

STATES OF JERSEY



ELECTORAL REGISTRATION: LINK TO POPULATION REGISTER (P.68/2007) - COMMENT

**Presented to the States on 29th June 2007
by the Privileges and Procedures Committee**

STATES GREFFE

COMMENT

The Privileges and Procedures Committee considers that it is a political decision for Members to decide whether they support Deputy Southern's proposal or not but for Members' information the Privileges and Procedures Committee attaches research on other countries. Members will note that registration in other countries is either restricted by nationality or length of residence. Deputy Southern's proposal would therefore be unusual because it would open voting to anyone on the population register irrespective of nationality or length of residence.

Guernsey

A person can have their name included on the Electoral Roll if they are 17 years or over but they cannot vote before they reach 18 years.

They must be ordinarily resident in Guernsey on the date their name is included and must have been a resident for a period of at least 2 years immediately preceding that date or at any time before that date for a period or periods of at least 5 years in total.

United Kingdom

Parliamentary elections

The following can vote provided they are aged 18 or over (an elector can register once they are 16 but cannot vote until their 18th birthday) on polling day –

- British or Commonwealth citizens who are resident in the U.K.;
- Citizens of the Irish Republic who are resident in the U.K.;
- In Northern Ireland, electors must have been resident in Northern Ireland during the whole of the three-month period prior to the relevant date of 15 October;
- British nationals living overseas are entitled to vote for up to 15 years after moving abroad. An overseas voter should register in the constituency covering the address for where they were last registered within the U.K. (someone who has never been registered as an elector in the U.K. is not be eligible to register as an overseas voter unless they left the U.K. before they were 18, providing that they left the country no more than 15 years ago);
- Service/Crown personnel serving in the U.K. or overseas in the armed forces or with Her Majesty's Government;
- Homeless people can register using a declaration of local connection;
- Residents of mental hospitals (provided they are not subject to any legal incapacity to vote) and remand prisoners.

Citizens of E.U. countries other than the U.K. or Irish Republic (or Cyprus or Malta, which are Commonwealth countries as well as E.U. countries) cannot vote in Westminster parliamentary elections, although they can register to vote at local government, devolved legislature and European Parliament elections. Citizens of any other countries are not eligible to register. People who do not have leave to enter or remain in the U.K. may not be included in the electoral register, and consequently are not entitled to vote.

European Parliamentary Elections

The following can vote provided they are aged 18 or over (an elector can register once they are 16 but cannot vote until their 18th birthday) on polling day –

- British or Commonwealth citizens who are resident in the U.K.;
- Citizens of the Irish Republic who are resident in the U.K.;
- Citizens of other European Union (E.U.) countries who are resident in the U.K.;
- In Northern Ireland, electors must have been resident in Northern Ireland during the whole of the three-month period prior to the relevant date of 15 October;

- British nationals living overseas are entitled to vote for up to 15 years after moving abroad. An overseas voter should register in the constituency covering the address for where they were last registered within the U.K. (someone who has never been registered as an elector in the U.K. is not be eligible to register as an overseas voter unless they left the U.K. before they were 18, providing that they left the country no more than 15 years ago);
- Service/Crown personnel serving in the U.K. or overseas in the armed forces or with Her Majesty's Government;
- Homeless people can register using a declaration of local connection;
- Residents of mental hospitals (provided they are not subject to subject to any legal incapacity to vote) and remand prisoners;
- Members of the House of Lords.

Citizens of any other countries are not eligible to register. People who do not have leave to enter or remain in the U.K. may not be included in the electoral register, and consequently are not entitled to vote.

Local government elections

The following can vote provided they are aged 18 or over (an elector can register once they are 16 but cannot vote until their 18th birthday) on polling day –

- British or Commonwealth citizens who are resident in the U.K.;
- Citizens of the Irish Republic who are resident in the U.K.;
- Citizens of other European Union (E.U.) countries who are resident in the U.K.;
- In Northern Ireland, electors must have been resident in Northern Ireland during the whole of the three-month period prior to the relevant date of 15 October;
- Service/Crown personnel serving in the U.K. or overseas in the armed forces or with Her Majesty's Government;
- Homeless people can register using a declaration of local connection;
- Residents of mental hospitals (provided they are not subject to subject to any legal incapacity to vote) and remand prisoners;
- Members of the House of Lords.

Citizens of any other countries are not eligible to register. Overseas electors cannot vote in local elections (although service personnel serving overseas can – see above). People who do not have leave to enter or remain in the U.K. may not be included in the electoral register, and consequently are not entitled to vote.

National Assembly for Wales *and* Scottish Parliament elections

The persons entitled to vote at an election of either the Scottish Parliament or National Assembly for Wales are those who on the day of the poll –

- would be entitled to vote as electors at a local government election in an electoral area wholly or partly included in the Assembly constituency; and
- are registered in the register of local government electors at an address within the Assembly constituency.

That is –

- British or Commonwealth citizens who are resident in the U.K.;
- Citizens of the Irish Republic who are resident in the U.K.;
- Citizens of other European Union (E.U.) countries who are resident in the U.K.;
- Service/Crown personnel serving in the U.K. or overseas in the armed forces or with Her Majesty's Government;
- Homeless people can register using a declaration of local connection;
- Residents of mental hospitals (provided they are not subject to any legal incapacity to vote) and remand prisoners;
- Members of the House of Lords.

as long as they are aged 18 or over on polling day (an elector can register once they are 16 but cannot vote until their 18th birthday).

Citizens of any other countries are not eligible to register. Overseas electors cannot vote in these elections (although service personnel serving overseas can – see above). People who do not have leave to enter or remain in the U.K. may not be included in the electoral register, and consequently are not entitled to vote.

Greater London Authority

The franchise used is the local government franchise. The following can vote provided they are aged 18 or over (an elector can register once they are 16 but cannot vote until their 18th birthday) on polling day –

- British or Commonwealth citizens who are resident in the U.K.;
- Citizens of the Irish Republic who are resident in the U.K.;
- Citizens of other European Union (E.U.) countries who are resident in the U.K.;
- Service/Crown personnel serving overseas in the armed forces or with Her Majesty's Government;
- Homeless people can register using a declaration of local connection;
- Residents of mental hospitals (provided they are not subject to any legal incapacity to vote) and remand prisoners;
- Members of the House of Lords.

Citizens of any other countries are not eligible to register. Overseas electors cannot vote in these elections (although service personnel serving overseas can – see above). People who do not have leave to enter or remain in the U.K. may not be included in the electoral register, and consequently are not entitled to vote.

Isle of Man

The Electoral Register is the only source available to ensure that eligible residents have the opportunity to participate in the democratic processes of the Island. Failure to register will result in the loss of voting rights in all national or local elections and any referendum that may be called during the period the Register is in force. It is important that the forms are completed and returned to ensure your eligibility to vote in any forthcoming local Elections.

Due to recent Legislative changes you are now eligible to be added to the electoral register at any time provided that you fulfil the following criteria –

- be resident at the address stated on the form;
- have been resident for a period of 12 months;

- at any time during the subsequent 12 months have attained the age of 16.

Northern Ireland

Each person must register at the address where he or she is resident if they are –

- A British citizen, Irish citizen, Commonwealth citizen or citizen of a Member State of the European Union;
- Of voting age (18) or will reach voting age whilst the current Register is in force;
- Not subject to any legal incapacity to vote e.g. convicted prisoners.

In addition, each person must have one of the following qualifications –

- Been resident in Northern Ireland during the whole of the previous 3 months; (casual absences may be ignored e.g. on holiday or working abroad for a short period);
or
- made a service declaration which is still in force;
or
- made an overseas citizen's declaration which is still in force;
or
- be a merchant seaman.

Each elector must state any other address within the United Kingdom in respect of which they are, or have applied to be, registered to vote.

You are required by law to register, regardless of whether or not you intend to vote.

Irish Republic

Who is eligible to vote in elections and referenda?

- Irish citizens can vote in every election and referendum;
- British citizens may vote at Dáil, European and local elections;
- Other E.U. citizens may vote at European and local elections;
- Non-E.U. citizens can vote at local elections only.

To be eligible to be included on the Register of Electors, you must –

- be at least 18 years old on the day the Register comes into force (15 February);
- have been ordinarily resident in the State on 1 September in the year preceding the coming into force of the Register.

You are eligible for inclusion in the supplement to the Register of Electors on or after the day on which you reach 18 years of age. You can be included if this birthday falls after the closing date for applications but is on or before polling day. If you are within this category, you should accompany your application with a copy of your birth certificate.

Students living away from home while attending college have the choice of being registered at either their home address or their student residential address.

United States of America

Residency Requirements for Voting

The Supreme Court decision of March 21, 1972, declared lengthy requirements for voting in state and local elections unconstitutional and suggested that 30 days was an ample period. Most of the states have changed or eliminated their durational residency requirements to comply with the ruling, as shown.

Note, for all states, in order to register to vote, an applicant must be a U.S. citizen, a legal resident of the state, and 18 years old on or before election day. Additionally, most states do not permit an individual to vote if he or she is a convicted felon currently serving time in prison or has been declared mentally incompetent by a court of law.

State	Residency requirement
Alabama	No durational residency requirement. 10-day registration requirement. In-person registration by 5 P.M., 11 days before election date.
Alaska	30-day registration requirement.
Arizona	29-day registration requirement.
Arkansas	No durational residency requirement. 30-day registration requirement.
California	15-day registration requirement.
Colorado	30-day residency requirement. 29-day registration requirement.
Connecticut	No durational residency requirement. Registration deadline 14th day before election by mail, 7 days in person; registration and party enrollment deadline by 12 noon the day before primary in person, 5 days by mail.
Delaware	No durational residency requirement. 20-day registration requirement.
District of Columbia	No durational residency requirement. 30-day registration requirement.
Florida	No durational residency requirement. 29-day registration requirement before national election; 29-day registration requirement before first and second state primary.
Georgia	No durational residency requirement. 30-day registration requirement.
Hawaii	No durational residency requirement. 30-day registration requirement.
Idaho	30-day residency requirement. May register 25 days prior to any election with County Clerk. Individual may also register on election day at polling place.
Illinois	30-day residency requirement. 27-day registration requirement.
Indiana	30-day residency requirement. 29-day registration requirement.
Iowa	No durational residency requirement. 10-day registration requirement. In-person registration by 5 P.M., 11 days before election date, 10 days for statewide primary and general elections.
Kansas	15-day registration requirement.
Kentucky	28-day residency requirement.
Louisiana	No durational residency requirement. 30-day registration requirement.
Maine	No durational residency requirement.
Maryland	No durational residency requirement.
Massachusetts	No durational residency requirement. 20-day registration requirement.
Michigan	30-day residency requirement.
Minnesota	Permits registration and voting on election day with approved ID; 20-day residency requirement.
Mississippi	30-day residency requirement. 30-day registration requirement.

No durational residency requirement. Must be registered by the fourth Wednesday prior to election.

Missouri	
Montana	30-day residency requirement. 30-day registration requirement.
Nebraska	No durational residency requirement. Registration deadline is third Friday prior to election.
Nevada	30-day residency requirement. 30-day registration requirement.
New Hampshire	No durational residency requirement. 10-day registration requirement. Individual may also register on election day at polling place.
New Jersey	30-day residency requirement. 29-day registration requirement.
New Mexico	No durational residency requirement. 28-day registration requirement.
New York	30-day residency requirement.
North Carolina	30-day residency requirement. 25-day registration requirement.
North Dakota	No voter registration. 30-day residency requirement to vote in election.
Ohio	30-day residency requirement. 30-day registration requirement.
Oklahoma	No durational residency requirement. 25-day registration requirement.
Oregon	Must register by close of business day of registering agencies (which varies), 21st day before the election.
Pennsylvania	30-day residency requirement. 30-day registration requirement.
Rhode Island	No durational residency requirement. 30-day registration requirement.
South Carolina	No durational residency requirement. Registration certificate not valid for 30 days, but if you move within the state you can vote in old precinct during the 30 days.
South Dakota	No durational residency requirement. 15-day registration requirement.
Tennessee	No durational residency requirement. 30-day registration requirement.
	No durational residency requirement. 30-day registration requirement.

Texas	
Utah	30-day residency requirement. 15th and 18th day before election registration in person. Postmarked 30 days before election if registering by mail.
Vermont	Administrative cut-off date for processing registration applications is second Saturday before the election, by 12 noon.
Virginia	No durational residency requirement. 29-day registration requirement.
Washington	30-day residency requirement. 30-day registration requirement. Individual may also register in person no later than 15 days before election.
West Virginia	No durational residency requirement. 21-day registration requirement.
Wisconsin	10-day residency requirement. Individual may also register on election day at polling place.
Wyoming	No durational residency requirement. 30-day registration requirement. Individual may also register on election day at polling place.

Canada

Who is entitled to vote?

You are entitled to vote in federal elections and referendums if you are a Canadian citizen, and will be 18 or older on polling day.

If you are an elector (a person who is eligible to vote) and have been living away from Canada for less than 5 consecutive years since your last visit home, you are eligible to vote under the Special Voting Rules.

Incarcerated electors who are serving a prison sentence in a Canadian correctional institution, have the right to vote in federal elections and referendums.

A Permanent Resident in Canada is someone who is not a Canadian citizen and who has been granted permission to live and work in Canada without any time limit on his or her stay. A permanent resident must live in Canada for 2 years out of every 5 or risk losing that status. Time spent outside of Canada accompanying a Canadian citizen spouse is counted as time in Canada.

A Permanent Resident holds many of the same rights and responsibilities as a Canadian citizen, the biggest exceptions being that permanent residents cannot vote in Canadian elections run for elected office, hold Canadian passports, or work in government jobs. Permanent residents may apply for Canadian citizenship after 3 years in Canada, however this is not a mandatory requirement.

New Zealand

Who is eligible to enrol?

Basically, you are qualified to enrol if –

- you are 18 years or older. (You can provisionally enrol at 17 years of age. This means that when you turn 18 your name will automatically go onto the electoral roll.);
- you are a New Zealand citizen or permanent resident; and
- you have lived in New Zealand for one year or more without leaving the country.

If you are a permanent resident and have lived in New Zealand for at least 12 months, you are eligible to vote in the local body and national elections. A permanent resident is someone who has not taken up citizenship but who is entitled by law to live permanently in New Zealand. If you have to leave the country by a set date you are not a

permanent resident for electoral purposes. This includes people who have student or visitor permits.

If you are a New Zealand citizen you can be out of the country for 3 years continuously before you are no longer eligible to vote. If you are a permanent resident, the period is only one year. If you come back to New Zealand during this time your 3 years (or one year if you are a permanent resident) starts again.

You are required by law to enrol to be registered on the Parliamentary Electoral Roll. However, voting is not compulsory in New Zealand.

Australia

Who is eligible to enrol?

An electoral roll is where you have to enroll in order to vote in Federal, State and Local Government Elections. Eligible to enroll in the Australian electoral roll is any person who –

- Is 18 years old and over;
- an Australian citizen;
- was a British subject on a Commonwealth electoral roll as of January 25, 1984;
- has resided for at least one month at their current address (or within the division).

If a person is 17 years old and an Australian citizen, they may enrol but are not entitled to vote until they turn 18. If you will turn 18 years old between the announcement of the election (date of the writ) and polling day and have not already applied for provisional enrolment, you have until close of rolls to apply for enrolment.

A person who expects to become an Australian citizen between the date of the writ and polling day and is not already enrolled will have until close of rolls to apply for provisional enrolment. Their enrolment will be confirmed once they have provided evidence that they have been granted citizenship.

France

Voters must be French citizens over the age of 18 and registered on the electoral rolls. For municipal and European elections, citizens aged 18 or older of other European Union countries may vote in France. Registration is not compulsory, but the absence of registration precludes the possibility of voting. Currently, all youths reaching the age of 18 are automatically registered.

Citizens may register either in their place of residence or in a place where they have been on the roll of taxpayers for local taxes for at least 5 years. A citizen may not be legally registered in more than one place. Citizens living abroad may register at the consulate responsible for the region in which they live.