

# STATES OF JERSEY



## PUBLIC ELECTIONS: DECLARATION OF DONATIONS EXCEEDING THE CURRENT THRESHOLD FOR DECLARATION IN LAW

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Lodged au Greffe on 4th December 2019  
by the Connétable of St. Martin

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STATES GREFFE

## PROPOSITION

**THE STATES are asked to decide whether they are of opinion –**

- (a) to make it a legal requirement for donations received by election candidates and third parties in elections which exceed the current threshold for declaration in the law (£120) to be declared and made publicly available (including online) within 2 days of receipt;
- (b) in relation to donations to political parties of, or worth, £120 and above –
  - (i) the name of the donor and the value of such donations must be declared to the Judicial Greffier within one week of receipt;
  - (ii) the Greffier should maintain a register, published online and available otherwise for public inspection, showing all of the information declared in respect of each donation to each party; and
  - (iii) anonymous donations should be treated in the same way as anonymous donations are currently treated under the Public Elections (Expenditure and Donations) (Jersey) Law 2014;
- (c) to request the Privileges and Procedures Committee to bring forward for approval the changes to legislation necessary to give effect to this proposition.

CONNÉTABLE OF ST. MARTIN

## REPORT

This proposition will allow members of the public to be made aware of large donations received by candidates standing for election throughout the campaign, as opposed to only after its conclusion, and makes donations to political parties public for the first time.

Under the [Public Elections \(Expenditure and Donations\) \(Jersey\) Law 2014](#) (“the Public Elections Law”), a candidate standing for election is required to deliver to the Judicial Greffier a written declaration of their election expenses, and the donations that the candidate has received, of or more than £120, within 15 working days after the day the poll is held.

The Public Elections Law also maintains that candidates shall not keep anonymous donations and shall send such donations to the Treasurer of the States within 10 working days of receiving them.

This proposition will strengthen Jersey’s Public Elections Law in the following 3 ways –

- (a) by restricting the time allocated for the declaration of large donations that a candidate or third party has received to within 2 working days, regardless of the date of the poll;
- (b) by requiring donations to political parties of, or worth, £120.00 and above to be declared to the Judicial Greffier, while treating anonymous donors to political parties in the same way as anonymous donations to candidates are currently treated under the Public Elections Law; and
- (c) by requiring that registers of donations be available online, in order to enhance transparency.

This further improves Jersey’s electoral transparency over that of the United Kingdom. Under the UK’s [Political Parties, Elections and Referendums Act 2000](#), donations to political parties are only reported to the Electoral Commission if they are either above £7,500 (increased in 2010 from £5,000), or over £1,500 if the donor or lender makes a further donation or donations during the calendar year or is submitted to entities not directly managed by the Party’s headquarters.

I believe that this will have a positive impact on future elections, because it ensures that the electorate are made far more aware of the financial support that candidates and political parties competing in future elections may receive and are informed about large donations almost in real time, allowing for a much greater level of public scrutiny of candidates to take place.

### **Financial and manpower implications**

There is a cost associated with this proposition, as web pages will need to be created and maintained in order to publish donation information online. I have discussed this matter with the Judicial Greffier and the Greffier of the States. One option might be to use the vote.je website: new web pages are likely to cost under £10,000. However, more work needs to be done to quantify the cost which, although it is likely to be modest, will

still need to be accommodated within existing budgets. The proposition calls on the Privileges and Procedures Committee to bring forward the necessary legislation to give effect to this initiative. The Privileges and Procedures Committee is also best placed to provide an accurate cost estimate which the Assembly can take into account when deciding whether to adopt the legislation.