

## **PUBLIC ELECTIONS (JERSEY) LAW 2002**

### **General information for candidates for election and for proposers and seconders of candidates for election as Senator, Connétable or Deputy.**

1. Qualification and disqualification for election to office are set out in:
  - a. the States of Jersey Law 2005 – for election as Senator or Deputy, or
  - b. the Connétables (Jersey) Law 2008 – for election as Connétable.
2. Nomination Document and Political Party Declaration must be completed by a candidate for election to the office of Senator, Connétable or Deputy.
3. Declaration of convictions must be made by all candidates for election to the office of Connétable (under the Connétables (Jersey) Law 2008), Senator or Deputy (under the States of Jersey Law 2005).
4. Office of Connétable - candidates for election should be aware that the Royal Court may refuse to swear a person to office if not satisfied that he or she is a fit and proper person to hold that office. Candidates may be asked to complete a basic criminal records check.
5. Candidate in one election only - the Public Elections (Jersey) Law 2002 provides that where 2 or more elections for one or more Senators, Deputies or Connétables are held on the same day, a person cannot be admitted as a candidate in more than one of those elections. Accordingly if a person is admitted as a candidate in an election and is subsequently admitted as a candidate in another of those elections then the earlier admission as a candidate shall lapse.
6. Electoral districts for each election are as follows:
  - a. The Island of Jersey for the office of Senator
  - b. The Parish for the office of Connétable
  - c. For the office of Deputy -
    - i. Parishes of St Clement, Grouville, St John, St Lawrence, St Martin, St Mary, St Ouën, St Peter and Trinity
    - ii. St Brelade - Vingtaine de Noirmont et du Coin (known as District 1) and Vingtaines des Quennevais et de la Moye (known as District 2);  
St Helier - Cantons de Haut et de Bas de la Vingtaine de la Ville (known as District 1), Cantons de Bas et de Haut de la Vingtaine du Mont-au-Prêtre (known as District 2) and Vingtaines du Rouge Bouillon, du Mont-à-l'Abbé et du Mont Cochon (known as District 3 (or 3 /4));  
St Saviour - Vingtaine de la Petite Longueville (known as District 1), Vingtaine de Sous l'Eglise (known as District 2) and Vingtaine de Maufant, de Sous la Hougue, des Pigneaux et de la Grande Longueville (known as District 3).
7. Proposer and seconders of a candidate must all be entitled under the Public Elections (Jersey) Law 2002 to vote for the candidate they nominate in any poll held for the election. A person using the 'advance registration' option may only propose or second a candidate on or after the date he or she satisfies the criteria as an elector.
8. Persons entitled to vote in an election are those whose names are on the electoral register, or on the supplementary register for the electoral district. An elector who has registered in advance of meeting the eligibility criteria may not vote prior to the date on which he or she meets the criteria.

**ELECTION EXPENSES** – the Public Elections (Expenditure and Donations) (Jersey) Law 2014 limits the amount that candidates can spend when standing for election to the States as a Senator, Connétable or Deputy. A candidate must deliver to the Judicial Greffier no later than 15 working days after the day the poll is held a written declaration of expenses and donations. The Law may be viewed on the Jersey Legal Information Board website [www.jerseylaw.je](http://www.jerseylaw.je) and an explanatory leaflet is available from the States Greffe (Tel: 441020).

**ELECTION MATERIALS** – the Department for Growth, Housing and Environment (Tel: 445509) has requirements and guidelines regarding the placing of election materials on the highway and on road signs. Please ensure that these requirements and guidelines are followed.

## **STATES OF JERSEY LAW 2005**

### **ARTICLE 7 Qualification for election as Senator or Deputy**

- (1) A person shall, unless disqualified by paragraph (2) or Article 8(1) or any other enactment, be qualified for election as a Senator or a Deputy if he or she –
- (a) is of full age; and
  - (b) is a British citizen who has been –
    - (i) ordinarily resident in Jersey for a period of at least 2 years up to and including the day of the election, or
    - (ii) ordinarily resident in Jersey for a period of 6 months up to and including the day of the election, as well as having been ordinarily resident in Jersey at any time for an additional period of, or for additional periods that total, at least 5 years.
- (2) A person shall be disqualified for election as a Senator or Deputy, if he or she is a paid officer in the service of the States or any administration of the States, unless he or she is permitted, by or under the Employment of States of Jersey Employees (Jersey) Law 2005, to stand for election as a Senator or Deputy.
- (3) A retiring Senator or Deputy who is not disqualified by this Law or any other enactment shall be eligible for re-election.

### **ARTICLE 8 Disqualification for office as Senator or Deputy**

- (1) A person shall be disqualified for election as or for being a Senator or Deputy if that person –
- (a) holds any paid office or other place of profit under the Crown;
  - (b) is a member of the States of Jersey Police Force;
  - (c) is detained in an approved establishment or is subject to guardianship under the Mental Health (Jersey) Law 2016;
  - (d) is a person in respect of whom a delegate has been appointed under Part 4 of the Capacity and Self-Determination (Jersey) Law 2016;
  - (e) has an attorney without whom he or she may not act in matters movable or immovable;
  - (f) subject to paragraphs (3) and (4), has become bankrupt or made a composition or arrangement with his or her creditors;
  - (g) has been convicted of an offence under the Corruption (Jersey) Law 2006 by virtue of that person being, within the meaning of that Law, a public official or a member, officer or employee of a public body; or
  - (h) within the 7 years immediately preceding the date of his or her election, or since his or her election, has been convicted, whether in Jersey or elsewhere, of any offence and ordered to be imprisoned for a period of not less than 3 months, without the option of a fine.
- (2) A person shall be disqualified for being a Senator or Deputy upon –
- (a) ceasing to be a British citizen; or
  - (b) not being resident in Jersey for a period of more than 6 months.
- (3) The disqualification attaching to a person by reason of his or her having become bankrupt shall cease –
- (a) if the person pays his or her debts in full on or before the conclusion of the bankruptcy proceedings, on the day the proceedings are concluded;
  - (b) in any other case, on the expiry of 5 years from the day the proceedings are concluded.
- (4) The disqualification attaching to a person by reason of his or her having made a composition or arrangement with his or her creditors shall cease –
- (a) if the person pays his or her debts in full, on the day on which the payment is completed;
  - (b) in any other case, on the expiry of 5 years from the day on which the terms of the composition or arrangement are fulfilled.

## **CONNÉTABLES (JERSEY) LAW 2008**

### **ARTICLE 4B Qualification for election as Connétable**

- (1) A person shall, unless disqualified by paragraph (2), Article 4C or any other enactment, be qualified for election as a Connétable if he or she –
- (a) is of full age; and
  - (b) is a British citizen who has been ordinarily resident in Jersey –
    - (i) for a period of at least 2 years up to and including the day of the election, or
    - (ii) for a period of at least 6 months up to and including the day of the election, as well as having been so resident at any time for an additional period of (or additional periods totalling) at least 5 years.
- (2) A person shall be disqualified for election if he or she is a paid officer in the service of the States or any administration of the States, unless he or she is permitted, by or under the Employment of States of Jersey Employees (Jersey) Law 2005, to stand for election as a Connétable.
- (3) A retiring Connétable who is not disqualified by this Law or any other enactment shall be eligible for re-election.

### **ARTICLE 4C Disqualification for election or office**

- (1) A person shall be disqualified for election as a Connétable if that person –
- (a) holds any paid office or other place of profit under the Crown;
  - (b) is a member of the States of Jersey Police Force;
  - (c) is compulsorily detained or subject to guardianship under the Mental Health (Jersey) Law 1969;
  - (d) has a curator of his or her person or property;
  - (e) has an attorney without whom he or she may not act in matters movable or immovable;
  - (f) subject to paragraphs (3) or (4), has become bankrupt or made a composition or arrangement with his or her creditors;
  - (g) has been convicted of an offence under the Corruption (Jersey) Law 2006 by virtue of being, within the meaning of that Law, a public official or a member, officer or employee of a public body;
  - (h) within the 7 years immediately preceding the date of his or her election, or since that election, has been convicted, whether or not in Jersey or elsewhere, of any offence and liable to be imprisoned for a period of not less than 3 months, without the option of a fine.
- (2) A person shall be disqualified from holding office as a Connétable by reason of –
- (a) ceasing to be a British citizen; or
  - (b) not being resident in Jersey for a period of more than 6 months.
- (3) The disqualification attaching to a person by reason of his or her having become bankrupt shall cease –
- (a) if the person pays his or her debts in full on or before the conclusion of the bankruptcy proceedings, on the day the proceedings are concluded;
  - (b) in any other case, on the expiry of 5 years from the day the proceedings are concluded.
- (4) The disqualification attaching to a person by reason of his or her having made a composition or arrangement with his or her creditors shall cease –
- (a) if the person pays his or her debts in full, on the day on which the payment is completed;
  - (b) in any other case, on the expiry of 5 years from the day on which the terms of the composition or arrangement are fulfilled.

## PUBLIC ELECTIONS (JERSEY) LAW 2002 INSTRUCTIONS FOR NOMINATION DOCUMENT

PLEASE follow these instructions for candidates and for proposers and seconders CAREFULLY.  
FAILURE TO COMPLETE THE **NOMINATION DOCUMENT** CLEARLY AND IN FULL MAY  
INVALIDATE THE NOMINATION

1. Use one form for each candidate.
  2. Complete Part 1 with the -
    - a. Name of the constituency in which the election is being held
    - b. Full name of the candidate being proposed for election
    - c. Address of the candidate being proposed for election
    - d. Electoral district/parish and the elector number of the candidate being proposed for election
    - e. Office for which the candidate is being proposed
    - f. Date this section is completed
  3. Complete Part 2 to declare whether or not there is another name by which candidate is commonly known and which is to appear on ballot paper. The candidate must sign Part 2 and enter the date and time it is signed.
  4. Complete the Political Party Declaration – Part 3. This must be completed **BEFORE** the proposer and seconders sign Part 4 of the Nomination Document.
    - a. If the candidate is not endorsed by any political party delete B.
    - b. If the candidate is endorsed by a political party delete A and –
      - i. complete B to show the name of the political party and the registered name or registered abbreviation to be entered on the ballot paper
      - ii. 2 persons who are registered officeholders of the registered political party must sign, print their name, and enter the date and time of signing.
- Note:
- A prospective candidate who wishes to have his or her endorsement by a registered political party entered on the ballot paper need not be a member of that party.
  - A declaration made cannot be withdrawn after the nomination document has been produced to the nomination meeting.
5. When Parts 1, 2 and 3 have been completed in full, ask the proposer to complete Part 4 and then ask 9 seconders to complete Part 4. The proposer and all seconders must be entitled under Article 2(1A), (2) or (3) of the Public Elections (Jersey) Law 2002 to vote for the candidate they nominate in any poll held for the election and must each complete their -
    - a. full name
    - b. address
    - c. electoral district and parish
    - d. elector number
    - e. sign the nomination document
    - f. enter date and time nomination document is signed
  6. The nomination document must be produced to the nomination meeting. Details of the time, date and place of the nomination meeting are available on [vote.je](http://vote.je).

<p>The Parish is a 'controller' under the Data Protection (Jersey) Law 2018 and we process your information in order to administer public elections in accordance with our statutory obligations. Below, we explain what we collect; how we will use your information; and what your rights are.</p>		
<p>We have collected your personal details (name; address; elector number; signature and, where you endorse a candidate on behalf of a registered political party, that you are an officeholder of that party, political affiliation being special category data) in order to administer public elections in accordance with the Public Elections (Jersey) Law 2002.</p>	<p>We will retain your data in perpetuity to maintain a historic record (and pass it to the Jersey Archive for this purpose) in the minutes of the Electoral Assembly. We will share your personal details (name; address; elector number) with the Judicial Greffe and/or the Law Officers' Department in order to administer a public election. We do not process your information overseas using web services that are hosted outside the European Economic Area.</p>	<p>In certain limited circumstances you can ask us to correct or amend your information or request that the processing of your personal data is restricted. You can also request a copy of the information we hold about you. You can complain to us about the way your information is being used by contacting us at the Parish Hall (details on <a href="http://www.parish.gov.je">www.parish.gov.je</a>) alternatively you can complain to the Information Commissioner by emailing <a href="mailto:enquiries@jerseyoic.org">enquiries@jerseyoic.org</a>. If you have any queries about this privacy notice, you can also contact our Data Protection Officer (details available from the Parish).</p>

# PUBLIC ELECTIONS (JERSEY) LAW 2002 - NOMINATION DOCUMENT

Nomination of candidate for office of Senator, Connétable, or Deputy.

**PART 1 CONSTITUENCY AND CANDIDATE**

Please use one form for each candidate.

This form is not complete unless each of the 10 signatures is accompanied by the name of the person whose signature it is, plus the name of the electoral district (including the name of the parish) in respect of which the person is registered, and the electoral number shown on the electoral register for the person.

We, the undersigned, being electors of [constituency] ..... nominate  
 [full name] .....  
 [address] .....  
 [electoral district/parish] ..... [elector number of candidate] ..... as a candidate  
 for the office of [office in that constituency] ..... this ..... day of ..... 20.....

**PART 2 OTHER NAME, IF ANY** DELETE A OR B AS APPROPRIATE

- A] I will use the name give in PART 1 OR
- B] I am commonly known by the following name  
 which I wish to appear on the ballot paper Name: .....

Signature of candidate: ..... Date: ..... Time .....

**PART 3 POLITICAL PARTY DECLARATION** DELETE A OR B AS APPROPRIATE

I [full name of candidate] ..... confirm that-

- A] my candidacy is NOT endorsed by any political party OR
- B] my candidacy is endorsed by ..... [registered  
 name of political party] and I confirm that I wish the registered name / registered abbreviation  
 [*delete as appropriate*] to be entered on the ballot paper.

Signature of candidate: ..... Date: ..... Time .....

If candidacy is endorsed by a political party, this form must be signed by 2 persons who are registered officeholders of the registered political party:

Signature: ..... Print Name: ..... Date: ..... Time .....

Signature: ..... Print Name: ..... Date: ..... Time .....

**PART 4 PROPOSER and SECONDRS (ONLY COMPLETE WHEN PARTS 1, 2 AND 3 ARE COMPLETE)**

<b>PROPOSER</b> Full Name: .....			
Address: .....		Electoral District & Parish: .....	
Elector Number: .....	Signature: .....	Date signed: .....	Time signed: .....
<b>SECONDER</b> Full Name: .....			
Address: .....		Electoral District & Parish: .....	
Elector Number: .....	Signature: .....	Date signed: .....	Time signed: .....
<b>SECONDER</b> Full Name: .....			
Address: .....		Electoral District & Parish: .....	
Elector Number: .....	Signature: .....	Date signed: .....	Time signed: .....
<b>SECONDER</b> Full Name: .....			
Address: .....		Electoral District & Parish: .....	
Elector Number: .....	Signature: .....	Date signed: .....	Time signed: .....
<b>SECONDER</b> Full Name: .....			
Address: .....		Electoral District & Parish: .....	
Elector Number: .....	Signature: .....	Date signed: .....	Time signed: .....
<b>SECONDER</b> Full Name: .....			
Address: .....		Electoral District & Parish: .....	
Elector Number: .....	Signature: .....	Date signed: .....	Time signed: .....
<b>SECONDER</b> Full Name: .....			
Address: .....		Electoral District & Parish: .....	
Elector Number: .....	Signature: .....	Date signed: .....	Time signed: .....
<b>SECONDER</b> Full Name: .....			
Address: .....		Electoral District & Parish: .....	
Elector Number: .....	Signature: .....	Date signed: .....	Time signed: .....

**Declaration by Candidate for Election to the office of Senator or Deputy under the States of Jersey Law 2005**

I, the undersigned ..... (*insert name*) hereby declare that I have read and understood the provisions of Article 9 of the States of Jersey Law 2005 and that:

- i) I am not disqualified for election; and
- ii) I have no relevant convictions for the purposes of Article 9(1)(b) and (c).

OR

The convictions I must declare for the purposes of Article 9(1)(b) and (c) are as follows –

Signed ..... Date .....

Note: Article 9(3) of the States of Jersey Law 2005 provides that a person who knowingly makes a false declaration shall be guilty of an offence and liable to a fine not exceeding level 3 on the standard scale.

In accordance with the provisions of Article 9(2) of the States of Jersey Law 2005 this declaration will be read out at the nomination meeting.

The Parish is a 'controller' under the Data Protection (Jersey) Law 2018 and we process your information in order to administer public elections in accordance with our statutory obligations. Below, we explain what we collect; how we will use your information; and what your rights are.		
We have collected your personal details (name; signature, that you are not disqualified from standing for election and, if applicable, details of any relevant convictions) in order to administer public elections in accordance with the Public Elections (Jersey) Law 2002.	We will retain your data in perpetuity to maintain a historic record (and pass it to the Jersey Archive for this purpose) in the minutes of the Electoral Assembly. We will share your personal details with the Judicial Greffe and/or the Law Officers' Department in order to administer a public election. We do not process your information overseas using web services that are hosted outside the European Economic Area.	In certain limited circumstances you can ask us to correct or amend your information or request that the processing of your personal data is restricted. You can also request a copy of the information we hold about you. You can complain to us about the way your information is being used by contacting us at the Parish Hall (details on <a href="http://www.parish.gov.je">www.parish.gov.je</a> ) alternatively you can complain to the Information Commissioner by emailing <a href="mailto:enquiries@jerseyoic.org">enquiries@jerseyoic.org</a> . If you have any queries about this privacy notice, you can also contact our Data Protection Officer (details available from the Parish).

**States of Jersey Law 2005**

**Article 9 Declaration to be made when nominated**

(1) Subject to paragraph (1A) A person seeking election as a Senator or Deputy shall, at the time of his or her nomination, be required to make a declaration, in writing –

- (a) that he or she is qualified for being elected by virtue of this Law or any other enactment;
- (b) of his or her convictions, whether in Jersey or elsewhere, which are not spent convictions;
- (c) notwithstanding the Rehabilitation of Offenders (Jersey) Law 2001, of his or her spent convictions, whether in Jersey or elsewhere, for any of the following offences –
  - (i) treason,
  - (ii) murder,
  - (iii) manslaughter,
  - (iv) rape,
  - (v) incest,
  - (vi) sodomy,
  - (vii) any offence committed when the person seeking election was of full age, against another person who was not, at the time of the offence, of full age,
  - (viii) fraud or any like offence,
  - (ix) obtaining property by false pretences,
  - (x) theft,
  - (xi) perjury,
  - (xii) perverting the course of justice,
  - (xiii) an offence mentioned in the definition 'drug trafficking' in Article 1(1) of the Misuse of Drugs (Jersey) Law 1978,
  - (xiv) an offence of attempt to commit any of the offences in clauses (i) to (xiii),
  - (xv) an offence of conspiracy or incitement to commit any of the offences in clauses (i) to (xiii),
  - (xvi) an offence of aiding, abetting, counselling or procuring any of the offences in clauses (i) to (xv).

(1A) The person is not required to make a declaration of a conviction for the offence of sodomy (whether the conviction is spent or unspent) if the act to which the conviction relates –

- (a) was committed before 12<sup>th</sup> January 2007; and
- (b) if committed on or after that date, would not be an offence.

**DECLARATION BY CANDIDATE FOR ELECTION**  
**CONNÉTABLES (JERSEY) LAW 2008**

**Declaration to be made by candidate for election as Connétable**

I, the undersigned ..... (insert name)  
hereby declare that I have read and understood the provisions of Article 4A of the Connétables (Jersey)  
Law 2008 and that –

- (a) I am not disqualified for election; and
- (b) I have no relevant convictions for the purposes of Article 4A(1)(b) and (c)

OR

The convictions I must declare for the purposes of Article 4A(1)(b) and (c) are as follows –

Signed..... Date .....

NOTE: Article 4A(3) of the Connétables (Jersey) Law 2008 provides that a person who knowingly makes a false declaration shall be guilty of an offence and liable to a fine of level 3 on the standard scale.

In accordance with the provisions of Article 4A(2) of that Law, this declaration will be read out at the nomination meeting.

<b>The Parish is a 'controller' under the Data Protection (Jersey) Law 2018 and we process your information in order to administer public elections in accordance with our statutory obligations. Below, we explain what we collect; how we will use your information; and what your rights are.</b>		
We have collected your personal details (name; signature; that you are not disqualified from standing for election and, if applicable, details of any relevant convictions) in order to administer public elections in accordance with the Public Elections (Jersey) Law 2002.	We will retain your data in perpetuity to maintain a historic record (and pass it to the Jersey Archive for this purpose) in the minutes of the Electoral Assembly. We will share your personal details with the Judicial Greffe and/or the Law Officers' Department in order to administer a public election. We do not process your information overseas using web services that are hosted outside the European Economic Area.	In certain limited circumstances you can ask us to correct or amend your information or request that the processing of your personal data is restricted. You can also request a copy of the information we hold about you. You can complain to us about the way your information is being used by contacting us at the Parish Hall (details on <a href="http://www.parish.gov.je">www.parish.gov.je</a> ) alternatively you can complain to the Information Commissioner by emailing <a href="mailto:enquiries@jerseyoic.org">enquiries@jerseyoic.org</a> . If you have any queries about this privacy notice, you can also contact our Data Protection Officer (details available from the Parish).

**CONNÉTABLES (JERSEY) LAW 2008**

**4A Declaration to be made when nominated**

- (1) Subject to paragraph (1A) a person seeking election as a Connétable shall, at the time of his or her nomination, be required to make a declaration, in writing –
  - (a) that he or she is not disqualified, whether under this Law or any other enactment, from being elected;
  - (b) of his or her convictions, whether in Jersey or elsewhere, which are not spent convictions;
  - (c) notwithstanding the Rehabilitation of Offenders (Jersey) Law 2001, of his or her spent convictions, whether in Jersey or elsewhere, for any of the following offences –
    - (i) treason,
    - (ii) murder,
    - (iii) manslaughter,
    - (iv) rape,
    - (v) incest,
    - (vi) sodomy,
    - (vii) any offence, committed when the person seeking election was of full age, against another person who was not, at the time of the offence, of full age,
    - (viii) fraud or any like offence,
    - (ix) obtaining property by false pretences,
    - (x) theft,
    - (xi) perjury,
    - (xii) perverting the course of justice,
    - (xiii) an offence mentioned in the definition 'drug trafficking' in Article 1(1) of the Misuse of Drugs (Jersey) Law 1978.

(1A) The person is not required to make a declaration of a conviction for the offence of sodomy (whether the conviction is spent or unspent) if the act to which the conviction relates –

- (a) was committed before 12<sup>th</sup> January 2007; and
- (b) if committed on or after that date, would not be an offence.