

# STATES OF JERSEY



## **PUBLIC ELECTIONS (EXPENDITURE AND DONATIONS) (JERSEY) LAW 2014: PROPOSED REVIEW**

---

**Lodged au Greffe on 18th January 2019  
by Deputy J.M. Maçon of St. Saviour**

---

**STATES GREFFE**

## PROPOSITION

**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) introducing a means by which political parties can declare their election costs; and
  - (f) 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.

DEPUTY J.M. MAÇON OF ST. SAVIOUR

## **REPORT**

Given the circumstances that Members will be aware of, it is clear that the process surrounding the way in which the declarations of candidates' election expenses/costs are made, needs to be improved.

I've outlined the backbone process of how this could be done, and provide greater clarity what defences candidates may have, as well as increased opportunities for candidates to address any error that may occur, i.e. the wrong date on a form, or something in the wrong box.

The term "election expenses" through the media conjures a different image in the public imagination, rather than the reality of candidates funding their own campaigns at their own cost, bar the contribution of vote.je. This term, therefore, should also be changed.

I welcome amendments from other States Members if they feel anything else could improve the process.

### **Financial and manpower implications**

PPC already has the Public Elections Law to look at and amend, as so I feel this work can be absorbed into that work-stream at no additional cost.