

STATES OF JERSEY



Jersey

DRAFT CONSTITUTION OF THE STATES AND PUBLIC ELECTIONS (JERSEY) LAW 202-

Lodged au Greffe on 8th March 2021
by the Privileges and Procedures Committee
Earliest date for debate: 20th April 2021

STATES GREFFE



Jersey

DRAFT CONSTITUTION OF THE STATES AND PUBLIC ELECTIONS (JERSEY) LAW 202-

European Convention on Human Rights

In accordance with the provisions of Article 16 of the Human Rights (Jersey) Law 2000, the Chair of the Privileges and Procedures Committee has made the following statement –

In the view of the Chair of the Privileges and Procedures Committee, the provisions of the Draft Constitution of the States and Public Elections (Jersey) Law 202- are compatible with the Convention Rights.

Signed: **Deputy C.S. Alves of St. Helier**
Chair, Privileges and Procedures Committee

Dated: 8th March 2021

REPORT

In December 2020, the Assembly adopted [P.139/2020](#) “Composition and Election of the States: proposed changes” and, in so doing, agreed proposals which will allow progress to finally be made in the delivery of a fairer, better, simpler, more inviting elections for candidate and voter alike.

These legislative changes implement paragraph (a) of P.139/2020, namely to establish an Assembly of 49 Members, 37 elected from 9 new districts of comparable population size, plus the 12 Parish Connétables.

The Privileges and Procedures Committee (“PPC”) has resolved to bring this to the Assembly in 2 tranches. Drafting and consultation is ongoing to make all of the necessary changes to the various pieces of legislation which underpin the election system stemming from paragraphs (b), (c) and (d) of P.139/2020, but the revisions to the constitution contained within this proposition are fundamental to those other legislative changes which will be debated in the next few months. Approval of this first tranche of amendments will enact the electoral reform agreed in December 2020.

The other change we feel it is necessary to embed in this first tranche, is to move the date of the next election back by a month into June 2022. The elections in 2018 were the first to be held in the Spring. The Committee has listened to feedback from the public and Parishes regarding the suitability of mid-May as our General election day. The impact of Easter, the May Bank Holiday and, of course, Liberation Day made the election period particularly difficult in 2018 on a practical level, and the Committee suggests that a shift to June will not only provide for an uninterrupted 5 week run between nomination night and election day, but will allow for there to be a discreet proroguing period, as agreed by this Assembly when it adopted Deputy J.M. Maçon of St. Saviour’s proposition [P.88/2018](#) (‘States of Jersey elections: pre-election procedures for States meetings and the lodging of propositions’) without adversely compacting the workplan of the outgoing Assembly. In the future, we propose that the date of the election will be brought forward by PPC for consideration by the Assembly a year beforehand.

The announcement of nominations and commencement of the election campaign will occur after May 9th and the entire election process up to and including the appointment of Chief Minister, Ministers, Scrutiny Chairs and other Chairs will be concluded by the time the States would normally stand adjourned for the summer recess on or around the third week of July.

This legislation is also a direct response to [P.126/2019](#) (“Electoral Reform 2020”), and the agreement of the Assembly on the 10th March 2020, “that fair representation and equality in voting weight and power across the whole population should be the basis for any reform of the composition and election of the States” and keeps us on course to enact changes to our electoral system no later than 12 months before the date of the next election, in line with international standards on best practice.

Whilst the Committee’s aim is to see an increase in voter turnout in 2022, it does not wish for the proposed changes to cause confusion or undue disruption to the existing electoral processes. It is envisaged that the polling stations for the majority of Islanders will remain the same and that those Parishes joining together as one district for electoral purposes will continue to run their polling stations as separate entities, each responsible for their count and its announcement on election night. The one exception to this will be St. Helier’s North and Central districts, where alterations to the composition of those districts may require polling stations to be relocated.

Financial and manpower implications

There are no direct financial or manpower implications associated with the implementation of this Draft Law.

Human Rights

The notes on the human rights aspects of the draft Law in the **Appendix** have been prepared by the Law Officers' Department and are included for the information of States Members. They are not, and should not be taken as, legal advice.

APPENDIX TO REPORT**Human Rights Notes on the Draft Constitution of the States and Public Elections (Jersey) Law 202-**

These Notes have been prepared in respect of the Draft Constitution of the States and Public Elections (Jersey) Law 202- (the “**draft Law**”) by the Law Officers’ Department. They summarise the principal human rights issues arising from the contents of the draft Law and explain why, in the Law Officers’ opinion, the draft Law is compatible with the European Convention on Human Rights (the “**ECHR**”).

These notes are included for the information of States Members. They are not, and should not be taken as, legal advice.

Article 3 of the First Protocol to the ECHR (“**A3P1**”) relates to the right to free elections. A3P1 provides that:

“The High Contracting Parties undertake to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature”.

The features of A3P1 are thus that there must be a free election by secret ballot and that elections must be held at reasonable intervals. Within these parameters, each jurisdiction has a broad margin of appreciation in the organisation of elections to its legislature. The European Court of Human Rights has established that A3P1 also implies individual rights, comprising the right to vote and the right to stand for election.

The draft Law does not alter a person’s eligibility to be an elector in Jersey or to stand for electoral office, albeit that the available offices will be different. Although the draft Law provides for a change in the constitution of the States and for a change in the constituencies and the number of members of the States for which each individual elector in Jersey may cast his or her ballot in the election in 2022 and in elections thereafter, the vote of each such elector will have the possibility of affecting the composition of the States and this will comply with Jersey’s obligations under A3P1.

The fixing by the draft Law of the date of the next election for Deputies and Connétables for 22nd June 2022 rather than 18th May 2022 (as is currently contemplated by the [States of Jersey Law 2005](#), the [Connétables \(Jersey\) Law 2008](#) and the [Public Elections \(Jersey\) Law 2002](#)) is permitted under A3P1 as providing a reasonable interval from 16th May 2018 when the present States Assembly was elected.

The provision of the draft Law for each ordinary election for Deputies and for Connétables to be held in the fourth calendar year following that in which the previous election was held would also be a reasonable interval for the purposes of A3P1.

EXPLANATORY NOTE

The draft Constitution of the States and Public Elections (Jersey) Law 202- (the “Law”) if passed would amend the constitution of the States Assembly by removing Senators and increasing the number of Deputies, with effect from 22nd June 2022. It would also replace the current Schedule of Deputies’ constituencies. The Law would provide for the next ordinary election of Deputies and Connétables to be held on 22nd June 2022, with subsequent ordinary elections to take place every 4 years after that. The Law would make related changes to the provisions for the term of office for both Deputies and Connétables.

Part 1 (Article 1) of the Law makes provision relating to the constitution of the States Assembly.

Article 1 amends Article 2 of the States of Jersey Law 2005 (the “2005 Law”), which makes provision for the membership of the States Assembly. The amendment removes the reference to the 8 Senators and provides for the number of Deputies to be increased from 29 to 37. This amendment comes into force on 22nd June 2022, the day fixed by the Law for the next ordinary election. Article 1 also substitutes Schedule 1 to the 2005 Law, replacing the current list of Deputies’ constituencies and specifying the number of Deputies to be elected in respect of each constituency.

Part 2 (Articles 2 to 4) makes provision about ordinary elections for, and the term of office of, Deputies.

Article 2 provides that Part 2 amends the 2005 Law.

Article 3 substitutes Article 5 of the 2005 Law. The new Article 5 provides that the term of office begins with the day on which the person elected as Deputy takes the oath of that office and ends with the day of the next ordinary election or the Deputy’s earlier resignation.

Article 4 substitutes Article 6 of the 2005 Law. The new Article 6 provides that the next ordinary election for Deputies will take place on 22nd June 2022, and that subsequent ordinary elections will take place every 4 years. The new Article 6(3) provides that the States may by Act appoint the date in an election year on which the election is to be held.

Part 3 (Articles 5 to 7) makes provision about ordinary elections for, and the term of office of, Connétables.

Article 5 amends Article 1 of the Connétables (Jersey) Law 2008 (the “2008 Law”) to provide that the term of office of a Connétable begins with the day on which the person elected takes the oath of that office.

Article 6 substitutes Article 2 of the 2008 Law. The new Article 2 provides that the next ordinary election for Connétables will take place on 22nd June 2022, and that subsequent ordinary elections will take place every 4 years. The new Article 2(3) provides that the States may by Act appoint the date in an election year on which the election is to be held.

Article 7 amends Article 21 of the States of Jersey Law 2005. Article 21(3) of that Law provides that a Minister ceases to hold office in certain circumstances, including upon ceasing to be an elected member. Article 21(3) provides that, for the purposes of that provision, a Minister who is a Connétable is to be treated as ceasing to be an elected member on the day on which an ordinary election for Connétables is held. (This does not alter the fact that a Connétable may in fact cease to be an elected member, and therefore cease to hold Ministerial office, in other circumstances.) The same result is

achieved in relation to Ministers who are Deputies by the substituted term of office provision in Article 5 of the States of Jersey Law 2005.

Part 4 (Articles 8 and 9) makes provision in connection with minor and consequential amendments, citation and commencement.

Article 8 introduces Schedule 2, which makes minor and consequential amendments. It also includes a power for the States to make further consequential, incidental, supplementary or transitional provision by Regulations.

Article 9 specifies the title of the Law and makes provision about commencement. Article 9(2) lists the provisions that will come into force on 22nd June 2022, the day fixed by the Law for the next ordinary election. Article 9(3) lists the provisions that will come into force on 22nd December 2021, after which the existing legislation would not allow for a vacancy in the office of Senator or Deputy to be filled by a by-election. Article 9(4) provides that the other provisions of the Law will come into force 7 days after the Law is registered.

Schedule 1 contains the replacement Schedule 1 to the 2005 Law, specifying the Deputies' constituencies.

Schedule 2 makes minor and consequential amendments to the Public Elections (Jersey) Law 2002 (the "2002 Law"), the 2005 Law, the 2008 Law and other legislation. The amendments to the 2002 Law include inserting a new definition of "electoral district" so as to preserve the current electoral districts within the parishes of St. Saviour and St. Brelade and provide for each parish within a multi-parish constituency to continue to be a separate electoral district for the purposes of that Law. Amendments made by *Schedule 2* remove references to Senators and make other changes that are consequential on Parts 1 to 3 of the Law, as well as making other related minor changes to electoral legislation. They also provide for the removal of spent transitional provisions from the 2005 Law and the 2008 Law.



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DRAFT CONSTITUTION OF THE STATES AND PUBLIC ELECTIONS (JERSEY) LAW 202-

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DRAFT CONSTITUTION OF THE STATES AND PUBLIC ELECTIONS (JERSEY) LAW 202-

A **LAW** to amend the constitution of the States and make provision about the election of Deputies and Connétables, and for connected purposes.

<i>Adopted by the States</i>	<i>[date to be inserted]</i>
<i>Sanctioned by Order of Her Majesty in Council</i>	<i>[date to be inserted]</i>
<i>Registered by the Royal Court</i>	<i>[date to be inserted]</i>
<i>Coming into force</i>	<i>[date to be inserted]</i>

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following Law –

PART 1

CONSTITUTION OF THE STATES

1 Constitution of the States

- (1) This Article amends the States of Jersey Law 2005¹.
- (2) In Article 2(1) (constitution of the States) –
 - (a) “8 Senators, elected as provided by this Law;” is deleted;
 - (b) for “29 Deputies” there is substituted “37 Deputies”.
- (3) For Schedule 1 (Deputies’ constituencies) there is substituted the Schedule contained in Schedule 1 to this Law.

PART 2

ELECTION OF DEPUTIES: STATES OF JERSEY LAW 2005 AMENDED

2 States of Jersey Law 2005 amended

This Part amends the States of Jersey Law 2005².

3 Term of office

For Article 5 (term of office of Senators and Deputies) there is substituted –

“5 Term of office

The term of office of a Deputy –

- (a) begins with the day on which the person elected as Deputy takes the oath of that office; and
- (b) ends with the earlier of –
 - (i) the day on which the next ordinary election for Deputies is held, or
 - (ii) the resignation of the Deputy in accordance with Article 12.”.

4 Ordinary elections

For Article 6 (ordinary elections for Senators and Deputies) there is substituted –

“6 Ordinary elections for Deputies

- (1) An ordinary election for Deputies is to be held on 22nd June 2022.
- (2) A subsequent ordinary election for Deputies is to be held in the fourth calendar year (an “election year”) following that in which the previous ordinary election was held.
- (3) The States may by Act appoint the date in an election year on which the ordinary election is to be held.”.

PART 3

ELECTION OF CONNÉTABLES

5 Term of office

For Article 1(1) of the Connétables (Jersey) Law 2008³ there is substituted –

- “(1) The term of office of a Connétable begins with the day on which the person elected as Connétable takes the oath of that office.”.

6 Ordinary elections

For Article 2 of the Connétables (Jersey) Law 2008⁴ there is substituted –

“2 Ordinary elections for Connétables

- (1) An ordinary election for Connétables is to be held on 22nd June 2022.

- (2) A subsequent ordinary election for Connétables is to be held in the fourth calendar year (an “election year”) following that in which the previous ordinary election was held.
- (3) The States may by Act appoint the date in an election year on which the ordinary election is to be held.”.

7 Term of office of Ministers

In Article 21 of the States of Jersey Law 2005⁵ (term of office and dismissal of Ministers), after paragraph (3) there is inserted –

- “(3A) For the purposes of paragraph (3)(b), a Connétable is to be treated as ceasing to be an elected member on the day on which an ordinary election for Connétables is held.”.

PART 4

OTHER AMENDMENTS, CITATION AND COMMENCEMENT

8 Minor and consequential amendments

- (1) Schedule 2 contains minor and consequential amendments.
- (2) The States may by Regulations make consequential, incidental, supplementary or transitional provision in connection with any provision of this Law.
- (3) The power to make Regulations under paragraph (2) includes the power to amend, repeal or otherwise modify the application of any enactment.

9 Citation and commencement

- (1) This Law may be cited as the Constitution of the States and Public Elections (Jersey) Law 202-.
- (2) The following provisions of this Law come into force on 22nd June 2022 –
 - (a) Article 1(2);
 - (b) in Part 1 of Schedule 2, paragraphs 15 to 21;
 - (c) in Part 2 of Schedule 2, paragraphs 2 to 4, paragraph 7 and paragraphs 9 to 11, 13 and 14;
 - (d) in Part 6 of Schedule 2, paragraphs 3 and 5.
- (3) The following provisions of this Law come into force on 22nd December 2021 –
 - (a) Article 1(1) and (3);
 - (b) Schedule 1;
 - (c) in Part 1 of Schedule 2, paragraphs 1 to 14;
 - (d) in Part 2 of Schedule 2, paragraphs 6 and 8;
 - (e) Part 4 of Schedule 2;
 - (f) Part 5 of Schedule 2;

- (g) in Part 6 of Schedule 2, paragraphs 1 and 2.
- (4) The other provisions of this Law come into force 7 days after the Law is registered.

SCHEDULE 1

(Article 1(3))

SCHEDULE 1 TO THE STATES OF JERSEY LAW 2005 SUBSTITUTED**“SCHEDULE 1**

(Article 4(2))

DEPUTIES’ CONSTITUENCIES

Constituencies	Number of Deputies to be returned
St. Helier South Canton de Bas de la Vingtaine de la Ville, St. Helier Canton de Haut de la Vingtaine de la Ville, St. Helier	4
St. Helier Central Vingtaine de Rouge Bouillon, St. Helier Canton de Bas de la Vingtaine du Mont au Prêtre, St. Helier	5
St. Helier North Vingtaine du Mont Cochon, St. Helier Vingtaine du Mont à l’Abbé, St. Helier Canton du Haut de la Vingtaine du Mont au Prêtre, St. Helier	4
St. Saviour Parish of St. Saviour	5
St. Clement Parish of St. Clement	4
St. Brelade Parish of St. Brelade	4
St. Mary, St. Ouen and St. Peter Parish of St. Mary Parish of St. Ouen Parish of St. Peter	4
St. John, St. Lawrence and Trinity Parish of St. John Parish of St. Lawrence Parish of Trinity	4
Grouville and St. Martin Parish of Grouville Parish of St. Martin	3”

SCHEDULE 2

(Article 8)

MINOR AND CONSEQUENTIAL AMENDMENTS**PART 1****PUBLIC ELECTIONS (JERSEY) LAW 2002****1 Public Elections (Jersey) Law 2002 amended**

This Part amends the Public Elections (Jersey) Law 2002⁶.

2 Article 1 (interpretation) amended

- (1) Article 1 is amended as follows.
- (2) In paragraph (a) of the definition “constituency”, “a Senator or” is deleted.
- (3) For the definition “electoral district” there is substituted –
“ “electoral district” has the meaning given by Article 1A.”.
- (4) In the definition “public election”, “Senator or” is deleted.

3 Article 1A (electoral districts) inserted

After Article 1 there is inserted –

“1A Electoral districts

- (1) In relation to an election of a Deputy or Connétable, “electoral district” means –
 - (a) in the Deputies’ constituency of St. Saviour, each of –
 - (i) Vingtaine de la Petite Longueville,
 - (ii) Vingtaine de Sous l’Eglise,
 - (iii) Vingtaines de Maufant, de Sous la Hougue, des Pigneaux and de la Grande Longueville;
 - (b) in the Deputies’ constituency of St. Brelade, each of –
 - (i) Vingtaines de Noirmont and du Coin,
 - (ii) Vingtaines de Quennevais and de la Moye;
 - (c) in any other Deputies’ constituency –
 - (i) where the constituency comprises a single parish, that parish,
 - (ii) where the constituency comprises more than one parish, each of those parishes,
 - (iii) in any other case, the part of the parish which comprises the constituency.

- (2) In relation to an election of a Centenier or Procureur du Bien Public of a parish, the “electoral district” is the parish.”.

4 Article 2 (entitlement to vote) amended

- (1) Article 2 is amended as follows.
- (2) In paragraph (1), for “an electoral district within the parish” there is substituted “the electoral district that corresponds to the parish”.
- (3) In paragraph (1A) –
 - (a) for “the electoral register for an electoral district within the parish” there is substituted “the electoral register for an electoral district which is within, or is the area comprising, the parish”;
 - (b) for “in force for the election for an electoral district within the parish” there is substituted “in force for the election for the electoral district”.
- (4) In paragraph (2) –
 - (a) for “one or more Deputies of an electoral district” there is substituted “Deputies for a constituency”;
 - (b) for “the electoral register for the electoral district” there is substituted “the electoral register for an electoral district which is within, or is the area comprising, the constituency”.
- (5) Paragraph (3) is deleted.
- (6) In paragraph (3A), for “paragraphs (1) to (3)” there is substituted “paragraphs (1), (1A) and (2)”.

5 Article 9A (supplementary electoral registers for elections of Senators, Deputies and Connétables) amended

- (1) Article 9A is amended as follows.
- (2) In the heading, “Senators,” is deleted.
- (3) In paragraph (1) –
 - (a) for “Senators, Deputies and Connétables” there is substituted “Deputies or Connétables”;
 - (b) after “the parish” there is inserted “which is, or part of which is, the electoral district”.

6 Article 12 (electoral register in force for an election) amended

In Article 12(1), for “within” there is substituted “which is, or is within,”.

7 Article 15 (cost of election) amended

- (1) Article 15 is amended as follows.
- (2) In paragraph (1), for “paragraphs (2) and (3) provide” there is substituted “paragraph (3) provides”.
- (3) Paragraph (2) is deleted.

8 Article 17 (order for election) amended

- (1) Article 17 is amended as follows.
- (2) At the beginning of paragraph (2)(a) there is inserted “subject to paragraph (2AA)(a),”.
- (3) In paragraph (2)(d), for “*Autorisé*” there is substituted “principal *Autorisé*”.
- (4) After paragraph (2) there is inserted –
 - “(2AA) In the case of an order in respect of an election under Article 6 of the States of Jersey Law 2005⁷ (ordinary elections for Deputies) or Article 2 of the Connétables (Jersey) Law 2008⁸ (ordinary elections for Connétables) –
 - (a) paragraph (2)(a) does not apply where the date of the public election has been appointed by the States by Act under those provisions;
 - (b) the date fixed under paragraph (2)(c) must be within the period of 14 days beginning with the day of the election.”.
- (5) In paragraph (2B) –
 - (a) “, and the constituency is a parish,” is deleted;
 - (b) “in the parish” is deleted.
- (6) Paragraph (2C) is deleted.
- (7) In paragraph (3A), “or (2C)” is deleted.
- (8) In paragraph (4), after “paragraph (3)” insert “, or a designation under paragraph (3A),”.

9 Article 17A (electoral administrator for parish) amended

In Article 17A(2), in the words before paragraph (a), “or of a Senator,” is deleted.

10 Article 18 (nomination of candidates) amended

- (1) Article 18 is amended as follows.
- (2) In paragraph (1), for “(1A), (2) or (3)” there is substituted “(1A) or (2)”.
- (3) In paragraph (2), “Senators,” is deleted.

11 Article 19 (holding of nomination meeting) amended

- (1) Article 19 is amended as follows.
- (2) In paragraph (1), for “(1A), (2) or (3)” there is substituted “(1A) or (2)”.
- (3) Paragraph (3)(a) is deleted.
- (4) In paragraph (3), before sub-paragraph (b) there is inserted –
 - “(aa) in the case of an election of a Deputy for a constituency comprising a parish, or parts of a parish, by the Connétable of the parish;
 - (ab) in the case of an election of a Deputy for a constituency comprising 2 or more parishes, by the Connétable of one of those parishes (to be determined by agreement between the

Connétables of the parishes comprising the constituency);
or”.

- (5) In paragraph (3)(b), for “, Procureur du Bien Public or Deputy” there is substituted “or Procureur du Bien Public”.
- (6) Paragraph (3A) is deleted.

12 Article 20 (procedure at nomination meeting)

- (1) Article 20 is amended as follows.
- (2) In each of the following provisions, for “(1A), (2) or (3)” there is substituted “(1A) or (2)” –
 - (a) paragraph (2);
 - (b) paragraph (2A)(b);
 - (c) paragraph (4).
- (3) In paragraph (4A), “Senator,” is deleted.

13 Article 24 (ballot papers) amended

- (1) Article 24 is amended as follows.
- (2) Paragraphs (1) and (2) are deleted.
- (3) In paragraph (3A)(aa), “, Senator” is deleted.

14 Article 47 (designation of counting stations) amended

- (1) Article 47 is amended as follows.
- (2) In paragraph (3) “and the constituency is a parish,” is deleted.
- (3) Paragraph (4) is deleted.
- (4) For paragraph (5) there is substituted –

“(5) Before making a designation under paragraph (2), the principal *Autorisé* must consult the electoral administrator for the parish which is, or part of which is, the electoral district.

(5A) Before making a designation under paragraph (3), the principal *Autorisé* must consult –

 - (a) the electoral administrator for each parish which, together with one or more other parishes, comprises the constituency; and
 - (b) the *Autorisés* for each of the other electoral districts in the constituency.”.
 - (5) In each of paragraphs (6) and (7), for “paragraph (2), (3) or (4)” there is substituted “paragraph (2) or (3)”.

15 Article 52 (result in election for one or more Senators) deleted

Article 52 is deleted.

16 Article 52A (result in other public elections) amended

- (1) Article 52A is amended as follows.
- (2) In the heading, “other” is deleted.
- (3) Paragraph (1) is deleted.
- (4) In paragraph (2), for “an election” there is substituted “a public election”.

17 Article 52AA (recounts) amended

- (1) Article 52AA is amended as follows.
- (2) Paragraphs (2) and (3) are deleted.
- (3) In paragraph (4), for “any other public election” there is substituted “a public election”.
- (4) In paragraph (5), for “Neither the Judicial Greffier nor a principal *Autorisé* is required” there is substituted “A principal *Autorisé* is not required”.

18 Article 52B (procedure for recount in election for one or more Senators) deleted

Article 52B is deleted.

19 Article 52C (procedure for recount by *Autorisé*) amended

- (1) Article 52C is amended as follows.
- (2) In the heading “by *Autorisé*” is deleted.
- (3) Paragraph (1)(a) is deleted.
- (4) After paragraph (1) there is inserted –
“(1A) An *Autorisé* and his or her *Adjoints* must comply with any request made by the principal *Autorisé* for assistance in conducting a recount in the electoral district for which the *Autorisé* was appointed.”.

20 Article 53 (completion of return and delivery of papers) amended

- (1) Article 53 is amended as follows.
- (2) In paragraph (1) for “Each principal *Autorisé* for an election for one or more Senators, or the principal *Autorisé* for any other public election,” there is substituted “The principal *Autorisé* for a public election”.
- (3) In each of paragraphs (2), (3) and (4), the words “Subject to paragraph (5),” are deleted.
- (4) Paragraph (5) is deleted.

21 Article 58 (procedure) amended

In Article 58(1)(b) –

- (a) “within 6 weeks after the date of the order where the election has been for Senator, and” is deleted;

(b) “in the case of any other election” is deleted.

PART 2

STATES OF JERSEY LAW 2005

1 States of Jersey Law 2005 amended

This Part amends the States of Jersey Law 2005⁹.

2 Article 1 (interpretation) amended

In Article 1, in the definition “elected member”, “Senator,” is deleted.

3 New Part 2A (election of Deputies)

After Article 3, there is inserted –

“PART 2A

ELECTION OF DEPUTIES”.

4 Article 4 (constituencies) amended

- (1) Article 4 is amended as follows.
- (2) Paragraph (1) is deleted.
- (3) In paragraph (4), for “29” there is substituted “37”.

5 Article 6A (transitional arrangements for ordinary elections in 2011 and 2014) deleted

Article 6A is deleted.

6 Article 7 (qualification for election as Senator or Deputy) amended

- (1) Article 7 is amended as follows.
- (2) In the heading, “Senator or” is deleted.
- (3) In paragraph (1), “a Senator or” is deleted.
- (4) In paragraph (2), “Senator or”, in both places, is deleted.
- (5) In paragraph (3), “Senator or” is deleted.

7 Article 8 (disqualification for office as Senator or Deputy) amended

- (1) Article 8 is amended as follows.
- (2) In the heading, “Senator or” is deleted.
- (3) In each of paragraphs (1) and (2), “Senator or” is deleted.

8 Article 9 (declaration to be made when nominated) amended

In Article 9(1), “Senator or” is deleted.

9 Article 11 (oath of office) amended

In Article 11, “Senators and” is deleted.

10 Article 12 (resignation of Senator or Deputy) amended

- (1) Article 12 is amended as follows.
- (2) In the heading, “Senator or” is deleted.
- (3) In paragraph (1), “Senator or” is deleted.

11 Article 13 (casual vacancy in the office of Senator or Deputy) amended

- (1) Article 13 is amended as follows.
- (2) In the heading, “Senator or” is deleted.
- (3) In paragraph (1), “Senator or” is deleted.
- (4) In paragraph (5) for “the ordinary election at which the Senator or Deputy would otherwise have retired under Article 5” there is substituted “an ordinary election under Article 6”.
- (5) Paragraphs (6) and (7) are deleted.

12 Article 14 (term of office of person filling casual vacancy) deleted

Article 14 is deleted.

13 Article 21 (term of office and dismissal of Ministers) amended

In Article 21(2), “Senator or” is deleted.

14 Schedule 2 (oaths) amended

- (1) Part 1 of Schedule 2 is amended as follows.
- (2) In the heading, “SENATORS AND” is deleted.
- (3) For “(Senator) (Deputy)” there is substituted “Deputy”.

PART 3**CONNÉTABLES (JERSEY) LAW 2008****1 Connétables (Jersey) Law 2008 amended**

This Part amends the Connétables (Jersey) Law 2008¹⁰.

2 Article 1 (term of office of Connétables) amended

- (1) Article 1 is amended as follows.
- (2) In paragraph (2), “Notwithstanding the term of office stated for Connétables in paragraph (1),” is deleted.
- (3) In paragraph (3), “before the expiry of his or her term of office” is deleted.

3 Article 2A (transitional arrangements in 2011 and 2014) deleted

Article 2A is deleted.

4 Article 4 (term of office of person filling casual vacancy) amended

In Article 4, “or 2A” is deleted.

5 Article 5 (transitional arrangements) deleted

Article 5 is deleted.

PART 4**POLITICAL PARTIES (REGISTRATION) (JERSEY) LAW 2008****1 Political Parties (Registration) (Jersey) Law 2008 amended**

This Part amends the Political Parties (Registration) (Jersey) Law 2008¹¹.

2 Long title

In the long title, “Senator,” is deleted.

3 Article 2 (requirements for political party to be registered) amended

In Article 2(8), “Senator,” is deleted.

4 Article 10 (removal from the register) amended

In Article 10(2)(c) and (3)(b), for “as a Senator, Deputy” there is substituted “as a member of the States”.

PART 5**PUBLIC ELECTIONS (EXPENDITURE AND DONATIONS) (JERSEY) LAW 2014****1 Public Elections (Expenditure and Donations) (Jersey) Law 2014 amended**

This Part amends the Public Elections (Expenditure and Donations) (Jersey) Law 2014¹².

2 Article 1 (interpretation) amended

In Article 1, in the definition “candidate”, “Senator,” is deleted.

3 Article 4 (restriction on candidate’s election expenses) amended

- (1) Article 4 is amended as follows.
- (2) In paragraph (1)(a), “where the candidate is a candidate for election as Senator, £2,800, or,” is deleted.
- (3) In paragraph (1)(b), for “(1A), (2) or (3)” there is substituted “(1A) or (2)”.

4 Article 10 (restriction on third party’s election expenses) amended

- (1) Article 10 is amended as follows.
- (2) Paragraph (2) is deleted.
- (3) In paragraph (3), “or (2)” is deleted.
- (4) Paragraph (4) is deleted.

PART 6**AMENDMENTS TO OTHER LEGISLATION****1 Judicial and Legislative Functions (Separation) (Jersey) Law 1951 amended**

- (1) The Judicial and Legislative Functions (Separation) (Jersey) Law 1951¹³ is amended as follows.
- (2) In Article 1(1) –
 - (a) “Senator or”, in both places, is deleted;
 - (b) “, as the case may be” is deleted.
- (3) In Article 1(2) –
 - (a) “Senator or a”, in both places, is deleted;
 - (b) for “Senator or Deputy, as the case may be,” there is substituted “Deputy”.

2 Employment of States of Jersey Employees (Jersey) Law 2005 amended

- (1) Part 5 of the Employment of States of Jersey Employees (Jersey) Law 2005¹⁴ is amended as follows.
- (2) In the following provisions “Senator,” is deleted –
 - (a) Article 30(2)(c) and (d);
 - (b) Article 36(1);
 - (c) Article 37(1);
 - (d) Article 39(3)(a)(i);
 - (e) Article 40(1).

- (3) In the following provisions “Senator or” is deleted –
- (a) Article 36(4)(a);
 - (b) Article 39(3)(a)(ii).

3 Matrimonial Causes Rules 2005 amended

In the Matrimonial Causes Rules 2005¹⁵, in Rule 13(3)(a), “a Senator or” is deleted.

4 States of Jersey (Powers, Privileges and Immunities) (Scrutiny panels, PAC and PPC) (Jersey) Regulations 2006 amended

Part 3 of the States of Jersey (Powers, Privileges and Immunities) (Scrutiny panels, PAC and PPC) (Jersey) Regulations 2006¹⁶ is deleted.

5 Civil Partners Causes Rules 2012 amended

In the Civil Partners Causes Rules 2012¹⁷, in Rule 16(3)(a), “a Senator or” is deleted.

ENDNOTES

Table of Endnote References

1	<i>chapter 16.800</i>
2	<i>chapter 16.800</i>
3	<i>chapter 16.250</i>
4	<i>chapter 16.250</i>
5	<i>chapter 16.800</i>
6	<i>chapter 16.600</i>
7	<i>chapter 16.800</i>
8	<i>chapter 16.250</i>
9	<i>chapter 16.800</i>
10	<i>chapter 16.250</i>
11	<i>chapter 16.555</i>
12	<i>chapter 16.580</i>
13	<i>chapter 16.350</i>
14	<i>chapter 16.325</i>
15	<i>chapter 12.650.50</i>
16	<i>chapter 16.800.25</i>
17	<i>chapter 12.260.20</i>