

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

14th April, 2020

Proposition No. P.2020/60

STATES' ASSEMBLY & CONSTITUTION COMMITTEE

PROPOSED POSTPONEMENT OF THE JUNE 2020 GENERAL ELECTION

AMENDMENT

Proposed by: Deputy J P Le Tocq
Seconded by: Deputy A H Brouard

To delete the Propositions and substitute therefor:

1. To agree that, in view of the circumstances currently prevailing in the Island, the General Election for the office of People's Deputy scheduled to be held on 17th June, 2020 should be postponed.
2. To agree that the term of office of current People's Deputies should be extended until 30th June, 2021.
3. To agree that the General Election for the office of People's Deputy should be rescheduled to 16th June, 2021 and direct the States' Assembly & Constitution Committee to submit a policy letter to the States with recommendations for any further practical arrangements and legislative requirements to facilitate this.
4. To agree that the States Meetings currently scheduled to take place on 21st April, 2020, and between 1st May 2020 and 31st July 2020 shall be cancelled and instead States Meetings should be convened on:
 - (i) 20th May, 2020;
 - (ii) 16th June, 2020 (Accounts)
 - (iii) 17th June, 2020;
 - (iv) 15th July, 2020;
5. To direct the States' Assembly & Constitution Committee to submit a policy letter to the States, to be considered no later than the meeting commencing on 20th May, 2020, to:
 - (a) set out the revised dates on which it proposes that States' Meetings should be convened in the period from the 1st of September 2020 to 31st of August 2021, having first taken into account the dates of school terms and any other information which it considers relevant;

- (b) include proposals setting out the Committee or Committees whose Presidents will be obliged to make statements, and for the States of Alderney statement to be made by one of the Alderney Representatives, under the provisions of Rules 10(4) and (5) at each ordinary Meeting during the said period.
6. To agree that the States Meeting due to take place on 22nd April, 2020, shall continue to be held; however, all items of business currently scheduled for that Meeting shall be rescheduled across the meetings in April, May, June and July 2020 as set out in the attached Schedule to facilitate virtual meeting arrangements, and any items of urgent business submitted in accordance with Rule 18 of the Rules of Procedure of the States of Deliberation. A Policy Letter from the States' Assembly & Constitution Committee setting out the revised dates on which States' Meetings should be convened from 1st September 2020 to 31st August 2021 and the dates for statements under the provisions of Rules 10(4) and (5) will be submitted for the States Meeting on 20th May, 2020.
 7. To agree that Propositions to approve the following draft Ordinances be withdrawn:
 - (a) P.2020/35 - The Elections Ordinance, 2020
 - (b) P.2020/36 - The Postal Voting (Amendment) Ordinance, 2020
 - (c) P.2020/37 - The Advance and Super Polling Station Ordinance, 2020
 - (d) P.2020/38 - The Elections (Nominations and Ballot Papers for People's Deputies) Ordinance, 2020
 8. To agree that if any casual vacancies in the office of Deputy occur before the revised date of the General Election, no by-election will be held to fill the seat(s) in question.
 9. To note that the Electoral Roll will remain open and a draft Ordinance will be presented to the States of Deliberation recommending a date upon which the new Electoral Roll shall be closed for the purpose of a postponed Election.
 10. To direct the Civil Contingencies Authority to consider the exercise of its powers to make emergency regulations under the [Civil Contingencies \(Bailiwick of Guernsey\) Law, 2012](#) insofar as may be necessary and possible for the purpose of enabling the above decisions to be given effect.
 11. To direct the preparation of such legislation as may be necessary to give effect to the above decisions.

Explanatory note

The Policy & Resources Committee agrees that given the circumstances currently prevailing in the Island in relation to Covid-19, the General Election for the office of People's Deputy to be held on 17th June, 2020, should be postponed.

Whilst it understands the reasons underpinning the States' Assembly & Constitution Committee's proposals set out in Propositions 2, 3, 7 and 8, it is of the view that as much remains unknown about the long-term progress of the virus, and as the Bailiwick has now had

to progress lockdown measures on the first case of community seeding being diagnosed, it is more appropriate for the Election to be rescheduled to 16th June, 2021.

The Policy & Resources Committee is unanimously of the view that, on balance, and notwithstanding that it is a very significant decision for a government to extend its own term of office, that the community and economy will be better served by a definitive decision to extend the current political term for one year.

It is difficult to state with certainty at this point that it will be possible both to hold the Election in October 2020 and service the needs of government up to that point, including the production of the 2021 Budget and preparation for and support for a newly elected political body.

Therefore, the Committee is suggesting that the States agree its alternative proposal to reschedule the Election until 16th June, 2021. This will provide for continuity with the current politicians to steer the Bailiwick through what is an unknown period of extreme stress on the economy, public finances and the community in the context of the continuation of Brexit negotiations which as yet themselves have not been deferred by the primary parties. It also provides the opportunity for the recovery of the public service that is now being stretched to meet extraordinary demands and will continue to be for an undetermined period to come.

Given the proposal to extend the current political term by one year, the Committee proposes that the States of Deliberation should amend their meeting dates as set out in Proposition 4 and direct the States' Assembly & Constitution Committee to submit a policy letter to the States with regard to future dates up to August 2021. It is also proposed to manage the current congestion of business brought about by the impending end of this Assembly in accordance with the attached schedule.

The Policy & Resources Committee will not lay the End of Term Commentary on the Future Guernsey Plan, meaning the Special Meeting on 21st April will no longer take place.

STATES OF DELIBERATION

SCHEDULE for FUTURE STATES' BUSINESS

Items for Ordinary Meeting of the States commencing on the 22nd April, 2020

- (a) communications by the Presiding Officer including in memoriam tributes;
- (b) statements;
- (c) questions;
- (d) elections and appointments;

P.2020/28 – Committee *for* Home Affairs - Appointments to the Population Employment Advisory Panel

P.2020/71 – States' Trading Supervisory Board - Appointment of Non-Executive Directors - Guernsey Electricity Limited

- (e) articles adjourned or deferred from previous Meetings of the States;
- (f) all other types of business not otherwise named;

No. 131 of 2019 – The Air Navigation (Fees) (Amendment) Regulations, 2019

No. 132 of 2019 – The Air Navigation (Bailiwick of Guernsey) (Foreign Aircraft Operations) (Amendment) Regulations, 2019

No. 14 of 2020 – The Companies (Recognition of Auditors) (Amendment) Regulations, 2020

P.2020/49 – The Capacity (Bailiwick of Guernsey) Law, 2020

P.2020/52 – The Sexual Offences (Bailiwick of Guernsey) Law, 2020

P.2020/34 – The Reform (Guernsey) (Amendment) (No.2) Law, 2019 (Commencement) Ordinance, 2020

P.2020/39 – The Scrutiny of States and Public Bodies (Guernsey) Ordinance, 2020

P.2020/40 – The Guernsey Competition and Regulatory Authority (Amendment) Ordinance, 2020

P.2020/31 – Committee *for* Employment & Social Security - Housing Appeals Tribunal - Minor Constitutional Changes and Appointment of Housing Appeals Panel Members

P.2020/29 – Committee *for the* Environment & Infrastructure and States' Trading Supervisory Board - Planning for a New Facility for Managing Residual Inert Waste

P.2020/42 – Committee *for* Health & Social Care - Modernisation of the Abortion (Guernsey) Law, 1997

P.2020/74 – Committee *for* Health & Social Care and Policy & Resources Committee - Urgent Capital Bid - Replacement of the Electronic Patient Records System

P.2020/69 – Committee *for* Economic Development - The Guernsey Competition and Regulatory Authority (Amendment) (No. 2) Ordinance, 2020

P.2020/61 – Policy & Resources Committee - The Marriage (Bailiwick of Guernsey) Law, 2020

(g) Schedule for future States' business.

Items for Ordinary Meeting of the States commencing on the 20th May, 2020

P.2020/47 – Committee *for the* Environment & Infrastructure - States of Guernsey Energy Policy 2020-2050

P.2020/32 – States' Trading Supervisory Board - Guernsey Airport Hold Baggage Screening System Upgrade

P.2020/72 – Policy & Resources Committee - Amendments to the Legal Framework Relating to Beneficial Ownership of Legal Persons

P.2020/70 – Policy & Resources Committee - Minor Changes to the Document Duty (Guernsey) Law, 2017

P.2020/73 – Committee *for* Employment & Social Security - Diffuse Mesothelioma Payment Scheme

P.2020/59 – Committee *for* Economic Development - Proposed Amendments to the Preferred Debts (Guernsey) Law, 1983

P.2020/xx – States' Assembly & Constitution Committee – Schedule of States' Meetings from 1st of September 2020 to 31st of August 2021

Item for Special Meeting of the States commencing on the 16th June, 2020
(Accounts)

Items for Ordinary Meeting of the States commencing on the 17th June, 2020

P.2020/30 – Committee *for the* Environment & Infrastructure - Proposed Introduction of a General Housing Law*

P.2020/46 – Committee *for* Education, Sport & Culture - Active 8: A Plan for Sport - 2021-2030

P.2020/33 – States' Trading Supervisory Board - The Future Guernsey Dairy Project

P.2020/54 – Committee *for* Home Affairs - Justice Review Report

P.2020/27 – Committee *for the* Environment & Infrastructure - Third Party Planning Appeals

Items for Ordinary Meeting of the States commencing on the 15th July, 2020

P.2020/26 – Policy & Resources Committee - Revision of the Double Taxation Arrangements made with the Isle of Man and New Zealand, and New Double Taxation Arrangement with Estonia

P.2020/43 – Policy & Resources Committee - Improving Living Standards

P.2020/48 – Policy & Resources Committee - Seafront Enhancement Area Programme Update

P.2020/44 – States' Assembly & Constitution Committee - Review of the Code of Conduct for Members of the States of Deliberation

P.2020/41 – Committee *for* Employment & Social Security - Proposals for a New Discrimination Ordinance