

ELECTORAL COMMISSION (P.15/2011) AS ADOPTED AS AMENDED

THE STATES –

- (a) agreed that an independent Electoral Commission should be established in Jersey to investigate and report on all aspects of the composition of the elected membership of the States Assembly and the election and voting processes for such members, with the guiding principles of the Commission's investigation to be –
 - (i) the need to secure the greatest possible acceptance by the public of any new arrangements proposed; and
 - (ii) the need to ensure that the views of the electorate were reflected as effectively and as fairly as possible in the make-up of the States and of the Executive, namely the Chief Minister, Ministers and Assistant Ministers;
- (b) approved the terms of reference of the Electoral Commission as set out in Appendix 1 except that in the said Terms of Reference in Appendix 1 –
 - (i) in paragraph 1, in the fifth bullet point, for the words “The election process” there should be substituted the words “The functions of the electoral process”;
 - (ii) for paragraph 4 there should be substituted the following paragraph –
 - “4. At the conclusion of its investigation, the Electoral Commission shall put forward a complete package of how the elections to the States should operate in Jersey, with this package being capable of commanding the support of the public, and only to desist from this duty if in all conscience it finds itself unable to do so.”;
- (c) requested the Privileges and Procedures Committee, after consultation, to bring forward proposals for debate ahead of the debate on the Annual Business Plan 2012 detailing the proposed composition of the Electoral Commission, its anticipated costs, and how it was to be funded;
- (d) requested the Privileges and Procedures Committee to take the necessary steps to identify, through a process overseen by the Appointments Commission, the proposed membership of the Commission for subsequent approval by the Assembly on a proposition lodged by the Privileges and Procedures Committee;
- (e) agreed that on receiving the recommendations of the Electoral Commission, if the Commission had recommended a package of election reform (excluding such matters as could be classed as administrative

improvements, for example matters pertaining to voter registration), the States should take into consideration the wishes of this Assembly which was that they should put the option to the electorate in a referendum and having followed the procedures laid down in the Referendum (Jersey) Law 2002;

- (f) agreed that the Electoral Commission should be requested to endeavour to complete its work no later than 31st December 2012, subject to additional funding being provided in the Annual Business Plan 2012.