

STATES OF JERSEY



AMENDMENT OF THE STANDING ORDERS OF THE STATES OF JERSEY TO PROVIDE FOR POLITICAL PARTIES (P.166/2020): COMMENTS

Presented to the States on 13th January 2021
by the Privileges and Procedures Committee

STATES GREFFE

COMMENTS

As part of the work undertaken by the PPC Sub-Committee to respond to the recommendations made by the Election Observers Mission in 2018, consideration has been given as to how the status of political parties can be framed within the existing legislation, as suggested in Recommendation 9 (that the legal status of a political party should be clearly defined in law).

Drafting instructions are with the Legislative Drafting team at present to bring forward changes to the Public Elections (Jersey) Law 2002, Public Elections (Expenditure and donations) (Jersey) Law 2014 and the Political Parties (Registration) (Jersey) Law 2008 to clarify the position of parties during the election process. This is a complex issue and there has to be a measured approach taken to ensure that any new provisions within Standing Orders maintain equality of power across the Assembly and do not impact either favourably or negatively on any one group of members.

Senator Mézec has most helpfully engaged with the PPC Sub-Committee over the last two years highlighting anomalies such as the lack of provision in regulations governing the declaration of election campaign costs for political parties producing multiple candidate campaign literature and advertising, across different categories of constituency. This is addressed in our latest instructions to the Legislative Drafting team. We are fortunate that expertise and experience in drafting this type of legislation exists within the team and we have already requested that as work progresses any omissions regarding the recognition of political parties are brought to our attention for correction.

We are grateful to the Senator and welcome a continuation of this dialogue.

At one point a desire was expressed to enable political parties to lodge propositions in the name of the party. This has not been progressed as standard parliamentary practice has Public Bills proposed by government ministers and Private Members Bills put forward by other MPs (or Lords in the case of Westminster).

PPC is committed to ensuring that the EOM's recommendations are taken forward, but recognises that the current situation in Jersey, with just one political party declared, care must be taken not to create an imbalance of power. As stated in the PPC Report to P.143/2020, "Any changes in relation to political parties should be considered holistically and with a view to the possibility of there being more parties and more States Members who are party members in future." We will continue to research this issue and will suggest changes to legislation in due course.