

STATES OF JERSEY



PUBLIC ELECTIONS (EXPENDITURE AND DONATIONS) (JERSEY) LAW 2014: PROPOSED REVIEW (P.7/2019) – AMENDMENT

**Lodged au Greffe on 22nd January 2019
by Deputy J.A. Martin of St. Helier**

STATES GREFFE

PUBLIC ELECTIONS (EXPENDITURE AND DONATIONS) (JERSEY)
LAW 2014: PROPOSED REVIEW (P.7/2019) – AMENDMENT

PAGE 2, PARAGRAPH (1) –

After paragraph (d) insert the following new paragraph (e) –

“(e) ensuring that all candidates make a declaration, even if elected unopposed;”,

and re-letter the remaining paragraphs accordingly.

DEPUTY J.A. MARTIN OF ST. HELIER

Note: After this amendment, the proposition would read as follows –

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

to request the Privileges and Procedures Committee to –

- (1) undertake, as part of its current work responding to the report of the election observers, a review of the Public Elections (Expenditure and Donations) (Jersey) Law 2014 and how it has been implemented, focusing in particular on –
 - (a) introducing a process for confirmation to candidates that a declaration of expenditure has been submitted;
 - (b) introducing a validation process, by which candidates have an opportunity to correct any errors in their declaration;
 - (c) ensuring that candidates are reminded of the deadline for submitting their declaration at least 5 working days before the deadline to do so;
 - (d) extending the ‘reasonable steps’ defence in Article 15 of the Law so that it encompasses illness (mental and physical), bereavement, and absence or incapacity due to medical treatment;
 - (e) ensuring that all candidates make a declaration, even if elected unopposed;
 - (f) introducing a means by which political parties can declare their election costs; and

- (g) assessing the merits of extending the deadline of 15 working days for the submission of expenditure declarations, under Article 6 of the Law; and
- (2) consult on any recommendations arising from this review; and
- (3) bring forward amendments to the Public Elections (Expenditure and Donations) (Jersey) Law 2014 (and other legislation as necessary) to implement any recommendations arising from this review and to amend references within the Law to “election expenses” to “election costs”, in time for such changes to be enacted no later than the end of 2020.

REPORT

All candidates for elections should be treated in the same way for expenses, as some still do pre-election adverts, etc., and so whether they've had a contested election or not, there is still election spend; and this should be dealt with in a transparent way so that the Public are made aware.

Financial and manpower implications

There are no additional financial or manpower implications arising from the adoption of this amendment, as it will be part of the greater review.