

STATES OF JERSEY



PUBLIC ELECTIONS (EXPENDITURE AND DONATIONS) (JERSEY) LAW 2014: PROPOSED AMENDMENTS

**Lodged au Greffe on 18th January 2019
by Deputy J.H. Young of St. Brelade**

STATES GREFFE

PROPOSITION

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

to request the Privileges and Procedures Committee to bring forward for debate the necessary legislative changes to the Public Elections (Expenditure and Donations) (Jersey) Law 2014 to require the publication of candidates' statutory declarations of election expenses on an appropriate public website after the expiry of the statutory period for such declarations, providing sufficient detail of the expenses declared.

DEPUTY J.H. YOUNG OF ST. BRELADE

REPORT

During the 2018 elections, I was asked by electors to improve the election expenses declaration process by publication of these declarations on the States Assembly website. During the election, I made a commitment to bring forward this improvement to the Law. Having sent this draft proposition to the Privileges and Procedures Committee on 10th October 2018 and still awaiting comments from that Committee, recent events have demonstrated, beyond any doubt, why this change is needed and why it requires urgent action.

I need only to summarise the key requirements. Under the [Public Elections \(Expenditure and Donations\) \(Jersey\) Law 2014](#), a strict limit is set for candidates' election expenses at each election. All candidates are required to make a declaration of expenses incurred after Election Day. The declarations are to be submitted to the Judicial Greffe within the time limit, and are required to be available for public inspection. In practice this arrangement is unsatisfactory: it requires members of the Public to make an appointment to inspect the declarations, and there is inadequate ongoing scrutiny of them. Recent events have shown the consequences of this unsatisfactory system. I believe publication of the candidates' declarations on the States Assembly website would subject the declarations to the discipline of public scrutiny.

Having myself stood as a senatorial candidate in the 2014 elections, I also noted significant differences between candidates on the level of their apparent spending during the campaign. Being interested to enquire whether there was any correlation between candidates' spending and the outcome of the election in particular, I tested this arrangement by inspecting the records myself.

At the time of my visit to the Judicial Greffe, I noticed that not all candidates had submitted a return by the due date, and that there was a wide variation in the information provided by candidates. Most provided some detailed breakdown of costs, and one disclosed a total figure only, without providing any breakdown of costs, which I consider unsatisfactory. The level of information provided needs to be adequate for a reasonability check.

My proposal improves transparency and openness of election expenses, and does seem a very uncontentious change. My bringing it to the States will enable PPC to include it in their review of the Public Elections (Expenditure and Donations) (Jersey) Law 2014 in time for the next elections.

Financial and manpower implications

There are no financial or manpower implications for the States arising from this proposition.