

DRAFT PUBLIC ELECTIONS (JERSEY) LAW 200- (P.132/2001): AMENDMENTS

**Lodged au Greffe on 18th September 2001
by Deputy J.L. Dorey of St. Helier**



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DRAFT PUBLIC ELECTIONS (JERSEY) LAW 200- (P.132/2001): AMENDMENTS

- (1) PAGE 23, ARTICLE 6(1) -
Delete the words “for 1st July 2003,”.
- (2) PAGE 25, ARTICLE 9(1) -
For the word “seven” substitute the figures “28”.
- (3) PAGE 64, ARTICLE 72(2)(b) -
Delete the words “to their maker”.

DEPUTY J. L. DOREY OF ST HELIER

REPORT

The Legislation Committee is to be congratulated on its excellent work in bringing forward a comprehensive new Public Elections Law, which should provide for a much improved electoral process. These amendments are intended to support that reform.

Amendment (1): As drafted, the Law provides for a new register in July 2002 (in time for the autumn elections of that year). I fully agree that this should be the case, since it is clearly desirable that the electoral register should be as up-to-date as possible. In that respect, the provisions in the draft Law to allow amendment/addition to the register up to noon on the day before nomination day are also extremely helpful.

It seems unfortunate, therefore, that Article 6(1) also requires a new register to be produced in 2003 (when there are likely only to be by-elections) and every three years thereafter.

I recognise that Article 7 makes provision for the current register to be amended on an annual basis. Inevitably, however, by the end of three years, the register currently in force will include a good deal of obsolete information, because of deaths and movements. This is likely to be particularly the case in the more heavily populated urban parishes.

Unless and until other changes are made, we can expect major elections to take place in the autumn of 2005 and 2008. As drafted, the Law would ensure that the “base register”, before last-minute changes, would be as out-of-date and as full of obsolete data as possible.

My amendment is designed to ensure that the “base register” in force in an election year will in each case have recently been re-compiled from scratch, and will therefore be as accurate as possible.

Amendment (2): It does not seem to me, on the face of it, that seven days is an adequate period of time within which a person should make an appeal against non-inclusion on the register. It would be quite possible, for example, for a person to happen to be away from the Island throughout this short time. 28 days seems a more reasonable interval.

Amendment (3): Since, in strict terms, it is the States Assembly which is the “maker” of Regulations, the words “to their maker” are unnecessary, and inconsistent with other Laws.

There are no financial or manpower implications for the resources of the States arising from these amendments.