

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

1st July, 2020

Proposition No. P.2020/117

States' Assembly & Constitution Committee

General Election 2020: Review of the date of the General Election

AMENDMENT

Proposed by: Deputy N.R. Inder
Seconded by: Deputy J.S. Merrett

To insert as Proposition 7:

7. To agree that for the purposes of entitlement to claim the additional allowance and termination of Remuneration further to the General Election to be held in October 2020, the following provisions shall apply instead of paragraphs 3 (ii) and (iii) of Section 1 of the ['Rules for Payments to States' Members'](#):

"(ii) For the avoidance of doubt, following the General Election, Members elected to the position of President of the Policy & Resources Committee; President of the Principal Committees, Scrutiny Management Committee and States Assembly & Constitution Committee; Members of the Policy & Resources Committee or an Alderney Representative elected to a seat on a Committee / Authority / Board shall be entitled to claim the additional allowance for that position with effect from the date the person elected enters office as People's Deputy.

(iii) The Remuneration shall terminate on the date set for the end of the term of office of People's Deputies elected at or after the 2016 Election."

Explanatory note

Article 29.(1) of the Reform Law, 'Holding of Deputies' Elections', reads as follows:

29. (1) General Elections for the office of People's Deputy shall be held in 2021 during the month of June and in every fourth year thereafter during the month

of June, and, subject to the provisions of Article 19 of this Law, the persons elected shall take office on the 1st day of July next following their election, save that if at any General Election there shall be no candidate or an insufficient number of candidates, an election to fill any vacancy not filled at that General Election shall be held as soon as may be thereafter and any candidate elected thereat shall retire from office on the date on which he would have so retired had he been elected at that General Election.

The Law sets out that persons elected in June take office on the 1st day of July. The [Rules for Payments to States' Members](#) were written in accordance with Members holding office until the last day of June and taking up office after a General Election on the first day of July. This is set out in the following paragraphs in Section 1, 3:

- (ii) For the avoidance of doubt, following a General Election, Members elected to the position of President of the Policy & Resources Committee; President of the Principal Committees, Scrutiny Management Committee and States Assembly & Constitution Committee; Members of the Policy & Resources Committee or an Alderney Representative elected to a seat on a Committee / Authority / Board shall be entitled to claim the additional allowance for that position with effect from the first day of the month following the General Election.
- (iii) The Remuneration shall terminate on the last day of the month in which a Member ceases to hold a seat in the States of Deliberation.
- (iv) The higher level of remuneration payable to the President of the Policy & Resources Committee; President of the Principal Committees, Scrutiny Management Committee and States Assembly & Constitution Committee; Members of the Policy & Resources Committee and Alderney Representative who holds a seat on a Committee / Authority / Board shall terminate on the last day of the month in which a member ceases to hold the position in respect of which the higher level of remuneration is payable.

In Propositions 1 & 2 attached to the Policy Letter, the Committee is proposing the States:

- modify the application of Articles 26, 29 and 30 of the Reform (Guernsey) Law, 1948 to
- enable the 2020 General Election to take place in October,
- to appoint the date for the holding of the 2020 General Election as 7th October,
- that the end of the term of office of People's Deputies elected at or after the 2016 Election shall be 18th October, 2020, and
- that the persons elected shall take office on 19th day of October.

As the Committee is proposing that the term of office ceases on 18th October, provision should be made for the remuneration of existing Members to terminate on 18th October, 2020, rather than “the last day of the month in which a Member ceases to hold a seat in the States of Deliberation” (which would have been coterminous with the end of term previously).

It is also proposed that provision should be made to enable those elected into the position listed in Section 1, 3, ii, to claim the additional allowance for that position with effect from the date the persons elected shall take office, rather than “from the first day of the month following the General Election” (which would have been coterminous with the start of term previously).