

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

**THE ELECTIONS (NOMINATIONS AND BALLOT PAPERS FOR PEOPLE'S DEPUTIES)
ORDINANCE, 2020**

The States are asked to decide:-

Whether they are of the opinion to approve the draft Ordinance entitled "The Elections (Nominations and Ballot Papers for People's Deputies) Ordinance, 2020", and to direct that the same shall have effect as an Ordinance of the States.

This proposition has been submitted to Her Majesty's Procureur for advice on any legal or constitutional implications in accordance with Rule 4(1) of the Rules of Procedure of the States of Deliberation and their Committees.

EXPLANATORY MEMORANDUM

This Ordinance puts beyond doubt the power of the Presiding Officer to direct that a form of nomination for the office of People's Deputy shall contain a political party declaration, as defined in section 1(2), and specifies the matters to be set out on the face of the ballot paper in an election to the office of People's Deputy.

The Elections (Nominations and Ballot Papers for People's Deputies) Ordinance, 2020

THE STATES, in pursuance of their Resolution of the 25th April, 2019^a, and in exercise of the powers conferred on them by section 45(1) of the Reform (Guernsey) (Amendment) (No. 2) Law, 2019^b, and all other powers enabling them in that behalf, hereby order:-

Nominations.

1. (1) The power of the Presiding Officer under Article 32(1) of the Reform (Guernsey) Law, 1948^c ("**the 1948 Law**") includes the power to direct that a form of nomination shall include a political party declaration.

(2) For the purposes of this Ordinance, a "**political party declaration**" means a written declaration signed by the candidate for the office of People's Deputy, confirming –

(a) whether his or her candidacy is, or is not, endorsed by
a political party registered under the Fourth Schedule

^a Article II of Billet d'État No. VII of 2019.

^b Order in Council No. ** of 2020.

^c Ordres en Conseil Vol. XIII, p. 288; Vol. XIV, p. 407; Vol. XV, p. 279; Vol. XVI, p. 178; Vol. XVIII, p. 275; Vol. XIX, p. 84; Vol. XIX, p. 140; Vol. XXII, p. 122; Vol. XXIII, p. 476; Vol. XXV, p. 326; Vol. XXVI, p. 255; Vol. XXIX, p. 56; Vol. XXX, p. 16; Vol. XXXI, p. 164; Vol. XXXII, p. 41; Vol. XXXIV, p. 397; Vol. XXXVI, p. 478; Vol. XXXVIII, pp 150 and 295; Order in Council No. XIII of 2003; No. III of 2004; Nos. II and XX of 2007; Nos. XIII and XXII of 2008; No. VII of 2010; No. II of 2012; Ordinance No. XXXIII of 2003, No. XXVI of 2008 and No. IX of 2016; and the Reform (Guernsey) (Amendment) (No. 2 Law), 2019.

to the 1948 Law^d, and

- (b) if the candidacy is so endorsed, the name, abbreviation or emblem of the political party to be entered on the ballot paper for the election.

(3) A political party declaration must also be signed by any two of the officers of the party referred to in paragraph 2(2) of the Fourth Schedule to the 1948 Law.

Ballot Papers.

2. In addition to any other statutory requirement relating to the form of a ballot paper, a ballot paper to be used for the purpose of election to the office of People's Deputy, shall –

- (a) show the date of the election,
- (b) indicate the number of votes that an elector may cast in the election,
- (c) in alphabetical order, show the name of each candidate, being –
 - (i) the candidate's full forename and surname, or
 - (ii) such other forename and/or surname the

^d The Fourth Schedule was inserted by Article 42 of the Reform (Guernsey) (Amendment) (No. 2) Law, 2019

candidate has stated that they are commonly known as, and

- (d) in the case of a candidate who has declared that his or her candidacy is endorsed by a registered political party, show, next to the candidate's name, the registered name, registered abbreviation or registered emblem of that party, as signified in the candidate's political party declaration and in accordance with any direction made by the Registrar-General.

Citation.

3. This Ordinance may be cited as the Elections (Nomination and Ballot Papers for People's Deputies) Ordinance, 2020.