



Registering a political party

Guidance notes

February 2020

Contents

Introduction	3
What is the definition of a political party?	4
Why and when does a political party need to register?	4
How does a political party register?	5
a) What information is required as part of the application?	5
b) Is there a fee for making an application to register a political party?	7
Determination of application for registration as a political party	8
The Register of Political Parties	8
Change of name, emblem or particulars of a registered political party	9
a) Applying for a change of name or emblem of a registered political party	9
b) Is there a fee for applying for a change of name or emblem of a registered political party	9
c) Determination of an application for a change of name or emblem of a registered political party	9
d) Change of other particulars of a registered political party	10
Annual filing of party accounts	11
Removal of a political party from the Register	11
Appealing a decision of the Greffier	11

Introduction

[The Reform \(Guernsey\) \(Amendment\) \(No. 2\) Law, 2019](#), agreed by the States of Deliberation on 26th September, 2019, introduced new rules for political parties in Guernsey.

The legislation inserted a Fourth Schedule to the Reform (Guernsey) Law, 1948 which provides that a political party **must** be registered in order to support or endorse any candidate for election to the office of People's Deputy.

The provisions were introduced to increase the transparency around, and information available about, parties which may be formalised or formed in the lead up to the 2020 General Election.

This guidance note is primarily for groups who want to know about the rules relating to registering as a political party. It aims to provide an overview of that process and the rules that need to be complied with.

The Fourth Schedule sets out the provisions requiring political parties to be registered at the Greffe. Any group wishing to register as a political party is strongly advised to read the Schedule before submitting their application. If the group is unsure as to its obligations under the Law, it may benefit from getting legal advice.

This guidance note does not constitute legal advice. Its contents are believed to be accurate, but for the avoidance of doubt, in any case of disparity between this guidance note and the relevant statutory provisions, the relevant statutory provisions will prevail.

What is the definition of a political party?

For the purposes of the Law, a “political party” means:

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 to free and democratic elections.

Why and when does a political party need to register?

If a political party intends to support or endorse any candidate at the 2020 General Election, it **must** register before doing so. A political party may not support or endorse any candidate for election to the office of People’s Deputy unless it is registered.

How does a political party register?

A political party can register by applying to the Greffe. The application form attached as Appendix A must be completed and returned to HM Greffier at the Greffe. The application requires some basic information and supporting paperwork.

A political party should ensure that all the information included in its application is true and correct. Details of the information to be included on the application form is set out in the following section.

Address HM Greffier
The Greffe
Royal Court House
St. Peter Port
GY1 2PB

Telephone 01481 725277

Email hm.greffier@gov.gg

Website www.election2020.gg

a What information is required as part of the application?

An application to register a political party must contain the following information.

1. The political party name, and any abbreviation of its name

The political party must have a name. An abbreviation of that name can also be registered. The political party name and the abbreviation of that name must not be:

- a. offensive or otherwise inappropriate, or
- b. be the same as the name and/or abbreviation of any organisation, or of such similarity to the name or abbreviation of another organisation that it might reasonably be confused with it.

The Greffier may not grant an application for registration as a political party if in his opinion the name or any abbreviation of the name contravenes (a) or (b) above.

2. Its emblem (if any)

The emblem of the political party can be registered and must not be:

- a. offensive or otherwise inappropriate, or
- b. be the same emblem of any organisation, or of such similarity to the emblem of another organisation that it might reasonably be confused with it.

The Greffier may not grant an application for registration as a political party if in his opinion the name or any abbreviation of the name contravenes (a) or (b) above.

3. The full names of its leader, treasurer and secretary and any other office-holders

A political party that wishes to be registered must have a leader (however the position is described), treasurer and secretary, all of whom must be natural persons (so, for example, a company could not be the treasurer of a party); and for the avoidance of doubt, a person may hold more than one such office.

4. The political party's constitution

The written constitution of a political party must accompany the application to register.

The constitution must contain the expressed objective of supporting or endorsing candidates for the office of People's Deputy in an election.

It must also set out:

- information relating to the purpose of the political party;
- information relating to the structure of the political party;
- its aims and objectives;
- its membership rules; and
- any further information that the political party wishes to include e.g. how it is run and how decisions are made, details of its officers and their responsibilities etc.

5. The political party's accounts

A copy of the political party's most recent financial accounts, prepared in line with generally accepted accounting standards, must accompany the application to register.

6. The address of the political party in Guernsey

The address for the delivery of any communication intended for the political party must be provided in order to register. This address must be in Guernsey.

7. Signatories to the application

The application must be signed by at least two members of the political party who are inscribed on the Electoral Roll*.

*If a Member has not yet registered on the Electoral Roll, they can register online at <https://registration.gov.gg/ER/> or by completing a paper copy of the household registration form. The Electoral Roll will close on 30th April, 2020.

b Is there a fee for making an application to register a political party?

An application must be accompanied by a fee of £80. This has been prescribed by the States' Assembly & Constitution Committee through The [Registration of Political Parties \(Fees\) Regulations, 2020](#) which came into operation on 30th January, 2020.

Determination of application for registration as a political party

The Greffier determines applications for registration as a political party. The Greffier must grant an application for registration as a political party if he is satisfied that the application complies with the requirements set out in the Law.

The Greffier will not grant an application for registration as a political party if in his opinion the name, any abbreviation of the name, or emblem of the political party is –

- a. offensive or otherwise inappropriate, or
- b. the same as, or of such similarity to, the name, abbreviation or emblem of any other organisation that it might reasonably be confused with it.

The Register of Political Parties

The Register is maintained by the Greffier.

You can inspect the Register, and any filed document, at the Greffe during normal working hours.

Change of name, emblem or particulars of a registered political party

a Applying for a change of name or emblem of a registered political party

A registered political party may apply to the Greffier for the name, any abbreviation of that name, or the emblem of the party to be changed.

Such an application shall be signed by the leader (however the position is described), treasurer or secretary of the party and accompanied by evidence that the decision to make the change was made in accordance with the party's constitution.

b Is there a fee for applying for a change of name or emblem of a registered political party

No.

c Determination of an application for a change of name or emblem of a registered political party

The Greffier must grant an application if he is satisfied that it is:

- a. signed by the leader (however the position is described), treasurer or secretary of the party and accompanied by evidence that the decision to make the change was made in accordance with the party's constitution;

and

- b. he is of the opinion that the name or emblem is not:
 - offensive or inappropriate, or
 - the same emblem of any organisation, or of such similarity to the emblem of another organisation that it might reasonably be confused with it.

d Change of other particulars of a registered political party

A registered political party must notify the Greffier in writing of a change to any of the following –

- a. its constitution,
- b. its leader, treasurer or secretary, or
- c. its postal address.

Such notification must be made within ten working days of the change in question occurring, and shall be signed by the leader, treasurer or secretary of the political party and accompanied by evidence that the decision to make the change was made in accordance with the party's constitution.

Where the change is to the political party's constitution, the notification must be accompanied by a copy of the new constitution.

On receipt of a notification under this paragraph, if the Greffier is satisfied that the notification was made within ten working days of the change and, in the case of a change to the constitution, he has been provided with a copy of the new constitution, he must enter the notified particulars in the Register.

Annual filing of party accounts

Every February, the treasurer of a registered political party must file with the Greffier financial accounts, for the previous calendar year (or for the part of the previous calendar year it has been a registered political party, if shorter), prepared in line with generally accepted accounting standards.

Removal of a political party from the Register

A political party can apply to the Greffier to be removed from the Register. Such an application needs to be signed by the leader and one other office-holder of the party and be accompanied by evidence that the decision to apply for removal from the Register was made in accordance with the party's constitution.

The Greffier can also remove a political party from the Register without an application being made in certain limited circumstances – for example, if he is satisfied that the party no longer exists. See the Fourth Schedule for further details.

Appealing a decision of the Greffier

The Fourth Schedule sets out what the grounds of an appeal can be, and how the appeal process work, including the time limit for bringing an appeal.



Application for Registration as a Political Party

under the Reform (Guernsey) Law, 1948 (as amended)

Please return this form to:

HM Greffier, The Greffe, Royal Court House, St. Peter Port, GY1 2PB

Telephone: 01481 725277

E-mail: hm.greffier@gov.gg

Please complete this form in black ink using **BLOCK CAPITAL LETTERS**. **Fields marked * must be completed.**
Important: The accompanying Guidance Notes should be read before completing this form

Political Party Name*

Name*

Abbreviation of Political Party Name (if any)

Abbreviation

The name and any abbreviation of the name of the political party must not be:

- (a) offensive or otherwise inappropriate, or
- (b) the same as the name and/or abbreviation of any organisation, or of such similarity to the name or abbreviation of another organisation that it might reasonably be confused with it.

Political Party Emblem (if any)

Party Emblem

Yes (attached)

No

The emblem of the political party (if any) must not be:

- (a) offensive or otherwise inappropriate, or
- (b) the same as the name and/or abbreviation of any organisation, or of such similarity to the name or abbreviation of another organisation that it might reasonably be confused with it.

Address on the Island*

Full address in Guernsey where communications intended for the Party may be sent.

Address*			
Parish*		Postcode*	
Telephone Number		E-mail	
Website			

Officeholders*

The political party must have a Leader, Treasurer and Secretary, all of whom must be natural persons; and for the avoidance of doubt, a person may hold more than one such office. Please provide address details if different from the party address. You must also provide the names of any other office-holders.

Leader*

Title/full names*			
Address*			
Parish*		Postcode*	
Telephone Number		E-mail	
Website			

Treasurer*

Title/full names*			
Address*			
Parish*		Postcode*	
Telephone Number		E-mail	
Website			

Secretary*

Title/full names*			
Address*			
Parish*		Postcode*	
Telephone Number		E-mail	
Website			

Other officer holders*

Position*			
Title/full names*			
Address*			
Parish*		Postcode*	
Telephone Number		E-mail	
Website			

Position*			
Title/full names*			
Address*			
Parish*		Postcode*	
Telephone Number		E-mail	
Website			

Position*			
Title/full names*			
Address*			
Parish*		Postcode*	
Telephone Number		E-mail	
Website			

****Please use additional sheets to list other officer holders if required****

Political Party Constitution*

You must **attach** a copy of the party's constitution. The constitution must contain the expressed objective of supporting or endorsing candidates for the office of People's Deputy in an election, *and* the other information set out in the Guidance Notes.

Attached

Political Party Accounts*

You must **attach** a copy of the party's most recent financial accounts, prepared in line with generally accepted accounting standards. For further information, see the Guidance Notes.

Attached

Declaration and signatures*

The application must be signed by at least two members of the party who are inscribed on the Electoral Roll.

The party named on this application form is applying to be registered in accordance with the requirements of Schedule 2 to the Reform (Guernsey) Law, 1948, as amended.

I believe that the information provided in and with this application is full and correct.

I hereby declare that I am a member of the political party named on this application form and authorised to sign this application on behalf of the party named on this application form.

Print name
Date

Signed

Print name
Date

Signed

Please return your completed form and supporting documents to the address at the top of the form.

Application Fee*

The application must be accompanied by a fee of £80. You can make payment by card over the phone or you can attend the Greffe and pay at the counter by card, cash or cheque.

HM Greffier use only

Date

Approved/Rejected

Date entered in Register

Checked by

Party reference number