

STATES OF JERSEY



PUBLIC ELECTIONS (EXPENDITURE AND DONATIONS) (JERSEY) LAW 2014: PROPOSED AMENDMENTS (P.6/2019) COMMENTS

**Presented to the States on 21st February 2019
by the Privileges and Procedures Committee**

STATES GREFFE

COMMENTS

There is already a requirement in the [Public Elections \(Expenditure and Donations\) \(Jersey\) Law 2014](#) for the Judicial Greffier to make the financial declarations by candidates available for inspection at the Judicial Greffe. Deputy J.H. Young of St. Brelade's proposals ([P.6/2019](#)) require those declarations to be published on a public website.

The Committee supports this proposition and wishes Members to be aware that this work forms an integral part of its current work plan.

Shortly after it was constituted, the Privileges and Procedures Committee established a Sub-Committee to review and implement the recommendations made by the Commonwealth Parliamentary Association's Election Observers Mission in 2018. This is the most important work that the Committee has to undertake during its tenure.

The Sub-Committee has been working through the 18 recommendations made by the Election Observers, many of which are interlinked, and this includes a broad review of the electoral system and all of the associated legislation.

RECOMMENDATION 13

Consideration should be given to provide for and undertake a systematic scrutiny of all financial declarations submitted by candidates and political parties and make public the result of such scrutiny, in order to enhance transparency of campaign finances as stated in Article 7.3 of the UN Convention against Corruption.

We accept that work needs to be undertaken with the Judicial Greffe, who are currently responsible for this aspect of the election process. The oversight is currently insufficient, and recent events have shown that there are failings with the way in which the Law has been implemented and administered to date. It should be noted that, in the United Kingdom, responsibility for assessing the validity of candidates' expenses sits with the Electoral Commission, which has the *vires* to take legal action against those who do not adhere to the rules.

Part of the Committee's deliberations have included whether responsibility for administration of the Law could be removed from the Judicial Greffe and a local Electoral Commission established. The Committee expects to be bringing the first of its propositions relating to the reform of the electoral process for debate by the Assembly before the summer.