

# STATES OF JERSEY



Jersey

## **DRAFT ELECTIONS (ELECTORAL REGISTERS) (JERSEY) AMENDMENT LAW 202-**

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**Lodged au Greffe on 1st April 2025  
by the Privileges and Procedures Committee  
Earliest date for debate: 13th May 2025**

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**STATES GREFFE**



Jersey

## **DRAFT ELECTIONS (ELECTORAL REGISTERS) (JERSEY) AMENDMENT LAW 202-**

### **European Convention on Human Rights**

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

In the view of the Privileges and Procedures Committee, the provisions of the Draft Elections (Electoral Registers) (Jersey) Amendment Law 202- are compatible with the Convention Rights.

Signed: **Connétable K. Shenton-Stone of St. Martin**

*Chair of Privileges and Procedures Committee*

Dated: 31st March 2025

## REPORT

The proportion of Islanders who vote in local elections has historically been reported relative to the number on the electoral register. In the 2022 elections of States Members, only 42% of those registered cast their vote. Domestically, this presents a challenge for civic engagement and inclusion of all communities in the Island. Internationally, it also has a detrimental effect on the reputation of Jersey. Neighbourhoods with higher levels of civic participation have a greater sense of community, lower levels of crime, and citizens who are healthier and happier. States and countries with greater proportions of civically engaged citizens have lower rates of disease, mental illness, and suicide. They also have lower crime rates, as well as having greater economic prosperity, better-educated children, and more effective governments.

The changes proposed will enable the move to an Automatic Voter Registration system, replacing the current paper-based ‘opt in’ process with a database created from the People Directory, which will be more accurate.

The reasons for making these changes are to –

- Make it easier for people to vote by automatically including entitled individuals on the base electoral register
- Increase the democracy of our electoral process by removing barriers to voting

The changes required to the legislation are –

- Removal of the individual’s duty in respect of declarations of entitlement
- Removal of public access to the register

Rather than completing an annual statement which lists all of those eligible to be part of the electoral register (those who have been ordinarily resident in Jersey for the last 2 years or who have been ordinarily resident in Jersey for the past 6 months but have a cumulative residency of 5 years or more), the public will be included automatically on the register if they are over 16 and meet the residency criteria. The information will come from the People Directory, a database which draws upon interactions with Revenue Jersey in relation to Social Security matters (as an employee or claimant of a benefit or pension for example), the Register of Names and Addresses and information held by CYPES for those still in full time education aged over 16. The Electoral Administrator will have a residual power to add a person to, or remove a person from, the register.

It is worth noting that the current self-declaration system as to a person’s eligibility is not verified by the Parishes, so the existing system carries a degree of risk. Furthermore, the information is gathered and input in the Autumn of each year and does not reflect any ‘movements’ in the intervening period before an election 6 or 8 months later, whereas the proposed system will allow for a more recent ‘sweep’ of the data, taking account of changes such as people leaving the Island or passing away, to ensure a more timely snapshot of the eligible electorate.

The existing system allows Islanders to apply for their name to be omitted from the Register if they are concerned that there is a risk or threat of personal harm to themselves or someone who resides with them, if their name and address details were to be made public. As the electorate will not be able to ‘opt out’ of this system, it is only right that public access to the register is removed; thereby negating the requirement for a separate register to protect the anonymity of those at risk. In the new system, the register will only be available to electoral administrators and the Judicial Greffe, with a copy provided to the Archive on an annual basis as an historic record. Candidates for future elections will be provided with a list of properties which fall within their constituency, rather than the names and addresses of individuals, thereby reducing the risk of misuse of that

data. The rationale for this change is fundamentally to respect personal data, to minimise the risk to survivors of domestic violence and avoid having to write to everyone at the point they become eligible to offer them the option of omission.

The new Register will include people who may have previously made a conscious decision not to make a return, either because they had no interest in voting or did not wish to be included on the list for Jury Duty. It is estimated that only 60% of statement forms are returned to Parishes. By increasing the accuracy of the register, we anticipate there will be an increase in the total number of people included. The risk is that those people remain steadfast in their refusal to engage with the democratic process and if they do not vote, our already low turnout figure will plummet even further. Conversely it could provide those who were uncertain about their eligibility status, with the necessary validation to take part in the elections. The States Greffe, through [vote.je](http://vote.je), will run a dedicated communications campaign explaining the changes, highlighting that people may now be eligible who previously may not have thought they could not participate, and everyone will be encouraged to exercise their democratic right and use their vote.

Islanders will be able to check online to confirm that they are on the Register. If they are not, they can seek to be included by approaching their Electoral Administrator, provided that residency can be proven. The number of potential voters needing to be added in this manner is expected to be minimal, but there will be a dedicated app which people can use to check their registration status. The system will be able to identify 'future voters'; those who will be turning 16 on election day or who will have met the residency criteria on that date. Again, communication is key and [vote.je](http://vote.je) will target messaging to those who have moved to the Island in the last two years, reminding them of the need to check they are included, where appropriate, on the register.

A Supplementary Register will be available up to 7 working days before the election and this will accommodate Islanders who move home in that period. Anyone who appears at the polling station on the day of the election, but is not on the Register, will be able to be added to the Register by the Electoral Administrator if they have supporting documentation.

The Electoral Administrators in each Parish will retain overall responsibility for the register.

Although online voting remains a desire for many, the search continues for a system which is sufficiently robust, but having a digital register represents a step towards modernising the election process.

### **Financial and staffing implications**

The adoption of this legislation will reduce the administrative burden on the Parishes in collating annual electoral registers and there will be associated cost savings arising from no longer having to send out letters to households across the Island to gather the information annually and advise householders that they are registered.

### **Children's Rights Impact Assessment**

A Children's Rights Impact Assessment (CRIA) has been prepared in relation to this proposition and is available to read on the States Assembly website.

### **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 Elections (Electoral Registers) (Jersey) Amendment Law 202-**

These notes have been prepared in respect of the Draft Elections (Electoral Registers) (Jersey) Amendment 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, in the form reviewed by them, is compatible with the European Convention on Human Rights (“ECHR”).

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

No ECHR concerns of significance arise from the draft Law.

The draft Law would, amongst other things, allow the transmission of personal data, from a variety of sources, to the Chief Minister, and to the electoral administrator of the relevant parish. This would allow all persons who are eligible to vote (or who will become eligible to vote in the near future) to be automatically registered to vote, removing requirements for individuals to take active steps to register, and thus creating more complete electoral registers and minimising omissions of persons who would be eligible to vote. The data would not be publicly available, as the electoral registers would not be open to inspection by members of the public, or by candidates. To the extent, if any, that this arrangement could amount to an interference with a person’s Article 8 ECHR rights, it could be justified as a proportionate measure in pursuit of the legitimate aim of increasing voter registration with a view to increasing voter turnout and general engagement. The holding of elections to the legislature, under conditions that will ensure the free expression of the opinion of the people, is specifically protected by Article 3 of Protocol 1 to the ECHR, and the proposed amendments are in pursuance thereof.

## EXPLANATORY NOTE

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The Elections (Electoral Registers) (Jersey) Amendment Law 202- would, if adopted, amend the Elections (Jersey) Law 2002 (the “Elections Law”) in relation to electoral registers, and amend other legislation in connection with those changes.

### *Part 1 (Articles 1 to 22): Elections (Jersey) Law 2002 amended*

*Article 1* provides that *Part 1* amends the Elections Law.

*Article 2* amends existing definitions, and inserts new defined terms, in Article 1 of the Elections Law. These changes are consequential on the substantive changes made by the subsequent Articles in *Part 1* of this Law.

*Article 3* makes further consequential changes to Article 2 of the Elections Law (entitlement to vote).

*Article 4* inserts a new paragraph in Article 5 of the Elections Law, which provides for a person’s entitlement to be included on an electoral register. The new paragraph signposts the new Articles (inserted by *Article 5*) that provide for certain people to be registered as future voters in an electoral register.

*Article 5* inserts new Articles 5A to 5D in the Elections Law, which make provision for people to be registered as future voters in an electoral register.

A person who does not currently meet the age or residency condition for registration under Article 5(1) of the Elections Law (or meets neither of those conditions) is entitled to be registered as a future voter for the period of 3 months ending with the date on which they will meet those conditions (if they remain ordinarily resident in Jersey). A person registered as a future voter is entitled to have their name included in an electoral register, but is not entitled to vote in an election that takes place before the date on which they meet the age and residency conditions in Article 5(1) (see Article 2(3A) of the Elections Law, as amended by *Article 3* of this Law).

Articles 5A to 5D re-enact, rather than substantively alter, the current provisions as to a person’s eligibility to be included in an electoral register in advance of meeting the Article 5(1) conditions (and the current provisions in Article 5A for applying for inclusion in an electoral register are superseded by the later provisions of this Law).

*Article 6* inserts new Articles 5E and 5F in the Elections Law. Article 5E requires the Chief Minister to provide to an electoral administrator for a parish a list of “registrable persons” for each electoral district that is, or is within, the parish. The list must be provided from time to time, and it must also be provided on request of the electoral administrator.

A “registrable person” in relation to an electoral district is a person who is registered in the Register of Names and Addresses with a residential address located in that electoral district, and who appears to the Chief Minister to meet the Article 5(1) conditions for registration or to be entitled to be registered as a future voter. In determining whether or not a person appears to be a registrable person, Article 5E provides for the Chief Minister to take into account information included in the Register of Names and Addresses, social security information and other available information (which might, in particular, include information obtained for the purposes of health insurance or income support, referred to in Article 5F(2)).

New Article 5F makes provision expressly authorising the disclosure of information obtained by Ministers, parishes and other public authorities for the purposes of determining whether or not a person is a “registrable person”.

*Article 7* re-enacts Article 6 of the Elections Law, with modifications, imposing an obligation on the electoral administrator for a parish to prepare and maintain an electoral register for each

electoral district that is, or is within, the parish. It also inserts new Articles 6A to 6E, which make provision about the circumstances in which an electoral administrator must include a person's name in, or remove a person's name from, an electoral register. These Articles replace the provisions on addition and removal of names, currently contained in Articles 7 and 8 of the Elections Law. Under the new provisions, electoral administrators will no longer be required to send an annual statement to registered voters, or to send a similar notice in the year of an ordinary public election.

Under new Article 6, if a person's name is included in a list of registrable persons in relation to an electoral district (provided by the Chief Minister under the new Article 5E) the electoral administrator must include that person in the electoral register. This is subject to certain limited exceptions: that the electoral administrator has exercised their power to remove the person or is otherwise not satisfied that the person is entitled to be included in the register.

New Articles 6A and 6B make provision about the process for a person to apply for inclusion in an electoral register for a particular electoral district (if, for any reason, they do not appear on the list of eligible persons for the electoral district).

Under new Article 6C, if a person who was previously included in a list of eligible persons in relation to an electoral district (provided by the Chief Minister) is subsequently omitted from the list, the electoral administrator must remove that person's name from the electoral register for that electoral district. There is an exception if the electoral administrator is satisfied that the person is in fact entitled to be included in the register.

New Article 6D provides that the electoral administrator may remove a person's name from the electoral register if satisfied that the person is no longer entitled to be included if, for any reason, that person's name is still included in the list of eligible persons provided by the Chief Minister.

New Article 6E requires an electoral administrator to inform a person whether or not the person's name is included in an electoral register for an electoral district, if the person requests that information. (As a result of the deletion of Article 11 of the Elections Law, by *Article 11* of this Law, electoral registers will no longer be available to the general public.)

*Article 8* deletes Article 9 of the Elections Law, under which a person could apply for their name and address to be omitted from an electoral register (so that the person would be identified in the electoral register only by number). This protection was related to the public availability of electoral registers under Article 11 of the Elections Law.

*Article 9* inserts Articles 9A and 9B, which re-enact, with modifications consequential on other amendments made by this Law, the provisions of Article 9A of the Elections Law about supplementary electoral registers. The new Article 9A(5) also provides for the late registration period in relation to an election to end at midday on the seventh working day before the poll, instead of at midday on the seventh day before the poll. This is to account for the fact that elections might take place on a weekend or other non-working day, so that in those cases the late registration period would end on a working day.

*Article 10* re-enacts, with modifications consequential on the other amendments made by this Law, provision about appeals to the Royal Court against decisions of the electoral administrator.

*Article 11* deletes Article 11 of the Elections Law, with the result that electoral registers will no longer be available to the general public.

*Article 12* re-enacts, with modifications, Article 12 of the Elections Law to make provision about the electoral register in force for a particular election.

The new Article 12 provides that the electoral register in force for an election is the register as it stands at midday on the last working day, instead of at midday on the last day, before the earliest of the relevant nomination days.

Under the new Article 12, there will no longer be an obligation for the electoral administrator to provide a copy of the electoral register to candidates. However, there is a new requirement for the

electoral administrator to make available (free of charge) to candidates a list of all residential addresses located in the electoral district to which the register relates.

*Article 13* substitutes Article 13 of the Elections Law, extending the power to amend Part 2 of the Elections Law by Regulations.

*Articles 14 to 22* make minor amendments to other provisions of the Elections Law, in consequence of the substantive changes made to Part 2 of that Law.

*Part 2 (Article 23): Register of Names and Addresses (Jersey) Law 2012 amended*

*Article 23* amends the Register of Names and Addresses (Jersey) Law 2012 to add the creation and supply of lists of registrable persons, under the new Article 5E of the Elections Law, to the list of statutory purposes for which the Register of Names and Addresses is to be established and maintained.

*Part 3 (Articles 24 and 25): Minor and consequential amendments to other legislation*

*Article 24* amends the Elections (Jersey) Regulations 2002 to remove the prescribed statement for the purposes of Article 7A of the Elections Law (deleted by *Article 7* of this Law) and the prescribed application form for inclusion in an electoral register.

*Article 25* amends the Referendum (Jersey) Law 2017, in consequence of the amendments made to Part 2 of the Elections Law, in particular those in relation to the availability of electoral registers to the public and to candidates at an election.

*Part 4 (Article 26): Citation and commencement*

*Article 26* gives the title of this Law and provides for it to come into force on a day to be specified by the States by Act.



Jersey

## DRAFT ELECTIONS (ELECTORAL REGISTERS) (JERSEY) AMENDMENT LAW 202-

### Contents

#### Article

|                                                                                                                                 |           |
|---------------------------------------------------------------------------------------------------------------------------------|-----------|
| <b>PART 1</b>                                                                                                                   | <b>11</b> |
| ELECTIONS (JERSEY) LAW 2002 AMENDED                                                                                             | 11        |
| 1 Elections (Jersey) Law 2002 amended .....                                                                                     | 11        |
| 2 Article 1 (interpretation) amended .....                                                                                      | 11        |
| 3 Article 2 (entitlement to vote) amended .....                                                                                 | 12        |
| 4 Article 5 (entitlement to be registered) amended .....                                                                        | 12        |
| 5 Article 5A (advance registration) substituted .....                                                                           | 12        |
| 6 Articles 5E (Chief Minister to supply lists of registrable persons) and 5F (disclosure and use of information) inserted ..... | 13        |
| 7 Articles 6 to 8 substituted .....                                                                                             | 15        |
| 8 Article 9 (application for name to be omitted from register) deleted .....                                                    | 17        |
| 9 Article 9A (supplementary electoral registers for elections of Deputies and Connétables) substituted .....                    | 17        |
| 10 Article 10 (appeals) substituted .....                                                                                       | 19        |
| 11 Article 11 (electoral register to be available) deleted .....                                                                | 19        |
| 12 Article 12 (electoral register in force for an election) substituted .....                                                   | 19        |
| 13 Article 13 (regulations may amend times in this Part) substituted .....                                                      | 20        |
| 14 Article 15 (cost of election) amended .....                                                                                  | 20        |
| 15 Article 17C (nomination of a candidate) amended .....                                                                        | 20        |
| 16 Article 20 (procedure at nomination meeting) amended .....                                                                   | 20        |
| 17 Article 32A (elector registered to vote by post) amended .....                                                               | 20        |
| 18 Article 35A (voters omitted from a supplementary electoral register) deleted .....                                           | 20        |
| 19 Article 46C (formalities where person's name is omitted from electoral register under Article 9) deleted .....               | 21        |
| 20 Article 51 (invalid ballot papers) amended .....                                                                             | 21        |
| 21 Article 56 (documents to be kept then destroyed) amended .....                                                               | 21        |
| 22 Article 72 (Regulations) amended .....                                                                                       | 21        |
| <b>PART 2</b>                                                                                                                   | <b>21</b> |
| REGISTER OF NAMES AND ADDRESSES (JERSEY) LAW 2012 AMENDED                                                                       | 21        |
| 23 Register of Names and Addresses (Jersey) Law 2012 amended .....                                                              | 21        |

|                                                         |           |
|---------------------------------------------------------|-----------|
| <b>PART 3</b>                                           | <b>21</b> |
| MINOR AND CONSEQUENTIAL AMENDMENTS TO OTHER LEGISLATION | 21        |
| 24 Elections (Jersey) Regulations 2002 amended .....    | 21        |
| 25 Referendum (Jersey) Law 2017 amended .....           | 21        |
| <b>PART 4</b>                                           | <b>22</b> |
| CITATION AND COMMENCEMENT                               | 22        |
| 26 Citation and commencement .....                      | 22        |



Jersey

## DRAFT ELECTIONS (ELECTORAL REGISTERS) (JERSEY) AMENDMENT LAW 202-

A **LAW** to amend the [Elections \(Jersey\) Law 2002](#) in relation to electoral registers, and for connected purposes.

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|                                                      |                              |
|------------------------------------------------------|------------------------------|
| <i>Adopted by the States</i>                         | <i>[date to be inserted]</i> |
| <i>Sanctioned by Order of His 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 His Most Excellent Majesty in Council, have adopted the following Law –

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### PART 1

#### [ELECTIONS \(JERSEY\) LAW 2002](#) AMENDED

#### 1 [Elections \(Jersey\) Law 2002](#) amended

This Part amends the [Elections \(Jersey\) Law 2002](#).

#### 2 **Article 1 (interpretation) amended**

- (1) This Article amends Article 1.
- (2) For the definition “electoral number” there is substituted –  
|       “electoral number” has the meaning given in Article 6(4)(a)(i);
- (3) In the definition “electoral register in force for an election”, after “Article 12(1)” there is inserted “or (3)”.
- (4) After the definition “JEA” there is inserted –  
|       “late registration period” has the meaning given in Article 9A(5);
- (5) In the definition “supplementary electoral register in force for an election”, for “Article 9A(7)” there is substituted “Article 9A(4)”.
- (6) At the end there is inserted –  
|       “working day” means a day other than –

- (a) a Saturday or a Sunday;
- (b) Christmas Day or Good Friday; or
- (c) a day that is a public holiday or a bank holiday under the [Public Holidays and Bank Holidays \(Jersey\) Law 1951](#).

### 3 Article 2 (entitlement to vote) amended

In Article 2(3A) –

- (a) for “has registered under Article 5A” there is substituted “is registered as a future voter under any of Articles 5B to 5D”;
- (b) for “under Article 5A(6)” there is substituted “under Article 6(4)(b)”.

### 4 Article 5 (entitlement to be registered) amended

In Article 5, after paragraph (3) there is inserted –

- (4) Articles 5A to 5D provide for the entitlement to be registered as a future voter in the electoral register for an electoral district.

### 5 Article 5A (advance registration) substituted

For Article 5A there is substituted –

#### 5A Advance registration: general provision

A person who is entitled to be registered as a future voter in an electoral register is entitled to have their name included in that electoral register (but see Article 2(3A) for provision restricting the person’s entitlement to vote in an election).

#### 5B Advance registration: age grounds

- (1) This Article applies in relation to a person who –
  - (a) satisfies the requirements of Article 5(1)(c) (period of residency); but
  - (b) is under the age of 16.
- (2) The person is entitled, at a time within the advance registration period, to be registered as a future voter in the electoral register for the electoral district in which the person is ordinarily resident at that time.
- (3) For the purposes of paragraph (2), the “advance registration period” is the period of 3 months ending with the day on which the person will attain the age of 16.

#### 5C Advance registration: residency grounds

- (1) This Article applies in relation to a person who –
  - (a) is at least 16 years old and ordinarily resident in Jersey; but
  - (b) does not satisfy the requirement in Article 5(1)(c) (period of residency).

- (2) The person is entitled, at a time within the advance registration period, to be registered as a future voter in the electoral register for the electoral district in which the person is ordinarily resident at that time.
- (3) For the purposes of paragraph (2), the “advance registration period” is the period of 3 months ending with the day on which the person would, if the person continued to be ordinarily resident in Jersey, satisfy the requirement in Article 5(1)(c).

#### **5D Advance registration: age and residency grounds**

- (1) This Article applies in relation to a person who is ordinarily resident in Jersey but –
  - (a) is under the age of 16; and
  - (b) does not satisfy the requirement in Article 5(1)(c) (period of residency).
- (2) The person is entitled, at a time within the advance registration period, to be registered as a future voter in the electoral register for the electoral district in which the person is ordinarily resident at that time.
- (3) For the purposes of paragraph (2), the “advance registration period” is the period of 3 months ending with the later of –
  - (a) the day on which the person will attain the age of 16; and
  - (b) the day on which the person would, if the person continued to be ordinarily resident in Jersey, satisfy the requirement in Article 5(1)(c).

### **6 Articles 5E (Chief Minister to supply lists of registrable persons) and 5F (disclosure and use of information) inserted**

After Article 5D (inserted by Article 5) there is inserted –

#### **5E Chief Minister to supply lists of registrable persons**

- (1) The Chief Minister must, from time to time, in relation to each electoral district –
  - (a) create a list of registrable persons in relation to the electoral district; and
  - (b) supply the list to the electoral administrator for the parish that is the electoral district or in which the electoral district is located.
- (2) If, at any time, an electoral administrator requests the Chief Minister to create and supply to them a list of registrable persons (in accordance with paragraph (1)(a) and (b)), the Chief Minister must comply with that request within a reasonable period.
- (3) A person is a “registrable person” in relation to an electoral district if –
  - (a) the person is registered in the Register of Names and Addresses;
  - (b) the person’s residential address, as recorded in that Register, is located in the electoral district; and
  - (c) it appears to the Chief Minister, having taken the relevant data into account, that –

- (i) the person is at least 16 years old, is ordinarily resident in the electoral district and satisfies the requirements of Article 5(1)(c) (period of residency); or
  - (ii) the person is entitled to be registered as a future voter in the electoral register for the electoral district.
- (4) For the purposes of paragraph (3)(c) “relevant data” means –
  - (a) information included in the Register of Names and Addresses;
  - (b) information obtained under or for the purposes of the Social Security (Jersey) Law 1974, disclosed to the Chief Minister under Article 8A of the [Revenue Administration \(Jersey\) Law 2019](#); and
  - (c) other information (including information referred to in Article 5F) that the Chief Minister considers relevant for indicating whether or not a person meets the conditions in paragraph (3)(c).
- (5) The list created and supplied under paragraph (1) must –
  - (a) include the following information, as recorded in the Register of Names and Addresses, in relation to each person included in the list –
    - (i) the person’s name (including title);
    - (ii) the person’s residential address;
    - (iii) the person’s date of birth;
  - (b) identify the persons who appear to be entitled to be registered as future voters under any of Articles 5B to 5D; and
  - (c) in relation to each person who appears to be entitled to be registered as a future voter, specify the earliest date on which the person may satisfy the requirements of Article 5.
- (6) In this Article, “Register of Names and Addresses” means the register established and maintained under Part 2 of the [Register of Names and Addresses \(Jersey\) Law 2012](#).

## **5F Disclosure and use of information**

- (1) Information obtained (for any purpose) by a relevant public authority may be disclosed to the Chief Minister for use for the purposes of Article 5E(3)(c).
- (2) The reference in paragraph (1) to information obtained by a relevant public authority includes, in particular, information obtained under or for the purposes of –
  - (a) the [Health Insurance \(Jersey\) Law 1967](#); or
  - (b) the [Income Support \(Jersey\) Law 2007](#).
- (3) In this Article, “relevant public authority” means –
  - (a) a Minister;
  - (b) a department established on behalf of the States;
  - (c) a body, office or unit of administration established on behalf of the States (including under an enactment);
  - (d) a parish.

**7 Articles 6 to 8 substituted**

For Articles 6 to 8 there is substituted –

**6 Electoral registers**

- (1) The electoral administrator for a parish must prepare and maintain, in electronic form, an electoral register for each electoral district that is, or is within, the parish.
- (2) The electoral administrator must include a person's name in the electoral register for an electoral district if –
  - (a) the person's name is included in a list supplied under Article 5E(1)(b) in relation to the electoral district (subject to the exception in paragraph (3)(a));
  - (b) an application under Article 6A for inclusion in the electoral register for the electoral district has been granted (subject to the exception in paragraph (3)(b)); or
  - (c) the electoral administrator is otherwise satisfied that the person is entitled to have their name included in the electoral register for the electoral district.
- (3) But –
  - (a) an electoral administrator is not required to include a person's name in an electoral register under paragraph (2)(a) if –
    - (i) the person's name has been removed from the electoral register under Article 6C(2) or 6D(2) (and has not subsequently been reinstated); or
    - (ii) the electoral administrator is not satisfied that the person is entitled to have their name included in the electoral register;
  - (b) an electoral administrator is not required to include a person's name in an electoral register under paragraph (2)(b) if, since the application was granted, the person's name has been removed from the electoral register under Article 6C(2) or 6D(2) (and has not subsequently been reinstated).
- (4) An electoral register must include –
  - (a) in relation to each person whose name is included in the register –
    - (i) a reference number (an "electoral number") assigned to the person by the electoral administrator; and
    - (ii) the person's residential address; and
  - (b) in relation to each person who is registered as a future voter under any of Articles 5B to 5D, the last day of the advance registration period in relation to the person.

**6A Application for inclusion in electoral register**

- (1) In this Article, "unregistered voter" means a person –
  - (a) who is entitled to have their name included in an electoral register for an electoral district (the "appropriate electoral register"); but

- (b) whose name is not included in the appropriate electoral register.
- (2) An unregistered voter may apply for inclusion in the appropriate electoral register.
- (3) If a person makes an application under paragraph (2) for inclusion in an electoral register for an electoral district, the application must be made –
  - (a) to the electoral administrator for the parish that is the electoral district or in which the electoral district is located; and
  - (b) in the form provided to the unregistered voter by the electoral administrator.

#### **6B Determination of application for inclusion in electoral register**

- (1) This Article applies if an electoral administrator for a parish receives an application under Article 6A(2) for inclusion in an electoral register.
- (2) The electoral administrator must, as soon as reasonably practicable after receipt of the application –
  - (a) if the electoral administrator is satisfied that the applicant is entitled to be included in the electoral register, add the applicant's name to the electoral register and give written notice to the applicant stating that the application has been granted;
  - (b) if the electoral administrator is not satisfied that the applicant is entitled to be included in the electoral register, give written notice to the applicant stating –
    - (i) that the electoral administrator has not added the applicant's name to the register; and
    - (ii) the reason for that decision; or
  - (c) if the electoral administrator considers that the application cannot be determined on the basis of the information available to them, give written notice to the applicant –
    - (i) stating that the application cannot be determined without the provision of further information; and
    - (ii) specifying the further information required.
- (3) If an electoral administrator gives a notice under paragraph (2)(c), they must, as soon as reasonably practicable after receipt of the information specified in the notice, take the step described in paragraph (2)(a) or (b).

#### **6C Removal of name: omission from Article 5E list**

- (1) This Article applies if –
  - (a) a person's name has been included in a list supplied under Article 5E(1)(b) in relation to an electoral district;
  - (b) the person's name is included on the electoral register for the electoral district under Article 6(2)(a); and
  - (c) the person's name is omitted from a list subsequently supplied under Article 5E(1)(b) in relation to the electoral district.

- (2) The electoral administrator must remove the person's name from the electoral register, unless the electoral administrator is satisfied that the person continues to be entitled to have their name included in the register.
- (3) If a person's name is removed under this Article, the electoral administrator must take reasonable steps to notify the person of the removal.

#### **6D Removal of name: death or leaving electoral district**

- (1) This Article applies if –
  - (a) the electoral administrator for a parish is satisfied that a person whose name is on the electoral register for an electoral district that is, or is within, the parish –
    - (i) is deceased;
    - (ii) is no longer ordinarily resident in the electoral district; or
    - (iii) for any other reason, is not entitled to have their name included in the electoral register for the electoral district; and
  - (b) Article 6C does not apply in relation to the person.
- (2) The electoral administrator must remove the person's name from the electoral register.
- (3) If a person's name is removed on a ground specified in paragraph (1)(a)(ii) or (iii), the electoral administrator must take reasonable steps to notify the person of the removal.

#### **6E Confirmation of inclusion on electoral register**

- (1) The electoral administrator for a parish must, on request by a person –
  - (a) inform the person whether or not the person's name is included in the electoral register for an electoral district that is, or is within, the parish; and
  - (b) if there is more than 1 electoral district within the parish, provide the information under paragraph (a) in relation to each of those electoral districts.
- (2) If the electoral administrator fails to comply with paragraph (1) within a reasonable period of the request being made, the person may apply to the Royal Court for an order requiring the electoral administrator to provide the person with the information referred to in paragraph (1)(a) and (b).

### **8 Article 9 (application for name to be omitted from register) deleted**

Article 9 is deleted.

### **9 Article 9A (supplementary electoral registers for elections of Deputies and Connétables) substituted**

For Article 9A there is substituted –

**9A Supplementary electoral registers for elections of Deputies and Connétables**

- (1) This Article applies if the Royal Court has made an order for the holding of an election of a Deputy or Connétable for a constituency.
- (2) An electoral administrator for the constituency must prepare and maintain, in electronic form, a supplementary electoral register for each relevant electoral district that is, or is within, the constituency.
- (3) A supplementary register has effect only for the purposes of –
  - (a) the election to which the order mentioned in paragraph (1) relates; or
  - (b) if the order relates to more than 1 election to be held on the same day, each of those elections.
- (4) For the purposes of each election mentioned in Article 9A(1), the supplementary electoral register in force for an electoral district is that register as it stands at the end of the late registration period.
- (5) For the purposes of this Article and Article 9B, the late registration period –
  - (a) begins at the time when the electoral register for the public election or elections becomes, in accordance with Article 12(1) or (3), the electoral register in force for the election or elections; and
  - (b) ends at midday on the seventh working day before the day of the poll or polls.
- (6) In paragraph (2) –
  - (a) the reference to an electoral administrator for a constituency is a reference to an electoral administrator for a parish that alone, with other parishes, or in part, comprises the constituency; and
  - (b) “relevant electoral district”, in relation to an electoral administrator for a parish, means an electoral district that is, or is within, the parish.

**9B Supplementary electoral registers: content**

- (1) This Article applies if an electoral administrator is required by Article 9A(2) to prepare and maintain a supplementary electoral register for an electoral district.
- (2) The electoral administrator must include a person’s name in the supplementary electoral register for the electoral district if –
  - (a) during the late registration period, the electoral administrator is required by Article 6(2) to include the person’s name in the electoral register for the electoral district; and
  - (b) the person’s name is not included in any electoral register in force for any electoral district for the election referred to in Article 9A(1); and
  - (c) if the person is entitled to be included in the electoral register as a future voter under any of Articles 5B to 5D, the date entered in the electoral register, in relation to the person, under Article 6(4)(b), is on or before the date of the poll.
- (3) Article 6(4)(a) applies to a supplementary electoral register as it applies to an electoral register.

**10 Article 10 (appeals) substituted**

For Article 10 there is substituted –

**10 Appeals**

- (1) A person may appeal to the Royal Court against a decision of an electoral administrator to –
  - (a) refuse to grant an application made under Article 6A for the person's name to be included in an electoral register; or
  - (b) remove the person's name from an electoral register under Article 6C or 6D.
- (2) An appeal may not be brought after the end of the period of 28 days beginning with –
  - (a) the day on which the notice of the refusal or removal is given; or
  - (b) if no notice is given, the day on which the person becomes aware of the refusal or removal.

**11 Article 11 (electoral register to be available) deleted**

Article 11 is deleted.

**12 Article 12 (electoral register in force for an election) substituted**

For Article 12 there is substituted –

**12 Electoral register in force for election**

- (1) For the purposes of an election, the electoral register in force for an electoral district is that register as it stands at midday on the last working day before nomination day in relation to the election.
- (2) But paragraph (3) applies (instead of paragraph (1)) for the purposes of an election if –
  - (a) the election is to be held on the same day as at least 1 other election;
  - (b) nomination days in relation to those elections fall on 2 consecutive days; and
  - (c) but for the operation of this paragraph, there would be 2 electoral registers, as in force on 2 consecutive days, for an electoral district.
- (3) If this paragraph applies for the purposes of an election, the electoral register in force for an electoral district is that register as it stands at midday on the last working day before the earliest of the nomination days referred to in paragraph (2)(b).
- (4) The electoral administrator for a parish must, in relation to an election –
  - (a) make available to the Judicial Greffier, and to the *Autorisés* and *Adjoints* for the election, a copy of each electoral register in force for an electoral district that is, or is within, the parish; and

- (b) make available (free of charge) to the candidates for the election a list of all residential addresses located in each electoral district that is, or is within, the parish.
- (5) The electoral administrator for a parish may, in relation to a public election, make available to the electoral administrator for another parish, and to the *Autorisés* and *Adjoints* for another public election, a copy of each electoral register referred to in paragraph (4)(a).
- (6) In this Article, “nomination day” means –
  - (a) in relation to a parish election, the day on which the nomination meeting for the election is held;
  - (b) in relation to a public election, the first day of the nomination period for the election (determined under Article 17C).

### **13 Article 13 (regulations may amend times in this Part) substituted**

For Article 13 there is substituted –

#### **13 Regulations amending this Part**

The States may by Regulations –

- (a) amend a period of time specified in this Part;
- (b) amend Article 5E to alter the required contents of a list created and supplied under Article 5E(1) (list of registrable persons);
- (c) add an entry to the list in Article 5F(2) (information obtained for certain purposes).

### **14 Article 15 (cost of election) amended**

Article 15(3)(a) is deleted.

### **15 Article 17C (nomination of a candidate) amended**

Article 17C(6) is deleted.

### **16 Article 20 (procedure at nomination meeting) amended**

In Article 20(4AA) –

- (a) for “Article 5A” there is substituted “any of Articles 5B to 5D”;
- (b) for “Article 5A(6)” there is substituted “Article 6(4)(b)”.

### **17 Article 32A (elector registered to vote by post) amended**

Article 32A(5) is deleted.

### **18 Article 35A (voters omitted from a supplementary electoral register) deleted**

Article 35A is deleted.

**19 Article 46C (formalities where person's name is omitted from electoral register under Article 9) deleted**

Article 46C is deleted.

**20 Article 51 (invalid ballot papers) amended**

In Article 51(1)(d), “(including that provision as applied by Article 46C(4)(b))” is deleted.

**21 Article 56 (documents to be kept then destroyed) amended**

In Article 56(1), for “Articles 46A(8) and 46C(7)” there is substituted “Article 46A(8)”.

**22 Article 72 (Regulations) amended**

Article 72(1E) is deleted.

## PART 2

### REGISTER OF NAMES AND ADDRESSES (JERSEY) LAW 2012 AMENDED

**23 [Register of Names and Addresses \(Jersey\) Law 2012](#) amended**

After Article 2(3)(aa) of the [Register of Names and Addresses \(Jersey\) Law 2012](#) there is inserted –

- (ab) to create (for supply to electoral administrators) lists of registrable persons in relation to electoral districts, under Article 5E of the [Elections \(Jersey\) Law 2002](#);

## PART 3

### MINOR AND CONSEQUENTIAL AMENDMENTS TO OTHER LEGISLATION

**24 [Elections \(Jersey\) Regulations 2002](#) amended**

- (1) This Article amends the [Elections \(Jersey\) Regulations 2002](#).
- (2) In Regulation 2 (prescribed forms), paragraphs (1A) and (2) are deleted.
- (3) In the Schedule, Forms 1A and 2 are deleted.

**25 [Referendum \(Jersey\) Law 2017](#) amended**

- (1) This Article amends the [Referendum \(Jersey\) Law 2017](#).
- (2) In Article 9 (lead campaign groups to be given access to electoral registers) –
  - (a) in the heading, for “access to electoral registers” there is substituted “lists of residential addresses”;
  - (b) in paragraph (1), for “Articles 9A(9) and 12(2)” there is substituted “Article 12(4)(b)”;

- (c) in paragraph (2) –
  - (i) after “lead campaign group” there is inserted “a list of all residential addresses located in each electoral district which is, or is within, the parish.”;
  - (ii) sub-paragraphs (a) and (b) are deleted;
- (d) paragraph (3) is deleted.
- (3) In Article 10 (persons entitled to vote) –
  - (a) paragraph (1)(b) is deleted;
  - (b) in paragraph (2)(a), for “paragraph (1)(b) or (c), by virtue of Article 5A” there is substituted “paragraph (1)(c), by reason of any of Articles 5B to 5D”;
  - (c) in paragraph (2)(b) –
    - (i) for “paragraph Article 5A(6)(b)” there is substituted “Article 6(4)(b)”;
    - (ii) for “paragraph (1)(b) or (c)” there is substituted “paragraph (1)(c)”.

## PART 4

### CITATION AND COMMENCEMENT

#### 26 Citation and commencement

This Law may be cited as the Elections (Electoral Registers) (Jersey) Amendment Law 202- and comes into force on a day to be specified by the States by Act.