

STATES OF JERSEY



Jersey

DRAFT ELECTIONS (JERSEY) AMENDMENT LAW 202-

Lodged au Greffe on 1st April 2025
by the Privileges and Procedures Committee
Earliest date for debate: 13th May 2025

STATES GREFFE



Jersey

DRAFT ELECTIONS (JERSEY) AMENDMENT LAW 202-

European Convention on Human Rights

In accordance with the provisions of Article 16 of the Human Rights (Jersey) Law 2000, the Privileges and Procedures Committee has made the following statement –

In the view of the Privileges and Procedures Committee, the provisions of the Draft Elections (Jersey) Amendment Law 202- are compatible with the Convention Rights.

Signed: **Connétable K. Shenton-Stone of St. Martin**
Chair of Privileges and Procedures Committee

Dated: 31st March 2025

REPORT

The Privileges and Procedures Committee was tasked with responding to the recommendations contained within the [CPA Election Observers Mission \(IOM\) Report 2022](#) published after the last elections and also the Report of the Jersey Electoral Authority ([R.3/2023](#)) and feedback from the Electoral Administrators.

Most of the proposed changes to the [Elections \(Jersey\) Law 2002](#) are administrative in nature and designed to improve the electoral system for candidates, voters and those tasked with running the process.

Article 1: Interpretation

The Committee is proposing changes to the definition of a cancelled ballot paper and the deletion of the existing definition of a spoilt paper. This relates to the EOM's recommendation from its Report published after the elections in 2018, which suggested that terminological inconsistencies should be eliminated and references to spoilt ballots and invalid votes streamlined ([Recommendation 17](#)). The Committee hopes that this suggested change will clarify some of the confusion experienced in 2022 by election officials when completing the Reconciliation and Return Form (RRF), where different approaches were applied to distinguish between a spoilt ballot paper and a spoilt (invalid) vote and this resulted in mathematical disparities in the reporting and delays in the publication of the election results.

Article 4: Disqualification of certain offenders

The EOM's recommendation 4 from 2022 stated that –

To allow for broader electoral participation on an equal basis, the blanket ban on the right to vote for persons serving prison sentences exceeding four years should be removed.

The Committee wishes to extend the vote to all prisoners based in Jersey. At present those detained for longer than 4 years are disqualified. In 2005 the European Court of Human Rights (ECtHR) ruled that the UK was in breach of Article 3 of Protocol No 1 of the European Convention on Human Rights in relation to prisoner voting rights. The central element to the ECtHR ruling was that the UK's then blanket ban on prisoner voting was indiscriminate and disproportionate. The UK now allows those on remand and awaiting sentencing to vote, but does not extend it to all prisoners. Northern Ireland follows the same rules. Scotland has extended the vote for those serving a sentence of less than 12 months, whilst Wales has been considering employing the same 4-year sentence limit as currently exists in Jersey. Ireland has extended voting rights to all prisoners, irrespective of length of sentence and it did so in 2006.

Both Guernsey and the Isle of Man offer full enfranchisement and prisoners are able to vote by post for representatives of the district in which they were ordinarily resident prior to incarceration. PPC has determined that there are wider perceived benefits of extending voting rights to all prisoners, including the creation of social ties and a commitment to the common good and therefore wishes to remove the disqualification limit, extend the vote to all prisoners and offer them postal votes to allow them to participate in elections in the constituency in which they resided prior to being detained.

Article 13D: Resolution of disputes

During the 2022 election period the JEA dealt with a multitude of complaints and it was this element of the workload which the lay members found particularly frustrating. The scope of complaints that could be dealt with by the JEA were significantly limited by Article 13 of the

Elections Law which provided that the JEA could only accept those made by a candidate and could only be about another candidate or an individual carrying out election functions. The JEA received many enquiries which were ineligible for consideration under these terms but would be classed as “complaints” in the ordinary meaning of the word. Themes covered by these enquiries included election material (and its siting), use of social media and comments made at hustings. The JEA said in its report “*The JEA believes that its role in dealing with disputes needs to be re-considered.*”

The EOM’s recommendation 12 stated –

In order to bolster the system of election dispute resolution and make it more inclusive, consideration could be given to the establishment of administrative redress available to persons other than the contestants.

The Committee proposes extending the resolution of disputes by the JEA to the public.

The JEA was still in its infancy when the last elections were held and it struggled to define its role in the short period leading up to election day and meet the expectations of the public. Extending the JEA’s complaint handling jurisdiction beyond candidates to the general public will align better with the remit of the UK Electoral Commission, on which the JEA’s role is based, and this time, there will be sufficient lead in time to publicise clear guidance regarding the functions of the JEA and make it explicit what it will and won’t adjudicate upon.

Article 17D: Nomination Forms content

This is a minor amendment. At present this Article allows candidates to provide an alternative address on their nomination form and to specify that their home address should not be made public. However, when the poll is announced this includes their address, and this amendment simply ensures it is that alternative address which will be published.

Article 17IA: Hustings

This is a completely new Article to manage the hustings process for 2026 and onwards. In 2022, following the approval of [P.49/2022](#) PPC was committed to filming all conventional hustings held in Parish Halls as well as online hustings, which had been proposed.

Candidates and the public reported ‘hustings fatigue’, with some candidates attending multiple events on successive nights across their constituencies. There was disquiet when clashes occurred or candidates had prior commitments and therefore could not attend an event, as they worried this would appear to the electorate that they were not as dedicated as their counterparts. This new Article places the coordination and management of the hustings with the JEA rather than the candidates. It will ensure the events can be scheduled to avoid clashes, which will make them more accessible to the public and also reduce the associated cost of having to film multiple events on the same date. It is proposed that the JEA will provide the dates before the nomination period, so that prospective candidates are able to plan for them and ensure their availability to attend.

Article 26: Polling stations

The EOM’s recommendation 9 stated –

The number of voters per-polling station should be reviewed, to ensure polling stations are in close proximity to voters’ residences and/or easily accessible via public transport, and to ensure that polling stations are manageable if many voters turn out on Election Day.

The Committee considers there should be greater flexibility as to where polling stations are located to ensure they are placed in the optimum positions for voters. This amendment simply

places the decision as to where the polling stations should be with the JEA, in consultation with the *Autorisés*.

Article 32: Giving ballot paper to elector

In 2022 voters reported being asked if they wished to vote in both the Deputies and Connétables elections within their constituency/Parish. This caused some confusion and the Committee is keen that no voter is disenfranchised from casting all of the votes to which they are entitled. The JEA suggested that this need for questioning be removed from the Law. Article 32(a) will be removed so that electors will be given ballots automatically for each of the polls taking place: it is a matter for them if they subsequently choose not to cast all of their votes.

Article 35: Assisted voting (home visits)

This amendment ensures that requests for home visits for Islanders to cast their votes on election day itself are available only for those who find themselves unable to vote on election day as they had intended due to unforeseen circumstances. Home visits require two members of staff to be sent to a person's home to take their vote and this amendment limits access to those who could not reasonably have known they needed to apply for a postal vote instead.

Article 36: Spoilt ballot papers

This amendment follows on from the change to the definitions in Article 1 and substitutes the word 'spoilt' for cancelled, which is the generally understood definition; the intention is to help with the completion of the Returns form by the *Autorisés*.

Article 41: Procedure for pre-poll voting

Changes made in 2021 made postal voting an option for anyone who wished to vote in this manner, when formerly it had only been available to voters who were going to be out of the Island on election day. The Committee notes the administrative burden associated with the elections process and this suggested change simply highlights that home visits should only be reserved for those who find themselves unable to vote at pre-poll or by post due to unforeseen circumstances.

Article 44: Procedure for postal voting

This change makes the deadline for the return of postal votes several days earlier than election day. This is required if postal voting increases in popularity as it will ensure there is sufficient time to process the envelopes returned. It is also of particular importance if there is agreement for elections to be held on a Sunday as there is no postal delivery at the weekends in Jersey. This change will require postal votes to be received TWO working days before the poll.

Financial and staffing implications

These amendments, which are designed to improve matters for candidates, voters and those tasked with running the process, place no additional financial or staffing implications on the administration of the election system.

Children's Rights Impact Assessment

A Children's Rights Impact Assessment (CRIA) has been prepared in relation to this proposition and is available to read on the States Assembly website.

Human Rights

The notes on the human rights aspects of the draft Law in the **Appendix** have been prepared by the Law Officers' Department and are included for the information of States Members. They are not, and should not be taken as, legal advice.

APPENDIX TO REPORT**Human Rights notes on the Draft Elections (Jersey) Amendment Law 202-**

These notes have been prepared in respect of the Draft Elections (Jersey) Amendment Law 202- (the “draft Law”) by the Law Officers’ Department. They summarise the principal human rights issues arising from the contents of the draft Law and explain why, in the Law Officers’ opinion, the draft Law, in the form reviewed by them, is compatible with the European Convention on Human Rights (“ECHR”).

These notes are included for the information of States Members. They are not, and should not be taken as, legal advice.

No ECHR concerns of significance arise from the draft Law.

The amendments to be made by the draft Law are within Jersey’s margin of appreciation for conducting elections in accordance with Article 3 of Protocol 1 of the ECHR.

The amendments include the enhancement of compliance with the ECHR, including extending the right to vote to certain persons who have been convicted of an offence, furthering candidates’ freedom of expression by requiring the Jersey Electoral Authority to arrange hustings, and clarifying that a candidate’s home address would not be published, where the candidate so chooses.

To the extent that other rights under the ECHR are engaged, and to the extent, if any, that the amendments could amount to an interference with those rights, they could be justified as proportionate measures in pursuit of the legitimate aim of ensuring that elections to the legislature are held under conditions that will ensure the free expression of the opinion of the people.

EXPLANATORY NOTE

The Elections (Jersey) Amendment Law 202- would, if adopted, amend various provisions of the Elections (Jersey) Law 2002 (the “Elections Law”) and make further minor amendments to the Elections (Jersey) Regulations 2002 and the Political Parties (Registration) (Jersey) Law 2008.

Part 1 (Articles 1 to 24): Elections (Jersey) Law 2002 amended

Article 1 provides that *Part 1* amends the Elections Law.

Article 2 amends existing definitions, and inserts new defined terms, in Article 1 of the Elections Law. The changes are related to the re-labelling of “spoilt ballot papers” as “annulled ballot papers” (see *Article 16*).

Article 3 deletes Article 4 of the Elections Law, removing the provision disqualifying certain persons who have been convicted of an offence from voting in public or parish elections. This Article also includes related amendments to Article 4A of the Elections Law (which makes provision about voting by non-disqualified prisoners) and a minor amendment to insert a definition of “prison” for the purposes of that Article as amended. It also deletes Article 5(3)(b) of the Elections Law in consequence of the deletion of Article 4.

Article 4 makes a minor amendment to Article 5(3)(a) of the Elections Law. This has the effect of replacing a reference to a person becoming “resident” in Jersey with a reference to a person becoming “ordinarily resident” in Jersey, for consistency with the provisions of Article 5(1) about entitlement to be registered.

Article 5 amends Article 13D of the Elections Law. Article 13D currently provides that the Jersey Electoral Authority (the “JEA”) may take steps to address or resolve complaints made by a candidate at an election in relation to the conduct of another candidate, a person acting on the candidate’s behalf or a person carrying out functions in connection with an election. The amendment extends this to cover complaints made by any person, not just a candidate at the election.

Article 6 amends Article 17 of the Elections Law to provide that the date fixed by court order for persons elected as Deputy or Connétable to take their oaths must be as early as is reasonably practicable and, in any event, within 14 days beginning with the day of the election. This brings the provision in line with the existing provision for ordinary public elections.

Article 7 amends Article 17D of the Elections Law to expressly provide that, if a nomination form states that a prospective candidate’s address is not to be made public (and includes an alternative address for the candidate), the reference in Article 22(3)(c) (content of notice announcing a poll) to a candidate’s address is to be treated as a reference to the alternative address.

Article 8 inserts a new Article 17IA in the Elections Law. The new Article applies in relation to a public election for the office of Deputy or Connétable in a constituency. It requires the JEA to arrange a meeting in each relevant parish (being a parish that alone, with other parishes, or in part, comprises the constituency) at which persons nominated as candidates for the election may address members of the public. The new Article makes provision about the period within which each meeting must be held. It also requires the JEA to determine the date and location of each meeting, and to take steps to bring those details to the attention of the public, during the nomination period in relation to the election.

Article 9 amends Article 19 of the Elections Law, under which notice of a nomination meeting must be published in the Jersey Gazette, and must be posted at a specified place, prior to the nomination meeting. The effect of the amendment is that Sundays are no longer excluded for the purposes of determining the timing of publication or posting.

Article 10 amends Article 22 of the Elections Law, under which notice of a poll must be published in the Jersey Gazette, and must be posted at a specified place, prior to the day of the poll. The effect of the amendment is that Sundays are no longer excluded for the purposes of determining the timing of publication or posting.

Article 11 amends Article 24 of the Elections Law, expanding the requirement under paragraph (3C)(c) of that Article to provide that ballot papers for a public election must comply with requirements as to content that may be specified by the JEA, which may include requirements to show photographs of candidates on the ballot papers. As under the current provision, the ballot paper must also be in the form specified by the JEA.

Article 12 amends Article 26 of the Elections Law, to provide that polling stations, in relation to a particular public election, must be provided in such a way that the JEA, having consulted with the *Autorisé*, is satisfied that everyone has reasonable facilities for the exercise of their right to vote. This is a change from the current provision under which the test is whether the *Autorisé* is satisfied, with no requirement under the legislation for the involvement of the JEA in relation to public elections.

Article 13 amends Article 26A of the Elections Law to provide that the *Autorisé* or *Adjoint* supervising a polling station must take the steps that they consider appropriate for making the information about each candidate standing at the election, which is contained in a document prepared and distributed by the JEA, accessible to everyone (this might include, for example, making the document available in larger print, reading out or translating the information).

Article 14 amends Article 32 of the Elections Law so that the *Autorisé* or *Adjoint* in charge of a polling station must give a ballot paper for each poll for a public election or parish election being taken to each person entitled to vote in those elections. The amendment removes the provision for the *Autorisé* or *Adjoint* to ask the person, if more than 1 poll is being taken, in which of the polls the person wishes to vote and to give the ballot paper only for those polls.

Article 15 amends Article 35 of the Elections Law, substituting the provision under which an *Autorisé* or *Adjoint* may take measures that they think appropriate for taking a person's vote in a public or parish election if the person is unable to cast their vote due to illness, disability, illiteracy or being in custody, or because the person is the carer of a person who is ill or disabled. In relation to public elections, the amendment limits the circumstances in which the *Autorisé* or *Adjoint* may take those measures to cases where they consider that the person could not reasonably have been expected to avoid being unable to vote by applying (at an earlier date) for a postal vote.

Article 16 amends Article 36 of the Elections Law, so that ballot papers that are cancelled and initialled in accordance with Article 36(1) are referred to in the Law as "annulled ballot papers" instead of "spoilt ballot papers".

Article 17 amends Article 42 of the Elections Law, which makes provision about the procedure for pre-poll voting.

The amendments made by *Article 17(3)* and *(4)* have the effect that the Judicial Greffier must give a ballot paper for each poll for a public election or parish election being taken to each person entitled to vote in those elections. The amendment removes the provision for the Judicial Greffier to ask the person, if more than 1 poll is being taken, in which of the polls the person wishes to vote and to give the ballot paper only for those polls.

The amendment made by *Article 17(5)* substitutes the provision under which the Judicial Greffier may take measures that they think appropriate for taking a person's pre-poll vote if the person is unable to cast their vote due to illness, disability or illiteracy, or because the person is the carer of a person who is ill or disabled. The amendment limits the circumstances in which the Judicial Greffier may take those measures to cases where they consider that the person could not reasonably have been expected to avoid being unable to vote by applying (at an earlier date) for a postal vote.

Article 18 amends Article 42A of the Elections Law to require the JEA to specify the earliest date on which a person may apply for a postal vote for a particular election (in addition to the current requirement for the JEA to specify the closing date).

Article 19 amends Article 43 of the Elections Law in consequence of the amendments to Article 42A.

Article 20 amends Article 44 of the Elections Law to alter the deadline for receipt of postal votes to the end of the third working day before the day of the poll (instead of noon on the day of the poll).

Article 21 amends Article 48 of the Elections Law in consequence of the amendment made by *Article 16* (referring to “annulled ballot papers” instead of “spoilt ballot papers”).

Article 22 makes a minor amendment to Article 51 of the Elections Law. This amendment is also related to the change in terminology for “annulled ballot papers”.

Article 23 amends Article 52A of the Elections Law to replace the reference to “spoilt ballot papers” (those that are cancelled and initialled under Article 36(1), re-labelled as “annulled ballot papers” by the amendment made by *Article 16*), with a reference to “invalid ballot papers” (those that are invalid on any of the grounds listed in Article 51(1)). The effect is that the *Autorisé* is required to show the candidates and their representatives, if present at the count, the annulled ballot papers (as is currently the case) and also the ballot papers that are invalid on other grounds.

Article 24 makes minor amendments to Article 53 of the Elections Law, including removing an unnecessary cross-reference.

Part 2 (Articles 25 to 27): Elections (Jersey) Regulations 2002 amended

Article 25 provides that *Part 2* amends the Elections (Jersey) Regulations 2002.

Articles 26 and 27 make minor consequential amendments to Article 2 of, and the Schedule to, those Regulations.

Part 3 (Articles 28 and 29): Political Parties (Registration) (Jersey) Law 2008 amended

Article 28 provides that *Part 3* amends the Political Parties (Registration) (Jersey) Law 2008.

Article 29 deletes Article 10(3) of that Law. The provision specifying when the 5-year period mentioned in Article 10(2)(c) starts to run is no longer necessary, because that is clear from the Elections Law as currently in force.

Part 4 (Article 30): Citation and commencement

Article 30 gives the title of this Law and provides for it to come into force on a day to be specified by the States by Act.



Jersey

DRAFT ELECTIONS (JERSEY) AMENDMENT LAW 202-

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Jersey

DRAFT ELECTIONS (JERSEY) AMENDMENT LAW 202-

A LAW to amend the [Elections \(Jersey\) Law 2002](#), the [Elections \(Jersey\) Regulations 2002](#) and the [Political Parties \(Registration\) \(Jersey\) Law 2008](#).

<i>Adopted by the States</i>	<i>[date to be inserted]</i>
<i>Sanctioned by Order of His Majesty in Council</i>	<i>[date to be inserted]</i>
<i>Registered by the Royal Court</i>	<i>[date to be inserted]</i>
<i>Coming into force</i>	<i>[date to be inserted]</i>

THE STATES, subject to the sanction of His Most Excellent Majesty in Council, have adopted the following Law –

PART 1

[ELECTIONS \(JERSEY\) LAW 2002](#) AMENDED

1 [Elections \(Jersey\) Law 2002](#) amended

This Part amends the [Elections \(Jersey\) Law 2002](#).

2 **Article 1 (interpretation) amended**

- (1) This Article amends Article 1.
- (2) After the definition “*Adjoint*” there is inserted –
 - “annulled ballot paper” has the meaning given in Article 36(2);
- (3) After the definition “electoral register in force for an election” there is substituted –
 - “invalid”, in relation to a ballot paper, means invalid on any of the grounds listed in Article 51(1);
- (4) The definition “spoilt ballot paper” is deleted.

3 **Article 4 (disqualification of certain offenders) deleted and Articles 4A and 5 amended**

- (1) Article 4 is deleted.
- (2) In the heading to Article 4A, “not disqualified under Article 4” is deleted.

- (3) For Article 4A(1) there is substituted –
- (1) This Article applies to a person who –
 - (a) is detained in prison (whether following conviction or otherwise); and
 - (b) is entitled to vote in a public or parish election.
 - (4) In Article 4A, after paragraph (3) there is inserted –
 - (4) In this Article, “prison” has the same meaning as in the [Prison \(Jersey\) Law 1957](#) (see Article 1(1) of that Law).
 - (5) Article 5(3)(b) is deleted.

4 Article 5 (entitlement to be registered) amended

In Article 5(3)(a), for “becomes resident” there is substituted “becomes ordinarily resident”.

5 Article 13D (resolution of disputes) amended

For Article 13D(1) there is substituted –

- (1) Paragraph (2) applies if a person makes a complaint to the JEA about –
 - (a) the conduct of a candidate, or of a person acting on a candidate’s behalf, at a public election; or
 - (b) the conduct of a person carrying out functions in connection with a public election under this or any other Law.

6 Article 17 (order for election) amended

In Article 17, after paragraph (2AA) there is inserted –

- (2AB) In the case of an order in respect of an election under Article 13 of the [States of Jersey Law 2005](#) (casual vacancy in office of Deputy) or Article 3 of the [Connétables \(Jersey\) Law 2008](#) (casual vacancy in office of Connétable), the date fixed under paragraph (2)(c) must be as early as is reasonably practicable and, in any event, within the period of 14 days beginning with the day of the election.

7 Article 17D (nomination forms: content) amended

In Article 17D(3), for “Article 17H(3)(a)” there is substituted “Articles 17H(3)(a) and 22(3)(c)”.

8 Article 17IA (hustings) inserted

After Article 17I there is inserted –

17IA Hustings

- (1) This Article applies in relation to a public election for the office of Deputy or Connétable in a constituency.

- (2) The JEA must arrange a meeting, in each relevant parish in relation to the constituency, at which each person nominated as a candidate for the election may address members of the public.
- (3) Each meeting must be held –
 - (a) after the candidate announcement in relation to the election is published under Article 17H(1); and
 - (b) at least 3 days before the day of the poll for the election.
- (4) The JEA must, during the nomination period in relation to the election –
 - (a) determine the date and location of each meeting; and
 - (b) take the steps that it considers appropriate for bringing the date and location of each meeting to the attention of the public.
- (5) In this Article, “relevant parish”, in relation to a constituency, means a parish that alone, with other parishes, or in part, comprises the constituency.

9 Article 19 (holding of nomination meeting) amended

In Article 19(4)(a) and (b), “(not counting any Sunday)” is deleted.

10 Article 22 (announcement of the poll) amended

In Article 22(2)(a) and (b), “(not counting any Sunday)” is deleted.

11 Article 24 (ballot papers) amended

For Article 24(3C)(c) there is substituted –

- (c) comply with other requirements, if any, as to content (which may include requirements to show photographs of candidates) specified by the JEA; and
- (d) be in the form specified by the JEA.

12 Article 26 (polling stations) amended

For Article 26(1) there is substituted –

- (1) For the conduct of a poll, the electoral administrator for the parish where the poll is held must provide 1 or more polling stations –
 - (a) in the case of a parish election, in such a way that the *Autorisé* is satisfied that all persons have reasonable facilities for the exercise of their right to vote; and
 - (b) in the case of a public election, in such a way that the JEA, having consulted with the *Autorisé*, is satisfied that all persons have reasonable facilities for the exercise of their right to vote.

13 Article 26A (candidate information document) amended

For Article 26A(3) there is substituted –

- (3) The *Autorisé* or *Adjoint* supervising a polling station must –

- (a) ensure that a copy of the document prepared under this Article is made available (in the booth or otherwise) to each person attending a polling station; and
- (b) take the steps that the *Autorisé* or *Adjoint* considers appropriate for making the information contained in the document accessible to all persons.

14 Article 32 (giving ballot paper to elector) amended

- (1) This Article amends Article 32.
- (2) In paragraph (A1), “or (2A)” is deleted.
- (3) For paragraph (1) there is substituted –
 - (1) For each poll being taken for a public election or parish election, the *Autorisé* (or *Adjoint*) in charge of a polling station must give a ballot paper to each person who satisfies the *Autorisé* (or *Adjoint*) that they are entitled to vote there.
- (4) Paragraphs (2A) and (2B) are deleted.

15 Article 35 (measures to assist voting by certain persons who are ill, disabled etc.) amended

For Article 35(1) there is substituted –

- (1) An *Autorisé* or *Adjoint* may take the measures that they consider appropriate for taking a person’s vote in a public or parish election if –
 - (a) the person is entitled to vote in that election;
 - (b) the person is (apart from this paragraph) unable to cast their vote because they are –
 - (i) ill, disabled, illiterate or in custody; or
 - (ii) the carer of a person who is ill or disabled; and
 - (c) in the case of a public election, the *Autorisé* or *Adjoint* considers that –
 - (i) applying for a postal vote under Article 43 would not have resolved the person’s inability to cast their vote;
 - (ii) the person could not reasonably have been expected to apply for a postal vote; or
 - (iii) the person could not reasonably have foreseen that they would be unable to cast their vote.

16 Article 36 (spoilt ballot papers) amended

- (1) This Article amends Article 36.
- (2) In the heading, for “Spoilt” there is substituted “Annulled”.
- (3) In paragraph (2), for “spoilt” there is substituted “annulled”.

17 Article 42 (procedure for pre-poll voting) amended

- (1) This Article amends Article 42.

- (2) In paragraph (1B), “or (5)” is deleted.
- (3) In paragraph (2) –
 - (a) “If only one poll for a public election is being taken in an electoral district,” is deleted;
 - (b) for “that poll, shall” there is substituted “a poll for a public election, must”.
- (4) Paragraphs (5) to (7) are deleted.
- (5) For paragraph (11) there is substituted –
 - (11) The Judicial Greffier may take the measures that they consider appropriate for taking a person’s pre-poll vote in a public election (including at locations other than those determined under Article 40B) if –
 - (a) the person is entitled to vote in that election;
 - (b) the person is (apart from this paragraph) unable to cast their vote because they are –
 - (i) ill, disabled or illiterate; or
 - (ii) the carer of a person who is ill or disabled; and
 - (c) the Judicial Greffier considers that –
 - (i) applying for a postal vote under Article 43 would not have resolved the person’s inability to cast their vote;
 - (ii) the person could not reasonably have been expected to apply for a postal vote; or
 - (iii) the person could not reasonably have foreseen that they would be unable to cast their vote.

18 Article 42A (arrangements for postal voting) amended

For Article 42A(a) there is substituted –

- (a) specify, in relation to a public election –
 - (i) the earliest date on which an application for a postal vote may be made (the “opening date”); and
 - (ii) the latest date on which an application for a postal vote may be made (the “closing date”);

19 Article 43 (application to postal vote) amended

- (1) This Article amends Article 43.
- (2) For paragraph (1B) there is substituted –
 - (1B) Paragraph (2) applies if the Judicial Greffier receives an application for a postal vote in relation to a public election –
 - (a) on or after the opening date specified under Article 42A(a)(i); and
 - (b) on or before the closing date specified under Article 42A(a)(ii).
- (3) In paragraph (4), for “Article 42A(1)” there is substituted “Article 42A(a)(ii)”.

20 Article 44 (procedure for postal voting) amended

In Article 44(5), for “no later than noon on the day of the poll” there is substituted “before the end of the third working day before the day of the poll”.

21 Article 48 (procedures at polling station after close of the poll) amended

In Article 48(4)(b), for “spoilt” there is substituted “annulled”.

22 Article 51 (invalid ballot papers) amended

In Article 51(1), for sub-paragraph (c) there is substituted –

- (c) if it is an annulled ballot paper (see Article 36);

23 Article 52A (result in public elections or parish elections) amended

In Article 52A(3)(a), for “spoilt” there is substituted “invalid”.

24 Article 53 (completion of return and delivery of papers) amended

For Article 53(4)(b) there is substituted –

- (b) the packages prepared in accordance with Articles 48(4)(b) and 50(2) in connection with the election (whether prepared, or received in accordance with Article 52A(2), by the principal *Autorisé*).

PART 2

[ELECTIONS \(JERSEY\) REGULATIONS 2002](#) AMENDED

25 [Elections \(Jersey\) Regulations 2002](#) amended

This Part amends the [Elections \(Jersey\) Regulations 2002](#).

26 Article 2 (prescribed forms) amended

In Article 2(4), for “Article 24(3)” there is substituted “Article 24(3A)”.

27 Schedule (forms) amended

In the Schedule, in Form 4 (ballot paper) –

- (a) in the heading, for “Article 24(3)” there is substituted “Article 24(3A)”;
- (b) in the last note (indicated by the § symbol), “If the parish is divided into different electoral districts, the name of the district should be inserted below the name of the parish.” is deleted.

PART 3**POLITICAL PARTIES (REGISTRATION) (JERSEY) LAW 2008 AMENDED****28 Political Parties (Registration) (Jersey) Law 2008 amended**

This Part amends the Political Parties (Registration) (Jersey) Law 2008.

29 Article 10 (removal from the register) amended

Article 10(3) is deleted.

PART 4**CITATION AND COMMENCEMENT****30 Citation and commencement**

This Law may be cited as the Elections (Jersey) Amendment Law 202- and comes into force on a day to be specified by the States by Act.