ELECTORAL LAW REFORM (P.207/98): SECOND AMENDMENTS

**Lodged au Greffe on 20th October 1998
by Deputy M.F. Dubras of St. Lawrence**

STATES OF JERSEY

STATES GREFFE

Price code : A

ELECTORAL LAW REFORM (P.207/98):
SECOND AMENDMENTS

(1)   *At the end of sub-paragraph (a) of the proposition insert the words,* except that in sub-paragraph (b) of Recommendation 3 after the word ''date'' there shall be inserted the words ''and resident again in the Island for a minimum of six months immediately preceding that date''.

(2)   *at the end of sub-paragraph (f) of the proposition, substitute a semi-colon for the full stop and insert the following additional paragraph -*

and to approve, in principle, that -

 (g) the Electoral Register computer system should be capable of producing the Register both in alphabetical order of the names of persons on the register and in street order of the addresses of such persons;

 (h) the entitlement to a postal vote should be extended to include persons prevented from voting on polling day on religious grounds or because of scheduled working arrangements;

 (i) it should be the duty of the parishes to confirm receipt of the electoral return form and that the elector's name had been entered on the electoral register, giving the elector's unique serial number.

DEPUTY M.F. DUBRAS OF ST. LAWRENCE.

Report

Having reviewed all the recommendations, it appears to me that, inadvertently, the Committee Working Party may have missed some factors which are key to enhancing the process which is designed to enable as many as possible of the electorate who are entitled to vote to be enfranchised.

(1)   The proposed amendment through Recommendation 3 to the Residence Qualification by deleting reference to March 1st from clause (a) is appropriate. My concern is that that deletion from clause (b) would permit individuals, with sufficient time historically to be considered ordinarily resident, to be able to vote with as few as 22 days of residence in the Island before a particular polling day (reference Recommendations 14 & 23). It is my view that a period of not less than six months' additional residence, immediately before an election, is an appropriate qualification that anyone returning to the Island should reasonably be required to demonstrate as a *bona fide* resident and thus be entitled to vote.

(2)(g) With reference to Recommendation 19, in order to make it easier for all concerned to identify and locate addresses of registered electors, every Parish ought to be capable of publishing both an alphabetical and a street order listing.

(h)   Given the proposal to change the normal day of election to a Saturday in Recommendation 24, it was immediately evident to me that Orthodox members of the Jewish congregation would be prevented from exercising their democratic rights if polling day occurred on particular Saturdays, as there would be insufficient time to travel to the polling station and vote after dusk on the Sabbath at certain times of the year.

Further, for some employed persons who are required to work long or shift hours on a scheduled basis, regardless of the day of the week, there can be insufficient hours available to vote. This could be remedied either by requiring employers to release employees at least one to two hours before the close of polls or by permitting such employees to vote by postal ballot. The

former is not practical for continuous operations or those firms with few staff and so the latter is proposed as applicable to most situations likely to be encountered.

(i)   Although reference is made in the report to Poll Cards, and no recommendation was made, it is my belief that there is a mutual responsibility to the registration process - that of the electors and that of the Registering authority. Given the excellent proposal to establish a three-year rolling register and today's technology and printing methodologies, we must ensure feedback to every individual elector (not simply the head of the household) that her/his registration has been recorded and that her/his unique number for the balance of the life of the Register is provided.