

STATES OF JERSEY



ELECTORAL COMMISSION: ESTABLISHMENT (P.15/2011) – COMMENTS

**Presented to the States on 18th February 2011
by the Privileges and Procedures Committee**

STATES GREFFE

COMMENTS

The Privileges and Procedures Committee (PPC) wishes to highlight some issues of process which are not properly dealt with under this proposition.

The main difficulties lie with paragraph (e) of the proposition, which states: 'the States shall put the options to the electorate in a referendum' and sets out the form that the referendum should take. The States cannot bind future Assemblies by dictating a particular course of action, as is suggested here. Also, before a referendum can be held, a Referendum Act must be drafted and lodged *au Greffe*, before being debated and approved by the States, in accordance with the Referendum (Jersey) Law 2002.

Under paragraph (e) the States are also asked to agree that none of the options put to referendum will be pursued unless they are supported by at least 60% of voters. Should 3 options be put forward in the referendum, it could be difficult to obtain a 60% majority on one particular approach.

Paragraph (c) of the proposition provides that 3 independent commissioners from outside the Island should be appointed to the Electoral Commission at a cost estimated at £260,000 in the accompanying report. The Deputy does not, however, identify a budget from which the necessary funds could be allocated.