy Kuttelwascher	Deputy Roffey		
Deputy Tindall	Deputy Prow		
	Deputy Oliver		
	Deputy Brehaut		
	Deputy Tooley		

**The Bailiff:** The voting on the guillotine motion on amendment 7 was 16 in favour, with 19  
 320 against and two abstentions. I declare the guillotine motion lost. Debate will therefore proceed. There must be something strange about the acoustics in here, because it certainly sounded the other way around *aux voix*! Deputy Inder, do you wish to speak at this stage?

**Deputy Inder:** I will do so. In the previous amendment I did say that the committee will not be  
 325 supporting any future amendments, but what I cannot do is that we have basically got something that looks like *proto* parties in the States, of which certainly Deputy Ferbrache, Deputy Meerveld seems to be leading up and heading towards something and these are the ones that we know of. That is no reference to any secrecy, we just do not know what is going to form in the future.

I cannot make the argument, yesterday, about the suppression of people to market themselves and then go and vote for a guillotine motion to not allow the *proto* party to express themselves in that because it does not make any sense at all.

330 Previously I did say to you I will not be supporting the amendment but we have kind of got our knickers in a bit of a twist here. I am sure there is another phrase – it is probably even worse and I just have not thought of it! (*Laughter*) We have got our back wheel stuck in the mud, from a motorbiking guy.

335 This is where I cannot believe this, I am actually saying, I have got some sympathy with Deputy Meerveld, that will be a first! If you look at currently where the amendments are at the moment, we have got this sort of lucky dip between £3,000 and £9,000 (*Interjection*). Oh, sorry, £2,300, £3,000, £4,000, £5,000, £6,000, £7,000, £8,000 and £9,000. Here is the parties' problem and we have got to be as fair as we can, whatever we think of these –

Did somebody speak? Okay, fine. Did you? I will give way to Deputy –

340 **Deputy Tooley:** Sorry, I think you mistakenly talked about the parties' problem. I think you meant the committee's problem.

345 **Deputy Inder:** No, I did not. I know exactly what I was talking about. Here is the problem that I will explain. The committee is probably going to accept that there is a will within this Assembly to drop the expenditure limit in some way, shape or form. I think we are probably going to cash in around the £6,000 to £7,000 mark. The problem the parties have got, as expressed yesterday, is the same problem the individual candidates have got. You simply cannot market yourself in any effective way with anything less than £6,000. You simply cannot do it.

350 Now Deputy Meerveld's amendment, parts of it, I can see why he has possibly laid this, because if anything under the £6,000 mark, as the amendments in play at the moment say, twice the permissible electoral expenditure for an individual candidate, or £9,000, whichever is the lesser, which is the final sentence. Then of course we have got Deputy Lowe's which is sort of similar.

355 The problem that a party has got is effectively the same problem that an individual would have: £2,300, if that got through and that was doubled under the current amendment, twice permissible, that would only give them £4,600. If we take it to £3,000, we still maintain that they are now into the £6,000 area. The problem that this Assembly has got itself into is if it goes anything less than £6,000, individuals will not be able to market themselves in an effective way.

360 If they go anything less than the £3,000, parties will not be able to market themselves in any effective way. That is an unalienable fact. Then of course we move into this period where we go from one trying to equalise the expenditure of candidates with the parties, which now has been sort of broken asunder with the new set of amendments, we have really got ourselves into a bit of a pickle.

365 So right at the moment, having said I do not support the amendment, I would not support the four times, three times and make the disparity so great over the differential between the parties and the individual candidates. Do not forget, we elect individuals, we do not elect parties in this Island. But I have got some sympathy with portions of Deputy Meerveld's amendment because of the problems we got ourselves into yesterday, which are, unfortunately, as usual, of our own making.

370 So I will leave it at that and I will just repeat the sympathy is that if we go anything below on the amendments as they stand, the £2,300 and £3,000, if that is adopted in its entirety, the individual will not be able to market themselves. If that is adopted in its entirety, neither will the parties. The only sensible figure that can come out where the committee could possibly cash in is down to the £6,000, where it would be possible, and at that point the party could market itself up to £9,000 and then the individuals. Anything below that, I think we are running into serious trouble and I will leave it at that.

**The Bailiff:** Deputy Fallaize.

**Deputy Fallaize:** Thank you, sir.

380 I agree with what Deputy Inder has just said. I think £6,000 is the lowest level the States should sensibly vote for at the end of this debate. Now the only party I would really want to join is an

election night party and therefore I hope that we are not going to spend many more hours debating this issue and, with that in mind, I think that this amendment should be approved by the States, because what the States have done on the individual spending limit is just to create a menu of options at the end of the debate, so that, once general debate is finished, the States can then take a view on where it wants to set the individual expenditure limits between £2,300 and £9,000.

The effect of this amendment is to create exactly the same structure of a menu of options in relation to the expenditure of parties, from five times a single candidate's permitted expenditure down to the same expenditure as a candidate. So, although much of what Deputy Meerveld said was quite interesting, actually it would be better to have the debate on individual expenditure and party expenditure as part of one whole general debate and that can be done only by voting in favour of this amendment, adding this list of options to all the Propositions and then the States at the end of the debate can take a view on all of those issues.

I think that would be the way of foreshortening debate, if foreshortening is the right word, although we have already taken several hours to get to where we have. Two final points, one slightly in jest. I think Deputy Meerveld said he might –

I will give way to Deputy Hansmann Rouxel.

**Deputy Hansmann Rouxel:** Thank you, Deputy Fallaize.

Just by virtue of extending his logic, the premise that we would vote on the options afterwards, only if we vote on this amendment to replace what is already substantive Propositions and whether we are comfortable on any of the further options that are added in this amendment, so the extra five times, three times, four times, as opposed to what is now in the substantive Propositions, just two times whatever the limit is set on individual spending, because if you set it at five times, even if that does hit £6,000, it would mean that the parties were gaining significant advantage over an individual.

**Deputy Fallaize:** Yes, clearly that is true, but that will only happen if the majority of the States, at the end of the debate, want to vote that way. So the, what is at the moment, substantive Proposition 3, is incorporated in this amendment. So if the States want to kind of stick with that then they will just vote for that option at the end.

Yes, it is true, that any Member who does not want a party to be able to spend five, or four, or three or two times what the individual can spend, could vote against this amendment now, so that it cannot be put to the States at the end of general debate. But if the States do not want that option anyway, they will not vote for it, at the end of general debate. So there is no possibility of the majority of the States somehow sleepwalking into an option around party expenditure, which they are uncomfortable with, because every Member will have the opportunity to cast a vote on all the individual options and all the party options at the end of general debate.

Now Deputy Meerveld, I think he said, mistakenly, that if he was not content with the minimum level of expenditure the States had set for parties, he would take a complaint to the Vienna Commission, I think he said, but I think the Vienna Commission is all to do with the emissions of cars, or something like that, so I am not sure they would be very interested! I think he meant the Venice Commission.

More substantially, he talks about groups of candidates being able to group together and spend as groups or alliances or associations or parties, but actually that is not going to be possible because the only way that a party can spend money within the electoral rules that the States have set down is if that group of candidates becomes a registered party and they only were permitted in the rules and regulations of this party and they will have to nominate a leader, because that is what the States have determined the framework should be.

So actually it will not be possible for groups of candidates to say, 'We are a group', or a coalition or an alliance, or an association, 'but we are not a party', because the only way they will be able to register and obtain the benefits of expenditure as a group will be to register as what is called a party and nominate a party leader. So it does not change the material points in the amendment, but I



435 think it is worth making that point in this debate. I really do think the States should just vote in  
favour of this amendment, put all of these options in the long menu at the end of the debate and  
get on with general debate as quickly as possible.

**The Bailiff:** Deputy Oliver.

440 **Deputy Oliver:** Thank you, sir.

I would just like some advice, because this is all to do with parties, should people in parties  
actually be declaring an interest, because it would directly affect them?

Thank you.

445 **The Bailiff:** Perhaps the Comptroller might like to reflect on that before we get to the voting?  
Deputy Meerveld. (*Laughter*) Sorry, I am still thinking about Deputy Meerveld and his parties. I am  
still thinking about the last question! I might call Deputy Tooley, but I will call Deputy Merrett.

450 **Deputy Merrett:** I will just have a moment to compose myself, sir. Okay, I am going to start with  
what I think Deputy Hansmann Rouxel was trying to put across that, as the now amended  
Proposition – in the interjection to Deputy Fallaize, I should say – has now already got, in my opinion,  
enough choice, because now we have the 3A and 3B, from the successful Lowe amendment; you  
have got a choice – we have choice, sir, not you, because unfortunately at the moment you cannot  
vote – we have a choice of either retaining the SACC position, which I am more comfortable with,  
455 or giving them twice the amount.

Now I know we have the largest Waitrose that exists, and I am all for choice, but this is getting  
a little bit ridiculous. I do not want to live in a pick and mix world. So I am going to oppose this  
amendment because we already have, Members already have a choice, sir, of 3A and 3B under the  
Lowe amendment, so I do not want to add in any more of a smorgasbord, I think, is what my partner  
460 would say and say choice is not always such a good thing.

We have a choice, sir, 3A and B. But I want to bust some of these myths that Deputy Meerveld  
said. It is clear that we voted for Island-wide voting. It was implicit that parties and associates would  
form and I think I am quoting Deputy Meerveld, 'We said it.' They said it, so therefore Deputy  
Meerveld, the original Option A, said it so therefore it must become true. I am afraid that is not how  
465 the world works.

**Deputy Meerveld:** Point of correction, sir.

**The Bailiff:** Point of correction, Deputy Meerveld.

470 **Deputy Meerveld:** The Islanders' Association had formed well prior to the Island-wide voting  
Referendum so, while Deputy Merrett is saying it might not happen, it in fact already had happened  
at the stage that the Island-wide voting Referendum took place.

475 **Deputy Merrett:** That is not a correction, sir, because what I was saying was Deputy Meerveld  
said earlier that it was clearly implicit that people, members of our community, were voting for  
Option A because the party that the Option A campaign group had said it, they said it would  
happen, therefore it must become true. Sometimes we say things and they just are not true.

To try to bust some of that myth I have said on public record before, I will say it again, I voted  
480 for Option A, but I did not vote for Option A, I am afraid, because I did or did not have any strong  
feelings towards parties or associations, because I do not. Nobody approached me saying they were  
going to vote for Option A because they really wanted parties or associations. They did not say it  
was implicit or implied. They said that if they wanted for somebody that did not register to stand  
within their district, they wanted to be able to vote for that person.

485 So they did not want a limitation of, say, 11 or 12 candidates. If Deputy Soulsby or candidate Soulsby had stood, if they wanted to vote for candidate Soulsby they could have done regardless of where they resided. I apologise to Deputy Soulsby for using her name but it is just a good example. I could not have voted for candidate Soulsby because I did not live in her district. But candidate Soulsby could have stood in my district, even though she did not live there.

490 So that was one of the main anomalies, I think, that members of our community expressed to me as to why they wanted Island-wide voting. That was why they wanted it. Another reason, and I would not encourage this is if they vote for X amount of people, they would potentially vote against somebody else, which clearly they cannot do, but they can try to block somebody else out.

I am also a bit concerned. I did think Deputy Meerveld was slightly misleading the Assembly, 495 because the impression was why are we lowering the limit of individuals? In fact, the individuals will still have 50% to promote themselves as an individual or using a candidate association, political party logo etc. They can still do that, they are just saying that half of it will go to the party.

Members should consider that it would be far easier to actually be able to fund up to the upper limit of £9,000/£7,000, if you had 10 members of a party, between £700 each and an individual 500 trying to raise, say, £7,000. So they are actually, in my opinion and it is only an opinion, but logically it kind of works that, if you have got 10 people trying to find £700, that is a lot easier than one person trying pay £7,000.

So they are more likely, potentially, to be able to raise the funds in the first place and to spend it. I am not convinced on that argument at all. I think I would want to declare an interest, and I will 505 declare an interest that I am a Deputy right now and have stood before. But if you are already a member of a party I think that would be a wise thing to do, for clarity, for clearness. We want an open and transparent Government, I just think that would not be a bad thing to do.

Right and the other thing that I just wanted to pick up, I believe Deputy Hansmann Rouxel [inaudible] on the Venice Commission, so I will just leave that for that very capable Deputy to put 510 that bit of it. Let us think of another consideration. If any association or party decides to field 38 or 200, or whatever they want to do, candidates, they can all go into the joint manifesto.

So if every other page, or two out of every three pages, could be two sides for this political party, but with the candidates' name and exactly the same manifesto. The teeniest repetition, sir, to be fair. But they could do that. The joint manifesto booklet that we are proposing could become a 515 weighty tome, if they decide to field candidates and I am assuming that the candidates that are willing to stand, willing to be on a committee, willing to put the work in if they are therefore elected, but they could also go into the joint manifesto booklet and they could really dominate that, sir, so I think we ought to also stick that into consideration because that is a marketing tool that they could use.

520 I will certainly oppose this amendment because I think, under the successful Lowe amendment, you have got a choice. Members have got a choice, of retain it as it is or give them double. The feeling I have from this Assembly, rightly or wrongly, is that we will hopefully sit at the £6,000/£7,000 mark and I think that is a reasonable amount to Deputies and parties not to have to be in the manifesto booklet if they do not want to be, to be able to print and if there are 10 or, as Deputy 525 Meerveld alluded to, 38 different candidates, arguably walking the streets, knocking on electoral homes etc., you have got 38 people rather than one person, would certainly be far more achievable.

So when we take all that into effect, I think we have already got the options on the table now and I would urge all Members to oppose this amendment.

Thank you, sir.

530 **The Bailiff:** Deputy Tooley.

**Deputy Tooley:** Thank you, sir.

535 I do not intend to make a long speech but I did think there were one or two things, particularly within Deputy Meerveld's speech, that I wanted to address. Deputy Meerveld referenced our clearly excellent marketing tool of our imaginary characters, who might be standing in a future election.

Clearly it was good marketing, because everybody is referencing them. And said that what those individuals would need to do was get themselves together into a party or, to be fair, he did go on to say join various parties and associations, which met with their ideals and so on.

540 His word was 'need'. Because I think in this vision of the future, this vision of future Guernsey politics that Deputy Meerveld appears to subscribe to, there is a need for any individual to be part of a political party or association, in order to have their voice heard. While I am ready to believe that there are a great number of people –

545 **Deputy Meerveld:** Point of correction, sir.

**The Bailiff:** Sorry, what did you say, point of correction?

**Deputy Meerveld:** Point of correction.

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**The Bailiff:** Point of correction, Deputy Meerveld.

**Deputy Meerveld:** I think I said all they would need to do, as in they would have the choice whether they did or did not. But all they would need to do to create a budget, adequate, is to join and combine their resources.

555

Thank you, sir.

**Deputy Tooley:** Okay, well I think that is a matter of semantics, whether all they would need to do says that they would need to do that, or whether it says that ... Either way, the phrasing that Deputy Meerveld used conveys to me that he thinks that what they would need to do is get together to create their larger budget.

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While I am prepared to accept that there are many people on this Island, possibly even a majority, although I think that is unlikely, who would like to see party politics form in Guernsey, I do not think there are people on Guernsey who want to see a position where an individual candidate, standing on a platform of integrity, or on a platform of a particular vision for the future, is unable to compete with political parties and associations; and I think the vision of the future that Deputy Meerveld is presenting is one which would massively overshadow those individuals who our community and our society knows are there for their best interests and would want to support and vote for. So I am not happy about that.

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I did think for one minute that we were heading into the Lesson of the Widow's Mite, in Deputy Meerveld's speech, because he talked about a political party or association where everybody would be able to give as they were able and receive the same benefits in return, and I really like that idea, but I think it is an interesting one to see how these nascent political parties will deal with.

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Will our imaginary affluent character be happy to give a large proportion of his or her allowed spend in order to get exactly the same back as a candidate who is putting much less in? Maybe those individuals will be there, maybe as a whole that is what political parties will do. But it will be interesting to see the rules that are drawn up that enforce that and potentially means test their more affluent candidates to ensure that they are putting in half of what they could have afforded up to that level, because that is the suggestion that I think was coming from Deputy Meerveld, that would exist.

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Deputy Meerveld also said he was not happy to bias the election too much in favour of political parties. I think that is a very interesting choice of phrase, 'not happy to bias it too much'. I think there is an interesting balance, or a lack of balance, between the claim that there are lots and lots of secret societies and secret groups' meetings of States' Members and others, who are ready to spring from the chrysalis with fully formed political parties, and Deputy Meerveld's assertion that this Assembly does not want to see political parties and therefore is going to try to hamper, or stymie, or tie back the ability of political parties to operate.

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I am not entirely sure you can have it both ways. Either Deputy Meerveld believes that there are lots of political parties forming here, when surely, what those individuals would be trying to do if that were the case, and if Deputy Meerveld's vision of parties is correct, is ensure that all those parties could spend everything that they could possibly want to. I do not think that balances with this idea that this States is a States that would try to prevent that spending happening. So that is interesting.

Two final points. One is that Deputy Meerveld tells us he is not talking about massive amounts of money. Well, he is talking about potentially £45,000 and I do not want to say that anyone is divorced from the reality of what is life for the average Guernsey person –

**Deputy Meerveld:** Point of correction, sir.

**The Bailiff:** Deputy Meerveld.

**Deputy Meerveld:** In my speech, I clearly stated that I thought £20,000, around £20,000 was an adequate amount and, based off the existing numbers, that is; considering the numbers actually presented in Deputies Tooley and de Sausmarez's presentation was £15,280 for an Island-wide maildrop.

**Deputy Tooley:** I do not think those were numbers in our presentation, I think they might have been in the SACC policy letter. But if that were the case then why does this amendment go up to a potential five times £9,000, which is up to a potential £45,000? That is in the amendment as an option. So we are talking about sums up to, potentially, £45,000.

While, as I say, I do not want to suggest anybody is divorced from the reality of life for the average Guernsey person, I think to suggest that £45,000 is not a very significant sum of money is absolutely preposterous.

My final point, though, is that yesterday Deputy Meerveld was very much of the opinion that it would be impossible to find 10 volunteers to go out and deliver manifestos across the Island and yet he tells us today that he expects that political parties could each be fielding 30-40 candidates. Well if 30-40 candidates cannot walk the Island –

**Deputy Meerveld:** Point of correction, sir.

**The Bailiff:** Deputy Meerveld.

**Deputy Meerveld:** In my comments yesterday I was not saying that it would be impossible to find 10 people to act as volunteers; obviously eminently achievable. What I was saying is, under our current expenses rules, having 10 volunteers, you would have to charge their time, at least minimum wage, if they were not candidates. If there are 38 candidates then presumably they can do it for free, but individuals cannot. Friends or family cannot for the individual.

**Deputy Tooley:** And, as Deputy McSwiggan pointed out yesterday, that is not currently a rule and mis –

**Deputy Meerveld:** Point of correction, sir. It is a rule. It is part of the election expenses law and I would ask H.M. Comptroller to confirm that. Deputy McSwiggan said it is not commonly enforced. Now, as far as I am aware, it is not a valid legal defence in a courtroom to say, 'It was not commonly enforced, therefore I was allowed to break it.' May I request H.M. Comptroller to confirm that services in kind have to be charged at the commercial rate?

**The Bailiff:** You were raising a point of correction and you are now asking H.M. Comptroller to give advice. (**Deputy Meerveld:** My apologies.) That should be a matter for your closing speech if you wish to pursue it at that point. It will also give the Comptroller chance to think about the answer. Deputy Tooley.

**Deputy Tooley:** Yes, surely political parties, which were fielding a great number of candidates, will be more than capable of sending those candidates out to deliver manifestos and, who knows, perhaps they could deliver each other's at the same time, in support of each other? I am grateful to Deputy Meerveld for standing up, though, because he has reminded me that there was one more point.

While I was waiting for him to finish, I recalled it. Which is that, at the moment we do not have any regulation restricting what a political party can spend when we are not in an election period. As I understand it, Deputy Meerveld is a member of two political parties on the Island, possibly more, I do not know, one of which, as he has mentioned, the Islanders' Association, which has, according to information that has been available in the *Press* and on social media, got quite a large sum of money at its disposal from its memberships already obtained.

There is nothing in the current legislation to prevent the Islanders' Association marketing itself as an association right now, because we are not in an election period. As I understand it, there is nothing preventing that spend. But we are not seeing that political party market itself, so I am really not sure why this would be necessary, going forward, at this level, when it clearly is not appearing necessary at the moment, for those associations to use their already considerable funding to market themselves. So I would be interested to hear some response on that.

Thank you.

**The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** Thank you, sir.

I am just going to add, very briefly, a couple of specifics, to what Deputy Merrett was saying and, actually, it touches on what Deputy Fallaize was saying, too. He informed us that in his opinion £6,000 is the lowest sensible limit that we should be opting for in terms of candidate expenses. Under the substantive Propositions when we get to them already, that would mean that if Members voted for £3,000, there would already be an option to set party expenditure limits at £6,000 under 3B. There would also be a 3A option to peg it at the same rate as the individual candidate limit, which is SACC's original proposals and indeed what we agreed on in the previous policy letter.

Under 3B, if we set candidate limits at £3,000, then the party limit could be £6,000, under 3B, if we set it at £4,000, the party limit could be £8,000, under 3B, and if we set the individual limit at £5,000, then under 3B the party limit could be £9,000. Anything above £5,000 could also be limited, capped at £9,000 as well.

So I was just putting a little bit more meat on the bones, in terms of the options that are already there. Personally I agree with Deputy Tooley, I just think if this really is about not giving parties too much of an advantage, I do not see why we need this amendment at all. We have already got options in the Propositions, as they stand, which do allow a more generous interpretation for party limits and I think this amendment is entirely unnecessary and I hope that Members vote it out.

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**The Bailiff:** Deputy Ferbrache.

**Deputy Ferbrache:** Sir, both Deputy Meerveld and I were probably the public voices, the public protagonists of the Island-wide voting proposals. We were the public face, really. There is much merit in what he says but I take a different view from him in relation to this particular amendment and I am going to vote against it.

I agree with Deputies Tooley and de Sausmarez and Deputy Merrett. There is enough choice already in the melange of various amendments that have been passed and the options, which I think makes us look, actually, a bit silly to the world out there; (**A Member:** Hear, hear.) £2,000, £3,000, £4,000, what do you like?

Also I do take a different view to my colleagues, what I think my colleagues from SACC are going to say, in that I am going to stick to our original proposals. We considered it, we came to a considered view. I have heard nothing over the last five, six, seven hours, perhaps another two or three hours – no doubt Deputy Gollop wants to speak in due course (*Laughter*) – that has changed my view, at all, on anything.

I also voted for the guillotine motion; I was in a minority. I voted for the guillotine motion because, really, I think we have expressed our views in connection with all of these matters *ad nauseum* and the public out there must be quite fed up with us. I am pretty sure really, he will correct me if I am wrong, but what I think Deputy Meerveld was alluding to when he talked about secret societies, I do not think it was the kind of secret societies that some Members go to here, and they have a place at St Martin's, wherever it may be.

I do not think he was talking about that kind of secret society, I think he was talking about the meeting we have heard about, it may be wrong, led by Deputy St Pier and others at some accountants' office. I am very surprised by the accountants' office that they would allow a meeting of people without having given the opportunity to all States' Members to attend, but there we are, they are accountants, they are allowed to do what they like, who share common values.

Now, I am not giving way to Deputy Tooley, but she can speak in due course if she so wishes, in this debate, but I am not giving way to that because that is what I have heard. Now that may or may not be true. If that is the case and if they do emerge like a butterfly then that will be under the very wide definition, which we have worked to, given by the Venice Commission, of what a political party of association is, they will be a political party of association. The fact that they might want to do it in a touchy feely, Liberal Democrat-type way, does not change the wording of the Commission.

In relation to that, we also have the point that what Deputy Meerveld said in his speech was completely appropriate: that Guernsey is a conservative place; conservative with a small c, maybe conservative with a big C, we have had an election, but we talk about conservative with a small c and we are taking a big step on 17th June, or 16th June, 14th or whatever, these dates that we are going to be voting on, next year in relation to Island-wide voting and Guernsey people have not been, to date, familiar with the concept of, in their electoral process, political parties and associations.

Let me predict this, they will be over the next X number of years because it will evolve. The impression I get, both from comments made in the last day or so and general comments that have been made in connection with this from States' Members, is that they do not like anybody having any kind of advantage.

One of the things that we talked about in SACC is how we should list, when we have this document that is sent out with people's manifestos, whether they should be in alphabetical order or not. What a load of blinking nonsense, in my view, because that is the way people took it. We have got an alphabet, A-Z, and if your name is Ferbrache, A, B, C, D, E, F – six, if your name is Trott, you are 23rd or 18th, or whatever it may be, whatever that letter is in the alphabet. You are stuck with that.

I am not giving way to Deputy Merrett.

**Deputy Merrett:** Can I just ask if Deputy Ferbrache is speaking beyond the amendment, sir?

735 **Deputy Ferbrache:** I am speaking on the amendment because I am saying, in relation to the amendment, that we have got a position whereby, in connection with the issues, the majority of people in this Assembly are against any kind of funding, really, although there will be some, for political parties or associations, because they do not want anybody to gain an advantage.

740 The fact is that people do have advantages. Some people are cleverer than others, some people are more astute than others. A lot of people have judgements. So therefore, in relation to a political party, there should be some kind of an allegiance. I have got an allegiance to more than one political association, I declare that now, and I have no doubt, as I say, others will emerge. I do hope they emerge honestly and honourably, rather than behind closed doors, because you are best to do things honestly and honourably than behind closed doors.

745 But in connection with the proposals that SACC are putting forward, and dealing, specifically, with Deputy Meerveld's amendment, it is a start. We will not end up there. In four years' time, in eight years' time, I am convinced it will be somewhat different. But it is a start and it gives political parties and associations some monies to put forward their message.

750 Now, as I say, some people here will not like that because it gives somebody an advantage and it reminds me, and it is on the amendment, my colleague and friend Deputy Merrett, she may well disagree, but in my view it is on the amendment and, in relation to that, it reminds me, in my law practice, we have got a lady who is a Slovakian, early forties, married to a Guernseyman, two Guernsey children. She grew up in Slovakia when it was a communist country and they, every morning before school, had to stand up, look at the flag, and espouse the communist mantra. Everybody had to work in jobs so whether they were good, bad, or indifferent, they got the same reward, they all had to live in accommodation, whether they were good, bad or indifferent, whether they were good workers or bad workers.

755 Here the ethos is that we should dumb down. In relation to political parties, as I say, the proposals that SACC are putting forward are that there should be a dipping of the toe in the water in relation to funding for political parties and associations. Deputy Meerveld, and I appreciate it is 760 A, B, C, D, E, and he has given a range of alternatives, and it is a credit to people like Deputy Meerveld, particularly Deputy Meerveld, that we have actually got Island-wide voting. He and I are excluders in a remainder society in relation to this Assembly, but I cannot go as far as supporting his amendment in this particular case.

765 **The Bailiff:** Deputy Le Tocq, you wish to be relevéd?

**Deputy Le Tocq:** Sadly, sir, I do, yes! *(Laughter)*

**The Bailiff:** Deputy Gollop.

770 **Deputy Gollop:** Yes, as Deputy Ferbrache hinted, there is a temptation to speak at great length on this topic because I think it is actually so interesting, this topic, because it is of much greater importance, I think, than many Members perhaps appreciate. First of all I need to say, I do not know if I am a member of secret societies or whether they exist, but I am certainly a member, and at least 775 a follower of the 2020 Association, which perhaps was formed a few months after the Islanders' Association, which I am also a member of. I am not on either committee. I am a kind of member of the Whig Party that was formed, and I kind of got involved in that. I am a member of the England and Wales Green Party – I do not think there is a Guernsey equivalent. I was a member of the Jersey Democratic Alliance at one stage, but never mind. And various bodies like that.

780 Therefore I have not actually made a decision whether I will be willing and able to stand in the next election and, if so, whether I will stand under a party or independent banner. That is kind of where I am coming from on this. I try not to get too involved in factions of the States, should there be any.

The thing is, though, we have already heard about various levels of exclusion and inclusion and so on, but one has to consider the history of parties and where they came from. Not so much in Guernsey, but elsewhere. Before, I do not know, the mid-Victorian era, party politics was linked to all kinds of issues, the Jacobeans, the nature of factions within the Church of England, the non-Conformism, different approaches to the world from the Tory squirarchy, to the Whigs, who were perhaps wealthier, more internationalist.

**Deputy Inder:** Sir, point of order. I just wonder if Deputy Gollop is talking to the amendment or talking to history?

**The Bailiff:** Can I just make a general comment that a lot of this is actually general debate. At the moment it is the amendment and I think Deputy Gollop, with his very interesting history lesson on the evolution of political parties in another jurisdiction, has gone slightly beyond or perhaps a long way beyond this amendment.

**Deputy Gollop:** Where this is relevant is parties like the Labour Party, for example, came into being not to prevent independent candidates from having a voice but actually to facilitate candidates of lower income a chance to serve because the party became ultimately responsible for a substantial proportion of promoting the candidate.

My late father, I believe, my late mother told me, would have wished to have been a Conservative Party candidate somewhere or other but, in those days before the war – and this is a history lesson – the Conservative Party demanded candidates paid for the election in their constituency. That effectively meant that only wealth people, generally speaking, stood for the major parties.

Therefore I think it is false to assume that a party is trying to gain a spending advantage because they potentially – and we have seen in Jersey perhaps more of a left-of-centre party that has been moderately successful and now has people at a ministerial level, it is precisely to gain a voice with candidates and there were nearly 20 candidates in Jersey from this particular group, in a different electoral system, admittedly, who would struggle financially.

Because we know, and this point was very well made in the debates yesterday, that for some people, £9,000 would not be a huge sum of money. For some people, £500 or £600 is a lot of money. But we are almost certainly going to come up with figures that are well in excess of £500. Obviously we will go higher than £2,300, that would be the minimum.

So one has to consider parties. I do not think necessarily people know, or want to know, perhaps, what I think about issues. I do not even know what I think at times! When you consider the trajectory of elections in Guernsey, I remember 30 years ago, when I was quite young, standing in a white suit and one of the reasons I did, I got 800 for it, was I felt even then there was a problem in Guernsey in attracting attention, especially the attention of younger people, towards elections.

I have been doing a little bit of digging here on turnouts for local elections, as distinct from Members of Parliament, what is going on in the UK today. In a normal local election, the lowest turnout –

**The Bailiff:** Is this again on the amendment, Deputy Gollop?

**Deputy Gollop:** I am just saying that we have a democratic deficit in Guernsey because the lowest turnout in England, in recent years, was in a place called Swadlincote, 15%. We saw a local election for St Peter Port, 1.5%. The point I am making is we have had a culture of having almost secret elections. We do not allow posters in places. We do not allow campaigns to get going. We have quite restrictive spending allowances.

We need to ensure better Electoral Roll registration, better turnouts, more engagement from candidates. The parties will, if they get greater funding, for example, for or five times, and there is no stopping parties and associations of any political persuasion or kind – in fact there is a difficulty in defining what an association or party is because there have been examples in another island of



parties that are not entirely clear what they are – but the parties will be able to engage interest in the election.

One of the reasons maybe, against perhaps the betting odds, that Option A won was precisely because an organisation and association, led by two or three very able Members of the Assembly, actually took up the case.

**Deputy Merrett:** Thanks, Deputy Gollop, for giving way.

The reason that Option A won the referendum was because members of our community went out and voted for it. Whoever proposed it, I do not think it was down to any Member in this Assembly, it was the fact that our community went out and voted for it. That is how it won. By people voting.

**Deputy Gollop:** Let me put it another way. SACC in that era allowed a unique situation whereby people could put in £5,000 of their own money and have an election paid by the state of £5,000 from the public purse. Option A spent more than the other two, by a little bit, not by a lot. But, guess what? The Islanders' Association, because they accepted and were quite properly chosen as the representative for Option A, which is what we are talking about now, had £10,000 to spend.

Now listening to the debates today, we are suggesting in the first general election that an association would have significantly less than that. I think we have already proved that associations can, or groups can, engage public support and have a role to play in encouraging perhaps people to look at things in a different way. Therefore I believe we should at least, as Deputy Fallaize put earlier, put this amendment as an option, and then we can all decide later whether we wish to go for any of its Propositions.

**The Bailiff:** Deputy Lester Queripel.

**Deputy Lester Queripel:** Sir, the Indian guru Krishnamurti once said where there is choice there is misery. I totally disagree with that philosophy because the more choice we have the better, in my view. Suffice to say that when I met Krishnamurti in the 1970's I suggested we agree to disagree. He did not resonate with that suggestion at all. He proceeded to try to convince me that he was right and I was wrong. Another 15 minutes later, we agreed to disagree!

Forty-five years later, I am still of the view that the more choice that one has, the better. Which is why I am going to support this amendment. I do have a question, however, for Deputy Meerveld, because he puts a lot of faith in the Venice Commission and, in asking this question, I apologise in advance for my lack of knowledge.

The question is why does Deputy Meerveld put so much faith and belief in the Venice Commission and why does he think we, as Members of this Assembly, should put faith and belief in the Venice Commission? In closing, sir, for the benefit of Islanders listening on the radio, I will recite the statement of the Venice Commission from within the explanatory note of the amendment, which reads as follows:

As a specific type of 'free association of persons', political parties are central to the functioning of democracy. They are essential to a pluralist political society, and their role in the formation of the will of the people is fundamental.

That sounds impressive, sir, but surely that is just an opinion? So I would like to hear Deputy Meerveld's response to those two questions when he responds, thank you.

**The Bailiff:** Deputy Hansmann Rouxel.

**Deputy Hansmann Rouxel:** Just briefly, sir.

Since Deputy Lester Queripel brought up the Venice Commission and Deputy Meerveld has quoted from it – selectively – reading through one of the glaring omissions is that the Venice

Commission does actually promote regulation of parties, something that we have very little of, regulation of finances. Regulation of party and campaign finances is one of the areas, which we are discussing as part of this amendment; 194 was:

Transparency in party and campaign finance, as noted above, is important to protect the right of voters as well as prevent corruption. Transparency is also important because the public has the right to receive relevant information and be informed. Voters must have the relevant information as to the financial support given to political parties in order to hold the parties accountable.

Now that is very important, this transparency, so that voters know who and what they are voting for. I will leave that there. We have no regulations, which require parties to be so transparent.

It is reasonable for a state to determine a maximum spending limit for parties in elections in order to achieve the legitimate aim of securing equality between candidates. However the legitimate aim of such restrictions must be balanced with the equally legitimate need to protect other rights, such as the right of freedom of association and expression.

So all we need to do, when regulating parties in this election is give them the same restrictions as we do an individual candidate.

**The Bailiff:** Deputy Meerveld will reply to the debate.

**Deputy Meerveld:** Thank you, sir.

I will try and go through the order of speakers as they appeared. I thank Deputy Inder for his sympathy and understanding and recognition of the difficulties that parties and associations will face in the coming election and the need for us to have a potentially larger allotment, or allowance of a larger allotment of capital, for a party to be able to market themselves effectively, to be able to do a full maildrop, etc. And if the amount falls too low, it becomes an impediment to them engaging in the election effectively.

Deputy Fallaize quoted the pick and mix approach of both yesterday's amendments from Deputies Tooley and de Sausmarez, of Option Two, and the fact that I revised my amendment to be a pick and mix version as well and that is simply because of the success of the Option Two yesterday and the way it was incorporated, because the confusion was whether we were going to pick an option to insert and have a single amount to work from, or whether we were going to have a selection of options inserted.

With the selection of options, we do not know what the quantum is. It would have been very hard to have a debate of five times a multiple of we do not know what. So, as Deputy Fallaize says, it allows the Assembly to decide after we have decided the quantum for the individual, whether or not a multiple should apply to a party or association and, if so, to what degree. So I hope, on that basis alone, to give people the choice to choose the quantum of the individual first and then the multiplier, if people allow this amendment to go through.

Deputy Tooley said that £45,000 is a lot of money for an individual. She is absolutely right. In fact, depending on the individual ... well, I said she is absolutely right, for some individuals. Other people would not think that was a large amount of money at all. It depends upon the means of the individual. But the point is I was not suggesting that I wanted £45,000. The whole reason for amendment 1 being laid in the first place was the fact that it became very clear that other Members were going to lay amendments to significantly lower the expenditure amount. If those amendments had not been coming, I might have been willing to live within the nine times that was there originally and this is why I have not argued this point about –

**Deputy Merrett:** Point of correction, sir.

**The Bailiff:** Point of correction, Deputy Merrett.

**Deputy Merrett:** There was no nine times, as originally.

**Deputy Meerveld:** Nine thousand, thank you for the correction – £9,000 that was originally suggested but, knowing that the individual would be lowered significantly and that it may be coming to the range where it is simply unviable for a party to effectively market itself, then it is required to look at some kind of multiplier.

I would like to call on H.M. Comptroller to confirm whether or not the, I have got the Act to hand, Article 44 of the Reform (Guernsey) Law, 1948, does quantify tangible or intangible services or property being provided to a candidate having to be accounted for at commercial rates?

**The Bailiff:** What section were you quoting from the Reform Law?

**Deputy Meerveld:** Actually it does not matter. I will read from the *Information for Prospective Candidates in 2016, General Election of People's Deputies*. This is a document that was circulated to all members of the public who were interested in becoming candidates prior to the last election. It says after it goes through the fact that any candidate who contravenes, whether by himself or by his servants or agents any of these amounts, the £2,300 on that day:

... provision shall be guilty of an offence and shall be liable, on conviction, of a fine of fine not exceeding Level Five, in new form scale, £10,000.

It goes through penalties but then it says:

For the avoidance of doubt, money's worth means any tangible or intangible property, service or other consideration which has an identifiable monetary value if received, to goods or services, at a lower cost than their commercial value, must record the full commercial value unless it is a commercial discount, which is available to all other similar customers, such as discounts for bulk orders or seasonal reductions.

If, and we have had a lot of debate during the last day and a half, about whether or not I can get nine friends to deliver my manifestos door to door. If it is nine friends and I think Deputy de Sausmarez quoted a rough number that Deputy Roffey had calculated, when he said, with nine friends, he could distribute them in about 12 days to the whole Island. That is fine.

Sorry, I will give way to Deputy de Sausmarez.

**Deputy de Sausmarez:** I thank Deputy Meerveld for giving way. Just as a point of clarification, that was if canvassing, not delivering. So canvassing obviously takes considerably longer.

**Deputy Meerveld:** Okay, well let us say his nine friends can walk very quickly. If we value those individuals' time at minimum wage for next year, which is £8.50, eight hours a day, 12 days, nine people, the candidate will not have spent a penny but they will have to account for over £7,000 worth of man hours to have their nine friends walk the Island, and that is the Law.

Now Deputy McSwiggan has quite rightly pointed out that, when my sons and my wife helped me put up signs at the last election, I did not, I do not believe, I accounted for their hours at a chargeable rate. I am not sure how much you charge for a 10-year-old. *(Interjection)* Child labour, yes. About time they did some!

The fact it was not commonly done before, we are going into a different environment, I am sure that groupings, particularly parties or groups, will be under even more scrutiny than before. The fact that it was not commonly enforced does not mean it is not going to be enforced in the future and that, alone, should be setting a sensible limit on expenditure. A candidate may spend not a single penny out of their own pocket, but a friend might build a website for them, friends may help distribute documents, manifestos. They could spend absolutely nothing but yet fall foul of the Law because of the way they have to account for other services.

The argument that they will not have the money to spend is almost irrelevant. They have to have a decent allotment just to be able to employ legally and accept support from others. As for the

suggestion, the comment about the fact that groups and associations and parties could market themselves outside of the election, unfortunately if the hands of parties and associations are tied in the election, that is quite likely what they would have to resort to and I thank Deputy Tooley for the suggestion.

Deputy de Sausmarez says that within the Option 2A there are the abilities to do a two-times multiple, or whatever. The problem is it is still going to be insufficient to do the absolute basics of graphic design, page layout, printing and delivery of a basic manifesto. Whilst Deputy Tooley would rather save trees, I agree that would be an ideal situation where everything was done electronically with the least environmental impact possible, but the fact is a good chunk of our electorate either are not connected on the internet or, when they receive a weight document, do not read it on the internet.

While I am completely computer literate, I prefer to receive documents because I still grab a pen and mark them up and write my notes in the margins. There is a lot of people who work that way. So in future generations, I am sure that one day all manifestos will be delivered electronically. But the thing is we cannot even do it now. The Electoral Roll does not have an email address for every member of the electorate.

If you emailed one, if you have managed to get a contact for every household on the Electoral Roll, you could not email one individual in that household and expect them to forward it onto the other individuals who are registered voters in that household. So there are practical limitations to the ability to deliver a manifesto to every member of the electorate via an electronic, non-paper means.

Parties and associations have to have sufficient money, and as I say I go back to their example, or maybe SACC's example, £15,280, to print and deliver an eight-page manifesto, not a massive document, not including graphic design and layout costs.

Deputy Lester Queripel, the Venice Commission, yes I did quote them. The context of that is really following on from Deputy Jonathan Le Tocq's comments yesterday about how we are held up to international scrutiny. The fact is, many debates in this States, our regulation of financial crimes, our regulation of our financial industry, everything else is to meet international standards. Our data protection laws are being adopted from Europe to make sure we meet international standards.

Are we going to turn around and say that our electoral system, actually, forget the international standards, we are elected by some quirky, unique method that is not necessarily fair, transparent and gives the proper voices to both groups and individuals? Whilst the Venice Commission, I have not done the research to work out whether or not they are the definitive voice that we should be following, they are certainly a recognised voice and I would take guidance from them.

Deputy Sarah Hansmann Rouxel, I absolutely support regulation and full transparency within associations or parties – parties effectively, as Deputy Fallaize pointed out. They are going to have to be called parties, regardless of their structure. When they register and everything else, going forwards, I believe Island-wide voting will be a difficult process the first time around, as anything new and dramatically different is, but I think it will succeed.

I think in it, and this is just my belief, that parties and associations or groupings will end up having the majority of control and, in future, that will become more entrenched. And I sincerely hope it does because I believe that is a clear way through, away from the malaise that this current Assembly – malaise and inefficiencies and ineffectiveness, that this current structure suffers from, whether it be due to the people elected or rules or procedures of the way we have to operate. I believe it will come forward with time and with that we will need full regulation, full transparency of those political groups, I absolutely endorse it, I definitely would like to see that be part of the process and I think it will happen inevitably.

But in short, to conclude, the basic points are: we are looking to restrict the level of expenditure of an individual. If it goes below the £9,000, it is going below a level where we are starting to limit their choice of the way in which they can communicate. We are saying to them, sorry, you do not have enough money to do a maildrop of the Island with a couple of ads or a few posters. You are

getting down to the point where they are getting limited choices. If you then limit the choice of the expenditure of a group to a same level, you are then inhibiting the formation of parties and associations and I think most democracies in the world would frown upon that.

1025 Therefore I say support this amendment. This amendment still allows the Assembly to vote for £9,000 and I would accept the one-times multiple on that. But if that multiple goes lower then I would hope this Assembly would look at that and say that is unreasonable. If a group is going to field 20 or 30, 38 candidates, they should be able to get their message across independently of piggy backing on the individual and, again, going back to personality based elections rather than policy based elections the groups would hope to strive for. Therefore I ask you to support this amendment and give it proper consideration during debate.

Thank you, sir.

1035 **The Bailiff:** Before we get to the vote, H.M. Comptroller, can you clarify the position on declarations of interest, for the benefit of Members? The issue that was raised by Deputy Oliver.

**The Comptroller:** Sir, yes. I am grateful to have had the time to have given this a little bit of thought. The relevant Rule, Members will recall, is Rule 17, paragraph 15, and I will just read out the relevant part. It states:

A Member who has a direct or special interest in the subject matter of a Proposition submitted to a Meeting in which he or she is present shall, without prejudice to the requirements of Rule 29, before he or she speaks on the Proposition, or if he or she does not speak before a vote is taken on the Proposition, declare this an interest by disclosing it to the Meeting.

1040 I think the question was raised about whether that Rule engages in the context of party membership or potential party membership. But I think it might also, arguably, equally apply in relation to anybody who is going to stand as a candidate. So I think – excuse me – the phrase ‘direct or special interest’ has not been given a narrow interpretation, it has been interpreted very widely. I have not always agreed with that, personally, but it is the interpretation generally that I think has been given to that phrase. It seems to me that people who are in a party, proposing to enter a party, or proposing to stand, have a direct and special interest in this Proposition.

1045 But it is a question of whether individuals need to declare that. We are almost in a position, and it applies when we have Social Insurance debates about pensions and these sorts of things, you might argue that it goes almost without saying that individual Members have an interest in this Proposition. That should not preclude Members, if they wish to individually stand up and declare an interest, if that is what they want. But I think it is a given that Members have a direct or special interest in this Proposition. If that helps, that would be my view.

1055 **The Bailiff:** We now need people to stand up and declare before they go to the vote.

**The Comptroller:** If they wish to, yes.

**Deputy Lowe:** I will stand up and declare I intend to stand at the next election, sir.

1060 **The Bailiff:** That was Deputy Lowe. Deputy Kuttelwascher.

**Deputy Kuttelwascher:** Yes, I am a supporter of the 2020 Association. As far as the next election, I am afraid, I am a long way from deciding that, thank you.

1065 **The Bailiff:** Deputy Brouard is standing.

**Deputy Brouard:** I think I may well, sir. Thank you.

**The Bailiff:** You may well what, be a member of an association? *(Laughter)*

**Deputy Brouard:** I may well stand, I may well be a party member at some stage. It is just too early to say at this position.

**The Bailiff:** Deputy Fallaize.

**Deputy Fallaize:** Thank you. I am not a member of an association or party, a coalition of independents or any other alliance, and I intend to be a candidate at the next election.

**The Bailiff:** Deputy Leadbeater.

**Deputy Leadbeater:** Sir, I also intend to be a candidate at the next election and it is a possibility that I might join some association or stand for a party.

**The Bailiff:** Deputy Mooney.

**Deputy Mooney:** Member of the 2020 Association and Islanders.

**The Bailiff:** Deputy Tindall.

**Deputy Tindall:** Sir, can I just ask, I thought I heard H.M. Comptroller say, 'If they want to.' It is not compulsory for any of us to stand up?

**The Bailiff:** That is what he said, but I am giving the opportunity for those who want to.

**Deputy Tindall:** I just wanted to clarify that as people were standing.

**A Member:** Government transparency.

**The Bailiff:** Deputy Oliver.

**Deputy Oliver:** I will be standing at the next election and I am not a member of any party.

**The Bailiff:** Deputy Parkinson.

**Deputy Parkinson:** Yes, sir, I intend to stand at the election and currently I am not a member of any party.

**Deputy Inder:** Sir, in the interests of transparency, I have not actually decided if I will be standing in the next election but there is a likelihood and I think it is right that I stand here and declare that possible option. So there you go.

**The Bailiff:** Deputy Dudley-Owen.

**Deputy Dudley-Owen:** The same. In the interests of transparency, I have declared already publicly that I intend to stand in the next election and I am not a member of any political party.

**The Bailiff:** Deputy Gollop.

**Deputy Gollop:** I have declared already a member of –

**The Bailiff:** Yes, you have already declared. As has Deputy Ferbrache, who has also declared.

**Deputy Ferbrache:** I have declared already and I may be a candidate.

1125 **The Bailiff:** Deputy Tooley.

**Deputy Tooley:** Sir, I would just like to place on record that I am not a member of any political party or association and I hope to stand in the next election.

1130 **The Bailiff:** Okay. Deputy Lowe.

**Deputy Lowe:** Sir, I did not add that I am not a member and I do not intend to be a member of any association. Just for clarity.

1135 **The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** I would just place on record, as well, that I am not a member of any political party or association and I have got no idea if I am going to stand in the next election.

1140 **The Bailiff:** Deputy Merrett.

**Deputy Merrett:** I think I have already declared that I am a Member and I have stood before. I am not a member of any secret society, unless it is so secret I do not even know about it, or any association. It does not mean I will not do in the future, it means not to date have I been involved.

1145 Thank you, sir.

**The Bailiff:** Deputy McSwiggan.

1150 **Deputy McSwiggan:** Sir, I am definitely not going to stand in the next election but I have been involved in several conversations about potential parties and alliances and if one comes along that I like the look of, I would definitely support it. So, you know, I have an interest.

**The Bailiff:** Thank you. And Deputy Meerveld?

1155 **Deputy Meerveld:** Yes, sir. I think my position regarding associations and parties is pretty clear and I will be standing in the next election.

1160 **Deputy Fallaize:** Sir, when the Comptroller said that he thought there was a special and direct interest then there would be the question of whether it should be declared but the Rule says that where there is a special or direct interest it shall be declared. The Rule does not provide for any discretion about whether Members declare special or direct interests. So either there is a special or direct interest, which must be declared, or there is not; which, emphatically, there is no need to declare, surely?

1165 **The Comptroller:** Through you, sir, I think Deputy Fallaize makes a fair point but, on the other hand, there have been occasions when, because of the nature of the debate, the subject matter of the debate, the Assembly has accepted people have a direct or special interest, everybody does. I think this is one of those occasions.

1170 **The Bailiff:** It is as with some taxation issues. There are taxation issues where some people did declare, not everybody did.

**A Member:** Transparency; come on. Stand up.

1175 **The Bailiff:** One accepts, as you say, there are certain issues ... It is one of the unsatisfactory things about the Rule, that there is uncertainty, different people do interpret in different ways. Anyway, I think H.M. Comptroller has given his advice and people can take it as they wish.

**A Member:** Transparency.

1180

**The Comptroller:** I have made my position, clear, sir, yes. As I mentioned earlier, there has been debate over the interpretation of that phrase 'direct and special interest', it has never been resolved definitively to my knowledge and it has been given a wide interpretation, but this way of applying it has also been used within this Assembly in the past.

1185

**The Bailiff:** And some people interpret as meaning a financial interest and of course nobody is going to get an individual financial benefit from what is being proposed. But we are not going to enter into a debate on what direct or special interest means.

1190

**Deputy Fallaize:** Sir, are you ruling that there is no direct or special interest, because if there is, the Rules say it shall be declared? But if you are ruling there is not we –

**The Bailiff:** H.M. Comptroller has given his advice.

1195

**Deputy Trott:** Sir, I will deal with it, if I may. I intend to deal with it this way. I might be a candidate at the next election. I am not a member of any party or association but I might be.

**The Bailiff:** Let us go round, left to right. Deputy Prow.

1200

**Deputy Prow:** Sir, I am considering whether or not to put myself forward in the next election. Thank you, sir.

**The Bailiff:** Deputy Smithies.

1205

**Deputy Smithies:** Sir, I have no political affiliation and I will stand in the next election, if I am spared.

**The Bailiff:** Deputy Green.

1210

**Deputy Green:** Sir, I have made no decision about whether to stand in the next election or not and I am not a member of any current political party or association.



**The Bailiff:** Deputy Tindall.

1215 **Deputy Tindall:** I have not decided whether to stand at the next election and I am not affiliated to any party or an association. I just take issue on the fact that we all have an interest and therefore we should all stand.

**The Bailiff:** Deputy Roffey.

1220 **Deputy Roffey:** Sir, I am undecided whether to stand for the next election, but I am decided that I would not become a member of any association, club, secret society, any one that would have me as a member is not worth joining! (*Laughter*)

**The Bailiff:** Deputy Dorey.

1225 **Deputy Dorey:** I am likely to stand at the next election. I am not a member of any organisation, currently, but by interpreting the Rules, we have all broken the Rules already (**A Member:** Hear, hear.) because we have all voted a number of times.

1230 **The Bailiff:** But the issue has been raised and I think it is right that people should have the opportunity, for the purposes of transparency, if they wish to do so, to put their position on the record and that, as I understand it, is what H.M. Comptroller advised. But you are right, there are people who have already broken the Rules if they feel they do have a direct or special interest. Now the issue has been raised, there is an opportunity for people to give clarity and be transparent and that is what is happening.

1235 Deputy Le Pelley.

**Deputy Le Pelley:** Sir I do not wish to say anything about this at the moment. What I would like to know is, and I have not spoken on it yet, so I have not had to do anything in relation to anything at all. If I decide to *je ne vote pas* is that in fact giving a vote? Because if it is, I will leave the room and then I will not have to do anything.

1240 **The Bailiff:** The Rule says 'before someone votes'. So, if you say, '*je ne vote pas*', which means 'I do not vote', I do not think that is a vote. So, by definition of the wording, H.M. Comptroller may disagree, but if you say, 'I am not voting', to my mind that is not a vote.

1245 **Deputy Le Pelley:** Jolly good. Thank you, sir.

**The Bailiff:** Deputy Brehaut.

1250 **Deputy Brehaut:** I need to declare I am losing interest! (*Laughter*) This has gone on for a very long time, sir. I have no intention of standing and will not be standing at the election, sir, thank you.

**The Bailiff:** Deputy Hansmann Rouxel.

1255 **Deputy Hansmann Rouxel:** Like others, I have not decided whether to stand in the next election, but I am not a member of any party or association, although if one comes up that is a genuine, good party, I would consider joining.

1260 **The Bailiff:** Deputy Soulsby.

**Deputy Soulsby:** Sir, yes, I am not a member of a party, secret or otherwise, and I have not made up my mind whether I am going to stand again or not.

1265 **The Bailiff:** Deputy Le Tocq.

**Deputy Le Tocq:** Ditto.

**The Bailiff:** Deputy Merrett.

1270

**Deputy Merrett:** Sir, I hesitate to stand and correct you but I think your words were that there is no fiscal, as in financial, gain, but we voted yesterday on the potential of giving candidates £500, which clearly is a financial gain.

1275

**The Bailiff:** But that is not before us on this amendment, Deputy Merrett. I was talking about this amendment but I agree, in relation to the £500, but that applies to everybody. I think that is one of those things, like if the States are voting to increase personal tax allowances, which are universal, okay they are not universal any more but they used to be, something like that, then people did not have to stand up and say, 'I am a taxpayer', because we knew that applied to everybody and the £500 grant, obviously, would apply to everyone.

1280

I think it comes into that category and to some extent all of this comes into that category but that does not stop people, as H.M. Comptroller is saying, if they wish to do so, for the sake of transparency, they can stand and declare an interest and that is what is happening.

Deputy de Lisle.

1285

**Deputy de Lisle:** Sir, I think it is very important that we do declare if we are members of a political party but I am not. I stand as an individual, as an independent political member of this Assembly and I am considering running in the next election, sir.

1290

**The Bailiff:** Thank you. Deputy St Pier.

**Deputy St Pier:** Sir, other than perhaps highlighting once again how unsatisfactory this Rule is, given that most people have risen to declare that they do not have an interest rather than they do, which of course is the purpose of the Rule, I do not believe that, to the best of my knowledge, today, I have a direct or special interest in the matter before us.

1295

**The Bailiff:** Fine. That concludes that. Just in terms of clarification as to what this amendment is doing, is that what you are about to stand up and ...? I think H.M. Comptroller wishes to address us on something else.

1300

Mr Comptroller.

**The Comptroller:** Sir what I was going to deal with was the query that was raised by Deputy Meerveld, very briefly, in relation to what are effectively donations of time and services and these sorts of things and how they count, for the purposes of the election. I am not sure I can answer specific queries but what I would note, and I am grateful to Deputy Inder for providing me with a copy of the Reform (Guernsey) (Amendment) (No. 2) Law, that Members passed earlier in the year.

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There is a provision there, which deals with donations and I note, in particular, there is a provision that provides that the States' Assembly & Constitution Committee may issue guidance in respect of the issue of donations, effectively. Now it may be that Deputy Inder may be able to clarify that point. There may well be guidance, which will assist in due course.

1310

**The Bailiff:** Have you also looked at Section 44 of the Reform Law?

**The Comptroller:** Yes.

1315

**The Bailiff:** Because that talks about a candidate expending any sum of money or giving any value in money's worth, or otherwise, and then subsection 2, whether that is by himself, his servant or agent. So somebody, who through a servant or agent, gives value in money's worth, then, subject to any Ordinance that the States might introduce, that would be prohibited.

1320

**The Comptroller:** Indeed, sir. And again, I am wondering whether there may be some sort of provision or guidance issued in relation to that provision, as well? Perhaps Deputy Inder may be best placed to address that issue?

1325

**Deputy Inder:** Just briefly, sir. This did come up in debate yesterday, a slightly diluted version of it, and we did say yesterday that we would be looking at dealing with that in terms of guidance notes.

**The Bailiff:** Thank you. So, Mr Comptroller?

1330

**The Comptroller:** Finally, to clarify perhaps what the amendment does, what effect it has, whether it is going to replace Proposition 3 or whether it adds options to Proposition 3 as it stands, I assume that it would replace Proposition 3.

1335

**The Bailiff:** But it then replaces 3A and 3B with identical provisions.

**The Comptroller:** Yes.

1340

**Deputy Ferbrache:** Sir, could I just ask a question? The point is you cannot, by a guidance note, amend a substantive Proposition of the Law. If the Law says something, a guidance note can only perhaps give guidance. It cannot change it. You have read out the relevant parts of Section 44, is it not correct thus, as a matter of pure Law, and it does not to me, there can be an argument to the contrary, that if you get your friends to deliver leaflets, they are giving up their time, that is a benefit which is disclosable under the Law and there can be no argument at all about that?

1345

**The Bailiff:** Sorry, I did not read it exactly, it does say ...

... or give any value in money's worth otherwise than in accordance with such provisions as shall, from time to time, be prescribed by Ordinance ...

So it is the Ordinance that would have to make clear if there is anything that is exempt.

**Deputy Ferbrache:** But at the moment sir, there are not any Ordinances as far as I am aware.

1350

**The Bailiff:** Okay, well I thought perhaps we were told yesterday that this was something that SACC are looking at, so I thought the position might be that ... the term 'guidance notes' was used just now, but I assume what we were being told yesterday is SACC will be coming back.

1355

**Deputy Ferbrache:** Thank you, sir.

But until there is an Ordinance that is promulgated then the Law currently applies. Again sir, obviously, a matter for the learned Comptroller and your good self but I cannot ignore my own experience as a lawyer and SACC's re-interpretation, but if you get your friends to deliver a leaflet, under the current Law as it currently stands, that is a benefit that is disclosable.

1360

**The Bailiff:** Yes, because it is, through your servants or agents, giving value in money's worth. I think that would be the interpretation, yes. Mr Comptroller is looking at me as if he does not necessarily agree. So you have got three lawyers who have four opinions –

1365 **The Comptroller:** Sir, in principle I agree with that. I agree with Deputy Ferbrache's position.

**The Bailiff:** Thank you.

1370 **The Comptroller:** As a matter of fact, in each case, it is sometimes difficult to discern precisely what the benefit is and what its value is but, in principle, and with that interpretation –

**The Bailiff:** Which is why it may be helpful if the Ordinance perhaps could give some clarification in this area.

1375 I think after all of that, we might almost be ready to go to the vote. *[Applause]* I remind you it will be a vote on amendment 7, proposed by Deputy Meerveld, seconded by Deputy Leadbeater.

**Deputy Meerveld:** I would like to request a recorded vote.

1380 **The Bailiff:** There will be a recorded vote.

*There was a recorded vote.*

*Not carried – Pour 12, Contre 23, Ne vote pas 2, Absent 3*

**POUR**

Deputy Gollop  
Deputy Parkinson  
Deputy Lester Queripel  
Deputy Leadbeater  
Deputy Mooney  
Deputy Le Pelley  
Deputy Meerveld  
Deputy Fallaize  
Deputy Inder  
Deputy Laurie Queripel  
Deputy Brouard  
Deputy Dudley-Owen

**CONTRE**

Deputy Trott  
Deputy Merrett  
Deputy St Pier  
Deputy Stephens  
Deputy Lowe  
Deputy Smithies  
Deputy Hansmann Rouxel  
Deputy Graham  
Deputy Green  
Deputy Dorey  
Deputy Le Tocq  
Deputy McSwiggan  
Deputy de Lisle  
Deputy Soulsby  
Deputy de Sausmarez  
Deputy Roffey  
Deputy Prow  
Deputy Oliver  
Deputy Ferbrache  
Deputy Kuttelwascher  
Deputy Tindall  
Deputy Brehaut  
Deputy Tooley

**NE VOTE PAS**

Alderney Rep. Roberts  
Alderney Rep. Snowdon

**ABSENT**

Deputy Le Clerc  
Deputy Paint  
Deputy Langlois

1385 **Deputy Lester Queripel:** Sir, while the votes are being counted, a point of clarification please? Did Deputy Le Pelley's original vote count, because he said '*Pour*' and then he said, '*Je ne vote pas*'?

**The Bailiff:** We will see when the votes are called.

1390 **Deputy Lester Queripel:** Surely, sir, that should be decided before the vote is counted? It is either a *Pour* or a *Je ne vote pas*.

**The Bailiff:** The Greffier is telling me he has registered it as a *Je ne vote pas*.

1395 **Deputy Lester Queripel:** So, that means he withdrew his vote. But that has never happened before in the Assembly. He changed his vote, sir. That has never been allowed to happen before in the Assembly.

**The Bailiff:** What we have had ... yes.

1400 **Deputy Lester Queripel:** Deputy de Lisle did that in a previous Assembly and he was not allowed to withdraw his vote. Deputy Paint voted the wrong way once and he was not allowed to change his vote. So this is unique, if you are allowing –

1405 **The Bailiff:** What we have had ... I am not sure I have been presiding at a time when somebody has changed their vote before the next person has voted. Maybe the senior acting Presiding Officer has been here more often than me. Do you remember a situation?

**Deputy Lowe:** It was a long, long time ago, were not allowed to change it. It is the first one.

1410 **The Bailiff:** Okay, I think that is a much better Rule to have, that you are not allowed to change, so the first vote that you give is the vote that is to be recorded.  
Deputy Meerveld?

1415 **Deputy Meerveld:** I would like to interject. Although it is a vote I will lose from my amendment, I think in this instance, Deputy Le Pelley made it very clear that he did not want to vote on this issue and was going to vote *Je ne vote pas* prior to the actual vote and it was simply a slip of the tongue.

1420 **The Bailiff:** But I think we need to have a clear Rule on this, otherwise it puts the Assembly in a difficult position, because there will be times when people are voting, particularly late on, where a vote one way or the other can alter the overall outcome, so if there is to be a clear Rule, I think the ruling should be, as apparently has been the case in the past, but not recently – and as I say I cannot recall an instance where I have sat, when I have been ...  
Deputy Tooley.

1425 **Deputy Tooley:** There was an occasion earlier this term when I voted erroneously, the opposite way to which I had spoken, and in fact I said something I should not have said about Deputy Trott and I was admonished for that, but actually there had been quite a lot of confusion about the order votes were called in and I think Alderney had been left out and then put back in and, on that occasion, we took the entire vote again.

1430 I think the Rule you are suggesting sounds like the right way to go, but I do feel honour-bound, as the beneficiary in the past of being allowed to change my vote, to point out that that has happened during this term.

**The Bailiff:** In that case, I have forgotten. Deputy Le Pelley?

1435 **Deputy Le Pelley:** If you are going to say that the *Pour* is counted, then I will make a declaration, because that is only fair that I should, but if you allow the *Je ne vote pas*, I will shut up and sit down.

**The Bailiff:** I do not like doing votes again.

1440 **Deputy Fallaize:** Sorry to prolong this, but can I suggest that Deputy Le Pelley's abstention is allowed to be an abstention, because that is clearly what he intended. And then, from this moment on, you say that the Rule will be that the first vote cast is the vote that is counted?

1445 **The Bailiff:** I think that is very difficult. I think if there is a Rule, there has to be a Rule. I think the Rule should be that the first vote that you give is the vote that counts. (**Several Members:** Hear, hear.) As I say, otherwise you do get confusion.

1450 **Deputy Inder:** Sir, with the greatest respect, I thought we only had one Presiding Officer and it is his judgement that should be final in all matters and I find it very odd that, being fairly new to this, we seem to drift into debating Rules. It may be something we need to look at in SACC and have the line under each Rule, 'The Presiding Officer's judgement is final.' Because that is his job.

1455 **The Bailiff:** The Greffier has told me it makes no difference on this occasion, which is fortunate. So I will stand by my ruling that the first vote that somebody gives is the one that is recorded. Therefore, people do need to think about what they are voting on and how they wish to vote. Deputy Le Pelley?

**Deputy Le Pelley:** In that case, sir, I will declare that I am not a member of any party and will probably not be standing in the next election.

1460 **The Bailiff:** So you are declaring that you have no interest to declare?

**Deputy Le Pelley:** Well, I did ask the question and made a mistake when I answered first.

1465 **The Bailiff:** So I hope that is now clear to everyone that the first vote that you give is the one that will be recorded. The voting was 12 in favour, with 23 against and two abstentions. I declare the amendment lost.

**Deputy Lester Queripel:** Sir, could you repeat the vote, please, because I did not hear it? Sorry.

1470 **The Bailiff:** Perhaps if people could all be silent then. (**Several Members:** Hear, hear.) It is unfortunate if people cannot hear and I apologise if my voice cannot be heard. I will say it loud enough. There were 12 votes in favour and 23 against, with two abstentions. I declare amendment 7 lost.

1475 **Several Members:** Hear, hear.

1480 **The Bailiff:** So, we move on, with further amendments. There was an amendment 6 that had been circulated, proposed by Deputy de Sausmarez and Deputy Tooley. I understand that is not now going to be laid, but instead there is an amendment 9 that is ready to be circulated but has not yet been circulated. Again, proposed by Deputy de Sausmarez, seconded by Deputy Tooley. You have copies there, I think, have you not, Greffier?

**The Greffier:** There is also amendment 10. We could circulate at the same time.

1485 **The Bailiff:** There is also an amendment 10, proposed by Deputy Meerveld and seconded by Deputy Gollop. I suggest that be circulated at the same time as well. Does everybody have a copy yet? No.

*Amendment 9.*

*Immediately after Proposition 1A insert the following:-*

*1B(1). "1B. To agree that a candidate may have his or her manifesto (limited to two sides of A4 sized paper) included in a manifesto booklet produced by the States of Guernsey and delivered to all homes on the Electoral Roll, subject to the reduction of the maximum permitted electoral expenditure applicable in respect of the candidate by £800.",*

*OR only if 1B(1) shall have fallen,*

*1B(2). "1B. To agree that a candidate may have his or her manifesto (limited to two sides of A4 sized paper) included in a manifesto booklet produced by the States of Guernsey and delivered to all homes on the Electoral Roll, subject to the reduction of the maximum permitted electoral expenditure applicable in respect of the candidate by £1,500."*

**The Bailiff:** Does everybody have a copy of both amendments? Yes? In that case, we will take – does it make any difference? Let us take them in numerical order. We will take amendment 9 next.  
1490 Amendment 9, proposed by Deputy de Sausmarez, seconded by Deputy Tooley. Would you like it read for the benefit of anybody who is still listening?

**Deputy de Sausmarez:** I think that would ... if it can be read. Shall we? No. I will not bother. I will just explain it, sir. We have spent enough time this morning going around the houses. I am  
1495 hoping this can be explained quite clearly and simply and quickly. What this amendment 9 does is add in two further options, which really we covered this in debate on amendment 2 yesterday.

This is the idea that, for anyone opting into the manifesto booklet, the value, or a nominal value of that would be taken away from that individual candidate's permitted electoral expenditure, or their spending limit. There are two values to choose between, I suppose, if you agree that that  
1500 should be the case in the first place. One is £800, as per amendment 2 yesterday, and another is a higher value of £1,500.

The effect of this amendment would be, for anyone who thinks that candidates who choose to opt into the consolidated booklet should have their spending limit reduced by the commensurate amount, which in the first instance is £800, in the second instance is £1,500, then vote for this  
1505 amendment. If you do not agree with that, then do not.

I think I will try and leave it there, unless anyone has got any queries. I hope that explains it sufficiently. Basically, this is about whether you want to give people who do not opt into that booklet, i.e. people who choose to operate outside of the States' services being provided, an advantage in terms of their spending power. That is what it comes down to, I think, that is one way  
1510 of looking at it.

So this quite simply adds in two additional options. It does not change anything that is already in our substantive Propositions, it just adds in two further options about whether the value or the nominal value of inclusion in the booklet should be taken away from an individual candidate's spending allowance.

1515 Thank you.

**The Bailiff:** Deputy Tooley, you second the amendment?

**Deputy Tooley:** I do, sir.

1520 **Deputy McSwiggan:** Rule 24(4) please, sir.

**The Bailiff:** Rule 24(4). Those people who support this amendment, will you please stand in your place? Only five people are standing. On 24(4) that means, I think, that it does not get debated. That  
1525 is the first time I have ever seen a successful 24(4). I will just read 24(4).

Immediately after an amendment or *sursis* has been proposed and formally seconded, i.e. before any speech by its seconder or further debate, any Member may request the Presiding Officer to invite Members who support debate on the amendment or *sursis* to stand in their places, neither the Member making that statements nor any other may address the Meeting about it. If fewer than seven Members stand when so invited, the amendment or *sursis* shall not be debated and no vote thereon shall be taken.

So no vote can be taken on the amendment.

*Amendment 10.*

*To delete Proposition 1 and to replace it with the following proposition: -*

*1. To agree that a candidate manifesto booklet containing a maximum of two sides of A4 sized paper per candidate will be produced by the States of Guernsey and delivered to all homes on the Electoral Roll and that members may assign one side of A4 sized paper to be aggregated into a consolidated manifesto for a political party of which they are an official member.*

**The Bailiff:** We therefore move to amendment 10, to be proposed by Deputy Meerveld, seconded by Deputy Gollop. Deputy Meerveld.

**Deputy Meerveld:** Thank you, sir.

This actually stems from a comment Deputy Merrett made in her speech on my previous amendment. Again, the issue I am struggling with, as part of representing not just the Islanders' Association, 2020 and any other association or grouping that forms, is how can they produce a comprehensive manifesto that talks about political issues, ideology, ethos, that is agreed by the broader membership and describes that outside of the individual 'this is who I am, the skills I have got' etc.

What this amendment would do, it would basically achieve a lot of what the Assembly is trying to do here, reduce the individual expenditure, whilst not hindering the associations and hind-binding them, the way they can approach the electorate, by simply that saying who is an official – incidentally a spelling mistake in the last line needs to be corrected, 'and' should be 'an' – an official member of an association or party can assign one of their two pages of A4, the two sides of A4 that they have for their manifesto, to a group manifesto, the consolidated manifesto within the directory.

That has numerous benefits. One, the groups can actually end up with more pages in which they can describe their ethos that the individual has signed up to but also, from a public perspective, they are now potentially getting a directory that details not just the individual candidates but also the groupings. It is one less set of mailings, it is one less set of documents going out. It is one less set of trees being cut down.

The actual pages within the document have got no larger. The directory is no bigger. We are simply saying that an individual should be able to assign half of their allotted space to an association or group they are aligned with. It does not say they must do it. It just simply says they can.

Thank you, sir.

**The Bailiff:** And Deputy Gollop, you second the amendment?

**Deputy Gollop:** Yes. Thank you, sir.

**Deputy McSwiggan:** Rule 24(4) please.

**The Bailiff:** Rule 24(4). Will those who support debate on the amendment stand in your place? Two people are standing. So the amendment shall not be debated and no vote shall be taken on it. So I believe that has dealt with all the amendments and we can move to general debate.

Deputy Dorey.



**Deputy Dorey:** Thank you, Mr Bailiff.

1565 Just an initial comment, I think it would be useful if we could have, as we do in the Budget, a list of all the Propositions with the amendments involved because there is a number of options.

**The Bailiff:** Can I just say that is being prepared. I think it is available electronically already. It may be that can be circulated to Members electronically and paper copies can be handed out as soon as it is ready? Mr Comptroller, maybe you know better than I on where they are with it?

1570

**The Comptroller:** Sir, indeed. There is one being prepared. I have not seen a copy of the final version. As soon as I do, I will check it and it will then be available for distribution.

1575 **The Bailiff:** Fine. Thank you. Deputy Dorey.

**Deputy Dorey:** Thank you, sir.

I realise that it is now probably too late to make a change but I cannot miss the opportunity to register my serious concerns about the number of possible postal votes. We used to have a system where people had to declare that they were physically – health or not in the Island – unable to vote at a polling station in order to get a postal vote. Now we have an on-demand postal voting system.

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In the Referendum, 9%, that is 2,906, voted by post. Deputy Inder informed us yesterday that of the 2,833 who had registered online, 75%, that is 2,207, have already applied for a postal vote. This clearly indicates the number of postal votes will be many times more than the 9% in the Referendum.

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I believe that people are being actually actively encouraged to use a postal vote and I will just explain. In the letter that was sent to all households, it says and I will read one sentence:

It may be easier to do this at home by applying for a postal vote.

I think that is obviously encouraging people to postal vote. But if you try the online system, if you go in, you fill in all your details, then you get to the next page and the next page it says, 'Please choose an option.' The first option is, and this is the option that is the default, is, 'I would like to register to vote with the option to apply for a postal vote.' The other option is, 'I have already registered to vote and would like to apply for a postal vote.' So both the options lead you to the next screen, because you have said you want a postal vote. At this point you cannot say you do not want a postal vote.

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So you then get to the next screen, which has the details about filling your postal vote, and the option is, 'I would like to request a postal vote for my registered address.' It is a drop-down box, you have got to click on it, and there is a choice saying, 'I do not want to use a postal vote.' But it all encourages people to use the postal vote.

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One of the fundamentals of an election is that people vote in private, in a voting booth, and nobody else knows how that individual voted. In contrast, a postal voter can be subject to pressure to vote a particular way, by others which are with them when they are filling the form. (**A Member:** Hear, hear.)

1600

We all accept there are some people who have to vote by post, although it has been made easier by having the advance polling stations, which are available on Saturday, Sunday and Tuesday before election day. I, of course, want to encourage as many people as possible to vote. But if we have a system that is so cumbersome that people do not want to go into a polling booth and choose to vote from home, I believe we will have a serious problem if more people vote from home rather than the voting booth and the indications are, with 75% of those who have registered online saying they want a postal vote, that might be the outcome.

1605

I personally prefer the Jersey system, where they have pre-polling booths, which are open up to 17 days before an election and people only use the postal votes when they are physically unable to

1610

go into the polling booth, through illness or out of the Island. But there is a long period where they have got opportunity to vote before an election.

1615 If the current trend continues and 75% vote by post, I think it would lead to serious questions about the result, which I expect the observers will make mixed comments about. Deputy Le Tocq yesterday said, in his speech on spending limits, about observers' comments and the effect on our reputation externally.

1620 So, as I said at the start, it is probably too late, but I do ask Home Affairs and SACC to continue to monitor the number of postal votes and, if possible, make changes which will stop promoting postal votes, which should reduce the number of postal votes to stop this electoral experiment of Island-wide voting damaging the reputation of our democracy. I believe it is vital that people must be able to vote without fear or favour and the only way that can be guaranteed is by voting in the privacy of a voting booth.

1625 Another different point, the candidate manifesto book, which we are told will be delivered by 4th June, I ask that postal vote forms are not sent out before that date, so that those voters have the opportunity of seeing the booklet before they complete the voting form. I also ask, which I could not find out, or perhaps I have missed it, some clarification on the manifestos that people can deliver for that booklet. Can they be in colour and what about the quality of paper? Because if the quality of paper is poor, the colouring will not necessarily come out in the booklet.

1630 Looking at the various options that we now have, and voting, I would encourage people to vote against 1A, which is the grant. The basis of elections has been that the States either provides a service, like paying for post in the past, or a grant, but not both. I think that the States are going to cover the cost of the booklet and distribute it and that is sufficient. They should put no more money in than that. I think candidates have a responsibility to put some commitment to them standing for election, so I encourage Members to vote against 1A.

1635 On 2B, or 2, where there are all the various options, I just feel, and I have not come to this by any clever method, I feel about £4,000 is sufficient. I think I looked up my expenditure at the last election; it was just over £1,100. That includes envelope, postage. But I worked with Deputy Green so the cost of the postage and the envelopes was split between us.

1640 I think £4,000 would give you the cost of setting up a manifesto on the website and in the booklet. It would allow you to print some of them and deliver some of them and it would allow you to promote yourself, without having the criticism that you can buy the election. It will limit what you can do, I fully accept, but I think that is about right. So when we go through the options, I will start voting in favour of £4,000. I will vote, obviously, for the options after that, but I will not vote for the options less than that.

1645 I think that covers the main points that I want to make. Apart from on 3A. I think parties should be limited to the same amount of expenditure as a candidate, so I will vote for that part of Deputy Lowe's amendment. I do not believe that being in a party should have that big an advantage that you have, effectively, if you allocate some of your money, you have considerably more money available by having twice as much as a candidate available to promote the party, as well as your part of the expenditure. So I think, as was originally proposed, it is equal. What a person, a candidate can have, expenditure, the party should have the equal amount.

1650 I think that covers all the points but I just highlight that I am really concerned about postal votes. Thank you.

1655 **The Bailiff:** Anyone else wanting to speak in general debate? Deputy de Lisle.

1660 **Deputy de Lisle:** Sir, I was going to say a few things with regard to Proposition 1, where I feel that that was a very sensible thing to bring in, in terms of the booklet, which would provide a couple of pages for each candidate in the forthcoming election. I would not support Proposition 2, with respect to £9,000 for a candidate's election expenses. I think £2,300 is quite sufficient. And also, in terms of 3, my concern is that an independent candidate's expenditure limit should not be outdone

by collective expenditure through a political party, so I would feel that the same amount as an individual should be granted there.

1665 In terms of Proposition 4, I cannot believe the fact that we are going to have four days of these polling stations being open when, in fact, the constituencies are a lot larger in the UK and they have got one day, today, to do the whole thing. So why do we need four days in Guernsey? It is totally ridiculous as far as I am concerned. One day would be quite sufficient to facilitate the election and I leave my general comments at that, sir.

1670 Thank you.

**The Bailiff:** Deputy Smithies.

**Deputy Smithies:** Thank you, sir.

1675 I have doubts that my words will make much difference, as a great number of Deputies seem to have left the Chamber for an early lunch. However, for the benefit of those remaining, I will do my best. SACC have, in my view, done a good job with this policy letter. I have a few reservations but I am 80% in favour.

1680 I do have doubts about funding for parties because, basically, I do not care for them. But that is my prejudice. Incidentally, just in passing, I would like SACC to consider making it mandatory for a member of a political party to have that membership clearly shown on the ballot form. At present, it seems it is not a requirement – only a suggestion.

1685 My praise does go to SACC for providing reach for all the candidates, should they so wish. Candidates' manifestos may be delivered to every household on the Electoral Roll. All relevant information and a video may be uploaded onto a website. I also agree with the suggestion that no grant should be given to candidates. We are already faced with the possibility of a very large number of candidates standing, to the possible confusion of the electorate. I see the withdrawal of the grant as akin to requiring a deposit to stand in the election and it may serve to discourage frivolous or spur of the moment candidates.

1690 Regarding the level at which expenditure should be set, contrary to SACC's suggested £9,000, I favour a lower maximum and I will, of course, abide by the decision of the Assembly. Personally I will aim to set my own personal limit to about £3,000.

1695 In closing, I would add that I dislike the tendency, which has grown up, to place cascading amendments. Deputy Merrett calls it a smorgasbord, Deputy Ferbrache a melange, Deputy Inder an infernal mess. I prefer to call it a dogs' dinner.

**The Bailiff:** Deputy Fallaize.

**Deputy Fallaize:** Thank you, sir.

1700 Just briefly. I would encourage Members, when we vote on the individual spending limits in that menu of options we are now going to have, not just to do what feels instinctively right because, really, I think the decision should be made by saying, 'This is what we think a candidate should be able to achieve by the expenditure limit,' and then setting the expenditure limit accordingly.

1705 Instinctively, yes, I think I would tend to agree with Deputy Dorey: about £4,000 or £5,000 feels right. But we know, from the analysis carried out by the States' Assembly & Constitution Committee that, in order to permit a candidate to produce a manifesto and distribute a manifesto independently of the Government booklet, requires at least £6,000. So it is not sensible, okay it does not, if you have an army of people walking around the Island to hand-deliver them. but we have already established that, in the future that may have to be put down as money's worth.

1710 So the only way we can be certain, at this stage, of allowing candidates to produce and distribute manifestos to every elector, independent of the Government-produced booklet, is by adopting the expenditure limits that Deputy Inder has outlined. You do not need to go as far as £9,000.

I will give way to Deputy Lowe.

1715 **Deputy Lowe:** Thank you very much, Deputy Fallaize, because this, which was raised yesterday and you have just mentioned it, made me want to rise to my feet to ask you, because you were President of the SACC committee before, during an election period. Never to my knowledge has it been that you would have to put down, if you had family or friends who were walking the parish for you.

1720 You have had to put down if that family member or friend helped print your manifesto, if it was tangible things, but somebody actually walking the streets officially on your behalf, it has never been a factor of it and this is something that is new, that has come up in the last 24 hours. Can you inform us if that has ever been a requirement before in the claims that have come forward before you as President of SACC previously?

1725 **Deputy Fallaize:** I agree with Deputy McSwiggan, I think it has already been established that that has, up to this point, been overlooked. Because we cannot do it with just one or two helpers, in an Island-wide election, so if you are going to reach 20,000-plus homes in a four or five-week period, you are going to need a small army of canvassers.

1730 So, whether the way in which it has been overlooked up to this point, is going to continue to be the case and it is going to continue to be overlooked, we do not know. It would help if there was clarity in an Ordinance that is likely to come forward under the terms of the 1948 Reform Law. But as we are sitting here today, in this debate, we have no certainty that, if a candidate sends out an army of helpers around the Island to distribute manifestos, that will not have to be put down as money's worth under election expenditure.

1735 I will give way to Deputy Mooney in just a moment but, in any event, it does require the candidate to have access to a lot of people. Now it might be that half a dozen, or eight, nine, 10 people might be able to do it on behalf of the candidate if they are prepared to do it all day, every day, for three or four weeks. I am not giving way at the moment. I doubt very much whether very many candidates will have access to that type of assistance.

1740 If they are going to get some help, there will be candidates who will have quite a number of people who will say, 'I will go out on a Saturday and deliver manifestos for you. I will do half a day over a course of a week.' But it might require several dozen of that type of individual to assist, in order for a candidate to get their manifesto delivered to every household. So the only way we can be sure of allowing every candidate to get out a manifesto and get it delivered to every voter on the Electoral Roll is to do it through the postal service.

Now Deputy de Sausmarez disagrees and is going to advise us of a different way.

1750 **Deputy de Sausmarez:** No, it is actually a point of correction. I do thank Deputy Fallaize. It is not every voter on the Electoral Roll, it is every household. It is either every household on the Electoral Roll, or every household in the Island. There is no option and no costings done on anything for every voter.

1755 **Deputy Fallaize:** With the greatest of respect, I think that is a ridiculous point. If a household has a newspaper delivered, the newspaper is accessible to the people in the household. Yes, there might technically be a circumstance where a manifesto comes through the door, addressed to the whole household, and one adult member of the household takes the manifesto and jealously guards it from all the other members of the household who are on the Electoral Roll. But to base electoral expenditure on the likelihood of that happening would be absurd.

1760 I will give way to Deputy Tindall.

**Deputy Tindall:** Doesn't Deputy Fallaize agree with me that goes, to a certain extent, to the heart of what Deputy Dorey was saying about postal votes? Because if there is undue influence in the home, then if there is one member of the household who wants to override other people's views, they will take away that booklet and tell the other person in the household what to vote on

the postal vote? So, to a certain extent, those two issues are related, albeit in my view not so prevalent in this day and age.

**Deputy Fallaize:** Well I was not talking about postal voting, I was talking about electoral expenditure. But I agree with Deputy Dorey's analysis in relation to postal voting, but I cannot put right what I may consider has gone wrong in relation to postal voting, by preventing candidates from distributing their manifestos to every house on the Electoral Roll.

What I am saying, I think the principle must be that every candidate must have the ability to produce a manifesto and to have it distributed to every household where there is a person living who is on the Electoral Roll, and the only way we can be sure of allowing candidates to do that is by setting the electoral expenditure limit at a level, which allows them to do it through the postal service, because we cannot be sure that every candidate will have that opportunity if we rely on them either delivering them themselves or getting them hand-delivered.

Now Deputy Inder's advice – I am not giving way again – Deputy Inder's advice, having studied the issue, and I make this point in passing, sir: this debate is not just the States trying to sit as a committee, this is worse than the States trying to sit as a committee, because a committee would not go through the kind of circular issues which we have discussed, now, multiple times in this same debate.

Deputy Inder's committee has studied this issue in quite a lot of detail. They are proposing that £9,000 is the correct expenditure limit, but Deputy Inder, very helpfully, has already told the States that, if the States want to apply the principle that every elector should be able to reach every voter with a manifesto, independently of the Government booklet, but does not want to go as far as £9,000, they could settle at something like £6,000 or £7,000 and still the principle would be maintained.

But if the States go below that kind of level, it will not be possible for every candidate to reach every elector with a manifesto. I personally think that saying to a candidate the only way you can get your election material to electors is by a Government-sponsored and Government-organised booklet, if that was proposed in Moscow, we would look at it and say, 'No, there is something wrong about that.' Because candidates should have the opportunity to get their election material to their electors.

So I think that principle can be maintained if we set the figure at something like £6,000 or £7,000 and I will start voting in favour of the options when we get to that kind of level. But going below that, I think, would be undemocratic.

Thank you.

**The Bailiff:** Deputy Graham.

**Deputy Graham:** Thank you, Mr Bailiff.

Members of the States, I am going to be fairly brief, I am going to try to avoid going over old ground that has already been adequately covered and I am going to confine myself to one or two areas that I think either have not been mentioned or have not been thoroughly discussed.

The first one is, really, I wanted to challenge Deputy Lowe's assertion, which I think subsequently went unchallenged, that actually there is no advantage in being an incumbent when it comes to getting yourself known and in front of the electorate. Deputy Lowe started off by, I think, claiming that half the previous States did not make it back in, therefore there was no advantage in being an incumbent. I think when challenged by Deputy Trott, the half came down to lots, but even so that, with respect, gives a totally misleading impression of what happened in 2016.

Members of the States, we must remember that, first of all, compared with 2012, we came down from 45 Deputies to 38. So, already, seven incumbents were bound, if they stood, to not get back in on that basis. I know in my own parish, in the Castel, three of the previous Deputies did not get back in and two of those would have done had the Castel retained its seven seats, instead of coming down to five.

Now, when you actually look at it, there were 10 of the 45 Deputies who did not come back into the States in 2016. Only six of those stood and failed to get in and would not have got in in any circumstance at all. So we are talking about one fifth of the incumbents who tried to get back in failed to get back in. Deputy Green is looking a little bit quizzical about that but I think I am probably right.

To be honest, I think Deputy Lowe was missing the point. The very fact that those incumbents were overturned was because those who overturned them, the first-timers, had the opportunities that are going to be denied to them under Island-wide voting. They could make themselves known to the electorate, as many of us did, either through conversations on the doorstep or in the kitchens and *le parlours* of Guernsey or show their mettle in the hustings. Of course two devices are effectively denied under the new system.

So, with respect, Deputy Lowe cannot have it both ways. In my view the reason that any of the six Members of the States in 2012-16, who tried to get back in and did not get in, was because they were challenged through the democratic process of engagement in the parish or the electoral district. That is the real point of all this.

The second point I would make is that we are not just talking about incumbency here, we are talking about high profile individuals, whether that is individuals who have regular columns in the media and that sort of thing or people who just, for other reasons, enjoy a certain prominence, or certain popularity or otherwise in the community.

The third point is really to challenge the notion that it does not really matter that, in fact, you stand to lose just as much as you gain by being prominent. I have always thought, and I think Deputy Roffey has, in the past, made the point, when some people have been ungallant enough to say he has got an advantage because he has a column in the media, I think Deputy Roffey himself has said, 'Look, I think perhaps for every vote I might gain, I might lose one too.' I think there is a certain logic behind that.

The difficulty we have is that there is no previous Island-wide voting on the scale that we are going to be doing it by which to judge this. The nearest we can do is to look across to Jersey and look at their last two senatorial elections. Of course, they are only electing eight Senators each time. I found it interesting to note that, for example, in 2014, 25,000 voters, give or take a few, turned out to vote. The elected eight in 2014 in Jersey got between 56% and 40% of the popular vote. So it was possible to get in on 40% of the vote. The person in tenth place, in other words who missed it by two places, got 32% of the vote, and the person in 18th position, got less than 1% of the votes.

That suggests to me that actually you can certainly afford to lose one vote for every one that you gain by being prominent and, in some cases, you might even lose two potential voters for every one that you gain. In other words, it will be sufficient just to be known. Unpopular or popular does not seem to matter. This was also borne out in the Jersey elections in 2018. Again eight Senators standing, the leading Senator got 62% of the people's vote, the person in eighth position got 44%. The person in tenth position got 43% and the person in 17th got, again, less than 1% of the popular vote.

The point I am making is I personally feel that there is an advantage to being either an incumbent or to having a high profile and, really, everything we do, every amendment that we should look at and every amendment we should choose to discard, should in fact be influenced by the impact of that on establishing a level playing field.

One has to say that Island-wide voting, whether you voted for it or not, in some elements, has an unhealthy relationship with democracy, in my view. It does take away from the voter the ability to get to know all the candidates as well as they could under the old system. In my view, Deputies have made the point before me, the main priority should really be on making sure that the voter goes to the polls as best informed as he or she can be on all the candidates. That is really what it should be about.

We have heard a little bit about parties. In my view, if people voluntarily form a party, because they see advantages in it, and if they then find that there are difficulties in putting the party message

over within the financial confines that are laid down, that is their problem. I do not think it is the problem of SACC, I do not think it is the problem of this Assembly and it is certainly not my problem.

I have to say that, in my household, where we have three voters, we have all resolved that we will not vote for any candidate who appears under a party banner. No matter how good they are, we want to vote for people who have got the self-confidence to believe in their own credentials as individuals who will stand independently and we will not be voting for sheep who are members of the flock. (*Laughter*)

Finally, Members, I would merely say that I think this is all about establishing as level a playing field as we possibly can. There is a democratic deficit, I think, in Island-wide voting. I, as a Douzenier, and also as a Deputy, regard it as a duty to make sure that the system works as well as it possibly can. There is absolutely no mileage in being Luddites on this occasion and it was unfortunate that I heard, I think, Deputy Meerveld make the comment that some of us wish it to fail.

I do not wish it to fail. I do not wish Guernsey to be embarrassed. I wish every voter to be able to go to the poll, either registering a postal vote or by going into the booth, him or herself, fully armed, in a democratic way, with the best possible knowledge of all candidates. I think we need to be careful about how much we prescribe the methods by which that process takes place.

**The Bailiff:** Deputy Roffey.

**Deputy Roffey:** Thank you, sir.

I have spoken once, fairly briefly, in this debate, more than 24 hours ago now and what I said then is I did not see any way we could come out at the end with a really satisfactory resolution to all of these issues and more than 24 hours on, I have not changed my mind. I think it is going to be fudge and compromise.

Deputy Fallaize said the only way that we can have a satisfactory spending limit is to ensure that everybody can get their own, outside the Government system, manifesto to every home. Well there is no way of doing that. Well, there is one way, and nobody has proposed it; not Deputy Fallaize, not anybody else.

He made the point not everybody may have access to eight or 10 friends to help them deliver their manifestos, so we need a higher spending limit. Well, I have news for Deputy Fallaize. Not everybody has access to £6,000, £7,000, £8,000 or £9,000 to do it. So the only way we could have ensured what he wanted was to actually have States' funding for people's campaigns.

Now, I am not backing that, but if it was so important to him that this criterion was the absolute benchmark of a fair election, I would have expected a Fallaize amendment actually proposing that. There is no way, wherever we set this spending limit, we can ensure that everybody outside the States' booklet can access all voters in their homes because either they may not have the friends to help them out, if the ruling comes that that is acceptable, or they may not have the money to be able to do it through the postal system.

So we are having to fudge and compromise. We have got a smorgasbord. My first reaction when I saw this whole thing, was £9,000 was far too high, far too much advantage to the wealthy. I think when I emailed people at a group session, I said it was probably going to have to be about £5,000. I still think that is too high and would advantage wealthy people, but I also understand that you have to allow people to make a reasonable bash of actually getting their message out if they choose to do that.

I think most people, probably, will use the States' booklet and actually spend a fairly modest amount above that. So I started off thinking there was no satisfactory conclusion and it was going to be a fudge and I was not going to beat myself up because I thought that was inherent in the Island-wide voting system that the Island has chosen to go down, and I still think that is the case.

I have got one very specific point, and it may sound like pedantry, but I just really want to know. In Proposition 3, it says a candidate affiliated to a party can give some of their money to that party. What is going to be the definition of affiliated? Are people going to have to say, 'I am standing for this party and this party alone'? Because we know there are people in this Chamber that are affiliated

to more than one party. Can they give some of their allowance to one party and some of their allowance to another? If they are going to have to be clear on the balance sheet –

I give way to Deputy McSwiggan.

1925 **Deputy McSwiggan:** In the spirit of trying to answer Deputy Roffey's question, I think it would  
be possible to identify a party affiliation on the ballot paper. That would require a process for the  
candidate, probably at the nomination period, saying, 'this is the party I am affiliated with'. I do not  
think we believe there would be space for more than one party affiliation or a process that would  
allow you to split your affiliation between multiple parties, so I think this is going to push you to a  
1930 unitary choice.

**Deputy Roffey:** That is what I presumed. I just wanted to make absolutely sure, before actually  
passing this beyond return. My final observation is that, like Deputy Graham, I absolutely respect  
the outcome of the Referendum. I hope it is going to be a huge success, this experiment. Indeed, I  
1935 gave up a role to try and make way for people who I thought were more likely to be able to deliver  
a success, because I thought they would have a genuine enthusiasm.

But I cannot help observing it is going to be a blow-me expensive election and next year we are  
going to be talking about what basic services we will be able to afford and will not be able to afford.  
I know people will say, 'What price democracy?' Well you have to try and do it efficiently. I accept it  
1940 comes with the decision, but it is going to be an awfully expensive way of going around, electing  
38 people.

**The Bailiff:** Deputy Brehaut.

1945 **Deputy Brehaut:** Thank you very much, sir.

I was thinking to myself, if there was a focus group somewhere and they came up with the  
concept of this mythical Island of Guernsey and they gave Guernsey a parliament and they gave  
Guernsey options on electoral systems, really whether they would have settled for Island-wide  
voting over the constituency model that we have. However, people went out time and time again  
1950 canvassing and came back saying that their constituents were demanding Island-wide voting. Not  
something that I ever witnessed or felt that it was, if you like, a bigger part of the conversation you  
have on the doorstep, but we have it. But in having it I think we stand to lose something and I have  
made that point before.

I agree so strongly with what Deputy Dorey was saying. We have concerns now with regard to  
1955 legislation to protect individuals. We are aware of domestic abuse, coercive control in all shapes  
and form, and we are talking up this prospect of postal voting as if it is a real positive and a good  
thing and the reason we are doing that is because we have a ballot paper that is the size of a bath  
towel, which is what it would be, and we know that anyone, people waiting to go in, if they have  
got the patience to wait to go into vote, to colour in, shade in an oval ... I think we have overlooked  
1960 that item, actually, people are accustomed just to putting a cross down; I think there is a bit of an  
education piece ahead on that, actually.

The time that is going to take so we are comforted thinking, actually the turnout will be so good,  
because people will feel unhindered doing this around the breakfast table, having a slice of gâche,  
talking things over with our friends and families; when, actually, that is not a good thing, when a  
1965 controlling parent, a controlling partner, will say to their family and their children, 'No one under  
this roof votes for that person there.'

I think that is something we have overlooked and I would encourage people, if they put half a  
day aside, they take the time to go out and cast a vote. I share the observation made by Deputy  
Richard Graham. Half the Assembly were not wiped out. What actually happened is, under the  
1970 system that we have now, it meant that people could canvass and meet and speak to and discuss  
issues with constituents. That is why it is perhaps, other than those that stood down and the



reduction of seats, Members lost out because good candidates presented on people's front doorsteps in people's front yards. That is why.

1975 Deputy Lowe said yesterday that she will not leave home, she will not canvass, she will not knock on a door. Is this really what we want? We have an electoral system where you can work from home now. You do not need to leave. You do not need to get out of the house and you are taking part in an Island-wide election. I will not give way. That favours –

1980 **Deputy Lowe:** Point of correction, sir. I did not say I would not be leaving home. I said I would not be knocking on doors. SACC have actually produced a timetable where there will be many hustings for pop-in, well, more than what happened before, and I did make myself available to anybody who wished to meet with me; which is not quite what you are saying.

1985 **Deputy Brehaut:** There will be no canvassing. People can, effectively, if they want to now, and other people have indicated that they would not be encumbered, hindered by walking the parish or feel the need to, because in doing so they feel that they cannot get to every home and, in not getting to every home, they are in some way disrespectful.

1990 Parties have already changed the dynamic. It has been the party discussions, it has been amendments in this Assembly regarding parties that have actually led to this debate being, at times, actually unravelling. I do not want to add to it anymore because it has been something, if we are candid, of a tedious debate.

1995 I am happy with people spending £4,000, £5,000. When you think the conversations we have in this Assembly, regarding the just-about-managing, families that are struggling, making arguments regarding people on Fuel Allowance and then, all of a sudden we are convinced that everyone has got £9,000 in their back pocket to participate in a free and fair election, I think we just need to check ourselves.

2000 I have said before now, I will not be standing in the next election. That said, I wish everyone that is embarking on this Island-wide election, every success and regardless of any, even the narrative that has been around this debate, everyone in here works very hard, they do a very difficult job, you get pilloried day in, day out, you are opting to do something very brave and bold, you are stepping up to the plate and I respect everyone for doing that. That is not to say that I am 100% happy with the option that was chosen.

Thank you, sir.

2005 **The Bailiff:** Deputy Tooley, is this a short speech?

**Deputy Tooley:** It is, sir.

2010 **The Bailiff:** Deputy Tooley.

**Deputy Tooley:** I will do my best to get it in before 12.30 p.m. I might just go very slightly over. I find myself in an unusual position of, to a certain extent, agreeing with something that Deputy Meerveld said earlier and that is that this election is going to be very different to ones we have fought before and it is going to be an election where people do things differently. In fact, I am going to quote L. P. Hartley, 'The past is a foreign country, they do things differently there.'

2015 Well, 2016 is not that long ago but in terms of the seismic change in the way the election will look in 2020, I think 2016 is going to be a foreign country, by comparison with 2020 and the way in which we do elections and we do electioneering and we do canvassing. I think to place over that a veneer of assuming that we will need, in order to reach the electorate, to do things the way we have always done them is a false assumption.

2020 I think we spent quite a lot of time yesterday going through ways in which people could do things differently and reach the electorate on a much smaller sum of money than those that are being proposed, so I will not reiterate those. But even laying aside the ability to hand-deliver

manifestos, there are a huge number of ways that people could get a message across to the public about who they are and what they are standing for, including the fact that, obviously, just over £3,000 plus the cost of some basic printing, you could get a flyer out, which directed people to an online manifesto.

It is doing things differently, it is not doing things the way they have done before and I think we need to think very carefully about how we will do things differently, because the cost of doing things the way we did them before is going to be insurmountable, for us as a state and for individuals as candidates.

Deputy Smithies said in his speech that he thought that the removal of the grant would prevent frivolous candidates standing. He was probably right but it will also prevent poor candidates standing. It will prevent candidates who know what it is like to not know at the end of the week whether all the bills are going to get paid. It will prevent those candidates standing.

In some cases I know there are people that think that those candidates should have been better prepared. Well, if we are honestly saying to our candidates that if they cannot, over the course of a couple of years, set aside £6,000 to £9,000 to run for election then they are not suitable to be part of the conversation about how this Island is led, then we are sending completely the wrong message out to the populace.

I just want to quickly remind people linked to that comment around the grant – I am not giving way, sorry, because we are up against the clock – linked to that comment about the grant is the fact that we know that, in the last couple of elections, most candidates spent around about £1,100 fighting the election and, in the last election of course, that was potentially partly their own spend and partly the £600 grant that was available.

The £500 grant that is proposed in the now substantive Propositions, the amended Propositions, would allow for candidates with the same amount of money at their disposal to spend about the same amount and that would be around 25% if we set the spend limit at around £4,000; £4,000-£5,000 –

**Deputy Dudley-Owen:** Point of correction, sir.

**The Bailiff:** Point of correction, Deputy Dudley-Owen.

**Deputy Dudley-Owen:** I do apologise for having to do this to Deputy Tooley and I do realise we are up against the clock. However, I am really concerned that the message she has just given out before needs correcting, because it did sound to me as if, to listeners at home, that the level of expenditure required of a candidate would be £6,000 or £8,000 or £9,000 and that is the cap on expenditure. They are two very different things and I think we are in danger of misleading the public that, in order to stand as a candidate, you will be required to spend that level of money and that is not correct. It is merely a cap on your expenditure.

Thank you.

**Deputy Tooley:** In response to the comment from Deputy Dudley-Owen, I would say yes and no. Yes, that is a cap on expenditure, but it is also the figure that both Deputy Fallaize and Deputy Inder have said is the lowest possible amount you could reach the electorate with. Those are statements that have been made in this Chamber as part of this debate and I would absolutely disagree that that is the lowest possible –

**Deputy Inder:** Point of correction.

**The Bailiff:** Deputy Inder.

2075 **Deputy Inder:** What we actually said, I do not want to speak *[inaudible]* Deputy Fallaize, because that would be a first, is that that is the lowest amount you can do to reach the electorate independently of, and that is substantially different, because the book will already exist. I do not know what to say. I am just going to let this one fly.

2080 **Deputy Tooley:** I do not think that changes the thrust of what I am saying. The people in question –

**Deputy Inder:** Point of correction, sir.

But it does change the accuracy of the statement by Deputy Tooley. It may not change her thrust but it does change the accuracy.

Thank you.

2085 **Deputy Tooley:** The individuals in question are telling us that they are of the opinion that the limit should be set at a point which they believe it is necessary to set the limit because they believe –

2090 **Deputy Inder:** Point of correction, sir.

**Deputy Tooley:** I have not even said –

**The Bailiff:** Deputy Inder.

2095 **Deputy Inder:** She said what we believe. The words we were using were whether it was possible. We have not told them they have to spend it. I am sorry, Deputy Tooley is perpetuating this and it is simply not true.

2100 **Deputy Tooley:** Sir, I have not even said what I think they believe, so how he can object to it, I do not know.

**The Bailiff:** Deputy Tooley, perhaps you can complete the sentence.

2105 **Deputy Tooley:** Thank you, that would be much appreciated.

**The Bailiff:** Are you giving way to Deputy Fallaize? We cannot have both of you standing.

**Deputy Tooley:** No, I thought I was asked to complete my sentence.

2110 This figure has been set at a figure at which it is believed by certain people in this Assembly is the only figure, a figure below which it would not be possible to reach the electorate with your manifesto in the manner which they think it is necessary to make possible for candidates.

I will give way.

2115 **Deputy Fallaize:** I am grateful to Deputy Tooley.

The point is that if the limit is set below the level that Deputy Inder has advised us, not the £9,000 but the £6,000, whatever it is, then what the existing Government will have done is it will have imposed an expenditure limit on candidates, which makes it impossible for a candidate, independently of the Government-sponsored booklet, to produce a manifesto and send it to every household through the postal system where there is somebody on the Electoral Roll.

2120 That is not the same as what my opinion is or her opinion is, or anybody else's opinion is about what a candidate needs to spend to promote their election campaign adequately. It is about the Law that the Government puts in place to restrict a candidate to. By legislation, if we prevent a candidate from sending a manifesto to every household where there is someone on the Electoral

2125 Roll, by law, if we prevent them from doing that other than through a Government-sponsored booklet, I think we are in danger of requiring candidates to submit themselves to a very undemocratic process.

**Several Members:** Hear, hear.

2130

**The Bailiff:** Deputy Tooley.

**Deputy Tooley:** There is a basic assumption here that there is a requirement that candidates should be able to get a manifesto by post to every elector on the Electoral Roll, or every household. There is no such requirement. In the UK, it is not possible for that to take place. If this was a requirement of elections then the UK would have fallen foul of it for the last countless elections, because that is not a requirement of elections. But I am going to move on in order to get this completed.

2140 I have a lingering concern about the manifesto booklet. It is compared in the policy document with the booklet of manifestos which is sent out by Jersey and obviously the question that Jersey are asking of their electorate, in the sending out of that booklet, is very different to the question we are asking of our electorate. So an assumption that this can work because it works in Jersey, where on average people are choosing eight of 17 half-page manifestos that they will read within a certain amount of time, and an assumption that that means it will work here, where people might have to read and digest, let us say 100 manifestos in order to choose 38, is, I think, stretching that a little bit far. But I can see why.

2145 I am also concerned about the fact that these go to households and not to electors because I do think there is a danger, even if not by conscious effort to conceal or to hide the available candidates from household members, there is a danger that, simply because somebody has taken the newspaper to read it and do the crossword, it will not be possible for others in the household to access it when they have time to do so.

I do think that I have a concern about that. Please, let me finish.

**A Member:** But I can help you.

2155

**Deputy Tooley:** Well that is good, you can do it at the end.

I further have a concern that where there are households of multiple occupancy, it will not simply be family members who are receiving this, it may be that it lands on the doorstep and somebody picks it up, puts it in their room and actually does not ever speak to the people in that household.

2160 We know that there are households of that nature in the Island. I think that could be mitigated – I suspect this might be something that Deputy Merrett might have been about to say – by it being made clear that there are places from where you can collect additional manifestos, which is wonderful, but that is a concern that I have.

2165 I think, with a request please, that people consider the fact that that grant makes it possible for candidates to stand who have a great deal to offer the Island, but who might not otherwise be able to stand, I would ask that people vote for that. And I would ask that you think, when voting, people consider very carefully the fact that in the last couple of elections, people have not been elected if they have spent less than 25% of the permitted spend and the average spend in the last few elections has been around £1,100, with some of that coming from grants in the last election.

2170 I would therefore say that, in order to make it possible for people on low or fixed incomes, to consider standing, we do not take the mixed expenditure any higher than £4,000 or £5,000.

Thank you.

2175 **The Bailiff:** Just before we rise, there are copies of the amended Propositions available. They have been circulated electronically. I believe there are also some hard copies for those who wish to have them. We will rise and resume at 2.30 p.m.

*The Assembly adjourned at 12.40 p.m.  
and resumed at 2.30 p.m.*

**STATES' ASSEMBLY & CONSTITUTION COMMITTEE**

**XIII. General Election 2020 –  
Second Policy Letter –  
Debate continued**

**The Bailiff:** Well, we continue with general debate, but I hear there may be a technical amendment. Is there to be a technical amendment, Deputy Inder?

2180 **Deputy Inder:** There is, sir.

**The Bailiff:** There is. Has it been circulated?

2185 **Deputy Inder:** Yes, it does.

**The Bailiff:** It has been, has it?

**Deputy Inder:** It needs circulating. It has not been circulated

2190 **The Bailiff:** It needs to be circulated. Okay, well can it be circulated and let us take the technical amendment first? Perhaps there are not copies yet? There are not copies. We will circulate it when they are available. Okay, we will continue with general debate in the meantime.  
Deputy Gollop.

2195 **Deputy Gollop:** Hopefully I did not stray too much into general debate before so I will be able to keep it paced and then we go. We have all been praising, and I think with purpose, the combined work of Deputy Inder's SACC committee, but it should be remembered it is not just the work of Deputy Inder and his excellent senior officer; all of the committee have worked towards it, Deputy Merrett, Deputy Ferbrache, Deputy McSwiggan and Deputy Le Tocq; and I think Deputy Inder has  
2200 proved that he is capable of forming a good team and, actually, that approach of electing a team *en masse* may well be a good sign for the future.

I do not think I could have done a better job, heaven forefend, but I certainly think there are issues in this Report. Deputy Inder was absolutely spot on when he said the committee, because of the significance and the unknowns, what is it, the known unknowns and the unknown unknowns,  
2205 has probably erred on the side of caution on this election. In a way, we are going to see, for the first time in Guernsey history, four election days, because as I understand it there is a super polling station at Beau Séjour, which is just used for St Peter Port North and St Peter Port in parochial elections before, on Saturday and Sunday, prior to the election, not only on the election day on the Wednesday, but a full election day prior to that.

2210 But then Deputy Inder dropped a bombshell yesterday, in a way, which had extraordinary consequences, as I think Deputy Tooley said earlier, that it will be a quantum leap to a new election. The past was a different country. Deputy Inder suggested, perhaps this is untypical of how it will pan out, but of the early adopters, the people who signed onto the Electoral Roll eagerly, in the first week or so, 75% or 80% were interested in a postal vote.

2215 Now that is a complete game-changer from the past, when postal votes tended to be for frequent travellers or people who have disabilities or other issues. That indicates to me that the

electorate are worried about long queues in polling stations. They do not want to be confused. They want to make careful choices. It suggests they actually want to vote for more than one or two people but want to carefully consider 80-plus manifestos to make a sensible judgement.

2220 I will give way to Deputy Inder.

**Deputy Inder:** Thank you, Deputy Gollop.

He is probably correct, that people are taking this more seriously than some Members might think that the electorate do. But might he agree with me that, in the absence of online voting, this is as close as the public can get to effectively digital voting via an analogue system or postal voting?

2225

**Deputy Gollop:** Yes, I would agree with Deputy Inder there. Sometimes one or two of the media have accidentally reported that electronic voting is coming to Guernsey and one of my campaign colleagues said, 'I cannot believe they have gone down that route so quickly.' But the answer is we will, in this Chamber, shortly be pressing our buttons and I will not excite my colleagues next door by getting so excited when the votes is called, but we will not be voting at this election anyway, electronically for a candidate.

2230

It will be an analogue election. Maybe the last one on analogue, because I think Deputy Inder was absolutely spot on a year ago when he said if it was possible given our resources and a more private sector approach, SACC would have wished to have delivered an electronic vote as an option for next year, but that is not realistic given everything else that is going on both in IT and at SACC. So this could be the first and last analogue election in that sense.

2235

I know some people have said it is overkill and of course we will get maybe quite empty polling stations on the scale suggested, if indeed three quarters of the electorate decide to vote from the pleasure of their own home. But nevertheless we do have to give everybody the opportunity, and we also need to work on the assumption, unreal though it may be, that we will not have 32,000 on the Electoral Roll, but we will have close to 50,000 eligible people and that, of course, will be a significant change as well.

2240

That would also make us more comparable in the higher ranges of electoral expenditure, to a more United Kingdom or Jersey type situation, because of course the electoral expenditure at the £9,000 end of the spectrum would be more justified the more we get on the Electoral Roll. I support all of that and it does need to be a meaningful number of a persons.

2245

Where I think I part company with SACC is they developed a core philosophy, which is the election should be open to candidates and, to a lesser extent, to party associations, to spend a realistic amount of money that enables them to circulate an individual manifesto to everybody probably on the Electoral Roll, but they are not willing to overly subsidise candidates. I think if you look back over the past 20 years, in some ways this is one of the meaner offers, because we had free postage in 2004 and 2008, which would cost a pretty penny today. Individual MP candidates still have that right in the UK.

2250

We were given £500 a few years back, £600 last time and I certainly would support the Deputy de Sausmarez/Deputy Tooley £500, at least, kick-start this time. Much though I believe we underspend historically in elections and we do not necessarily have the colour and meaningful publicity and marketing pizzazz that we could have had, I think every candidate, at least, should be given something to spend, apart from the inclusion in the booklet.

2255

Likewise I have not got too much faith in separating out £1,500 and £800, because I think we are already offering people a relatively low offer.

2260

On the interesting arguments Deputy Graham and Deputy Lowe and others have developed about the advantages or not of incumbency, I was doing some analysis over lunch of the last election, when we downsized from 45 Deputies to 38 and it is intriguing that, had it been on the old population figures, when you have seven as of right for the Castel, and six for St Sampson's, you would have seen, funnily enough, four complete newcomers to the Chamber and three returnees, make it, with the proviso if the electorate votes for a different set of candidates had gone the same, actually a presumption you cannot make.

2265

But when we changed the boundaries, we actually lost five brand new candidates to the States and two incumbents from the missing seven. Now what that suggests to me ... Hang on, it was the other way around. The way it was changed was four and three but, had we been following the old distribution of seats, it would have been five and two.

Either way, the point I am making is that reducing the size of the Assembly had the perverse effect of giving a slight advantage to incumbents, because it was that bit harder for newcomers, such as Deputy Inder at the time, to get in in the last seat of the district, for example.

We have to be careful. The fear, one of the most eloquent fears expressed about Option A, the Island-wide option, is it actually is a more difficult system for a non-incumbent to negotiate. Therefore I think we do have to be as generous as we can to appreciate that, although incumbents lose support, we did see 10 incumbents not make it, seven of whom would not have made it even with the boundary changes, actually, and 12 incumbents not make it in 2012, where we did have the classic boundaries unchanged.

The sarnian spring that Deputy St Pier and many others benefited from, leaping into the States with impressive totals, saw a lot of incumbents pay the price. So despite all the debates that endured in the previous four years, it did not do them any good compared to the impetus of the new wave of candidates. Deputy Soulsby was of course another one of those candidates who leaped into the top place in St Martin's.

So I think we have to be careful about this. Some elections go one way, some elections go another way and I would be on the side of generosity in allowing candidates. I know I went off more into the spectrum of the United Kingdom and other areas earlier, but I think one should bear in mind that if the States do decide for more generous expenditure, there is nothing to stop candidates clubbing together and getting support for their election, as long as it is overt and transparent, because that is the very basis on which parties across the world, we are talking of France, Germany, America, the UK, exist. They exist as a collective to encourage people to enter politics representing those perspectives.

I suppose the two questions I would like to ask SACC, one of them is on the lines Deputy Roffey intimated, which is when is a party a party and when is it identifiable on a manifesto or on a balance sheet? Because as I have said, and I am not alone in this, I think Deputy Ferbrache and others, have said, some of us are members of more than one association and where does that fit into it? Do we have a half and half mark? Or we might wish to be independents, but still support the association, as at one time you used to get a lot of Independent Conservatives, Independent Liberals and so on. That is my first point I am concerned about.

The second is the whole Law and practice of researching and implementing candidates' expenditure. I do not mean the amount, because the amount will be settled today, but what is constituted by it. Because when you start to look at the UK government position, what counts as candidates' spending can include advertising, unsolicited materials, transport, hire cars, public meetings, staff costs, accommodations and those sorts of costs.

But what does not count as candidates' spending is anything appearing in a newspaper, which is not an advert, facilities that you use where every other candidate uses them, volunteer time – not paid time but volunteer time – spent by your staff that you do not pay them for, use of someone's main residence or shed – I added the shed bit in, use of someone's personal car or other means of transport acquired principally for that person's personal use, use of someone's computer or printer equipment acquired for that person's personal use, reasonable costs attributable to a disability, you may have had, and it also tends to exclude food that you have and so on. So there you go.

I am just saying these are huge questions, they have probably been looked at by parliamentary commentaries and courts in the past and I think we do need a more robust pre-judgement from SACC, prior to having more of an electoral commission approach, on what is a legitimate expenditure and what is not. Because I think all of us, all the candidates, all the parties and associations, will very much want to stay within the letter of the law, and not take unfair advantages. But all that said, I do support the work of the policy letter.

**The Bailiff:** Deputy Prow.

**Deputy Prow:** Thank you, sir.

2325 I shall be very brief. I think it was Deputy Roffey that started off a day ago, who was talking about the quality of the paper that was presented by the committee and I absolutely agree with that. It is just a bit of a mystery as why we are still debating it now, if the quality of the paper was so good. Undoubtedly it was but I think Deputy Gollop has also made a point that it is obviously a whole-team effort. I would also pay tribute to the wider election team, which comes from the start, from Home Affairs, who also seem to be doing a sterling job.

2330 We were given a mandate from the people to deliver this election and I take my hat off to all those that have been involved in getting us to where we are. We spent a lot of time debating the maximum spend. Again, going to the quality of the paper, this is set out at 4.2. I will not go over it because I am sure the President, when he sums up, will make the points. There are three criteria around why SACC have chosen the figure that they have.

2335 I think that one of the useful things that this debate has teased out, which I listened to with some alarm, actually, is around the fact that we possibly need an Ordinance to clarify perhaps the delivery. We have talked about this matter from Billy Billionaire, but what about Norman No Mates, who wants to deliver his manifesto Island-wide? One thing that occurred to me, there is a commercial rate for delivery, if you get your paper delivered or you put a stamp on an envelope, so I think that is something, around an Ordinance, we need to look at, especially as it has been part of the debate.

2340 The other thing, where we spoke about special interests and we had a session of declaring them, I would echo what Deputy St Pier said, it is unfortunate that the amendment that we actually put forward, it seems a long time ago, was not carried, it lost by one vote, because I think we would not have had that debate. But it is on SACC's agenda.

2345 I think the question of special interest has crept into this debate and will creep into others and, of course, the other thing you have got to remember with special interest, is in a committee setting that means you are excluded and you cannot vote. So that is just something perhaps we should remember.

Thank you, sir.

2350

**The Bailiff:** Deputy Tindall.

**Deputy Tindall:** Thank you, sir.

2355 I am going to pick up where Deputy Gollop started referring to the question of enabling non-incumbents. I would like to expand on that, because there is another group of people who would not need extra support. Those who already have a platform that they can use that is not connected to the States, which they are using to raise their profile, and there are quite a few people who are doing that now. It is those who really need to get their names across because they are not known to the electorate and they are just as many people out there and we want to encourage as many of them to stand as possible.

2360 One of the ways in which that has been suggested was by Deputy Fallaize saying that we should subsidise all candidates. Well not that we should but that would be a potential solution, which of course would be rather expensive. But ultimately it still leads me to the same problem and the question at the heart of this debate, which was also raised by Deputy Fallaize. He said that, basically, 2365 by setting the figure below £6,000, we would be preventing those candidates, by law, to enable them to send a manifesto to every householder.

My question, in return, which is rhetorical at this point, is where does it say that that is the requirement? Specifically, I refer again, I did raise it in my previous speech. In 4.2 of the policy letter we are referred to the Electoral Commission, which concluded that such limits:

... should allow candidates to communicate with voters so the voter is engaged and able to participate meaningfully in that process.



2370 Just bullet point one of three, but to me that is the one we are talking about.

I personally do not believe that means a manifesto to every householder. And that, to me, is the difference of opinion that we have in this Assembly. I think that Deputy Tooley and Deputy de Sausmarez explained how they see how people can get engaged and therefore I feel the same way. I do not see this directly correlates to a manifesto.

2375 So I cannot say that we are preventing anyone from doing that engagement by not equating it to £6,000 or more. For me there has to be some engagement, there has to be a facilitation of some engagement, obviously the mere fact that you have a States-produced booklet or manifesto, yes there may be some who have this feeling of tainting because it is States-produced although, thank God, we live in a democracy where we feel comfortable enough, I certainly would, to rely on that  
2380 manifesto.

We also, hopefully would be able, even so, with some of the sums less than £6,000, to be able to distribute – not post necessarily, distribute – manifestos, or facilitate the ability, which has previously been mentioned, for manifestos to be collected at certain places.

2385 So for me there is enough evidence, and this is the choice, are there enough ways of engagement? Not that we have to provide this one specific means of engagement. So, having decided that actually I can think of that either way, the question therefore is would the sums of money listed in these various options now, go back to what would be sufficient in my mind?

Yes, we have been told several times do not think about what your ability is, think about what others can do, etc. But that is a bit like how long is a piece of string because, certainly, we have had,  
2390 for example, quotes on the statistics of how much people spent. Actually, my expenses that I submitted were quite a lot higher than I actually thought I spent on the campaign.

I will give you an example, I paid for some balloons. I had my name printed on one of them. These lovely little lilac and then green and white, you might recognise the colours, some of us ladies certainly did, when I was canvassing. The point is that those balloons I used at my birthday party. I  
2395 paid for a birthday party, I invited quite a lot of people, I had my special party and I had them up around the room, because I thought it would be a useful way. I put every single penny of the cost of that party on my expenditure, because I did not want anyone thinking that I was having an event that was specifically aimed at electioneering.

So those expenses are open to interpretation to some extent. Some of us were also helped with envelope stuffing. Again we put that nominal cost on there, as well, to be fair. So from that  
2400 perspective, the expenditure that people have spent and their success rate, a slight bit of a pinch of salt.

But fundamentally I think that one of the things that I learned as a newbie in 2016 was that the best approach was to have the widest variety of types of contact with others and, as I mentioned  
2405 previously, as well, I stood in the Market Square with these particular balloons and had a very good response and, in fact, word went around and I knocked on doors, and they said, 'Oh, you were in the market.' There are ways and means to do that and I think the innovation will be the best approach.

Which leads me to, also, the conclusion that, for me, the engagement is going to be through  
2410 diversity of the candidates and I think we absolutely need to set a figure that is realistic, that does not put people off, that makes it something that they feel they can compete with others, that they may only have £800 but, because everyone else is capped at a reasonable level, which I think will be £2,300, they can actually participate and be involved and, again, with the £500 contribution, will be invaluable to get that diversity.

2415 So, for me, that is the argument at the crux here. I have explained my views on what I intend to vote for and I am grateful, in a way, at the end of all of the debate, with all the different options that, actually, one of them is still on there that I particularly appreciate.

One of the things that is not quite as clear cut, that I did like in the ... and I have to say also, even though I did like these options, that the policy letter was a very good piece of work, very well argued.  
2420 But I have to say you have to then look at it and think, well other people have different points of

view on the setting of these figures. Which is unfortunate, because Deputy Oliver pointed out that we lost that opportunity to stick with what was actually in the original policy letter of the £9,000 for the political parties, which I happened to, initially, take a shine to.

2425 The reason I did that was actually I only had two things in my manifesto of policy nature and one of them was the fact that I supported an Island-wide voting referendum and I believed the reason for that was that it would be good because it would increase public engagement and hopefully it will do that, either postal voting or in the four days of elections. But for me that did seem to indicate that political parties would arise, because that would give the opportunity to present a collective approach through parties, through the use of a logo on the ballot paper, for  
2430 the public to identify a particular approach for governing Guernsey.

Given £9,000 expenditure, I thought that would be a sufficient and reasonable sum to present the information. Obviously that is still technically possible with some of the permutations on this, but I do not intend to go through the permutations of how that will be achieved. We will see what happens in the end because we have got to choose the candidates first and then we will see what  
2435 happens.

But for me, this presentation of policies does also, and I am sure we will talk about it another time, is how, actually, the political party will evolve after the election and how much reliance the voter can place on what the actual candidates who become Members and how they will vote in the future.

2440 However, I do want to say something, because I was not given the opportunity to respond to a couple of points made in a previous debate, made by Deputy Meerveld and Deputy Ferbrache, which I do feel the need to articulate, albeit briefly, and this is the reference to secret meetings. Further, Deputy Ferbrache's dislike that any meeting considering the formation of a political party should be open to all States' Members and not doing so is not honourable.

2445 I feel the need to object because, actually, we are discussing the funding of political parties and we are hearing words, which are wholly aimed at putting people off from starting political parties. Anyone in Guernsey should be able to get together and talk about that possibility, without fear or favour of being outed, of being in the closed room. I just think it is not good for democracy.

I certainly think it is a bit hypocritical, if I might say so, because I would like to say that I was not  
2450 invited to any secret meetings of the associations that exist now. So what is good for the goose is not good for the gander. So, from me, I would like to say please let us stop talking about that. Let us encourage people to take part in democracy. Let us give them a reasonable sum of money to do so. Let us not give too much money to people who are slightly more affluent than the average person and let us get wide, democratic options available with a diverse range of candidates and, for  
2455 me, that means, as I chose before and I have articulated here.

Thank you, sir.

**The Bailiff:** Deputy Merrett.

2460 **Deputy Merrett:** Thank you, sir.

I have not still, at this juncture, come to a confirmed position on Proposition 1A. I have tried to explain previously why and I will try again now and I hope Deputy de Sausmarez, who seconded the amendment, may actually be able to convince me in some way, because I am not 100% convinced at the moment.

2465 There is a benefit in kind, it is a large benefit in kind, potentially available if Members agree it today, but then the opportunity I had of receiving a grant to enable me to have more freedom of expression, to express myself and spend those funds as I saw fit to represent myself to the community, was a great benefit.

2470 But then saying that, going a bit backwards and forwards here, I did use that money. I felt I needed to use that money to print a manifesto and to deliver wherever I could on foot and on bicycle and the rest that I could not get around in one district, by post. So I am kind of unsure at this juncture on where to go on that.

I am just going to have to say a few things about Deputy Tindall's speech. Deputy Tindall said the figure must be realistic. But then Deputy Tindall also said the manifesto should be collected at certain places. Well that is not realistic, really. If I go into a public building or, when I was canvassing previously, if I asked at the kiosk, if they would put my poster up and my manifesto, then my expectation was that they would put up the poster there and manifesto for any other candidate in the district. I thought that would be quite reasonable, unless they particularly wanted to support me.

One hundred-plus manifestos, 100-plus posters all trying to go on one table somewhere or another, this is one of the reasons why the committee were so keen on a candidate manifesto. Unfortunately again, I am sorry Deputy Tindall, but I was listening intently to her speech, the words 'States-produced' came out and that puts me in a little bit of a fearful position because my understanding, which is not clarified in our paper but we have discussed it around the committee table, is that the two sides of A4 will be at the candidates' discretion, whereas other Members might think, oh, no, it ought to be a certain this and it would have to have this and would have to have that.

I would like to think there is freedom of expression in that joint manifesto but at the same time I do not really want to be in a position where candidates feel the only way they can get out their message is being in that joint manifesto, because if the States produce it, it does have a few concerns for me.

Members have not really picked up on the weekend voting and polling, which I believe may be a first. The opportunity for members of our community to go out. Most members of our community, not all, clearly, but most of them, do not work, particularly, on a Saturday or a Sunday. Obviously some do. The opportunity to go out on a Sunday is an essential area. I think, other Members have said, we have over-compensated.

I think it is absolutely naïve to believe that the amount of electorate we are expecting to go into a polling station and they can vote up to 38 times, to do that in one day I think is, if you work out the timings as we have done, of how long it would take a person on average to do 38 – I do not believe many people will vote 38 times but the fact is they will have opportunity to do so and therefore we need to cater for that ability for them to do so.

I do absolutely resonate with the concerns raised by Deputy Dorey about secret suffrage and, again, we have discussed this around the committee table. I am concerned about it. the intention of the committee is that we will have a joint manifesto available for the election. The availability will be there but I do resonate with his concerns.

However, Deputy Dorey did unfortunately say that those with a physical disability, but clearly as we know, Members, it is not just a physical disability, which may restrict somebody from going to a polling station, we know that it could be, for example, a mental disability, where the size of the building, people around etc. but that is something we have to look forward to in the future. I believe we will believe potentially –

**Deputy Dorey:** Point of correction.

**The Bailiff:** Correction, Deputy Dorey.

2515 **Deputy Dorey:** I did not say physical disability, I said physically unable, which covers somebody who is off-Island.

**Deputy Merrett:** I think it is something we will have to look into in the future but, again, if we are being realistic and that has come up, realistically, we are doing this and we are trying to over-compensate and we are trying to say, 'Look, if you wish to do that, therefore do so,' I think the only caveat or comeback, I have, a counter argument I have, is that that the joint manifesto, we should have them available in quite high profile public places.

2520 That is the intention, so hopefully that gives some comfort, although maybe not as much as Members would like. But clearly, if Members had felt so strongly, they could have brought an amendment to say postal voting could only be used under this different, narrow definition. They have not, so clearly, I think we are going to have to try and see how we go next year and obviously the post-implementation report will help stitch some of that up.

2525 Lastly, on this figure of £9,000. We now have this lovely range of figures to go for now. The committee did not meet, we were kind of ships in the night before the debate. The ability for a candidate to reach the electorate without Government interference, so not this – what was the word? – States-produced, I think we have to take into account. Now I understand completely the argument about let us not all assume that it should be a printed manifesto, and I understand that argument completely.

2530 I do not know how realistic it is because traditionally, like it or not, that is what our electorate has expected. Now, we know from our consultation that half of them are saying, 'I do not think I need that, I will go electronically.' A very similar mass have said, 'No I want a hard copy.' It is a real shame. I am really disappointed and the committee did try really hard to try to have an indication from householders on the Electoral Roll, to be able to have that so that we could only send out to households where at least one member of the electorate wanted a hard copy because the savings on that, not just the environmental saving, the fiscal saving and the social saving would be amazing, but we were advised and we took the advice that would be – I am not going to say impossible because I believe it would be possible – but it would not be advantageous, maybe is a more dramatic way of saying it.

2540 Even so, I do believe that that is, realistically, what we should be able to ... candidates should be able to do off their own bats if they choose to do so. It is up to the candidate, it should not be up to us dictating to them how they can use their funds. But if we go to the funds that are so low they cannot even do that and that is where, you know, I am prepared to move on the £9,000 because I believe we can get an A4 two-sided out to everybody on the Electoral Roll, it would be tight, for £6,000-£7,000. I do not believe that candidates would be wise to not be in the joint manifesto. I think they would be very wise to do that. But, then, that is what I think. They might not agree with me and clearly that is their right to do so.

2545 I also believe that even if you did come out in the manifesto, should we then try to deliver one to every home on the Electoral Roll? Again, I think that would be a little bit of a disadvantage because we do know, the thing that really jumps to my mind, is when all the phone books were delivered around the Island and left on everyone's doorsteps and said, 'I do not want my phone book left there.'

2550 We do not want to do that, we want to get to the electoral home, but if I am going to canvass the area and walk areas, I would not post out to that area, because I would try and knock on doors, wait, and if they do not come to the door I might put something through their door. If they do come to the door, they might say, 'I do not want it.' So I would not print enough for everybody anyway. I would not advise anybody to do that.

2555 I am probably going to, I think the committee's position by majority, was £6,000 because you could just about do it, so I am led to believe that the committee by majority, I have not spoken to the Members or they have not responded to emails, I would probably start voting at about the £6,000 mark, because I think that is reasonable, it is realistic, it is pragmatic and it does give an

ability for the candidates to reach the electorate – not necessarily only by post or only by paper, but also if they are creating a website or they are creating other things, it still has cost implication.

So, the £500 I am not sure on yet, I am hoping somebody else can say something to convince me and I think we have had more than enough of this debate now so I will sit down.

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**A Member:** Hear, hear!

**The Bailiff:** Deputy Lester Queripel.

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**Deputy Lester Queripel:** Sir, I am really glad we have so many options before us to vote on. As I said earlier in my speech today, I totally disagree with Indian guru Krishnamurti's philosophy, where there is choice there is misery. In my view, the more choice the better. I applaud the proposers and the seconders of the amendments that have succeeded and are before us now in the Propositions, so I applaud the majority of the Assembly for voting in favour of those amendments.

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In relation to the financial limits involved, I am voting with Propositions 2A and 3A. I think they provide a level playing field for every candidate. I do have a two-part question in relation to Propositions 7 and 8; 7 being to approve the transfer of £550,000 from the Budget Reserve to the Royal Court's budget, to fund the costs of managing the 2020 Election. That question is this: how will the spending of that be monitored and if all that money is not spent will the balance be returned to the Budget Reserve? The same applies to Proposition 8, of course. If a manual count and possible

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recount does not cost £190,000, will the balance be returned to the Budget Reserve?  
As custodians of the public purse, sir, I feel the need to ask those questions because, as the Propositions tell us, the transfer is to fund the costs of managing the 2020 Election specifically. So, surely, if all that money is not spent on costs, then the balance must be returned to the Budget Reserve? So I am hoping Deputy Inder can answer those questions when he responds. If he is not able to then perhaps another colleague can enlighten me.

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Thank you, sir.

**The Bailiff:** Anyone else? Deputy de Sausmarez.

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**Deputy de Sausmarez:** Thank you, sir.

Just a few points. I will not spend too long on spending limits or anything like that. Just outside of the issue of spending limits, I think there are a few important points that are worthy of bringing up in debate, not least because I would quite like some indication from the President, even if he cannot provide answers here and now. But I do have some queries over some aspects.

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Hustings, I know we have always gone into, ever since the Referendum result was known, we have always gone into this with the understanding that hustings cannot be done in the same way as they always have been. But of course my understanding is there is nothing precluding hustings from happening in a similar way to how they used to operate, albeit we do not vote in districts and I know they would not be perfect but my view is that hustings are such an important part of the electoral process, for reasons that Deputy Roffey has articulated very well in the past. They are the only times when people are properly and publicly put on the spot and you can see them reacting and thinking live and see how well they can articulate their views and their arguments.

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So I would strongly encourage the parishes, if they are able, to actually still put on hustings, even though we know that it will not be comparing every candidate that people have a choice from. With that in mind I would strongly encourage SACC, if they are able, to provide a service where those can be (a) livestreamed and (b) accessed later on the internet. I think that would be a really useful service.

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It would be a shame to lose hustings altogether and I think, although we have to accept that we cannot do hustings in the way that they were previously done, I think something is better than nothing and I think we should make every effort to ensure that we do have some form of hustings, as close as possible to what we have had in the past.

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2620 The video. One of the things I liked about – I liked many things about the SACC policy letter – one of the things that I found very interesting was this idea that candidates would have, I do not know whether it is a page to themselves, but certainly some space on a webpage, whereby they could upload or they could have their full length manifestos and information about themselves and this idea of a video is mentioned.

2625 This is really my sort of bread and butter, in terms of my professional background, and I have to say if someone came to me and said, 'Can you make 100 videos for candidates in a very limited amount of time?' there are so many questions around how you might go about doing that. Obviously that is on the assumption that the States would actually be providing that service. So that is the first thing. So the first question is, is this a service that the States is envisaging providing or is it just the space upon –

2630 I give way to Deputy McSwiggan, who may be able to clarify and save some time.

2635 **Deputy McSwiggan:** Yes. It is part of what SACC envisages as the benefit in kind, we have been quite clear. Not just the space, but the provision obviously of the opportunity to record a video. The communications professional, clearly with a similar experience to Deputy de Sausmarez, also pulled a face when we said that but definitely did not say it could not be done. We know it is a challenge but we also believe it can be delivered.

2640 **Deputy de Sausmarez:** I am really grateful to Deputy McSwiggan for clarifying. I would say I am really happy to help SACC in advising on this because, as I say, it is something I have got an awful lot of experience in. Deputy Inder?

**Deputy Inder:** Thank you for giving way, Deputy de Sausmarez.

2645 I understand that is her professional background because I experienced it when I sat with her on the previous committee on her assistance in the Referendum and the work that she did with that. But it is not – and this is purely as Deputy McSwiggan has alluded to, the election team, via the third party providers, did kind of screw their faces up a little bit – but it is not impossible.

2650 It is a minute manifesto, there is not full production, I suppose in terms of communicating that, and I am kind of guessing my way through this a little bit because we have not really fatted that out in any way, you will effectively be told, 'You will have to turn up on one day, there is the chair, there is a video, you have got a minute, make it your best shot, film your minute manifesto, can we move on to the next one please?' We are not talking full production, with whatever full production means, but it is going to be fairly simple stuff, I would suspect. Much like the BBC have provided and previous Governments have provided on other elections.

2655 **Deputy de Sausmarez:** Yes, I totally envisage that this would not be some high production location shot with background music and all the rest of it. I was totally envisaging that this would be, on the grounds of equality if nothing else, you do not want to give people the advantage of having a better location, if the States are going to be providing this as a benefit in kind.

2660 So I absolutely envisage that it would have to be done, from time constraint reasons alone, in a controlled studio setting and that it would be very simplistic, but there is always, with these things, an element of editorial control. So do you say, 'You will see a red light on the video and from the moment you see that red light, you have got 60 seconds, so you have got one chance only, as though it is live TV, and if you mess it up sorry'?

2665 If you do not do that, to what degree do you allow leniency? So there are elements of editorial decisions that need to be made. Do you allow people to use an autocue? Do you knot? If you do, it may save time on one but other people cannot use them very well. You have got all sorts of practical considerations but, slightly more seriously – and I know this will be something very close to Deputy McSwiggan's heart – is actually really best practice, we should be subtitling those videos. That, in itself, is quite a time-consuming process.

I am absolutely not saying that it cannot be done. Anything can be done. It is just that it is challenging and it needs thinking through very carefully and I am really happy to offer any help that I can to the committee in order to help that process be as smooth as possible, because I think it is fundamentally a really good idea.

So another thing I raised in the previous debate on the first policy letter was this issue of electronic counting. Now, I will say at the outset that I completely accept that we have to go down this route, that we cannot not factor it in. I think it would not be wise to rule out electronic counting and I know the committee is some way down that road and I thank them for their patience in answering my many questions that I have sent them on the issue. There are many more, though.

So I articulated this briefly in my previous speech in a previous debate, but electronic counting is not as simple as many people might suppose and it is also, less so than internet voting, still fraught with some difficulty. For context, in the Scottish elections in 2017, they put out a training manual, which was a fascinating read, 120 pages long. It is a hugely complex area and it is really important to get it right.

Even after all that training, everyone involved was training absolutely up to the eyebrows and they were very well drilled and they thought of everything, where you read this manual and think, crikey they have thought of everything, even after that a report produced for the Electoral Commission afterwards recommended that they needed to improve on the transparency of the counting process and anyone wanting to use electronic counting should begin preparations three years ahead of time, which obviously we have never had.

So it really is complicated, a lot of it comes down to the verification process because ultimately what e-counting, electronic counting, is, is you put some papers in at one end and you get a number out at the other end and the fundamental thing that it boils down to is can we have confidence in that result?

SACC have been very kind and they have provided me with some information about the system that will be used. That gives me some comfort but a long way off complete comfort and I am afraid I do have further annoying questions on this issue because I am really hopeful that there will not be any question marks over this process. I think that would be an absolute travesty and if we do have election observers – we will if we vote on the relevant Proposition – it is a very important thing to get right.

So we have got a provider and there has been a tender process and I have confidence in that process, that is great, the provider has never run a statutory election, as far as I am aware, in the UK But that is not a deal-breaker, obviously, that is fine; it is just something to be aware of. I am more interested in how they are going to support us in our election. Will they be training us? Will they be sending adequate systems and technical support for the day?

I give way to Deputy Inder if he would like to ...

**Deputy Inder:** Sorry, when you say 'us', can you just clarify? I am talking directly or indirectly to an existing Deputy, I just want to know what Deputy de Sausmarez means by training 'us'. Was she talking about collective Deputies in this Assembly?

**Deputy de Sausmarez:** When you look into how electronic counting systems are run in elections, there are a lot of people involved, so it is not just the people who turn up with the hardware and the software and say this is how it works. There an awful lot of people, right through from registration of the ballot papers, all the way through, verification.

The team that will be involved, so I am imagining if it will be St James, or something like that – I am sorry if this was the detail that was in the policy letter and I have not picked up – but I imagine it will be St James and there will be lots of teams of people. There are about eight or nine distinct phases to the process. Certainly, in the way that I have looked into.

So I think those systems and making sure that we have got those systems as watertight as possible and that we have trialled those systems, so not just the hardware and the software elements, not just the technical aspects, but actually the people processes that support that. It is

really important. I am really keen that we get that one right because it does come down to how much faith we can have in the result and this is going to be very new. It is a new system, it is a new way of counting votes. We do need to be able to give the public confidence that that count is accurate.

2725 Just as an aside, it would also be great if we can have some indication about whether we will have a live view of the counting process, because often there are screens that you can see this progressing.

Okay, I will move on. Picking up on a couple of things that Deputy Merrett was saying, I do hope – this is something that Deputy Tooley alluded to – that there will be provision for people who require additional booklets. I think SACC has said that there will be, I think it is in the policy letter. 2730 Any household, for example, houses of multiple occupancy or houses of multiple occupation, if they need additional copies of the booklet, I think that is really important, especially if you have got six unrelated adults, for example, who to all intents and purposes do not want to have to pore over one booklet in order to establish which way they are going to vote.

2735 Another thing that I thought would be really helpful actually, picking up on something that I think Deputy Roffey said, was if there was any way, whether SACC could perhaps consider sending something out in any sort of communication to the electorate, whether they might consider sending out something equivalent to those door hangers you get in hotels, where you hang it on your door and it is either 'do not disturb' or 'please come and make the room up' or whatever it is. So just 2740 something, whether it is a sticker, I do not know.

I am just suggesting that if there is any way that householders could indicate whether it is worth people knocking on the door, because one of the most common bits of feedback I have had is, great, the booklet is a great idea but what I absolutely do not want is 80 individual manifestos on top of that and I will put my hand up and say, actually, and Deputy Fallaize, I hope you are paying 2745 attention – sorry, through you, sir – that anyone who gives me additional bits of paper on top of the booklet that I already get, will have a black mark against their name.

I have done the environmental calculations on how many trees these various send-outs might need and I am fairly horrified. That was something that came through SACC's own survey, actually, these concerns were reflected in that, as well as a lot of people saying, 'Please, not more paper.' So 2750 I think actually it would be really useful and ultimately a bit better for the environment if SACC were able to give householders an easily recognisable method of communicating with people who might be out distributing leaflets and whatever to say, yes, more than welcome here, or please do not waste your time or paper. It is just a suggestion I hope SACC will consider.

So, really, just closing on the spending limits, I know we have thrashed this out for a very long time, I will just leave Members with a brief reminder that the average spending limit in 2016, Deputy 2755 Dorey was bang on the average by the sounds of things, at around £1,100 and I think that fact, that Deputy Tooley brought to light in her speech, about the fact that no one spending in that bottom quarter of the spending threshold was elected in 2016 and, in fact, only one person spending in that bottom 25% in 2012 was elected as well. I think that is just a sobering thought, actually.

2760 So I really do hope that we can keep that permitted electoral expenditure as reasonable as possible because I think we do need to keep our eye on the ultimate aim, which is to allow Islanders to vote a representative Government into the States. So I think that is the main thing and I really hope we do not create the conditions for an arms race, either in terms of spending or indeed in terms of a proliferation of paper manifestos.

2765 Thank you.

**The Bailiff:** Deputy Trott.

2770 **Deputy Trott:** Sir, I do intend to be genuinely brief because during the course of the last just over a day, I have been genuinely surprised at the number of contacts I have had from those that are listening that consider this debate to be one of the most unedifying spectacles that the States has embarked on in some time. **(Several Members:** Hear, hear.)



2775 However, I am going to ask you to bear with me just for a short while because I am going to ask you to assume that there are 150 candidates at the next election, all on average earnings. You may say why have I chosen 150 candidates on average earnings? Well, if they were on average earnings, that is how many of them it would take to fund the potential nearly £800,000 worth of expenditure this election may ensue. So it is a good starting point.

2780 There are 150 of them and they are on average earnings. But they could not look more different. Because one of them has just won the Premium Bonds and another has just had a very substantial legacy from a family member. Another has sold their family vintage Volvo and received a very substantial sum of money for it.

**Deputy Ferbrache:** Point of correction, it went over the cliff!

2785 **Deputy Trott:** Indeed. Think of all the other scenarios. You have got a retiring advocate who has decided, after earning enormous fees for many years, that he is going to have a part-time job at B&Q, just enough maybe to hit average earnings. Let us assume that it is someone just out of school who is very bright, who gets sucked into a hedge fund manager and finds himself on average earnings.

2790 The point is that if you are on average earnings, the demographic is huge and it is why this obsession with election expenses is absolutely and totally irrelevant. But what is not irrelevant and I am not sure which guru it was, Deputy Lester Queripel, it could have been Mahatma Gandhi, it could have been (*Interjection*) ... it could have been Mrs Le Page, sir, she is very wise. It could have been Nelson Mandela, it could have been Jack Kennedy, it could even have been yourself, sir, such is the wisdom contained within these words: that if a job is worth doing, it is worth doing well.

2795 Now the way you do it well is by listening to our friends on the States' Assembly & Constitution Committee because they have told you, effectively, that the minimum amount for doing it well is at the sum that they have proposed and others have debated. But others have not really debated that particularly convincingly because others want nobody to be able to do it well, in order that everyone is on a level playing field, and that is farcical, absolutely farcical.

2800 Now, sir, one of the things I am most proud about, as a Member of this Assembly, because there are occasions when I am not very proud, but on this occasion, over the last couple of decades, the thing I have been most proud about is the fact that it has never been, at any time, for any of us, so much as a whiff of corruption.

2805 I am not suggesting there will be in the future. I think it is extremely unlikely. But the closest some of us get is at election time, when we are thinking, 'Crikey, I cannot do that because if I do I am going to exceed the election expenses.' If the figure is at £6,000 there will be people who will find that very challenging, I am sure. Whatever the figure is, it will be challenging, unless, I would argue, it was £10,000. Because if you need £9,000 to do the job properly and you build in some contingency, and a contingency of 10% would make complete sense –

2810 I give way to Deputy Tooley.

**Deputy Tooley:** Thank you, sir.

2815 I am just hoping that Deputy Trott will be equally mindful of this when committees like Health & Social Care and Education, Sport & Culture are telling P&R that they could really do with a little bit more money to do the job really well.

Thank you.

2820 **Deputy Trott:** You see the difference is that this is taxpayers' money we are talking about on that occasion. But on this occasion we are talking about people's personal funds and what many people have tried to do in this debate is to give the perception that there is some sort of perfect person and that is what we need to try and achieve.

Everybody's circumstances are different. When I first fought an election, 20 years ago, I did not have a brass farthing. I knocked on every door because I could, I spent a huge amount of time out

2825 there and I got elected and others have explained today why that form is no longer going to be practical.

Interestingly, sir, when we talk about incumbency, I think my career is a perfect example of where, sometimes, it is an advantage to be an incumbent and sometimes it is anything but. My first election, I was the youngest Member of the States and I was just a few votes off coming first place. I then  
2830 kept my nose clean in the eyes of the electors and topped the poll four years later. I then did two consecutive elections where I did, arguably, the two hardest jobs in this Assembly, that of Treasury Minister and Chief Minister. On both occasions, I just crept in. I then went back to the back benches, four years later had my most impressive vote yet.

The point is it is only an advantage if you are an incumbent if you have done very little that has challenged the electorate during the previous term and I admit, sir, there are some people in this  
2835 Assembly that fall into that category. However, there are a number that do not. So it seems to me that the most sensible thing to do is what I intend to do and that is to vote in a way that seeks to achieve an unamended outcome to SACC's proposals, because they have been well-considered and they are clearly the only way we can ensure that at least some people will have a fighting chance of  
2840 doing the job properly.

Thank you.

**The Bailiff:** Deputy St Pier.

2845 **Deputy St Pier:** Sir, Deputy Trott speaking before me has shortened my own contribution to this debate. It has been a shockingly bad debate. I think quite possibly the worst of this term, for which we are undoubtedly tainted. I think what it has demonstrated is that this Assembly is not the place in which to determine these kinds of rules. It should have been a matter for, perhaps, an Electoral Commission or similar.

2850 In that context, I would like to extend my personal thanks to the President of the States' Assembly & Constitution Committee and his team on his committee, to thank them for their work and their recommendations, because I think they have had an unenviable task. Certainly, I intend, as Deputy Trott has said he intends to do, to follow their recommendations. So I in particular would ask Deputy Inder, when he sums up, to be very clear about his advice to Members such as me who wish to  
2855 follow their guidance in relation to the amended Propositions.

The fact is that the rules, to some extent we are tinkering around the edges with the multiple amendments that we have had over the last 24 hours. The reality is that they are wholly inadequate for the governance of what is potentially a new era of parties. In particular, I would point out that they only apply, of course, for the period of the election. In other words, from the moment  
2860 nominations close to the election itself.

If the States is so minded to vote for a very small allowance, of course what that will do is drive expenditure to the period before nominations close and I think that would be a very unwise decision. I think we want to encourage Members, potential candidates, to adhere to the spirit of the rules rather than merely the letter of them.

2865 In that context, in relation to Deputy Fallaize's comments about only needing to communicate with each household, I have sympathy with Deputy de Sausmarez that I think it actually is incumbent on us to allow any candidate to communicate with any elector. I think in an era where we have, associations have already formed, I can imagine a household with multiple electors, where there is a very passionate supporter of Deputy Ferbrache in the 2020 Association and a very passionate  
2870 supporter of Deputy Meerveld at the Islanders' Association and it is quite possible to envisage in that case that merely allowing the ability to communicate with the household, rather than each individual elector, could encumber the democratic process.

I think the other observation I would take from this debate, sir, is I would plead with the States' Assembly & Constitution Committee to take away from this debate the urgent need to review the  
2875 question of an Ordinance in respect of volunteer contributions to the election period. It would be an absolute nonsense if we went into the 2020 Election with the need in some way to account for

the contribution of friends and family in seeking to deliver and participate in that election in support of their favoured candidate.

2880 Let us take an example of the 2020 Association. It may very well be the case that Deputy Kuttelwascher will seek to deliver support and manifestos on behalf of Deputy Ferbrache, perhaps in the St Peter Port area, whilst Deputy Ferbrache will seek to do so, maybe, in the Vale, as they canvass in that respective area. On the face of it, that would be something that would be caught by this provision that they need to account to each other for their respective contribution.

2885 Let us take another example of an individual who gives up his time to campaign and, as a result of which, he loses pay. Clearly, that would be money or money's worth that has been lost in the campaign, whilst somebody who has not been required to give up any time, perhaps campaigning at the weekend in their own time, would not have lost anything. How do we account for money or money's worth for that individual?

2890 Picking Deputy Meerveld's example of he and his children, is there a different value attributed to a child rather than an adult, perhaps? It would be an absolute nonsense and I think if we look at the election that is going on in the UK today, the idea that volunteers would in some way be accounted for in the electoral limits of the parties in the UK, of course it would be impossible and I think Deputy Lowe articulated this. This has not been an issue up to now. It cannot and should not be in any doubt that, as we go into this election, if there is a need for volunteers, friends and family  
2895 to support candidates, they should not be prohibited from doing so.

I think if we fail to do that we will drive aberrant behaviour, which should not be in anyway encouraged. So I would certainly urge the States' Assembly & Constitution Committee to take that on board and seek to address that so there is no ambiguity going into this election. With that, I reiterate that I will be supporting the States' Assembly & Constitution Committee. I think they have  
2900 done a good job with a very difficult hand. There is no right answer. There is undoubtedly a wrong answer and it is quite possible that the States will end up choosing the wrong answer. But I hope that, with the guidance of the President in summing up, we will support the committee and end up with something that is better than we might otherwise end up with.

2905 **The Bailiff:** Deputy Dudley-Owen.

**Deputy Dudley-Owen:** Thank you, sir.

I had not planned to speak but I rise to my feet to add some weight to what Deputy Trott and Deputy St Pier have just said, in expressing my dissatisfaction with our performance over the last  
2910 couple of days. I did put out a social media post last night to say as such and it is moments like these where I think that a lot of the community actually disengage from this Chamber and what we are saying.

I really would like to remind colleagues, through you sir, the audience is not just the people in front of us. We go worldwide in this Chamber. We are broadcast to a global audience, if they are  
2915 interested. We can be heard by people far and wide and we should be recalling that in our level of professionalism and our presentation of any amendments or motions laid and also in our reactions to our colleagues and what they say. I felt quite disappointed.

Although overall I have been very pleased with the level of professionalism in which the committee have conducted themselves; I think they have had a very hard job to get their motions  
2920 through to the States and their proposals. This has been untried, uncharted territory. I will support the committee today. I do not like the £9,000 limit but I am going to put my trust in the committee that what they say and what they have tested has been correct.

Myself and Deputy Graham recently were lucky enough to give a presentation to the WEA and it was entitled, rather painful, *Poll-toppers Presentation*. We managed to put that to one side and  
2925 get through it and the reason for this was to let people know how we made a successful poll-topping presentation at the elections.

What became apparent through that was the differences and the difficulties that people are going to face in the new system, the Island-wide voting system, to what we experienced on the

parochial and district system. Deputy Graham has gone through all those differences, so I will not repeat them now. Suffice to say I think this is going to be a really difficult election and it is far more expensive than anybody ever envisaged and I just thank the committee for the proposals they have put forward and the hard work with which they have done that.

Thank you.

**The Bailiff:** Deputy McSwiggan.

**Deputy McSwiggan:** Sir, I am glad that I allowed Deputy Dudley-Owen to go ahead, or you – sat down so that Deputy Dudley-Owen can go ahead. If we are being broadcast to the world and heaven forbid any other parliamentarian is listening to us, I think they would find us generally speaking a fairly mild-mannered parliament, compared to what we see in other places.

It has not been the pleasantest two days. It probably has not been our worst, even in my four years. But it has not been great and I shall be glad when it is over. I just wanted to pick up, quickly, on one thing, because sometimes you can have too much of a good thing and I was a little bit worried about too much friendship from the top bench in Deputy Trott and Deputy St Pier's speeches.

Deputy Dorey, when he opened this afternoon's debate, said something very uncharacteristic for him, which was, 'I am not really basing this on evidence but I have got a gut feeling that one of those smaller numbers is about right for the candidates' spending limit.' Now we have based our proposals on evidence, we have looked at what it would mean to get a message out and a message in the classic sense that candidates in Guernsey elections usually do, which is a written manifesto, out to people across the Island.

In the context of candidates who might not want to use any Government channels whatsoever, we have worked out that the kind of spending limit that they would need to enable them to do that is about £9,000, if you allow for a manifesto of a decent length and if you assume that they are going to use Guernsey Post and so on.

We think you could probably squeak that down to about £6,000, at the very minimum. Anything lower than £6,000 and you really do lose that freedom. I know Deputy de Sausmarez and Deputy Tooley have given heartfelt and clear arguments for other ways that we could reach voters, but I think that SACC did the right thing in taking its starting premise being that you will want to reach voters with a written manifesto, and I think that you fail to be able to achieve that principle with a spending limit of anything less than £6,000.

But I am worried that enough of our friends in relation to these Propositions will say, 'Actually, no, you had the right idea with £9,000, so we are going to hold off voting until you get up to £9,000.' I am very worried that we could find ourselves in the farcical situation where not a single one of these spending Propositions is sufficient to attract a majority in its own right, because I assume that there are some people who are not going to vote at all down at the lower end of the spectrum and I assume from some of the strong arguments that we have heard over the last few days that some of the people who support the lower values will drop out of the voting as we go higher up.

Deputy Roffey is shaking his head. That gives me some comfort. I do not know how widespread that is. As a quorum of the committee this morning, not the full committee, we thought that we could probably start voting from £6,000 upwards and Deputy Inder may have re-evaluated that during the debate. That is still how I feel and that is what I would say to friends of the committee as well. Let us try and establish a consensus, somewhere around £6,000, so that we do not have to have a repeat of the last two days next month.

**The Bailiff:** Deputy Ferbrache.

**Deputy Ferbrache:** Sir, I very much agree with Deputies Trott, St Pier and Dudley-Owen. My views have not changed at all over the last 24 or so hours. Therefore, the President will speak for himself when he sums up but, doing the best I can with now the amended Propositions is, my view,

and looking at the original Propositions, then 1 is unchanged, to agree a candidate manifesto booklet etc., so I am sure we could all vote for that. I will not be voting for 1A.

2985 In relation to 2, you have got to come all the way down to 2G to equate to what was the old 2, so I will be voting for 2G. I am not in a lottery of saying £6,000, £5,000, £7,000. We went through in a considered basis and, personally, therefore, I do not see why I should change. There is not a syllable that has been uttered over the last two days that has changed my view.

The best we can do, therefore, with our old Proposition 3 is look at 3B. The wording is slightly different but I think it comes to the same conclusion, because the old 3 said, 'To agree that expenditure by a political party ...' blah de blah ...

... is only permissible by virtue of candidates affiliated to that party assigning a maximum of 50% of their permitted electoral expenditure ... and that such expenditure by a political party in any election may not exceed £9,000.

2990 Now 3B, bearing in mind the amendment that was passed, the best we can get through is this, and I think it comes out the same:

To agree that expenditure by a political party on promotion of the party and its policies in an election for the office of People's Deputy is only permissible by virtue of candidates affiliated to that party assigning a maximum of 50% of their permitted electoral expenditure to the party, and that such expenditure by a political party in any election –

– these are the extra words –

– may not exceed in total twice the permissible electoral expenditure for an individual candidate or £9,000, whichever is the lesser,

2995 So you come out with £9,000 anyway and that is the best you can do, bearing in mind the amendments. The other Propositions, as we have put them forward, save that we have added Proposition 10, which was an amendment made by the President and Vice-President, and which the States have accepted.

3000 I hope that assists and I would say, in relation to this particular matter, bearing in mind the comments of Deputy Brehaut, who said he is retiring from the States in six months' time, and it is also a point made by Deputy Trott, generally, both in the six years that I served in the States, from 1994-2000, and the three-and-a-half years I have served in the States since, every single Member, whether they were a Douzaine Rep, a Conseiller, or now we are all Deputies or Alderney Representatives, has been a person of absolute integrity and done their best.

3005 I may have disagreed with them on very many occasions – they are entitled to be wrong and perhaps they could acknowledge more that I am right – but undoubtedly every single person is doing their best here today and they have done in the past and I actually think, like Deputy Trott, they will do so in the future.

3010 **The Bailiff:** Does anybody else wish to speak? No. Well before you sum up, Deputy Inder, I wonder if you should just lay the technical amendment that needs to be laid. So can that be circulated? It is amendment 11.

*Amendment 11.*

*Only in the event that Proposition 1A is approved, to amend the amount in Proposition 7 by deleting "£550,000" and substituting "£600,000".*

**The Bailiff:** Does everyone have a copy? Yes. Deputy Inder.

3015 **Deputy Inder:** Sir, I think this is effectively a technical amendment and it comes as a consequence of the agreement of 1A as the substantive Proposition at the moment, if it gets through. It will mean that obviously our budget figure of £550,000 will have to go up to another probably another £50,000, from £550,000 to £600,000 on the basis that 100 people are standing. So it is simply if I could get Members just to nod this through, this will only come into play if 1A is accepted.

3020 **The Bailiff:** Deputy Merrett, do you second the amendment?

**Deputy Merrett:** I do, sir.

3025 **The Bailiff:** Does anybody wish to debate it? We go straight to the vote. Those in favour; those against.

*Members voted Pour.*

**The Bailiff:** I declare it carried. Deputy Inder will now reply to the debate.

3030 **Deputy Inder:** Just for me to reply to the debate. I am actually going to start from the back here and I am certainly grateful for the support we have had from Policy & Resources. We do not always get on or see eye to eye on things. It is just the way this business is sometimes, but in this instance they have supported their Assembly committee right down to, I believe, the last man or woman. I am not entirely sure. Well, okay, certainly with a majority of four at the moment, as I get a nod from the top bench.

3035 You are absolutely right. I was speaking to Deputy Trott the other night and there are some wise things that come from him and he is absolutely right, there are two things that this Assembly should never do, is talk about the salary and hopefully in the future never talk about the expenditure. It has not been a particularly pleasant debate – *(Interjection)* I do not know, is it Deputy Tooley, does she want to interrupt? It sounded like it. So there you go.

3040 I am going to breeze through as much as I can. I am just not going to go over and repeat some of the arguments that were played out. I will try and answer some of the direct questions that were not brought up in debate over the last two days, because there has been a heck of a lot of repetition.

3045 I am going to start with Deputy Dorey and I think I have actually answered one of his questions. He asked whether the booklet would be in colour and what type of paper would be used. We can confirm that the booklet will be in colour and, at this point in time, we cannot specify the exact type of paper that will be used, I am afraid.

3050 He also raised a question about people being encouraged to postal vote and his concerns. It came up elsewhere as well about that, so it is not just Deputy Dorey. He asked for postal votes not to be issued before the candidate manifesto booklet was delivered in early June. Now the Law states that the Registrar-General of electors shall, as soon as practical, provide the absent voter with the necessary documents to the voter. It is intended that all manifestos for candidates will be available online in the week following the close of nomination period.

3055 So, by 20th May, manifestos, which have all been provided for the booklet, with the exception of those who might not choose to go in the booklet, will be provided and available online. So it will be possible to consider the manifestos before delivery of the booklet and arguably be up to the voter when they choose to complete their ballot paper. But we will submit Deputy Dorey's comments and those others who touched on it to the Registrar-General.

3060 Deputy Smithies requested that members of parties should have the party listed next to their name on the ballot paper. I believe that was correct. Again, right now this is something that we are working on. I will say here, at this point, it is all down to SACC, but we are working with an extended team and that team is the Election Project Team, managed by the Home Department, under the guise of Home Department. So this is a strange thing where they are reporting to us but they are

really employed by ... well the Registrar-General is actually a statutory official, so he actually comes from the Chief Executive Officer of the States. But effectively it is all sort of managed around Home, but we are seeing them on a regular basis.

3065 So all credit to them. I am very grateful to those of you that have paid my presidency some respect, but I told Members, a couple of things I have said actually, when I took the presidency on, certainly when I pitched for it, there is certainly one thing I have always done in my life, is employ people better than me. Deputy Laurie Queripel has always said that cannot have been too hard! (Laughter) But it is true. When the previous Members left the committee, I was not in much of a position to do much else, but you know me, I will give anything a go.

3070 The first people I went to, strangely enough, were Deputy Le Tocq and Deputy McSwiggan. You know, it was the first time ever I laid – I always get this word wrong – prostrate, I think it is, on the floor in front of them, begging them to come if they could (Interjection) ... Prostrate, sorry! I knew I was getting it wrong. Prostrate. (Laughter) I always get it wrong, I told you I always got it wrong. I was prostrate in front of both Deputy Le Tocq, who I had never worked with before, who I knew from just being man about town (Laughter) – him being a man about town, not me – and Deputy McSwiggan, who I did not always agree with but absolutely respected her ability. It really has come through over the last 13 months.

3080 After that, we went through an election process. Looking at the team itself, we sub-grouped the States of Election out to Deputy Ferbrache and Deputy McSwiggan, the Code of Conduct has effectively gone out and being managed very admirably by our VP, Deputy Jennifer Merrett. But on top of that, the election team itself, they cannot go without a mention themselves.

3085 The people we have been dealing with is a Mr David Mullins. In the background they are doing an awful lot of work. A lot of work very quickly. They have been to the IoD debates and I think it was last Thursday and Friday, the feedback from that is he handled himself very well. So it is not just about the presidency, it is about the team, it is about the people that put in place, about the civil servants that are working there, and even, I saw something on social media, from a Miss Emma Cunningham who I met quite recently; she said she had quite a surreal moment listening to the debate yesterday while unpicking envelopes of people who applied to be on the Electoral Roll. So there are a lot of people working in the background to try and make this a success. It is certainly not about any one individual.

3090 Looking at specific questions, and I am going to try and breeze through this as much as possible, hopefully as quickly as possible. Deputy Smithies, I think we have dealt with him. Deputy Tooley, I think it is possibly Deputy Lindsay de Sausmarez as well, raised concern about the candidate manifesto being delivered to homes of multiple occupancy.

3100 Nothing is ever perfect and I do not really know how to respond to that. There is absolutely no way of guaranteeing, without FedEx, ensuring that the person wanted the manifesto actually wanted it. There is nothing we can do about that and I have got absolutely no response to that whatsoever. We have told people – I am not going to give way. I am summing up now. I have done enough of it this week. (Laughter) Really, I have.

3105 We have also explained the manifesto booklets will be available in other outlets. Where they are, again, that will be down to the election team. What else? The other two things I am grateful of actually, surprisingly enough, is Deputy Fallaize and Deputy Roffey, they have been fairly pragmatic. Deputy Fallaize effectively led the initial phases of the Referendum; Deputy Roffey, under his presidency, led and delivered the Referendum. He did leave after, for his own reasons.

3110 But the pair of them, certainly Deputy Fallaize seems to be almost fully supportive of the SACC and give or take, if I can up the ante with Deputy Roffey and get him towards the £6,000/£7,000, I would have even more respect than I normally have for him. He has been very pragmatic, so we are grateful for the support that we have received so far.

I am just not going to talk about the £2,300 anymore. I have had enough of it. So I am just not going to mention it any more. I am so bored of that £2,300. All I will say, I cannot understand, in anywhere where people were discussing £2,300 ... still honestly believe that the voters will be able to communicate with the candidates and the candidates will be able to access the voters. It is just

not possible. It does not matter how much you talk to yourself and convince yourself in your speeches that £2,300 is going to do the job, it is not going to happen.

So I am going to move fairly quickly, I do not think there is any specific ... Deputy Graham, you have been consistently supportive, so I thank you for that. I have said bits about Deputy Roffey. Specific question from Deputy de Sausmarez. She has spoken about electronic counting. Well, we have got a procurement team. Agilisys have been involved in it, we have got an information officer involved in it. We have got an election team involved in it. I cannot answer all of her questions and if she wants to speak directly to them and get involved in that as well then that is entirely up to her.

From what I have seen and what we have been advised, that is basically as good as it gets. The one thing I have raised, though, and it did come in the meeting, I do not have great clarity on that all and it is something Deputy de Sausmarez did bring up, is that if we go over the ridiculous amount of candidates who turn up and the ballot paper cannot take it, I am not entirely clear what happens at that point.

At the moment we are committed to, effectively a budget of £110,000. But we do not know if it would be useful if that money, which would be assigned to the deliverer of the electronic counting, I do not know what happens on 16th May when we find we have got 200 candidates and the machine cannot take it. We are certainly not going to flip over the other side, we have only got, I think, 30 inches to play with and there has got to be a point where we basically have to effectively pull the rug out. I just do not know.

But actually the budget itself, if we cannot deliver electronic counting, we will probably have to use that budget as a contingency to spank up a load more volunteers to get into St James and – it is a turn of phrase, I do not actually mean spanking up – getting more resources into the counting process. So I cannot answer that and that is no failing on our part.

Deputy Lindsay de Sausmarez is still concerned about the multi-occupancy. Well, there you go. She has asked about will there be any training. Well, of course there will be. They are not just going to come off the boat, shove them in St James, plug them in and hope it is going to work. There has been a procurement process. We have got sensible people working on this and it will be delivered in such a way. I am quite sure, if they are uncomfortable with that working, they will absolutely pull it. It will either work or it will not work. So there you go.

Hustings, Deputy de Sausmarez also asked about hustings as well. She is absolutely right. They are not going to happen, they are not in the Reform Law, they are customary. My guess, and it is only a guess because we are in guessing mode, they are likely to be organised by individuals in some form, or possibly parties. I am guessing that groupings are going to get together and they might hire areas and say, 'Look come and see me.' But it might not be in the traditional format. Everything has, basically, changed.

We have no budget for live streaming them, so we are not going to be doing them. It is as simple as that. It is just not the job of SACC. It has always been a customary process, done by the parishes. We have got a limited budget and we are not getting involved.

Deputy Gollop, again, thank you for your support. You did mention, what was it, it was about the free associations and the party, was it not? What determines a party. I will just read this out from our policy letter, I think it is policy letter one, 20.4. I said I was not going to be too long but unfortunately I have got to answer some specific questions. 10.4 said:

A political party may identify as a group, association, organisation or under a different term, but –

– and this is important, it does not actually say this, it is not what they think they are, it is what we think they are. If it looks like a duck and quacks like a duck, even though it says it is not a duck, it is still a duck.

The committee recommends that such bodies will be classified as a political party if they meet the criteria set out by the Venice Commission ...



Which defines a political party as, and I will quote:

A free association of persons, one of the aims of which is to participate in the management of public affairs, including through the presentation of candidates –

3160 – which is probably my word for fielding candidates –

– to free and democratic election.

So it does not matter what you think you are called, if the Law determines you are a party, you will be singled out as a party and you can whine as much as you want, you can call yourself an association, a group of people, chaps in a room, guys on a rock, you are a party if you are going to field candidates.

3165 I think that is about it, which you will be glad to hear. So, in terms of where I think those who are supporting SACC and friends of SACC, Deputy Ferbrache is going for gold and going for the £9,000. He would do, it is the most amount of money! (*Laughter*) But I have got to be practical in some way. I have said to Members, anything below £6,000 is an utter nonsense. We will not deliver democracy for under £6,000.

3170 So, in terms of those who are wanting to support the Referendum, I suspect we are going to have us a minor fudge, but there are bad decisions, bad debates, good decisions, bad decisions. We can take anything over the £6,000, we will deal with it, we can make it work and actually the democracy will work. Anything under the £6,000, we are in trouble, democracy is in trouble, reputation is in trouble and I really would advise Members whatever they think, do not go anything  
3175 under £6,000.

So in terms of those who have got their pens and paper out and want to hear what I think, I think we need to agree Proposition 1 –

Oh, sorry, Deputy Queripel.

3180 **Deputy Lester Queripel:** Sir, I thank Deputy Inder for giving way. He said, as far as he was aware, that was it, but he has not actually answered my questions, so I am wondering if he could answer my questions.

Thank you, sir.

3185 **Deputy Inder:** Yes, and I do remember it actually, without notes. Deputy Queripel, he asked what happens to the budget if it does not get spent. I do not think they are going to keep it and I do not know how it is going to be drawn down. I assume if we have got a budget of £10 and we only spend £9 of it, we do not ask for the other £1. I do not particularly know what happens to it.

3190 Actually SACC is not really in control of it. It is part of the election team. But maybe someone who has dealt with that on a daily basis, like Deputy St Pier or Deputy Trott, can tell us actually how the process is, to satisfy Deputy Queripel's question?

**The Bailiff:** Neither of them are asking you to give way.

3195 **Deputy Inder:** I just do not know what the process is when we organise budgets.

**Deputy Trott:** You can give way to me.

**Deputy Inder:** I will give way to Deputy Trott, thank you.

3200

**Deputy Trott:** I do not have the benefit of remembering Deputy Queripel's question, therefore I am unable to answer it, so you are going to have to give way to him to allow him to ask it again!

**Deputy Inder:** I beg to pass. I am sorry. Deputy Queripel.

3205 **Deputy Lester Queripel:** I will just repeat the questions in relation to Propositions 7 and 8. It was on how will the spending of that be monitored and if all of that money is not spent, will the ballots be returned to the Budget Reserve? And of course the same applies to Proposition 8, as well.

3210 **Deputy Inder:** And I will give way to Deputy Trott or Deputy St Pier, who might be able to answer it for me.

3215 **Deputy Trott:** Of course 8 will only be needed if there is a recount, but the same answer applies to both 7 and 8. Anything that is not expended will be returned to the Budget Reserve, because it is a one-off expenditure item, associated exclusively with the election. I do not think I can add anything more to it than that.

**Deputy Lester Queripel:** I thank Deputy Trott for that, sir.

3220 **Deputy Inder:** I will give way to Deputy de Lisle, because I suspect he has got something.

**Deputy de Lisle:** Sir, again another question.

**The Bailiff:** Can you put your microphone on?

3225 **Deputy de Lisle:** Again, another question that was not answered, sir, that I asked. Why little Guernsey needs four voting days, whereas the UK, with larger constituencies does it in a day?

3230 **Deputy Inder:** Thirty-eight counts, sir, that is fairly simple. There are 38 seats and possibly up to 100 if not more candidates. Moving on, starting from the beginning, please can I ask Members to certainly vote for Option 1. Ignore 1A. Ignore all of the 2s, 2A1, 2A, 2B and 2C. For us to deliver an acceptable democratic process that will allow voters to talk to candidates and candidates to access voters, I genuinely believe we only can start voting from 2D, which is the £6,000. That is where we have to start voting. From there on, I will start at £6,000 and keep going until we get to our £9,000.

3235 Moving onto 3, 3A, strangely enough, if I am understanding it correctly, I think we are voting for 3A, because if 3A falls, we have got to vote for 3B anyway, because if 3A falls and 3B falls, there is basically no limitations. Am I understanding that correctly? There will be no limitations on parties. So one of those has got to get through.

3240 After that, it will be 4, all the way through to the rest of our Propositions. So just for clarification, certainly we will be supporting 1 and, in terms of costs, starting from 2D at the £6,000. Sir, it has been an interesting 13 months. I am grateful for the work from Home, grateful for the electoral team, I am grateful to my committee and I hope you will all support sensibly SACC's policy letter.

**The Bailiff:** We will take first ...

3245 **Deputy Tooley:** Sorry, sir, I was just going to say I think the question of 3B is that it reverts to the agreement of April, which is that it is identical to the candidates, was it not?

**The Bailiff:** Deputy de Sausmarez.

3250 **Deputy de Sausmarez:** Could I request a recorded vote on 1A, Proposition 2 and Proposition 3, please, sir?

3255 **The Bailiff:** When you say Proposition 2, do you want a recorded vote on every level of expenditure? It may be that the Deputy Bailiff will be dealing with part of this because I have to leave shortly, but anyway. We will take Proposition 1 first. Those in favour; those against.

*Members voted Pour.*

**The Bailiff:** Proposition 1 is carried. Proposition 1A, we have a request for a recorded vote:

To agree that there shall be made available by the States of Guernsey a grant of up to £500 which may be claimed by a candidate for the production and distribution of campaign materials and which shall count for the purpose of the candidate's permitted electoral expenditure.

Greffier.

*There was a recorded vote.*

*Carried – Pour 20, Contre 15, Ne vote pas 2, Absent 3*

<b>POUR</b>	<b>CONTRE</b>	<b>NE VOTE PAS</b>	<b>ABSENT</b>
Deputy Gollop	Deputy Mooney	Alderney Rep. Roberts	Deputy Le Clerc
Deputy Parkinson	Deputy Trott	Alderney Rep.	Deputy Paint
Deputy Lester Queripel	Deputy St Pier	Snowdon	Deputy Langlois
Deputy Leadbeater	Deputy Stephens		
Deputy Le Pelley	Deputy Inder		
Deputy Merrett	Deputy Lowe		
Deputy Meerveld	Deputy Smithies		
Deputy Fallaize	Deputy Graham		
Deputy Laurie Queripel	Deputy Dorey		
Deputy Hansmann Rouxel	Deputy Le Tocq		
Deputy Green	Deputy Dudley-Owen		
Deputy Brouard	Deputy de Lisle		
Deputy McSwiggan	Deputy Roffey		
Deputy Soulsby	Deputy Ferbrache		
Deputy de Sausmarez	Deputy Kuttelwascher		
Deputy Prow			
Deputy Oliver			
Deputy Tindall			
Deputy Brehaut			
Deputy Tooley			

3260

**The Bailiff:** Well, Members, the voting on Proposition 1A was 20 in favour, with 15 against and 2 abstentions. I declare it carried. That brings us to Proposition 2A1 and we have a request for a recorded vote. This is an expenditure limit of £2,300.

3265

*There was a recorded vote.*

*Not carried – Pour 7, Contre 28, Ne vote pas 2, Absent 3*

<b>POUR</b>	<b>CONTRE</b>	<b>NE VOTE PAS</b>	<b>ABSENT</b>
Deputy Lowe	Deputy Gollop	Alderney Rep. Roberts	Deputy Le Clerc
Deputy Hansmann Rouxel	Deputy Parkinson	Alderney Rep.	Deputy Paint
Deputy de Lisle	Deputy Lester	Snowdon	Deputy Langlois
Deputy de Sausmarez	Queripel		
Deputy Oliver	Deputy Leadbeater		
Deputy Tindall	Deputy Mooney		
Deputy Tooley	Deputy Trott		
	Deputy Le Pelley		
	Deputy Merrett		
	Deputy St Pier		
	Deputy Stephens		
	Deputy Meerveld		
	Deputy Fallaize		
	Deputy Inder		
	Deputy Laurie		
	Queripel		

Deputy Smithies  
 Deputy Graham  
 Deputy Green  
 Deputy Dorey  
 Deputy Le Tocq  
 Deputy Brouard  
 Deputy Dudley-Owen  
 Deputy McSwiggan  
 Deputy Soulsby  
 Deputy Roffey  
 Deputy Prow  
 Deputy Ferbrache  
 Deputy Kuttelwascher  
 Deputy Brehaut

**The Bailiff:** The voting on Proposition 2A1 was 7 in favour, with 28 against and 2 abstentions. I declare it lost. Next, Proposition 2A, an expenditure limit of £3,000.

*There was a recorded vote.*

*Not carried – Pour 7, Contre 28, Ne vote pas 2, Absent 3*

**POUR**

Deputy Lester Queripel  
 Deputy Hansmann Rouxel  
 Deputy de Lisle  
 Deputy de Sausmarez  
 Deputy Oliver  
 Deputy Tindall  
 Deputy Tooley

**CONTRE**

Deputy Gollop  
 Deputy Parkinson  
 Deputy Leadbeater  
 Deputy Mooney  
 Deputy Trott  
 Deputy Le Pelley  
 Deputy Merrett  
 Deputy St Pier  
 Deputy Stephens  
 Deputy Meerveld  
 Deputy Fallaize  
 Deputy Inder  
 Deputy Lowe  
 Deputy Laurie  
 Queripel  
 Deputy Smithies  
 Deputy Graham  
 Deputy Green  
 Deputy Dorey  
 Deputy Le Tocq  
 Deputy Brouard  
 Deputy Dudley-Owen  
 Deputy McSwiggan  
 Deputy Soulsby  
 Deputy Roffey  
 Deputy Prow  
 Deputy Ferbrache  
 Deputy Kuttelwascher  
 Deputy Brehaut

**NE VOTE PAS**

Alderney Rep. Roberts  
 Alderney Rep.  
 Snowdon

**ABSENT**

Deputy Le Clerc  
 Deputy Paint  
 Deputy Langlois

3270

**The Bailiff:** Members, the voting on Proposition 2A was 7 in favour with 28 against and 2 abstentions, so I declare it lost. Next, Proposition 2B, which is an expenditure limit of £4,000.

*There was a recorded vote.*

*Not carried – Pour 12, Contre 23, Ne vote pas 2, Absent 3*

<b>POUR</b>	<b>CONTRE</b>	<b>NE VOTE PAS</b>	<b>ABSENT</b>
Deputy Parkinson	Deputy Gollop	Alderney Rep. Roberts	Deputy Le Clerc
Deputy Lester Queripel	Deputy Mooney	Alderney Rep.	Deputy Paint
Deputy Leadbeater	Deputy Trott	Snowdon	Deputy Langlois
Deputy Hansmann Rouxel	Deputy Le Pelley		
Deputy Dorey	Deputy Merrett		
Deputy de Lisle	Deputy St Pier		
Deputy Soulsby	Deputy Stephens		
Deputy de Sausmarez	Deputy Meerveld		
Deputy Oliver	Deputy Fallaize		
Deputy Tindall	Deputy Inder		
Deputy Brehaut	Deputy Lowe		
Deputy Tooley	Deputy Laurie		
	Queripel		
	Deputy Smithies		
	Deputy Graham		
	Deputy Green		
	Deputy Le Tocq		
	Deputy Brouard		
	Deputy Dudley-Owen		
	Deputy McSwiggan		
	Deputy Roffey		
	Deputy Prow		
	Deputy Ferbrache		
	Deputy Kuttelwascher		

3275 **The Bailiff:** The voting on Proposition 2B was 12 in favour with 23 against and 2 abstentions. I declare it lost. That brings us to 2C, where the expenditure limit is £5,000.

*There was a recorded vote.*

*Carried – Pour 15, Contre 20, Ne vote pas 2, Absent 3*

<b>POUR</b>	<b>CONTRE</b>	<b>NE VOTE PAS</b>	<b>ABSENT</b>
Deputy Parkinson	Deputy Gollop	Alderney Rep. Roberts	Deputy Le Clerc
Deputy Leadbeater	Deputy Lester	Alderney Rep.	Deputy Paint
Deputy Laurie Queripel	Queripel	Snowdon	Deputy Langlois
Deputy Smithies	Deputy Mooney		
Deputy Hansmann Rouxel	Deputy Trott		
Deputy Dorey	Deputy Le Pelley		
Deputy Brouard	Deputy Merrett		
Deputy de Lisle	Deputy St Pier		
Deputy Soulsby	Deputy Stephens		
Deputy de Sausmarez	Deputy Meerveld		
Deputy Roffey	Deputy Fallaize		
Deputy Oliver	Deputy Inder		
Deputy Tindall	Deputy Lowe		
Deputy Brehaut	Deputy Graham		
Deputy Tooley	Deputy Green		
	Deputy Le Tocq		
	Deputy Dudley-Owen		
	Deputy McSwiggan		
	Deputy Prow		
	Deputy Ferbrache		
	Deputy Kuttelwascher		

**The Bailiff:** The voting on Proposition 2C was 15 in favour, with 20 against and 2 abstentions. I declare it lost. So that brings us to 2D, where the expenditure limit is £6,000.

3280

*There was a recorded vote.*

*Carried – Pour 20, Contre 15, Ne vote pas 2, Absent 3*

<b>POUR</b>	<b>CONTRE</b>	<b>NE VOTE PAS</b>	<b>ABSENT</b>
Deputy Parkinson	Deputy Gollop	Alderney Rep. Roberts	Deputy Le Clerc
Deputy Leadbeater	Deputy Lester	Alderney Rep.	Deputy Paint
Deputy Le Pelley	Queripel	Snowdon	Deputy Langlois
Deputy Merrett	Deputy Mooney		
Deputy Laurie Queripel	Deputy Trott		
Deputy Smithies	Deputy St Pier		
Deputy Hansmann Rouxel	Deputy Stephens		
Deputy Green	Deputy Meerveld		
Deputy Dorey	Deputy Fallaize		
Deputy Brouard	Deputy Inder		
Deputy McSwiggan	Deputy Lowe		
Deputy de Lisle	Deputy Graham		
Deputy Soulsby	Deputy Le Tocq		
Deputy de Sausmarez	Deputy Dudley-Owen		
Deputy Roffey	Deputy Ferbrache		
Deputy Prow	Deputy Kuttelwascher		
Deputy Oliver			
Deputy Tindall			
Deputy Brehaut			
Deputy Tooley			

**The Bailiff:** The voting on Proposition 2D was 20 in favour with 15 against and 2 abstentions. I declare it carried. Which means we do not vote on 2E, 2F or 2G. That brings us to 3A. Can we go *aux voix*, or is there a request for a recorded vote? Did you request a recorded vote on 3A? So a recorded vote on 3A.

3285

*There was a recorded vote.*

*Not carried – Pour 15, Contre 20, Ne vote pas 2, Absent 3*

<b>POUR</b>	<b>CONTRE</b>	<b>NE VOTE PAS</b>	<b>ABSENT</b>
Deputy Lester Queripel	Deputy Gollop	Alderney Rep. Roberts	Deputy Le Clerc
Deputy Le Pelley	Deputy Parkinson	Alderney Rep.	Deputy Paint
Deputy Merrett	Deputy Leadbeater	Snowdon	Deputy Langlois
Deputy Lowe	Deputy Mooney		
Deputy Laurie Queripel	Deputy Trott		
Deputy Smithies	Deputy St Pier		
Deputy Hansmann Rouxel	Deputy Stephens		
Deputy Dorey	Deputy Meerveld		
Deputy McSwiggan	Deputy Fallaize		
Deputy de Lisle	Deputy Inder		
Deputy de Sausmarez	Deputy Graham		
Deputy Roffey	Deputy Green		
Deputy Oliver	Deputy Le Tocq		
Deputy Brehaut	Deputy Brouard		
Deputy Tooley	Deputy Dudley-Owen		
	Deputy Soulsby		
	Deputy Prow		
	Deputy Ferbrache		
	Deputy Kuttelwascher		
	Deputy Tindall		

**Deputy Roffey:** While that is being counted, I think it is lost, can you tell me what happens if 3B loses. Does that mean that parties could be able to spend an unlimited amount or what will it revert to?

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3295 **The Bailiff:** That, I think, is what we said. I do not know if there are any other extant Resolutions that would be in play? The voting on 3A was 15 in favour with 20 against and 2 abstentions. I think what was said during the closing speeches was that if 3B falls as well there will be no limit on party spending.

**Deputy Oliver:** Surely it will be what the candidates are allowed to spend?

3300 **The Bailiff:** Well is there any legislation that prevents a party spending money during the election campaign? Mr Comptroller, can you help?

**Deputy Ferbrache:** Let us take a vote and see if it becomes a problem.

3305 **The Comptroller:** Sir, I am not sure.

**Deputy Fallaize:** Surely, the party would promote the candidature of some candidates otherwise it would cease to be a functioning party and therefore it could not spend more than the multiple of the number of candidates that it was proposing?

3310 **The Bailiff:** But is there legislation that prohibits that? That is the question I was asking and the Comptroller said he was not sure. If this is a question that has to be answered before we go to the vote, I am afraid I am going to have to vacate the chair, because I need to be somewhere else. Are you saying you need to have an answer on this, Deputy Roffey, definitively?

3315 **Deputy Roffey:** It certainly greatly influences the way I would vote, yes, sir.

3320 **Deputy Ferbrache:** Surely, sir, I think Deputy Fallaize is right, is he not? If Party A has 10 candidates and a limit of £6,000, it would be able to spend £60,000, so that is the issue. Why do we not take a vote and see if that is a problem?

**The Bailiff:** But it depends on the interpretation of the Reform Law and I would be reluctant as Presiding Officer to be giving legal advice on the interpretation of the Reform Law, that is why I think it needs to be the Law Officers giving that advice.

3325 **Deputy Roffey:** I am just wondering, third parties are not allowed to expend a lot of money to promote a candidate. So if there was no limit, surely parties would not be able to spend it? I do not know. There is no limit for the IOD in here, so they are not allowed to spend money from –

3330 **The Bailiff:** Deputy Inder.

**Deputy Inder:** We are all armchair advocates here and we will just wait for the advice of the Law Officers.

3335 **The Bailiff:** Do you need an adjournment, Mr Comptroller?

**The Comptroller:** I certainly need some time here. It was not a question I had envisaged. It is one perhaps I should have anticipated it but I do not know.

3340 **The Bailiff:** All I can say is Article 44 talks about expenditure by a candidate, I am not sure what the position is with a party. But I think if people need a definitive answer, I suggest that we take a five-minute recess.

*The Assembly adjourned at 4.36 p.m.  
and resumed at 4.52 p.m.*

**XIII. General Election 2020 –  
Second Policy Letter –  
Propositions carried as amended**

**The Deputy Bailiff:** Mr Comptroller, are you in a position now to answer the question that has been posed by Deputy Roffey?

3345 **The Comptroller:** Sir, I believe I am and I am grateful for having had the opportunity to have time to reflect. Just by way of background, of course, I think I am right in saying that at the April meeting, the States' Assembly & Constitution Committee was directed to go away and come back with proposals for, basically, providing for a maximum spend by political parties. Legislation was put in place so that that could be done by way of ordinance.

3350 Of course, their original Proposition was defeated and has been replaced and this Proposition that is left would be, effectively, the basis on which, if it was approved, an ordinance would be enacted to place a limit. The question is what happens if this Proposition is defeated, what then happens in relation to political parties and their expenditure?

3355 In my view, the matter is governed by Article 45A of the Reform Law. If I can just read out the provision. It is not particularly long. It says:

Except as authorised under the provisions of Article 44 of this Law ...

– which relates to expenditure by candidates –

... a person shall not expend any sum of money or give any value in money's worth, with a view to promoting or procuring the election of a candidate in any election.

So it seems to me, if this Proposition is defeated, there will be no ordinance to effectively make a provision contrary to that provision. So there could be no expenditure by a political party.

3360 **The Deputy Bailiff:** Thank you. Does that help Members? It is a choice now between approving what is Proposition 3B, that substituted Proposition 3 to enable a political party to have some ability to spend money, given the Resolution that has already been passed, it is £9,000 that is in play, not any higher figure, or alternatively it is that there will not be any ability to do that.

3365 **Deputy Ferbrache:** Sir, are you asking for our opinion?

**The Deputy Bailiff:** No, I am not. I am just making it clear what the choice is with a vote Pour and a vote Contre.

3370 **Deputy Ferbrache:** I do not accept the opinion.

**The Deputy Bailiff:** The opinion that has been given by the Comptroller on the meaning of Article 45A is the best advice that is provided to Members. Are we now ready to proceed to the vote on Proposition 3B, by way of a recorded vote?

3375 *There was a recorded vote.*

*Carried – Pour 20, Contre 13, Ne vote pas 4, Absent 3*



**POUR**

Deputy Parkinson  
Deputy Leadbeater  
Deputy Mooney  
Deputy Trott  
Deputy St Pier  
Deputy Stephens  
Deputy Fallaize  
Deputy Inder  
Deputy Laurie Queripel  
Deputy Graham  
Deputy Green  
Deputy Dorey  
Deputy Le Tocq  
Deputy Brouard  
Deputy Dudley-Owen  
Deputy McSwiggan  
Deputy Prow  
Deputy Ferbrache  
Deputy Kuttelwascher  
Deputy Tindall

**CONTRE**

Deputy Lester  
Queripel  
Deputy Le Pelley  
Deputy Merrett  
Deputy Lowe  
Deputy Smithies  
Deputy Hansmann  
Rouxel  
Deputy de Lisle  
Deputy Soulsby  
Deputy de Sausmarez  
Deputy Roffey  
Deputy Oliver  
Deputy Brehaut  
Deputy Tooley

**NE VOTE PAS**

Deputy Gollop  
Deputy Meerveld  
Alderney Rep. Roberts  
Alderney Rep.  
Snowdon

**ABSENT**

Deputy Le Clerc  
Deputy Paint  
Deputy Langlois

3380 **The Deputy Bailiff:** Members of the States, in respect of the substituted Proposition 3B, there voted Pour 20, Contre 13, 4 abstentions, with 3 absentees and therefore I declare that Proposition carried. So that Proposition was carried by 20 to 13. Members of the States, can I take the remaining Propositions, including Proposition 7 as has been amended together and *aux voix*? We have got a request for a separate vote on Proposition 6, so can I take 4 and 5 together? I put Propositions 4 and 5 to you. Those in favour, those against.

*Members voted Pour.*

**The Deputy Bailiff:** I declare both Propositions carried. Proposition 6, I put to you discreetly, which is about observers at the 2020 General Election. Those in favour; those against.

*Members voted Pour.*

3385 **The Bailiff:** I declare that Proposition carried.

**The Deputy Bailiff:** And can I put Proposition 7, as amended, 8, 9 and 10 to you together? Those in favour; those against.

*Members voted Pour*

3390 I declare those four Propositions carried. Thank you all very much. Can we turn to the next Article, then, please?

**COMMITTEE FOR ECONOMIC DEVELOPMENT**

**XIV. Proposed Amendments to the Guernsey  
Competition and Regulatory Authority Ordinance, 2012;  
and appointment of Mr Paul Masterton as Chairman –  
Propositions carried**

Article XIV.

*The States are asked to decide:*

*Whether, after consideration of the Policy Letter, entitled "Proposed Amendments to the Guernsey Competition and Regulatory Authority Ordinance, 2012 and Appointment of the Chairman", dated 6th November 2019, of the Committee for Economic Development (the "Committee"), they are of the opinion:-*

*1. To amend Schedule 1 to the Guernsey Competition and Regulatory Authority Ordinance, 2012 (the "Ordinance"), so that:*

*(a) the Committee shall in future appoint the Chairman, as well as the ordinary members of the Guernsey Competition and Regulatory Authority (the "GCRA");*

*(b) any such appointments shall be laid before a meeting of the States, who shall have the power to annul the appointments, but without prejudice to anything done by the GCRA or any such member during their appointment; and*

*(c) the Committee, rather than the States, may revoke the appointment of the Chairman, in the circumstances currently provided in the Ordinance.*

*2. To appoint the current Chairman, Mr. Paul Masterton, as Chairman for the period, from 1st January 2020 to 30th June 2020.*

*3. To direct the preparation of such legislation, as may be necessary, to give effect to the above decisions.*

**The Deputy Greffier:** Article XIV, Committee for Economic Development – proposed amendments to the Guernsey Competition Regulatory Authority's Ordinance, 2012, and appointment of the Chairman.

3395 **The Deputy Bailiff:** And I invite the President of the Committee for Economic Development, Deputy Parkinson, to open the debate.

3400 **Deputy Parkinson:** Sir, on 6th November, the Committee for Economic Development approved a policy letter to amend the Guernsey Competition and Regulatory Authority Ordinance, 2012. Currently the Committee for Economic Development is responsible for the appointment of the members of the Guernsey Competition and Regulatory Authority, while the States of Deliberation, on the recommendation of the Committee, are responsible for the appointment of the Chairman.

3405 It is proposed that the Ordinance be amended so that the Committee will have the ability to appoint both the Chairman and the Members of the GCRA. These appointments will be laid before a meeting of the States, which will have the power to annul the appointments, if felt appropriate. These proposed amendments will simplify the appointment process and are also consistent with the mechanisms of appointment, in relation to other statutory bodies, such as the Guernsey Banking Deposit Compensation Scheme, over which the Committee has oversight.

3410 The policy letter also recommends that the States appoint Mr Paul Masterton as Chairman of the GCRA for the period 1st January 2020, to 30th June 2020. A recruitment process for the appointment of a new Chairman commenced in August 2019 and is ongoing. To ensure operational continuity, while the recruitment process is effected, it is recommended that the States approve the appointment of Mr Paul Masterton as Chairman. It is anticipated that this short-term appointment will allow for the recruitment process to be completed and a preferred candidate to be identified and appointed. In short, these proposals will improve operational efficiency and are the right thing for CICRA, the stakeholders and our reputation.

Thank you, sir.

3420 **The Deputy Bailiff:** Nobody is rising to speak in this debate and therefore what I am minded to do is to put to you Proposition 1 first, which is to amend Schedule 1 to the 2012 Ordinance. Those in favour; those against.

*Members voted Pour.*

**The Deputy Bailiff:** I declare Proposition 1 duly carried. Proposition 2 is to appoint the current Chairman for a further six months. Those in favour; those against.

*Members voted Pour.*

3425 **The Deputy Bailiff:** I declare Proposition 2 carried and Proposition 3 is about legislation. Those in favour; those against.

*Members voted Pour.*

**The Deputy Bailiff:** I declare Proposition 3 carried and therefore all three Propositions have been carried.

## STATES' TRADING SUPERVISORY BOARD

### **XV. Guernsey Post Limited – Annual Report and Accounts – Proposition carried**

*Article XV.*

*The States are asked to decide:*

*Whether, after consideration of the policy letter entitled 'Guernsey Post Limited - Annual Report and Accounts' dated 24th October, 2019, they are of the opinion:-*

*1. To note the Annual Report and Accounts of Guernsey Post Limited for the year ended 31st March 2019.*

**The Deputy Greffier:** Article XV, States' Trading Supervisory Board – Guernsey Post Limited, Annual Report and Accounts.

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**The Deputy Bailiff:** And I invited the President of the Board, Deputy Ferbrache, to open debate.

**Deputy Ferbrache:** Sir, it will be, for my part, a very limited debate because I am just asking the States to make sure they have read the accounts for the year ending 31st March 2019, to note them in accordance with the Propositions.

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**The Deputy Bailiff:** Deputy Merrett.

**Deputy Merrett:** Thank you, sir.

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First of all I would like to thank STSB for submitting this policy paper, so that we actually get an opportunity to discuss it. So thank you very much, that is very helpful. I have got a very simple question for the President of STSB, sir. It is my understanding, from reading this, there is a profit of £1.36 million for the Guernsey Post; that is my understanding of reading this.

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Whereas that may and it obviously does benefit the shareholders, my concern is that Guernsey Post, being the main supplier of postal services around the Island, generating that much profit – how do I word this correctly? – my concern is that maybe some of our postal rates do not have to be as high to generate so much profit, if that is my understanding. Now I am quite happy to listen and to respect, as I always do, Deputy Ferbrache's response, and of course I am agreeable to noting the accounts, but that is just my understanding of reading them at this juncture.

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**The Deputy Bailiff:** Deputy Dudley-Owen.

**Deputy Dudley-Owen:** I read the accounts and the reports with great interest and one thing I did take particular note of was the governance report. I also noted some of the qualifications of the board and a couple of them had recently completed a certificate in company direction from the Institute of Directors.

Now the governance report I really welcome, because it is in quite some detail but, given that they have got IoD qualifications, sir, I did wonder one thing that was missing, which the IoD are very big on at the moment, is diversity and there are quite a few – I know, obviously people are hopefully recruiting on their merit and not just because of their sex, whether they are male or female – but I do notice that there is only one lady on the board and, clearly, if they are reporting in such detail on governance in general, then a section on diversity, I think, would be welcome for next year's report. It is just to note that comment.

Thank you.

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**The Deputy Bailiff:** Deputy Mooney.

**Deputy Mooney:** Sir, yes, before people get carried away with speeches, I would just like to point out that we are only asked to note the accounts. There is no material change or whatever, to them.

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**The Deputy Bailiff:** Deputy Gollop.

**Deputy Gollop:** I have to say I agreed with everything Deputy Merrett said. Deputy Merrett, amongst other things, whereas she started as a poacher, almost, sitting on Economic Development, I think she has emerged very much as a consumer champion and I used to sit in Assemblies where there were consumer champions of a kind, Deputies Bisson, Rhoderick Matthews and so on. I think we have lost active consumer input. I know PostWatch has existed but I think when organisations think about consumers, they tend to think of the bigger players, the commercial players.

Deputy Merrett has a point. The UK postal rates of 70p first class and 61p second class, generally speaking, ours at 48p might be a relative bargain but, unless you are going to Alderney or Sark, it is literally taking a letter from one place to another around the Island and, goodness me, we have had enough debate about how much it will cost candidates. And that is a point to bear in mind.

For off-Island, to the UK, 65p. In other words, it is dearer to send a letter from here to Bournemouth than from Bournemouth to Guernsey. Bearing in mind, as Deputy Merrett pointed out, there were profits, presumably, I do not know, 20% goes to, fortunately, Policy & Resources, which then goes to general revenue. So, in a manner of speaking, good housekeeping at the Post Office might help us but it does not necessarily help the lower income consumer and, although I have a lot of praise for the board and Mr Boley Smillie, and the work they have done on disability and inclusion and on electric vehicles, I do think we need to have more of an input through the States' Trading Supervisory Board as to the more consumer elements of expenditure.

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**The Deputy Bailiff:** Deputy Kuttelwascher.

**Deputy Kuttelwascher:** Thank you, Mr Deputy Bailiff.

Just touching on Deputy Dudley-Owen's comments. I sit on a subcommittee of STSB, the nominations subcommittee. We recently had a visit from a group of ladies trying to promote more inclusivity as regards female members of boards and business advisers and what is interesting from that, and I will just touch on this, one of the things they told us is one of the reasons you do not get many applications from females – which is true because when we applied for business advisers, there was just short of 40 applications but only three from women- apparently there is a problem

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sometimes with the way in which they are advertised. So the matter is in hand. We are progressing it so hopefully there will be more opportunity or it will be more favourable for women to apply in the future. It is being dealt with.

3505 Thank you, sir.

**The Deputy Bailiff:** Deputy de Lisle.

**Deputy de Lisle:** Thank you, sir.

3510 I just wanted to note that not only was there an operating profit of £1.4 million but there were dividends, sir, and to make that clear, which was not brought out earlier, the board is pleased to propose an ordinary dividend in respect of the year ending 31st March 2019 of £560,000 but then, furthermore, in view of the current strength of the company's balance sheet, its disciplined capital investment policy and healthy liquidity levels, the company is pleased to propose a further one-off  
3515 special dividend of £500,000 in respect of the same period.

Now I just want to be quite clear that this means then the dividend to the States of £1 million, or a little extra to that. Perhaps when the President sums up he can give us those details.

Thank you, sir.

3520 **The Deputy Bailiff:** Deputy Lowe.

**Deputy Lowe:** Thank you, sir.

I thank Deputy Ferbrache for putting the accounts before us but I think it might be a good, opportune time to congratulate Guernsey Post in this very competitive market, where so much is  
3525 done now electronically, that they have had vision to take out other areas to try and get new business into Guernsey Post and I would like to congratulate them and also thank their staff during this very busy period that they are working long hours and it is appreciated.

**The Deputy Bailiff:** Deputy Tindall.

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**Deputy Tindall:** Sir, I was just looking through this document to be able to quote the right figures, but Deputy Lowe has just confirmed that I too was very impressed to note the amount of the dividend, the profit, the work they have done, the description of the different way they have approached changes in the market and I think it is an opportunity. Yes, we are only noting these  
3535 accounts, but this is the opportunity to appreciate the work that has been done, as I say, in such difficult times.

With regard to the comment made by Deputy Dudley-Owen and the response by Deputy Kuttelwascher, I was actually going to mention this in a previous debate but did not feel it was appropriate. I wanted to draw your attention to the Home Affairs, the first policy letter, where it says  
3540 at 3.2, 3.3, 3.4, a really good example of how you can make the advert to the campaign to recruit people in a very appealing way and they said in their policy letter that they had a great response to that.

I also understand that, of the three applicants who are female that were presented to STSB, two were successful. So that is not a bad outcome, two out of three. So I congratulate them and I  
3545 congratulate STSB's approach to that particular issue.

Thank you, sir.

**The Deputy Bailiff:** So I invite the President of the Board, Deputy Ferbrache, to reply to the debate.

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**Deputy Ferbrache:** Well, sir, I am sure Guernsey Post are extremely grateful for the comments made by Deputies Tindall and Lowe and they are well made and they are well-deserved. Deputy

Kuttelwascher has largely answered, as has Deputy Tindall, really, the points made by Deputy Dudley-Owen.

3555 Of course, it is not just words, it is action, and Guernsey Post, as indeed every other body that the States' Trading Supervisory Board is involved with, is concerned about diversifying, having more women on the various boards, having more able people etc. It went out in the programme that Deputy Tindall has referred to.

3560 As regards the profits, Deputy de Lisle is absolutely right. It was the £560,000 plus the £500,000, just over £1 million. But the point is, and Deputy Merrett and Deputy Gollop make the point about profits etc., of course the company made a profit but in extremely difficult circumstances. The operating profit, as Deputy de Lisle highlighted, was £1.4 million, which was an 8% increase on the previous year. But in relation to that, it makes its money from bulk suppliers. If too many of those bulk suppliers – there are very few – if any of them move from Guernsey the position would go from  
3565 a relatively small but welcome net profit to a large deficit.

Money is not made on the delivery of ordinary letters. It does not make money. There is no scope for cutting that cost and if you were a pure commercial business you would not deliver letters, you would just deliver the parcels that come from Amazon, who send this stuff out, that is generated from here.

3570 So the business is run as regards its social concerns. Indeed a direction given by the States' Trading Supervisory Board, but welcome-ly received, to all its trading boards, was do not just look at profit, look at the service you give to the community and invest as much money as you can back into your business. Guernsey Post, in the most difficult of circumstances, is a paragon. We should be approving it, we should be welcoming it and I ask therefore that the accounts are noted.

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**The Deputy Bailiff:** Members of the States, there is a single Proposition, to note the Annual Report and Accounts of Guernsey Post Limited. Those in favour; those against.

*Members voted Pour.*

**The Deputy Bailiff:** I declare that Proposition duly carried.

**STATES' TRADING SUPERVISORY BOARD**

**XVI. Guernsey Electricity Limited –  
Annual Report and Accounts –  
Proposition carried**

*Article XVI.*

*The States are asked to decide:*

*Whether, after consideration of the policy letter entitled 'Guernsey Electricity Limited - Annual Report and Accounts' dated 24th October, 2019, they are of the opinion:-*

*1. To note the annual report and accounts of Guernsey Electricity Limited for the year ended 31st March 2019.*

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**The Deputy Greffier:** Article XVI, States' Trading Supervisory Board, Guernsey Electricity – Annual Report and Accounts.

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**The Deputy Bailiff:** And once again I invite the President of the Board, Deputy Ferbrache, to open the debate.

**Deputy Ferbrache:** Thank you, sir. I will be equally brief. Again it is the accounts for the period ending March of this year and they ask the States to note them.

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**The Deputy Bailiff:** Deputy Roffey.

**Deputy Roffey:** Thank you, sir.

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These accounts are striking because the headline operating loss is very significant but because of closing the career average pension scheme to new members, there was a gain on that of, I think it was £18.2 million or £18 million-something, which pushed it to a £10 million-something profit.

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I do not really question that action, I just wonder and reflect, given the financial challenges that the States, as a global organisation, are going to face over the next few years, whether we can stand out as being one of the few organisations in either the public or private sector, that can continue to do some kind of defined benefit scheme, when actually the huge impact of moving to a defined contribution scheme has been marked by these accounts. So I just mark them *en passant* that I think we need to reflect on that.

**The Deputy Bailiff:** Deputy Gollop.

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**Deputy Gollop:** Yes, thank you, sir.

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I picked up on the same point Deputy Roffey has made because I was certainly curious that on the relevant page the gross profit was £2,704,000, net operating expenses £10.5 million loss. So it made nearly an £8 million loss and then the pensions settlement gains put £18 million into the frame for, I suppose, the reasons Deputy Roffey has described and the pension deficit in 2018 was an astonishing £35,074,000 and then it was reduced comfortably to £8,601,000. Now whether that is a one-off benefit or whether it is cumulative and what its consequences will have moving forward, I do not know. I kind of need more information/explanation there.

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The other point I will raise perhaps goes a little bit beyond the accounts, but it is relevant, perhaps, to Guernsey Electricity's role in our community and next year's accounts and that is there have been all sorts of possibly true, possibly misleading media reports about Guernsey Electricity taking an interest in what happens to our friends and brethren on the Island of Sark and I do think that the STSB have to consider very carefully what role they would wish to see the States of Guernsey and Guernsey Electricity play. But for my part, I do hope that, within reason, Guernsey Electricity can do everything they can to ensure (a) there is effective valuation and analysis of the issues on Sark

3620 and (b) power in one way or another can be supplied if it is feasible and viable if any crisis should pertain.

**The Deputy Bailiff:** I turn to the President of the Board, Deputy Ferbrache, to reply to the debate.

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**Deputy Ferbrache:** Yes, sir.

I think Deputy Roffey's is more a comment than a question because he interprets the situation exactly correctly. In relation to Deputy Gollop, I think that probably went outside the terms of the accounts and this particular proposal, but I can deal with it. Guernsey Electricity will step in in relation to the Sark position if necessary. There are powers that the States have to be able to implement that. They will do whatever they can to assist in also assessing or giving advice in relation to a reasonable price. They will do all of those things.

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I would just comment, generally, that there was a loss and Members will recall that, of course, the Jersey cable was destroyed and had to be replaced. Well it was not destroyed, it just packed up earlier than it should have done. That has involved a considerable expenditure, which has meant not only in capital costs, but also in operating costs and those will run into the next series of accounts, which cover the period 1st April of this year to 31st March 2020.

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But the position is a simple one. Sir, again, I would be grateful if the States would note these accounts appropriately.

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**The Deputy Bailiff:** Members of the States, again there is a single Proposition, to note the Annual Report and Accounts of Guernsey Electricity Limited. Those in favour; those against.

*Members voted Pour.*

**The Deputy Bailiff:** I declare that Proposition duly carried.

## **POLICY & RESOURCES COMMITTEE**

### **XVII. The International Tax Measures – Miscellaneous Amendments to the Income Tax Legislation – Propositions carried**

*Article XVII.*

*The States are asked to decide:*

*Whether, after consideration of the Policy Letter entitled "International Tax Measures – Miscellaneous Amendments to the Income Tax Legislation" dated 8th November, 2019, they are of the opinion:-*

*That the Income Tax (Guernsey) Law, 1975, as amended ("the Law"), and regulations thereunder, should be revised to:*

- 1. Provide the Revenue Service with the power to undertake onsite visits in respect of business premises from which a person is or may be operating, for the purposes of reviewing compliance with the Common Reporting Standard ("CRS") and any other matters relating to income tax or international tax measures;*
- 2. Place a requirement for all financial institutions, operating in Guernsey, to register with the Revenue Service and, when doing so, detailing their classification for the purposes of CRS and the Foreign Account Tax Compliance Act ("FATCA");*
- 3. Enable the Revenue Service to issue a notice to a financial institution to complete corrective remedial actions, related to CRS and/or FATCA reporting and in the case of significant non-*



*compliance to be required at its own cost to appoint a suitably qualified independent person for the purposes of determining the full extent of the non-compliance, overseeing the repair, validating that the corrective measures have moved the financial institution into a compliant position, and making a relevant disclosure to the Revenue Service confirming this position;*

*4. Require financial institutions to report to the Revenue Service all account holders where they have been unable to obtain valid self-certification for the purposes of CRS and/or FATCA due diligence procedures. To then enable the Revenue Service to serve a notice to the financial institution to require them to freeze the account, until such time as the accountholder provides valid self-certification;*

*5. Amend section 193 of the Law (as modified in the relevant CRS and FATCA Regulations) to make it clear these penalties are applied only in respect of the late filing of reports;*

*6. Amend the provisions contained within section 193(1) and section 200 of the Law, to make it clear that where a person has failed to deliver a return, other than a return of income, by the filing deadline, the Revenue Service may automatically impose a penalty, without the requirement to issue a notice stating the grounds of their belief and providing the person with a reasonable opportunity to state their case (without prejudice to the person's right of appeal);*

*7. Enable the Revenue Service to impose increased levels of daily penalties, in the exceptional cases where a person continues for more than 30 days after the imposition of the original penalty not to meet any of its reporting or filing obligations under the Law;*

*8. Enable the Revenue Service to impose specific penalties for the submission of CRS/FATCA returns which are incorrect or incomplete in a material particular where the maximum penalty to be imposed is based on a percentage of the balance or value of accounts, that were not reported;*

*9. Amend section 190 of the Law so that where a company fails to deliver a return of income within the filing deadline, the current maximum penalty of £50 where the company, for example, has no income or profits in the period for which the return is required will no longer apply;*

*10. make necessary amendments to the Income Tax (Guernsey) Law, 1975, in order to be able to implement the provisions of the Assistance in Collection Article contained in the Double Taxation Agreement between Guernsey and the United Kingdom.*

*That the Policy & Resources Committee be instructed to:*

*1. make Regulations, to be laid before the States, in accordance with section 75CC of the Law, to implement the Mandatory Disclosure Rules relating to CRS Avoidance Arrangements and Opaque Offshore Structures, as published by the OECD; and*

*That*

*(l) the MDR shall, in accordance with section 75CC(1C) of the Income Tax (Guernsey) Law, 1975, be specified for the purposes of that Law as an international tax measure (the provisions of which may accordingly be implemented by regulations of the Policy & Resources Committee under section 75CC(1A) of that Law).*

**The Deputy Greffier:** Article XVII, Policy & Resources Committee, International Tax Measures – Miscellaneous Amendments to the Income Tax Legislation.

3645 **The Deputy Bailiff:** I invite the President of the Committee, Deputy St Pier, to open the debate on this matter.

**Deputy St Pier:** Sir, I have nothing to add to that which is in the policy letter. It is a straight forward technical matter.

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**The Deputy Bailiff:** Deputy Tindall.

**Deputy Tindall:** Thank you, sir.

Obviously, as most people know, I am a compliance specialist, having been a lawyer originally. So, for me, this is familiar territory. But I have to say that my first comment is that I would like to think that this was very well written and that on the whole those of us who are not familiar and versed in the joys of tax transparency compliance, that the arguments are well made.

However, I do have a few observations because, obviously, these requirements, both the CRS and FATCA are extremely important, that we maintain compliance with this, because of the hard-fought international reputation that we have on tax transparency, the substance requirements and the anti-money laundering.

For me, the on-site visits is one that is raised. It does incur time and resources for firms and it must be acknowledged that that is the case. However, again as I say, it is necessary. The registration is simple and all the other elements of this, except 3.4, I have no issue with and I think they are quite fine.

However, what I do have concern with is the self-certification element. Certain aspects of the Guernsey regulations are peculiar to Guernsey and therefore I would very much draw to the attention that we have a situation where the two-part test that has been mentioned in paragraph 2.30, which basically says it is either a valid certificate or the certificate is incorrect or unreliable.

I would suggest, if I may, that the Revenue Service, it would assist incredibly to a lot of firms if a *pro forma* certificate of some sort was issued, so that that validity point does not have to be a question because they just send out the form that has been sent by the Revenue Service, so therefore all they have to worry about is actually verifying it once received. Obviously, if it is never received that is an easy one to be able to notify upon.

Similarly, I have an issue on the question about removal of 75C subsection 2. This basically is not repeated in the policy letter. It is referred to in paragraph 2.63, bullet point 2 and it says that in the light of recent experience ...

... provisions of this subsection have been interpreted in a way that it was not intended ...

I am curious about this and, again, it is not vital, but I just wish to put on record that this 75C actually says:

The director of the Revenue Service must be satisfied that the request for information is made in accordance with the provisions of and for the purposes of the approved International Agreement pursuant to which it is made.

Which is just what it says in here, that it must be in accordance with the international agreement. So for me there should be no lack of clarity. However, if that is the recommendation and it is removed, and that is the case, because I am assuming – and maybe this is the point that Deputy St Pier can confirm – that as a result of its removal, therefore the implication remains that it has still got to be in accordance with the international agreement. Any inclusion of a section in the Law has usually got a reason for it and removal therefore seems to require a little bit more explanation in my mind.

So, for me, those two pretty specific points, if Deputy St Pier can respond to them now, I would be pleased to note, but it certainly would not change my vote. So I will just put that on the record.

Thank you, sir.

**The Deputy Bailiff:** Deputy de Lisle.

**Deputy de Lisle:** Sir, thank you. With respect to paragraph 2.54, I note that there was a Double Taxation Agreement (DTA) with the UK in October of 2018. I just wanted to make the point that I do not think we have one with Jersey and I would like the President just to indicate when we might be looking forward to such an agreement with Jersey, between Jersey and Guernsey?

**The Deputy Bailiff:** No one else is rising, so I invite the President of the Committee, Deputy St Pier, to reply to the debate.

3700

**Deputy St Pier:** Sir, in relation to Deputy de Lisle's point on the OECD model Double Tax Agreement with Jersey, that is not one of our priorities. I do not think I am able to give him a timeline on that. In relation to Deputy Tindall's points, I think the question around the self-certification and a *pro forma* certificate is a point that is well made and it is certainly one that I will raise with the director of the Revenue Service.

3705

In relation to her second point, certainly my – and I must admit I am responding slightly on the hoof – but in relation to the repeal of the legislation, I think I would agree that the international obligations remain unaltered. I think that was the essence of Deputy Tindall's point and I think that is acknowledged in the policy letter in paragraph 2.63. I am not sure if that entirely deals with Deputy Tindall's point but I think the points she has raised are certainly valid, sir.

3710

**The Deputy Bailiff:** Members of the States, there is effectively a single Proposition, although it is split into a number of sub-paragraphs. Can I put it to you as a whole? I do not see any request for anything to be put separately and therefore, those in favour of the Proposition; those against.

*Members voted Pour.*

3715

**The Deputy Bailiff:** I declare the Proposition carried.

## COMMITTEE FOR HOME AFFAIRS

### XVIII. The Bailiwick Security Policy – Debate commenced

*Article XVIII.*

*The States are asked to decide:*

*Whether, after consideration of the 'Bailiwick Security Policy' Policy Letter dated 28th October, 2019, they are of the opinion:-*

*1. To endorse the Bailiwick Security Policy.*

**The Deputy Greffier:** Article XVIII, Committee for Home Affairs – Bailiwick Security Policy.

**The Deputy Bailiff:** I invite the President of the Committee, Deputy Lowe, to open the debate on this matter.

3720

**Deputy Lowe:** Thank you, sir.

The principal duty of any government is to keep its citizens safe and secure. The need for this is brought to the forefront of our minds at times of global and political uncertainty and divisions. The threats that exist are broad and fast-changing. Being a group of Islands does not immune us from many of the same threats that affect much larger countries and jurisdictions.

3725

This broad security landscape is summarised in the assertions set out, what we have styled as our Bailiwick Security Policy. This is a high-level summary of our over-arching security doctrine and expresses and communicates our core security focus and position. It is important to have this Security Policy; in effect our national security policy needs to be in place now to express our current responsibilities and indicate our approach going forward.

3730

This is a core responsibility of all Governments, however ensuring safety and security is not something new. Safety and security is delivered on a daily basis. It is delivered through the Laws and agreements we draft and adopt. It is delivered through the agencies, authorities, committees and commissions and by Governments. It involves responsibilities, relationships and activities

3735 undertaken by committees across the States and by a network of contacts and links with external agencies, and others, that provide security support.

The purpose of the policy document, therefore, is not to define in specific terms, the threats and vulnerabilities to the Bailiwick, or our responses to those threats. Nor is it to determine, or describe, individual activities in these areas. Nor to list our policies or solutions to address security risks.

3740 While you must be suitably open and transparent in many areas such as finances, human resources, performance, etc. it would, as I am sure Members will appreciate, be foolhardy to be sharing information that would make us vulnerable to those who would wish to cause us harm and open us to security risk. To do so would limit our responses, restrict our activities and would not provide the flexibility of approach necessary to protect the community and adapt to the changing security environment.

3745 The Committee considered in depth whether to go down the path of an extensive policy document which can, in some jurisdictions, such as the USA, be so detailed that there are university degrees solely about it. The considered view was that the longer the document, the less it would be read. Instead, the best way to start would be with a summary of the high-level perspectives demonstrating the vision for a safe and secure Bailiwick, to be achieved by the community and partner agencies, organisations and governments, each fulfilling their responsibilities.

3750 However, having summarised the roles and appreciation of the challenges faced, it is critical that we continue to analyse and evaluate the strategic threats, risks and challenges and determine, at a local level, how we will ensure and deliver Bailiwick security. This high-level statement will need to adapt and evolve over time. It is the foundation stone on which we will build and is aimed to underpin and guide the policy development, governance and decision-making that sits underneath and delivers security in practice.

3755 These assertions apply now and will need to be reviewed periodically, to ensure this policy remains current and for it to be adjusted, as necessary, to take into account emerging threats that will inevitably arise. As mentioned, this Bailiwick Security Policy provides a framework from which other, more specific, security matters can flow.

The first of those is also in this same Billet and relates to the risk of our telecoms supply chain. This is a relatively recent but yet significant risk area, which is not properly protected, could threaten our community wellbeing and our future economic prosperity.

3765 If this policy letter is approved, I will talk later in this meeting on the second and arguably subsidiary policy letter, covering security of our telecoms supply chain. It is important to note that the Security Policy provides the over-arching policy framework under which the telecoms supply chain's security policy sits and the two are inter-connected.

3770 In developing the Security Policy, we have taken account of the UK National Security Strategy and Strategic Defence and Security Review and other security strategies, as well as the security policy approaches of the government in the Isle of Man and the States of Jersey. We carried out full consultation with Alderney, Sark and all committees, and External Relations considered the wider security implications and contributed to the final policy document.

3775 This policy letter seeks approval from the States of Deliberation for the Security Policy. This is not the end of the journey but it is an important journey. Sir, the Committee *for* Home Affairs unanimously ask the States to approve this policy letter.

**The Deputy Bailiff:** Thank you very much. It has just gone 5.30 p.m., Members of the States, so we will adjourn until 9.30 in the morning.

*The Assembly adjourned at 5.33 p.m.*