



Jersey

PUBLIC ELECTIONS (JERSEY) LAW 2002

Official Consolidated Version

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Contents

Article

PART 1	6
PRELIMINARY	6
1 Interpretation	6
1A Electoral districts	7
PART 2	8
WHO MAY VOTE?	8
2 Entitlement to vote	8
3 Voting where name omitted from electoral register	8
4 Disqualification of certain offenders	8
4A Voting by prisoners not disqualified under Article 4.....	9
PART 3	9
ELECTORAL REGISTERS	9
5 Entitlement to be registered	9
5A Advance registration	10
6 Electoral registers.....	11
7 Addition and keeping of name on the electoral register	11
7A Notice of registered voters.....	12
8 Exclusion or removal of name from electoral register.....	12
9 Application for name to be omitted from register.....	13
9A Supplementary electoral registers for elections of Deputies and Connétables	14
10 Appeals	15
11 Electoral register to be available	15
12 Electoral register in force for an election	15
13 Regulations may amend times in this Part.....	16
PART 4	16
GENERAL	16
14 Public election	16

15	Cost of election	16
16	Assistance	16
17	Order for election	16
17A	Electoral administrator for parish	17
PART 5		18
NOMINATION		18
18	Nomination of candidates	18
19	Holding of nomination meeting	19
20	Procedure at nomination meeting	19
21	Procedure where candidates do not exceed vacancies	21
PART 6		21
POLL		21
22	Procedure where candidates exceed vacancies.....	21
23	Withdrawal, disqualification or death of candidate.....	22
24	Ballot papers.....	22
25	Secret ballot.....	22
26	Polling stations	23
27	<i>Adjoints</i>	23
28	Persons who may be present in polling station	23
29	Supervision of polling station	24
30	Opening and closing of poll	24
31	Start of polling	24
32	Giving ballot paper to elector.....	25
32A	Elector registered to vote by post	26
33	Voting.....	26
34	Doubtful votes	26
35	Measures to assist voting by certain persons who are ill, disabled etc.	27
35A	Voters omitted from a supplementary electoral register	27
36	Spoilt ballot papers.....	27
PART 7		28
VOTING OTHERWISE THAN AT POLLING STATION		28
37	Interpretation	28
38	Persons entitled to pre-poll vote.....	28
39	Persons entitled to postal vote	28
39A	Restriction on pre-poll and postal voting.....	28
40	Judicial Greffier to provide facilities and publicize arrangements for pre-poll and postal voting	28
41	Judicial Greffier to be provided with ballot papers and copies of registers	29
42	Procedure for pre-poll voting.....	29
43	Application to postal vote	31
44	Procedure for postal voting.....	32
45	Duty of Judicial Greffier to provide information to <i>Autorisé</i> before poll opens.....	32
46	Duty of Judicial Greffier to forward votes to <i>Autorisé</i> before poll closes.....	32
46A	Duties of <i>Autorisé</i> on receipt of pre-poll and postal votes	32

46B	Name accidentally omitted from electoral register	33
46C	Formalities where person's name is omitted from electoral register under Article 9	34
46D	Candidate or representative not to interfere with application to postal vote	35
PART 8		35
COUNT		35
A47	35
47	Designation of counting stations.....	35
47A	Supervision of polling station after close of poll	36
48	Procedures at polling station after close of the poll	36
49	Counting	37
50	Recording the numbers at a counting station	38
51	Invalid ballot papers	38
PART 8A		39
RESULT		39
52	Result in election for one or more Senators	39
52A	Result in other public elections	40
52AA	Recounts	40
52B	Procedure for recount in election for one or more Senators	41
52C	Procedure for recount by <i>Autorisé</i>	41
PART 9		42
AFTER RESULT OBTAINED		42
53	Completion of return and delivery of papers.....	42
54	Report to Royal Court and arrangements for taking of oath	43
55	Secrecy of used ballot papers.....	43
56	Documents to be kept then destroyed	43
PART 10		43
DISPUTED ELECTIONS		43
57	Application to Royal Court.....	43
58	Procedure	44
59	Examination of papers.....	44
60	Discounting numbers of votes.....	44
61	Declaration of vacancy, or that entire election void	45
PART 11		45
OFFENCES		45
62	Inducements and threats	45
62A	Interference with postal and pre-poll voting	46
63	Behaviour inside polling station	46
64	Interference with poll	46
65	Voting without the right	47
66	Various offences	47
67	Aiding and abetting	47

68	Limitation on prosecution and civil action	47
PART 12		48
MISCELLANEOUS		48
A69	Observers.....	48
69	How documents may be sent or served	48
70	Misnomer or inaccurate description	49
71	Civil liability of officers.....	49
72	Regulations	49
73	Savings and transitional provisions	50
74	Citation and commencement.....	50
ENDNOTES		51
Table of Legislation History.....		51
Table of Renumbered Provisions		52
Table of Endnote References		52



Jersey

PUBLIC ELECTIONS (JERSEY) LAW 2002¹

A **LAW** to make provision for the election of public officers in Jersey, and for other purposes

Commencement [[see endnotes](#)]

PART 1

PRELIMINARY

1 Interpretation²

In this Law unless the context otherwise requires –

“*Adjoint*” means an assistant returning officer, being a person appointed under Article 27;

“*Autoris *” means a returning officer, being a person appointed under Article 17(2)(b);

“ballot box” means a box provided as referred to in Article 26(5) for ballot papers returned by voters;

“constituency” –

(a) in the case of the election of a Deputy – has the same meaning as in Article 4 of the [States of Jersey Law 2005](#); or

(b) in the case of the election of a Conn table, Centenier, or Procureur du Bien Public, of a parish – means the persons entitled to vote in such an election in the parish;

“counting station” means a polling station designated, or taken to have been designated, under Article 47, as the location, or one of the locations, for the count of votes in a public election;

“electoral administrator”, in relation to a parish, shall be construed in accordance with Article 17A;

“electoral district” has the meaning given by Article 1A;

“electoral number” means the number assigned, in an electoral register for an electoral district, to a person entitled to vote in that district;

“electoral register” means a register prepared under Article 6;

“electoral register in force for an election” means the electoral register in force as referred to in Article 12(1);

“nomination meeting” means a meeting under Part 5 at which candidates are proposed and seconded;

“principal *Autorisé*” shall be construed in accordance with Article 17(2A), (2B) and (2C);

“public election” means an election of a Connétable, Centenier or Procureur du Bien Public or an election of a Deputy;

“registered officeholder” means, in relation to a registered political party, a person registered as the holder of the office of leader, treasurer or secretary of that party;

“registered” means entered in the register under the [Political Parties \(Registration\) \(Jersey\) Law 2008](#);

“return” means the return required under Article 21 or 53;

“supplementary electoral register” means a register prepared under Article 9A;

“supplementary electoral register in force for an election” means the supplementary electoral register in force as referred to in Article 9A(7).

1A Electoral districts³

- (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.

PART 2

WHO MAY VOTE?

2 Entitlement to vote

- (1) A person is entitled to vote in an election of a Centenier or Procureur du Bien Public, of a parish if the name of the person is on the electoral register for the electoral district that corresponds to the parish, being the register in force for the election.⁴
- (1A) A person is entitled to vote in an election of a Connétable of a parish if the name of the person is on the electoral register for an electoral district which is within, or is the area comprising, the parish, being the register in force for the election, or on a supplementary electoral register in force for the election for the electoral district.⁵
- (2) A person is entitled to vote in an election of Deputies for a constituency if the name of the person is on the electoral register for an electoral district which is within, or is the area comprising, the constituency, being the register in force for the election, or on the supplementary electoral register in force for the election for the electoral district.⁶
- (3) ⁷
- (3A) Notwithstanding paragraphs (1), (1A) and (2) a person who has registered under Article 5A is not entitled to vote in an election for which the day of the poll precedes the day entered in the electoral register against the person's name under Article 5A(6).⁸
- (4) A person is not prevented from voting at a public election just because the person holds any office (including that of *Autorisé* or *Adjoint*), or exercises any function, under this Law.

3 Voting where name omitted from electoral register

If a person claims a right to vote at a polling station in an electoral district, but the person's name does not appear on the electoral register or supplementary electoral register (if any) for that district, the person may still vote if the *Autorisé* (or *Adjoint*) in charge of the polling station is satisfied –

- (a) from a declaration by the person in such form as the States may prescribe by Regulations; and
- (b) after consulting the electoral administrator or such other officer, or such employee, of the relevant parish as he or she considers appropriate,

that the name has been omitted from the register as a result of administrative error.⁹

4 Disqualification of certain offenders¹⁰

- (1) A convicted person, during the time that he or she is –
 - (a) detained in a prison or other penal institution in pursuance of a sentence of imprisonment for a period exceeding 4 years; or
 - (b) unlawfully at large when he or she would otherwise be so detained in pursuance of a sentence of imprisonment for any period,

is legally incapable of voting at a public election.

- (2) For the purposes of this Article –
- (a) “convicted person” means any person found guilty in Jersey or elsewhere of an offence (whether under the law of Jersey or another place), including a person found guilty by a court-martial or other court or tribunal applying any law applicable to armed services;
 - (b) a person detained for default in complying with his or her sentence shall not be treated as detained in pursuance of the sentence, whether or not the sentence provided for detention in the event of default;
 - (c) a person detained by virtue of a conditional pardon in respect of an offence shall be treated as detained in pursuance of his or her sentence for the offence; and
 - (d) it does not matter whether the person has been convicted or sentenced before or after this Article comes into force.

4A Voting by prisoners not disqualified under Article 4¹¹

- (1) This Article applies to persons who –
- (a) are detained (whether following conviction or otherwise) in a prison or other penal institution; and
 - (b) are not disqualified under Article 4.
- (2) A person to whom this Article applies may vote in a public election only –
- (a) by postal vote, in accordance with Part 7; or
 - (b) pursuant to measures taken by an *Autorisé* or *Adjoint* under Article 35.

PART 3

ELECTORAL REGISTERS

5 Entitlement to be registered

- (1) A person is entitled on a particular day to have his or her name included on the electoral register for an electoral district if on that day –
- (a) the person is at least 16 years old;
 - (b) the person is ordinarily resident in that district; and
 - (c) the person has been –
 - (i) ordinarily resident in Jersey for a period of at least 2 years up to and including that day, or
 - (ii) ordinarily resident in Jersey for a period of at least 6 months up to and including that day, 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.¹²

- (2) A person is not entitled to have his or her name included on the electoral registers for more than one electoral district at the one time.
- (3) For the purposes of paragraph (1)(c) –
 - (a) a person is not to be treated as ordinarily resident in Jersey if the person becomes resident in Jersey only in pursuance of a sentence of imprisonment; and
 - (b) in relation to any person who, before being detained in a prison or other penal institution pursuant to a sentence of imprisonment, was not entitled to have his or her name included on the electoral registers, the calculation of a period of ordinary residence shall not include any period during which the person is so detained.¹³

5A Advance registration¹⁴

- (1) Notwithstanding Article 5, a person who satisfies the requirements in Article 5(1)(b) and (c) but is under the age of 16 may, within the period of 3 months preceding his or her 16th birthday, apply to have his or her name included in the electoral register for an electoral district.
- (2) Notwithstanding Article 5, a person who satisfies the requirements in Article 5(1)(a) and (b) but who does not satisfy the residence requirement in Article 5(1)(c) may, within the period of 3 months preceding the day when he or she will satisfy the residence requirement in Article 5(1)(c), apply to have his or her name included in the electoral register for an electoral district.
- (3) Notwithstanding Article 5, a person who satisfies the requirement in Article 5(1)(b) but who is under the age of 16 and does not satisfy the residence requirement in Article 5(1)(c) may, within the period of 3 months preceding whichever is the later of –
 - (a) his or her 16th birthday; and
 - (b) the day when he or she will satisfy the residence requirement in Article 5(1)(c),apply to have his or her name included in the electoral register for an electoral district.
- (4) A person applying under paragraph (1), (2) or (3) must provide the electoral administrator for the parish with a signed statement as to the day on which he or she will satisfy the requirements of Article 5(1).
- (5) An electoral administrator shall refuse to include the name of a person who has applied under paragraph (1), (2) or (3) on the electoral register for an electoral district if the person does not provide the signed statement required by paragraph (4).
- (6) The electoral administrator for a parish shall –
 - (a) include the name of a person who has applied under paragraph (1), (2) or (3) on the electoral register for an electoral district if the electoral administrator has been furnished with information in respect of that person sufficient to satisfy the electoral administrator that the person will, on a particular day, satisfy the requirements of Article 5(1); and
 - (b) enter in the register the first date on which the person will satisfy the requirements of Article 5(1).

- (7) If the electoral administrator for a parish refuses to include the name of a person who has applied under paragraph (1), (2) or (3) on the electoral register for an electoral district, the electoral administrator shall give the person the reasons for his or her decision.
- (8) An application under this Article shall be made in such form as the States may prescribe by Regulations.

6 Electoral registers¹⁵

- (1) The electoral administrator for a parish shall prepare and maintain a separate electoral register for each electoral district that is, or is within, the parish.¹⁶
- (2) The names and addresses of the persons registered in an electoral register shall be arranged in that register in 2 lists, one in alphabetical order of the persons' names and one in street order of the persons' addresses.
- (3) Each name included on an electoral register shall be given an electoral number.
- (4) An electoral register shall be prepared and maintained in electronic form.

7 Addition and keeping of name on the electoral register¹⁷

- (1) The electoral administrator for a parish shall include the name of a person on the electoral register for an electoral district if the electoral administrator has been furnished with, or has obtained, information in respect of that person sufficient to satisfy the electoral administrator that the person is entitled to have his or her name included on that register.¹⁸
- (2) The electoral administrator for a parish shall cause to be sent, not later than 1st November in every year, to every unit of dwelling accommodation in each electoral district within the parish, a statement –
 - (a) in such form as the States may prescribe by Regulations;
 - (b) setting out the names of the persons (if any) whose names are included in respect of that unit of dwelling accommodation on the register for the electoral district; and
 - (c) requiring it be checked, corrected if necessary, signed and returned to the electoral administrator.¹⁹
- (3) It is the duty of each person ordinarily resident in a unit of dwelling accommodation to which a statement is sent to –
 - (a) check that the statement is correct;
 - (b) sign the statement; and
 - (c) ensure that it is returned, with any necessary corrections, to the electoral administrator for the parish by 1st December in the same year.²⁰
- (4) It is the duty of a person who is entitled to have his or her name included on the register for an electoral district at any time, and whose name is not so included, to apply for registration –
 - (a) as soon as practicable;

- (b) to the electoral administrator for the parish where the electoral district is located; and
 - (c) in such electronic form as may be provided by the electoral administrator for a parish or in such other form as the States may prescribe by Regulations.²¹
- (5) The electoral administrator for a parish shall refuse to include the name of a person on the electoral register for an electoral district –
 - (a) if, in the case of an application in electronic form, the electoral administrator is unable to be satisfied, whether by reason of information furnished in that form or otherwise obtained by the electoral administrator, that the person is entitled to have his or her name included on the register; or
 - (b) by reason of information contained in a statement under paragraph (3) or an application (other than one in electronic form) under paragraph (4), if the statement or application has not been signed by that person.²²
- (6) No civil or criminal liability attaches to a failure to discharge a duty under this Article.

7A Notice of registered voters²³

- (1) This Article applies in a year in which a public election is required by Article 6 of the [States of Jersey Law 2005](#) or Article 2 of the [Connétables \(Jersey\) Law 2008](#).
- (2) In addition to the statement required by Article 7(2), the electoral administrator for a parish shall cause to be sent to every unit of dwelling accommodation in each electoral district within the parish a notice containing the information described in paragraph (3).
- (3) The notice must –
 - (a) contain the names of the persons (if any) whose names are included in respect of that unit of dwelling accommodation on the electoral register for the electoral district;
 - (b) if a person is registered under Article 5A, the date entered in the register in the person's case, under Article 5A(6);
 - (c) explain where and how to inspect the electoral register; and
 - (d) explain when a person is entitled to be registered and how to register.
- (4) The notice must be sent between 1st and 15th March in the year of the election.²⁴
- (5) The notice shall be in such form as the States may prescribe by Regulations or, if a form is not prescribed, in such form as the Comité des Connétables approves.

8 Exclusion or removal of name from electoral register²⁵

- (1) If the electoral administrator for a parish is not satisfied that a person whose name is included in a statement returned under Article 7(3) is entitled to have his or her name added to or retained on the register, the electoral administrator shall serve on that person a notice –
 - (a) stating that the electoral administrator has not added the name to the register or, as the case requires, has removed the name from the register; and

- (b) giving the reasons for the electoral administrator's decision.²⁶
- (2) If the electoral administrator for a parish is not satisfied that a person who has applied under Article 7(4) is entitled to have his or her name added to the register, the electoral administrator shall serve on that person a notice –
 - (a) stating that the electoral administrator has not added the name to the register; and
 - (b) giving the reasons for the electoral administrator's decision.²⁷
- (3) If the electoral administrator for a parish is satisfied that a person whose name is on the register is deceased or no longer resident in the electoral district, the electoral administrator shall remove the name from the register.²⁸
- (4) If a person whose name is included on an electoral register has not, for a period of 3 consecutive years, been included in and signed a statement returned under Article 7(3), the electoral administrator shall serve notice on that person stating that the electoral administrator shall remove the person's name from the register unless the person delivers to the electoral administrator, within the period of 28 days following service of the notice, confirmation, in such form as the States may prescribe by Regulations or, if none is prescribed, in such form as the electoral administrator requires, that the person is still entitled to have his or her name on the register.²⁹
- (5) The electoral administrator for a parish shall remove a person's name from the register where notice has been served on the person under paragraph (4) and the confirmation required under that paragraph has not been received within the time specified.³⁰

9 Application for name to be omitted from register³¹

- (1) A person may apply to the electoral administrator for the person's name and address to be omitted from the electoral register.³²
- (2) An application may be made on the ground only that there would be a significant risk or threat of personal harm to the person, or to any other person who resides with him or her, if the person's name and address is included in the electoral register.
- (3) The application shall be made in such manner as the electoral administrator requires.³³
- (3A) The application may be made at the same time as an application under Article 5A.³⁴
- (4) The electoral administrator may, from time to time, review an omission under paragraph (1) and, if the electoral administrator is satisfied that there are no longer grounds for it, may reinstate in, or add the person's name and address to, the register.³⁵
- (5) Where the electoral administrator reinstates or adds a person's name and address under paragraph (4), he or she must notify the person.³⁶
- (6) Notwithstanding Articles 2, 6, 38 and 39 and Part 6, where an electoral administrator grants a person's application under this Article –
 - (a) the person shall be entitled to vote in an election, but only by postal or pre-poll vote, in accordance with arrangements applicable in his or her case under Part 7;

- (b) the person shall be given an electoral number which shall be entered in the register against an entry signifying that the number is for a person whose name and address are omitted under this Article;
 - (c) the number and entry shall be arranged in the register in a list that is separate from the lists required by Article 6(2).³⁷
- (7) Where, under this Article, a person's name and address is omitted from, reinstated in, or added to, the electoral register by the electoral administrator –
- (a) the electoral administrator shall ensure that, as may be needed for the purposes of this Article, the change is also made in the most recent, and any previous, copy of the electoral register provided under Article 11(2); and
 - (b) any person to whom a copy has been provided under Article 11(2) shall comply with any direction given by the electoral administrator for the purposes of sub-paragraph (a).³⁸

9A Supplementary electoral registers for elections of Deputies and Connétables³⁹

- (1) Where the Royal Court has made an order for the holding of one or more elections for one or more Deputies or Connétables on one day in an electoral district, the electoral administrator for the parish which is, or part of which is, the electoral district shall also prepare and maintain a supplementary electoral register for the electoral district, in accordance with this Article.⁴⁰
- (2) Paragraphs (2) to (4) of Article 6 shall apply to a supplementary electoral register as they apply to an electoral register.
- (3) A supplementary register shall have effect and be used only for the purposes of the election or elections ordered by the Royal Court as mentioned in paragraph (1).
- (4) Where, during the late registration period, an electoral administrator for a parish is required by Article 5A to include the name of a person on the electoral register for an electoral district, the electoral administrator shall also include the person's name in the supplementary electoral register for that district if the date entered in the electoral register for the person under Article 5A(6) is on or before the day of the poll.
- (5) Where, during the late registration period, an electoral administrator for a parish is required by Article 7(1) to include the name of a person on the electoral register for an electoral district, the electoral administrator shall also include the person's name in the supplementary electoral register if that person's name is not included in any electoral register in force for any electoral district for the elections referred to in paragraph (1).
- (6) For the purposes of this Article, 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 (1A), the electoral register in force for the election or elections; and
 - (b) ends at midday on the seventh day before the day of the poll or polls.
- (7) For the purposes of the election or elections ordered by the Royal Court as mentioned in paragraph (1), the supplementary electoral register for the electoral district is the supplementary register as in force at the end of the late registration period.

- (8) If the name of a person is to be included in a supplementary register but, under Article 9, the person's name has been omitted from the electoral register –
 - (a) the person's electoral number shall be entered in the supplementary electoral register against an entry signifying that the number is for a person whose name and address have been omitted from the electoral register under Article 9;
 - (b) the number and entry shall be arranged in the register in a list that is separate from the list required by Article 6(2), as it is applied by paragraph (2) of this Article.
- (9) The electoral administrator for a parish shall cause a copy of a supplementary electoral register in force for an election to be available, free of charge, to candidates in the election.

10 Appeals⁴¹

- (1) A person may appeal to the Royal Court against –
 - (a) a refusal to add his or her name to a register (except a refusal under Article 5A(5) or Article 7(5));
 - (b) the removal of his or her name from a register; or
 - (c) the refusal of his or her application, or of the reinstatement in or addition to the register of his or her name, under Article 9.⁴²
- (2) An appeal shall be made within the period of 28 days following service of notice of the refusal, removal, reinstatement or addition or, if no notice is served, within the period of 28 days following the person becoming aware of the refusal, removal, reinstatement or addition.
- (3) The decision of the Royal Court on any such appeal shall be final and without further appeal.

11 Electoral register to be available

- (1) The electoral administrator for a parish shall cause the electoral register for each electoral district within the parish to be available at the parish hall for public inspection during the office hours of the parish hall.⁴³
- (2) The electoral administrator for a parish shall provide, free of charge, a copy of the electoral register for each electoral district within the parish as it stands immediately before 1st September to the Librarian of the Jersey Library and to the Judicial Greffier.⁴⁴
- (3) The Librarian and the Judicial Greffier shall each cause the copy so provided to him or her to be available free of charge for public inspection at the Jersey Library and the Judicial Greffe respectively during the normal opening hours of that place.

12 Electoral register in force for an election

- (1) For the purposes of any election, an electoral register for an electoral district which is, or is within, a parish is the electoral register for the district as in force at midday on the day before the day when the nomination meeting for the election is held.⁴⁵
- (1A) Notwithstanding paragraph (1), where –

- (a) 2 or more public elections are to be held on the same day;
- (b) nomination meetings are to be held on 2 consecutive days, for the purposes of those elections; 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,

the electoral register for the district, for each election, shall be the electoral register for the district as in force at midday on the day before the day when the first nomination meeting is held.⁴⁶

- (2) The electoral administrator for the parish shall cause a copy of the register as so in force to be published in printed form and copies of it as so published to be available to the Judicial Greffier, the *Autorisés* and *Adjoints* and the candidates for the election free of charge.⁴⁷
- (3) The electoral administrator for the parish shall provide the Judicial Greffier with a list of the names and addresses which are omitted from the electoral register under Article 9 and of the electoral number assigned to each name.⁴⁸

13 Regulations may amend times in this Part

The States may, by Regulations, amend any date or other expression of time in this Part.

PART 4

GENERAL

14 Public election

A public election shall be conducted in accordance with this Law.

15 Cost of election

- (1) All the costs of setting up, printing and other expenses necessary for putting this Law into effect in a parish shall be met by the parish, except to the extent that paragraph (3) provides.⁴⁹
- (2) ⁵⁰
- (3) The costs of sending out notices under Article 7A shall be met by the States.⁵¹

16 Assistance

The electoral administrator for a parish where the election takes place shall provide such assistance in the preparation for, and conduct of, the election as the *Autorisé* for an electoral district in the parish may reasonably require.⁵²

17 Order for election

- (1) The Royal Court shall make an order for the holding of a public election when such an election is required under Article 6 or 13 of the [States of Jersey Law](#)

[2005](#), Article 3 of the [Centeniers \(Terms of Office\) \(Jersey\) Law 2007](#), Article 2 or 3 of the [Connétables \(Jersey\) Law 2008](#) or Article 3 of the [Procureurs du Bien Public \(Terms of Office\) \(Jersey\) Law 2013](#).⁵³

- (2) The order shall –
- (a) subject to paragraph (2AA)(a), fix the day (being a Wednesday or, instead, such other day of the week as the States may prescribe by Regulations) for taking the poll if a poll becomes necessary, that day being not earlier than the day falling 38 days after the date when the Court makes the order;
 - (b) appoint a Jurat or other public official as *Autorisé* for the poll in each electoral district;
 - (c) fix the time, and the date, when the persons elected shall appear in the Court to take their oaths; and
 - (d) direct the principal *Autorisé* to deliver a return about the election to the Court.⁵⁴
- (2AA) In the case of an order in respect of an election under Article 6 of the [States of Jersey Law 2005](#) (ordinary elections for Deputies) or Article 2 of the [Connétables \(Jersey\) Law 2008](#) (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.⁵⁵
- (2A) Where there is only one electoral district in a constituency, the *Autorisé* appointed for the poll in that electoral district is also the principal *Autorisé* in relation to the election.⁵⁶
- (2B) Where there are 2 or more electoral districts in a constituency the order made by the Royal Court shall also designate which of the *Autorisés* appointed for the electoral districts is to be the principal *Autorisé* in relation to the election.⁵⁷
- (2C) ⁵⁸
- (3) Where a person appointed as *Autorisé* is unable to discharge the duties of that office, the Royal Court may appoint another person in his or her place.⁵⁹
- (3A) Where an *Autorisé* designated under paragraph (2B) is unable to discharge the duties of principal *Autorisé*, the Royal Court may designate another *Autorisé* as principal *Autorisé*.⁶⁰
- (4) An appointment under paragraph (3), or a designation under paragraph (3A), may be made by the Bailiff alone if it is required –
- (a) within the period of 10 days before the poll; or
 - (b) within the period of 24 hours following the announcement by the *Autorisé* of the result of the election in the electoral district where he or she was in charge.⁶¹

17A Electoral administrator for parish⁶²

- (1) Subject to this Article, the Connétable of a parish is the electoral administrator for the parish.

- (2) If the Connétable of a parish is proposed as a candidate in the election of a Connétable or Deputy for the parish, the person described in paragraph (4) shall be the electoral administrator for the parish –
 - (a) from the time when the Connétable is proposed as a candidate in the election;
 - (b) until –
 - (i) the Connétable is, in accordance with Article 21(1), taken to have been elected in the election, or
 - (ii) the result is announced in the election.⁶³
- (3) If an election to which paragraph (2) applies is to be held on the same day as one or more other public elections, the result referred to in paragraph (2)(b)(ii) is the last of the results to be announced in the elections.
- (4) Subject to paragraphs (5), (6) and (7), the first Procureur du Bien Public in a parish shall be the electoral administrator for the parish.
- (5) Subject to paragraphs (6) and (7), the first Procureur du Bien Public and the second Procureur du Bien Public in a parish may agree that, notwithstanding paragraph (4), the second Procureur du Bien Public shall be the electoral administrator for the parish.
- (6) A Procureur du Bien Public cannot be the electoral administrator for the parish if he or she is also nominated as a candidate in the election in which the Connétable is a candidate or at any time when he or she is nominated as a candidate in any other public election.
- (7) If, by virtue of paragraph (6), there is no-one eligible to be the electoral administrator for a parish for the period described in paragraph (2), the Royal Court shall appoint a person as the electoral administrator for the parish for that period.
- (8) For the purposes of this Article, the Procureur du Bien Public in a parish who has been in that office in that parish for the longer period (or periods in the aggregate) is the first Procureur du Bien Public in the parish and the Procureur du Bien Public in the parish who has been in that office in that parish for the shorter period (or periods in the aggregate) is the second Procureur du Bien Public in the parish.

PART 5

NOMINATION

18 Nomination of candidates

- (1) A person shall be admitted as a candidate for the public election of an officer in a constituency only if he or she has been duly proposed and seconded at a meeting of persons entitled under Article 2(1), (1A) or (2) to vote at a public election for such an officer in the constituency, being a meeting held in accordance with this Part.^{64 65}
- (2) Where 2 or more elections for one or more Deputies or Connétables are held on the same day, a person cannot be admitted as a candidate in more than one of those elections.⁶⁶

- (3) Accordingly, for the purposes of paragraph (2), if a person, having been admitted as a candidate in one of those elections, is subsequently admitted as a candidate in another of those elections, the earlier admission as a candidate shall lapse.⁶⁷

19 Holding of nomination meeting

- (1) At a public election, a meeting of the persons entitled under Article 2(1), (1A) or (2) to vote at a public election in a constituency shall be held at least 21 days before the day fixed for the poll.⁶⁸
- (2) There shall be one such nomination meeting for each constituency in which there is to be a public election.
- (3) A nomination meeting shall be convened –
- (a)
- (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
- (b) in the case of an election of a Connétable, Centenier or Procureur du Bien Public by the Connétable of the parish in which the election is to take place.⁶⁹
- (3A)⁷⁰
- (4) The Connétable who convenes the nomination meeting shall cause a notice announcing the time, date and place of the nomination meeting –
- (a) to be published in the Jersey Gazette on at least 4 days (not counting any Sunday) before the day when the meeting is held; and
- (b) to be posted, during the 4 days (not counting any Sunday) before the meeting is held, in the place specified in Article 3 of the Loi (1842) sur les publications dans les églises.

20 Procedure at nomination meeting

- (1) Each nomination meeting for a public election shall be presided over by the Connétable who convenes it.
- (2) However, if at the meeting that Connétable is absent or is proposed as a candidate, the persons entitled under Article 2(1), (1A) or (2) to vote in the election who are present at the meeting shall choose another officer of the parish where the meeting is held (or in which the election is to take place) to preside at the meeting.⁷¹
- (2A) Notwithstanding paragraphs (1) and (2), if the Connétable who convened the meeting is not, by virtue of Article 17A(2), the electoral administrator for his or her parish, the meeting shall be presided over –
- (a) if the electoral administrator for that parish is present, by that person;
- (b) if the electoral administrator for that parish is not present, by another officer of the parish where the meeting is held (or in which the election is to take

place), chosen by the persons entitled under Article 2(1), (1A) or (2) to vote in the election who are present at the meeting.⁷²

- (3) No proposition shall be put to a nomination meeting except the nomination of a candidate for the public election.
- (4) The nomination of a candidate for a public election shall be made by the production to a nomination meeting of a document, in such form as the States may prescribe by Regulations, subscribed by a proposer and 9 seconders, all 10 of whom shall be persons entitled under Article 2(1), (1A) or (2) to vote for that candidate in any poll held for the election.⁷³
- (4AA) Notwithstanding Article 18(1) and paragraph (4) of this Article, a person who has been entered in an electoral register under Article 5A may only propose or second the nomination of a candidate if the nomination meeting takes place on or after the date entered in the electoral register in his or her case under Article 5A(6).⁷⁴
- (4A) Where the meeting is for the nomination of candidates for the office of Deputy or Connétable, a prospective candidate may indicate his or her wish to have his or her endorsement by a registered political party entered on the ballot paper, by complying with paragraph (4B).⁷⁵
- (4B) Before the document described in paragraph (4) is subscribed by a proposer and 9 seconders –
 - (a) the prospective candidate shall complete a declaration, which shall be contained in that document, of the registered political party by which he or she is endorsed, indicating whether the registered name, or the registered abbreviation (if any) of the name, of the party is to be entered on the ballot paper; and
 - (b) the declaration shall be signed by –
 - (i) the prospective candidate, and
 - (ii) 2 persons (of whom one may be the prospective candidate) who are registered officeholders of the registered political party.⁷⁶
- (4C) 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.⁷⁷
- (4CA) The name of the prospective candidate to be shown on the document produced under paragraph (4) shall be his or her full forename and surname, but the prospective candidate may further declare in that document any other name –
 - (a) by which he or she is commonly known; and
 - (b) by which he or she wishes to be identified on the ballot paper.⁷⁸
- (4CB) A name declared by a candidate under paragraph (4CA) shall be the name to be used, for the purposes of the poll, in respect of that candidate under Articles 22 and 24 unless, in the opinion of the person presiding at the nomination meeting –
 - (a) the use of the declared name would be likely to mislead or confuse voters in the election; or
 - (b) the declared name is obscene or offensive.⁷⁹
- (4D) A declaration made in accordance with paragraph (4B) or (4CA) cannot be withdrawn after the document in which it is contained has been produced to the nomination meeting in accordance with paragraph (4).⁸⁰

- (4E) The States may, by Regulations, amend in paragraph (4B)(b) the description or numbers of persons required to sign a declaration.⁸¹
- (5) *not in force on the revision date*
- (6) *not in force on the revision date*
- (7) *not in force on the revision date*
- (8) A nomination meeting shall not be closed less than 10 minutes after it has been opened.⁸²
- (9) The person presiding shall make a record of the nominations.

21 Procedure where candidates do not exceed vacancies

- (1) If in a constituency there are not more candidates for public election than vacancies, the candidates are taken to have been elected and the person presiding at the nomination meeting for the election shall declare them elected and prepare, sign and deliver a return to the principal *Autorisé* to that effect.⁸³
- (2) The return shall include notice of any protest received by the person presiding, being a protest against the nomination of those candidates or their being declared elected.
- (3) The person presiding shall give notice to the candidates so elected to appear in the Royal Court to take the customary oath, and the principal *Autorisé* shall prepare and sign a return about the election for the Royal Court.⁸⁴

PART 6

POLL

22 Procedure where candidates exceed vacancies

- (1) If in a constituency there are more candidates than vacancies, a poll shall be held in the constituency and the person presiding at the nomination meeting shall announce that a poll is to be held.
- (2) In every public election, the electoral administrator for a parish where a poll is to be held shall –
 - (a) cause a notice to be published in the Jersey Gazette on at least 4 days (not counting any Sunday) before the day when the poll is held; and
 - (b) cause a notice to be posted, during the 4 days (not counting any Sunday) before the day when the poll is held, in the place specified in Article 3 of the Loi (1842) sur les publications dans les églises.⁸⁵
- (3) The notice shall give –
 - (a) the office for which the poll is being held;
 - (b) the time, day and place of the poll; and
 - (c) the name (being the candidate's full forename and surname, and any name declared by the candidate under Article 20(4CA)) and address of each candidate.⁸⁶

23 Withdrawal, disqualification or death of candidate⁸⁷

- (A1) A candidate may, between the day of his or her nomination and the day fixed for the poll, withdraw his or her candidacy by notifying the Royal Court in writing.⁸⁸
- (1) If a candidate in a constituency is disqualified, or dies, between the day of his or her nomination and the day fixed for the poll, the person who presided at the nomination meeting shall report that event to the Royal Court as soon as possible.
- (2) If a candidate withdraws, as referred to in paragraph (A1), or is disqualified, or dies, as referred to in paragraph (1), the Court may make such order as it thinks fit in all the circumstances of the case, whether an order that the election proceed despite the withdrawal, disqualification or death, an order annulling the proceedings already taken, a fresh order under Article 17 for an election in the constituency, or any other order (whether instead of or in addition to those orders).⁸⁹

24 Ballot papers

- (1) ⁹⁰
- (2) ⁹¹
- (3) In the case of any public election where a poll is needed, the person who presided at the nomination meeting shall have a sufficient number of ballot papers printed.⁹²
- (3A) The ballot papers shall be in such form and printed on such paper as the States prescribe by Regulations and shall –
- (a) show the date and place of the election;
- (aa) indicate whether the election is for a Connétable, Centenier, Procureur du Bien Public or Deputy;
- (ab) indicate the number of votes that an elector may cast in the election;
- (b) in alphabetical order or such other manner as may be prescribed, show the name of each candidate, being the candidate's full forename and surname or (as the case may be) the name declared by the candidate under Article 20(4CA); and
- (c) in the case of a candidate who has, in accordance with Article 20(4A) and (4B), declared his or her wish to have his or her endorsement by a registered political party entered on the ballot paper, show, next to the candidate's name, the registered name or the registered abbreviation (if any) of the name, of that party as signified in the candidate's nomination document under Article 20.⁹³
- (4) All the ballot papers required in a constituency shall be attached to counterfoils, which shall be bound together in such a way as to form one or more booklets.
- (5) A number shall be printed on the back of each of the ballot papers, being the same as the number printed on its counterfoil.
- (6) With the exception of this number, all the ballot papers used in any one poll in a constituency shall be identical.

25 Secret ballot

In every public election the poll shall be by secret ballot.

26 Polling stations

- (1) For the conduct of a poll, the electoral administrator for the parish where the poll is held shall provide one or more polling stations in such a way that the *Autorisé* is satisfied that all persons have reasonable facilities for the exercise of their right to vote.⁹⁴
- (2) In each polling station there shall be one or more booths.
- (3) Each of those booths shall contain a table or desk, with a pen or a pencil.
- (4)⁹⁵
- (5) Each polling station shall have, for each public election for which a poll is being taken on the day, one or more ballot boxes to receive the votes cast in the poll.⁹⁶
- (6) A ballot box shall be –
 - (a) marked, in a manner approved by the Comité des Connétables, to indicate the public election for which it is being used; and
 - (b) made according to a model approved by the Comité des Connétables.⁹⁷

27 Adjoints

- (1) When it is necessary in the same election to have more than one polling station within an electoral district, the *Autorisé* shall appoint *Adjoints* to supervise in person the polling stations not supervised in person by the *Autorisé*.
- (2) The *Autorisé* may also appoint *Adjoints* to help him or her in the polling station that the *Autorisé* supervises in person.
- (3) The *Autorisé* shall include in the return a record of the appointment and names of the *Adjoints*.

28 Persons who may be present in polling station

- (1) Each candidate shall have the right to be present during the poll in each polling station where an elector may vote for the candidate, if the candidate has notified the *Autorisé* in writing that he or she wishes to exercise that right.
- (2) A person shall have the right to be present during the poll in each polling station where an elector may vote for a candidate whom the person represents, if the candidate has informed the *Autorisé* in writing of the name of the representative and has notified the *Autorisé* in writing that the candidate wishes the representative to exercise that right.
- (3) However, a right under this Article may be withdrawn by the *Autorisé* from a person whom the *Autorisé* believes on reasonable grounds has contravened Article 63 during the same poll.
- (4) A person who has the right to vote in the poll shall have the right to enter and to remain in a polling station as long as is necessary to obtain a ballot paper and cast his or her vote.
- (5) An *Autorisé* (or *Adjoint*) in charge of or assisting at a polling station has the right to be present there during the poll.

29 Supervision of polling station

- (1) The *Autorisé* (or *Adjoint*) in charge of a polling station shall have control over the polling station and its immediate vicinity during the election.
- (2) The *Autorisé* (or *Adjoint*) in charge of a polling station may give such reasonable directions, and take such reasonable measures, as are necessary within the polling station and in its immediate vicinity to ensure the complete secrecy and regularity of the vote at the polling station and to ensure that the requirements of this Law are met.

30 Opening and closing of poll⁹⁸

- (1) This Article applies in every public election.
- (2) The poll shall open at 8 a.m.
- (3) At 8 p.m. on the day of the poll, the *Autorisé* (or *Adjoint*) in charge of a polling station shall ask in a loud voice outside the polling station whether there are other persons who wish to vote.
- (4) Ten minutes after the question required by paragraph (3) has been asked, the *Autorisé* (or *Adjoint*) shall, subject to paragraph (5), declare the poll closed in that polling station.
- (5) If, 10 minutes after the question required by paragraph (3) has been asked, there are still persons queueing in or outside the polling station to vote, the *Autorisé* (or *Adjoint*) shall wait until they have voted before declaring the poll closed in that polling station.
- (6) The States may, by Regulations, amend the expressions of time in paragraphs (2), (3) and (4).

31 Start of polling

- (1) The person presiding at a nomination meeting shall cause the appropriate ballot papers to be delivered to the *Autorisé* in each electoral district where a poll is to be held in reasonable time for the commencement of the poll.
- (2) The electoral administrator for the parish where the electoral district is situated shall cause a copy of the electoral register for that district to be delivered to the *Autorisé* for that district, being a copy that the electoral administrator has certified as correct and as being a copy of the register in force for the election.⁹⁹
- (2A) If there is a supplementary electoral register for the electoral district, the electoral administrator for the parish where the electoral district is situated shall also cause a copy of the supplementary electoral register in force for an election to be delivered to the *Autorisé* for that district, being a copy that the electoral administrator has certified as correct and as being a true copy of original.¹⁰⁰
- (3) At the time fixed for commencing the poll, the *Autorisé* (or *Adjoint*) in charge of a polling station shall open the ballot boxes and shall show the persons present that they are empty, then lock them and place seals on them in such a manner as to prevent their being opened without breaking the seals.
- (4) The poll shall then commence.

32 Giving ballot paper to elector

- (A1) The *Autorisé* (or *Adjoint*) in charge of a polling station shall ensure that a ballot paper has been stamped on the front with an official stamp, in such form as the States may prescribe by Regulations, before the ballot paper is given to a person pursuant to paragraph (1) or (2A).¹⁰¹
- (1) If only one poll for a public election is being taken, the *Autorisé* (or *Adjoint*) in charge of a polling station shall give a ballot paper to each person who satisfies the *Autorisé* (or *Adjoint*) that he or she is entitled to vote there.¹⁰²
- (2) An *Autorisé* (or *Adjoint*) who gives a ballot paper to a person pursuant to paragraph (1) shall –
- (a) mark off the name of the person on a copy of the electoral register or supplementary electoral register, as the case requires, (or, in the case of a person whose name has been omitted from a register as a result of administrative error, make a note of the person's name on a copy of the register and assign a serial number for the person and record it on the copy of the register); and
 - (b) write on the counterfoil of the ballot paper the electoral number of the person (or, in the case of a person whose name has been omitted from a register as a result of administrative error, the serial number for the person).¹⁰³
- (2A) If more than one poll for a public election is being taken, the *Autorisé* (or *Adjoint*) in charge of a polling station shall –
- (a) ask a person wishing to vote in which of the polls the person wishes to vote; and
 - (b) give the person a ballot paper for each of the polls –
 - (i) in which the person wishes to vote, and
 - (ii) for which the person satisfies the *Autorisé* (or *Adjoint*) that he or she is entitled to vote there.¹⁰⁴
- (2B) An *Autorisé* (or *Adjoint*) who gives a ballot paper to a person pursuant to paragraph (2A) shall –
- (a) in the case of a person whose name has been omitted from a register as a result of administrative error, make a note of the person's name on a copy of the electoral register or supplementary electoral register, as the case requires, and assign a serial number to the person and record it on the copy of the register;
 - (b) in every case –
 - (i) mark, against the name of the person on a copy of the electoral register or supplementary electoral register, as the case requires, that the ballot paper has been given to the person and the public election for which the ballot paper is to be used, and
 - (ii) write on the counterfoil of the ballot paper the electoral number of the person.¹⁰⁵
- (3) If the *Autorisé* or *Adjoint* gives a ballot paper to a person whose name has been omitted from a register as a result of administrative error, he or she shall make a note in the return of the fact that the person was allowed to vote and, if more than one poll for a public election is being taken, the elections for which the person was given a ballot paper.¹⁰⁶

- (4) When giving ballot papers to persons under this Article, the *Autorisé* or *Adjoint* shall place himself or herself in such a position as not to show the numbers on the ballot papers so delivered, or on the counterfoils attached to them, to the candidates or to their representatives.

32A Elector registered to vote by post¹⁰⁷

- (1) This Article applies in the case of an elector to whom a ballot paper has been sent or given by the Judicial Greffier under Article 43.¹⁰⁸
- (2) If the elector attends at the polling station and produces the ballot paper sent or given to him or her by the Judicial Greffier, the *Autorisé* (or *Adjoint*) may permit the elector to vote in person, in accordance with Article 33, using the ballot paper.
- (3) Where the elector has recorded his or her vote on the ballot paper before producing it at the polling station, the *Autorisé* (or *Adjoint*) shall take such steps as he or she considers appropriate to ensure that the elector's vote is kept secret.
- (4) Where the *Autorisé* (or *Adjoint*) permits the elector to vote in accordance with this Article, the *Autorisé* (or *Adjoint*) shall –
 - (a) if only one poll for a public election is being taken, mark off the name of the person on a copy of the electoral register;
 - (b) if more than one poll for a public election is being taken mark, against the name of the person on a copy of the electoral register, the public election in which the *Autorisé* (or *Adjoint*) has permitted the elector to vote.¹⁰⁹
- (5) This Article does not apply in the case of an elector whose name is omitted from the register under Article 9.

33 Voting

- (1) Once he or she has been given a ballot paper in a polling station, a person shall go into one of the booths there and remain in the booth only for the time necessary to record his or her vote.
- (2) A vote is recorded by making a cross in the blank square opposite the name of each candidate of the voter's choice.
- (3) A person who has recorded a vote shall fold his or her ballot paper and place it in a ballot box being used for the public election in which the vote is cast, and then immediately leave the polling station.¹¹⁰

34 Doubtful votes

- (1) If, during the election, an objection is made to a person's voting or to a vote, the vote shall be taken, but the objection shall be recorded in the return.
- (2) If, after a ballot paper has been delivered at a polling station to a person who claims to be a person whose name appears on the electoral register or supplementary electoral register, as the case requires, another person applies there to be allowed to vote in that name, the *Autorisé* (or *Adjoint*) in charge of the polling station shall request the latter person to sign a declaration in such form as the States may prescribe by Regulations and (after obtaining that declaration and noting the number of the

ballot paper delivered to the earlier person by referring to its counterfoil) shall furnish the person with a ballot paper.¹¹¹

- (3) The latter ballot paper shall be considered doubtful, and the voter shall not put it into a ballot box, but the *Autorisé* (or *Adjoint*) shall set it apart in an envelope and seal the envelope immediately.
- (4) The *Autorisé* (or *Adjoint*) shall note in the return the circumstances of the taking of the doubtful ballot paper.

35 Measures to assist voting by certain persons who are ill, disabled etc.¹¹²

- (1) An *Autorisé* or *Adjoint* may take such measures as he or she considers appropriate for taking the vote of a person entitled to vote in a public election if the person is prevented from voting by reason that he or she is –
 - (a) ill, disabled, illiterate or in custody; or
 - (b) the carer of a person who is ill or disabled.
- (2) A request for an *Autorisé* or an *Adjoint* to take measures under paragraph (1) for the taking of a person's vote must be made no later than 3 hours before the poll closes.
- (3) The measures taken for taking the person's vote –
 - (a) must maintain secrecy in voting; and
 - (b) may include a visit to the person for the purpose of delivering a ballot paper to the person, attending whilst the person records his or her vote on it, and bringing the ballot paper back to the polling station and placing it in the ballot box.

35A Voters omitted from a supplementary electoral register¹¹³

- (1) Where a voter's name has been omitted from a supplementary electoral register under Article 9A(8) –
 - (a) the electoral administrator for the parish shall inform the *Autorisé*; and
 - (b) the *Autorisé* or *Adjoint* may take such measures as he or she considers appropriate for taking the person's vote on the day of the poll, provided secrecy in voting is maintained.
- (2) Article 35(3) applies for the purposes of paragraph (1) of this Article as it applies for the purposes of Article 35(1).¹¹⁴

36 Spoilt ballot papers

If a person spoils the ballot paper that has been given to him or her, he or she may obtain another from the *Autorisé* or an *Adjoint*, on giving back to him or her the spoilt one, which shall forthwith be cancelled and initialled by the *Autorisé* or *Adjoint*.

PART 7¹¹⁵**VOTING OTHERWISE THAN AT POLLING STATION****37 Interpretation**

- (1) In this Part, unless the context otherwise requires –
- “pre-addressed envelope” means the pre-addressed envelope sent or given by the Judicial Greffier, in accordance with Article 43, to a person who wishes to postal vote;
- “copy of the register” means a copy of an electoral register in force for an election that is provided to the Judicial Greffier under Article 41;
- “voter” means a person entitled to vote at a poll for a public election.
- (2) In this Part, any reference to pre-poll voting is a reference to voting in accordance with Article 42.

38 Persons entitled to pre-poll vote

Every voter, except a person entitled to vote only by virtue of Article 4A, is entitled to pre-poll vote in accordance with this Part.¹¹⁶

39 Persons entitled to postal vote

A voter is entitled to postal vote, in accordance with this Part, if –

- (a) the person is likely to be out of Jersey during the hours of polling;
- (b) the person is, or will on the day of a poll for a public election be, detained in a prison or other penal institution and entitled to vote in that election only by virtue of Article 4A; or
- (c) the person’s name and address are omitted from the electoral register under Article 9.¹¹⁷

39A Restriction on pre-poll and postal voting¹¹⁸

Notwithstanding Articles 38 and 39 –

- (a) a person who has registered under Article 5A is not entitled to pre-poll vote or to apply to postal vote before the date entered in the electoral register in his or her case under Article 5A(6);
- (b) a person whose name is included in a supplementary electoral register in force for a public election is not entitled to cast his or her vote in that election by pre-poll or postal voting.

40 Judicial Greffier to provide facilities and publicize arrangements for pre-poll and postal voting¹¹⁹

- (1) The Judicial Greffier shall provide facilities at a location in St. Helier for voters to pre-poll vote and postal vote in a public election.

- (2) In the case of a public election that is required by Article 6 of the [States of Jersey Law 2005](#) or Article 2 of the [Connétables \(Jersey\) Law 2008](#), the Judicial Greffier shall also provide facilities for voters to pre-poll vote in the election on at least 2 Saturdays at, on each occasion, a different location that is not in St. Helier.
- (3) The Judicial Greffier shall, when a public election has been ordered (not being an election of a Centenier or Procureur du Bien Public), or when a poll becomes necessary in any public election, take such steps as he or she believes are necessary to bring to the attention of the public the arrangements for pre-poll voting and postal voting in the election, in particular –
- (a) in relation to postal voting –
 - (i) the location of the facilities provided under paragraph (1) for postal voting,
 - (ii) when the facilities provided under paragraph (1) for postal voting shall be open,
 - (iii) the closing day and time for an application to postal vote, and
 - (iv) the circumstances in which a person is entitled to postal vote;
 - (b) in relation to pre-poll voting –
 - (i) the location of the facilities provided under paragraph (1) and, if applicable, paragraph (2), for pre-poll voting,
 - (ii) when the facilities provided under paragraph (1) and, if applicable, under paragraph (2), for pre-poll voting shall be open, and
 - (iii) the closing day and time for pre-poll voting.
- (4) The States may, by Regulations, specify the days on which and times at which –
- (a) the facilities provided under paragraph (1) must be open for postal voting or pre-poll voting; and
 - (b) the facilities required under paragraph (2) must be open for pre-poll voting.

41 Judicial Greffier to be provided with ballot papers and copies of registers

Each person presiding at a nomination meeting shall forward to the Judicial Greffier, for the purposes of this Part –

- (a) a copy of the electoral register in force for the election; and
- (b) a reasonable number of ballot papers, which shall be indistinguishable from the other ballot papers used in the election.

42 Procedure for pre-poll voting

- (1) A voter who wishes to vote in a public election by casting his or her vote before the poll at a location provided under Article 40(1) may do so by attending at the location no later than 2 p.m. on the Monday before the day of the poll (or such other time and day as the States have prescribed under Article 40(4)).¹²⁰
- (1A) A voter who wishes to vote in a public election mentioned in Article 40(2) by casting his or her vote before the poll may do so by attending at a location provided in accordance with Article 40(2), on the day and at the times publicized in accordance

with Article 40(3)(b)(ii) (or such other day and at such other times as the States have prescribed under Article 40(4)).¹²¹

- (1B) The Judicial Greffier shall ensure that a ballot paper has been stamped on the front with an official stamp, in such form as the States may prescribe by Regulations, before the ballot paper is given to a person pursuant to paragraph (2) or (5).¹²²
- (2) If only one poll for a public election is being taken in an electoral district, the Judicial Greffier, if satisfied that the person is entitled to vote in that poll, shall give to the person –
- (a) a ballot paper; and
 - (b) a ballot paper envelope marked with a code for the electoral district in which the person is entitled to vote.
- (3) Upon giving a ballot paper to a person pursuant to paragraph (2), the Judicial Greffier shall –
- (a) mark off the name of the person on the copy of the register; and
 - (b) write on the counterfoil of the ballot paper the electoral number of the person.¹²³
- (4) Once the Judicial Greffier has marked off a person's name on the copy of the register, in accordance with paragraph (3), the person is disqualified from voting in the election except at the Judicial Greffe, in accordance with this Article.
- (5) If more than one poll for a public election is being taken in an electoral district, the Judicial Greffier, if satisfied that the person is entitled to vote in the polls, shall –
- (a) ask the person in which of the polls the person wishes to vote; and
 - (b) give the person –
 - (i) a ballot paper for each of the polls in which the person wishes to vote, and in which the person satisfies the Judicial Greffier that he or she is entitled to vote, and
 - (ii) a ballot paper envelope marked with a code for the electoral district in which the person is entitled to vote.
- (6) The Judicial Greffier shall, on giving a ballot paper to a person pursuant to paragraph (5) –
- (a) mark, against the name of the person on the copy of the register, that the ballot paper has been given to the person and the public election for which the ballot paper is to be used; and
 - (b) write on the counterfoil of the ballot paper the electoral number of the person.¹²⁴
- (7) Once the Judicial Greffier has, in accordance with paragraph (6), marked against a person's name on the copy of the register, that a ballot paper has been given to the person for use in a public election, the person is disqualified from voting in that election except at the Judicial Greffe, in accordance with this Article.
- (8) If the Judicial Greffier gives a ballot paper to a person whose name has been omitted from the electoral register as a result of administrative error, he or she shall make a note in the return of the fact that the person was allowed to vote and, if more than one poll for a public election is being taken, the elections for which the person was given a ballot paper.¹²⁵

- (9) The voter shall mark and fold a ballot paper as if the voter were voting under Part 6.
- (10) When the voter has recorded his or her vote on the ballot paper or papers, the voter shall immediately place it or them in the ballot paper envelope, seal it and give it to the Judicial Greffier.
- (11) In the case of a person entitled to vote in a public election who is prevented from voting by reason that he or she is –
 - (a) ill, disabled, or illiterate; or
 - (b) the carer of a person who is ill or disabled,the Judicial Greffier shall take such measures as he or she considers appropriate for taking the person's pre-poll vote.¹²⁶
- (12) Notwithstanding paragraph (1), the measures referred to in paragraph (11) –
 - (a) must be taken before the time mentioned in paragraph (1);
 - (b) must maintain secrecy in voting; and
 - (c) may include a visit to the person for the purpose of the person pre-poll voting at a place other than a location provided by the Judicial Greffier under Article 40.¹²⁷
- (13) Article 36 shall apply for the purposes of this Article as if the reference in it to the *Autorisé* or *Adjoint* was a reference to the Judicial Greffier.

43 Application to postal vote

- (1) A voter who wishes to postal vote in a public election must apply to the Judicial Greffier, before the closing time specified under Article 40(3)(a).
- (2) When the Judicial Greffier receives an application that is properly made under paragraph (1) the Judicial Greffier shall, if satisfied that the applicant is entitled to postal vote –
 - (a) mark against the name of the voter in the copy of the register, that a ballot paper has been sent or given to the voter for each public election in which the voter wishes and is entitled to vote, without marking the number of the ballot paper on the register;
 - (b) stamp the front of a ballot paper with an official stamp, in such form as the States may prescribe by Regulations, being a stamp that also marks on the counterfoil of the ballot paper the code for the voter's electoral district;
 - (c) send or give to the voter –
 - (i) a stamped ballot paper for each public election in which the voter wishes and is entitled to vote,
 - (ii) a ballot paper envelope,
 - (iii) a form of declaration of identity, and
 - (iv) a pre-addressed envelope, addressed to the Judicial Greffier, and marked with the code for the voter's electoral district and a number assigned to the voter.
- (3) Except as permitted by Article 32A, once the Judicial Greffier has marked the copy of the register in accordance with paragraph (2)(a), the voter may only postal vote in the election.

- (4) Where the Judicial Greffier receives an application after any closing time notified to the public under Article 40(3)(a), the Judicial Greffier may, if he or she considers there are exceptional circumstances which justify doing so, accept the application and treat it as properly made for the purposes of this Part.¹²⁸

44 Procedure for postal voting

- (1) To postal vote, a voter shall mark and fold each ballot paper, as if the voter were voting under Part 6, place the ballot paper or papers in the ballot paper envelope provided by the Judicial Greffier and then seal the envelope.
- (2) The voter must also complete the declaration of identity provided by the Judicial Greffier and sign it.¹²⁹
- (3) Where the form of declaration of identity is witnessed by an officer of the Judicial Greffe, the witness shall not be required to state his or her address.
- (4) The voter shall then return to the Judicial Greffier, in the pre-addressed envelope –
 - (a) the ballot paper envelope, containing the ballot paper or papers; and
 - (b) the completed declaration of identity.
- (5) Except as permitted by Article 32A, a postal vote shall be included in the count for a poll only if the pre-addressed envelope is received by the Judicial Greffier no later than noon on the day of the poll.¹³⁰
- (6) The Judicial Greffier shall record the number of pre-addressed envelopes that he or she receives in accordance with paragraph (5).

45 Duty of Judicial Greffier to provide information to *Autorisé* before poll opens

After the time specified in Article 42(1) and before the poll opens, the Judicial Greffier shall cause to be delivered to each *Autorisé* supervising the poll –

- (a) the copy of the register that relates to the *Autorisé*'s electoral district, as it has been marked by the Judicial Greffier in accordance with this Part; and
- (b) the unused ballot papers and the counterfoils of the used ballot papers, relating to pre-poll and postal voting for that electoral district.

46 Duty of Judicial Greffier to forward votes to *Autorisé* before poll closes

Before the poll closes, the Judicial Greffier shall cause to be delivered to each *Autorisé* supervising the poll for an electoral district –

- (a) the ballot paper envelopes for the electoral district, given to the Judicial Greffier in accordance with Article 42, still unopened; and
- (b) the pre-addressed envelopes for the electoral district, received by the Judicial Greffier in accordance with Article 44(5), still unopened.

46A Duties of *Autorisé* on receipt of pre-poll and postal votes

- (1) Each *Autorisé* shall ensure that he or she has, for the purposes of the poll, a copy of the register for his or her electoral district on which there has been marked the names

- of the persons disqualified (subject to Article 32A) from voting at the polling station by virtue of Article 42(4) or (7) or 43(3).
- (2) On receipt of the ballot paper envelopes and pre-addressed envelopes delivered by the Judicial Greffier under Article 46, the *Autorisé* shall count their number and enter their respective totals in the return.
 - (3) The *Autorisé* shall, before the close of the poll, open each ballot paper envelope delivered under Article 46(a) and place the ballot paper or papers in the appropriate ballot box.
 - (4) The *Autorisé* shall, before the close of the poll, open each pre-addressed envelope and, if satisfied that the declaration of identity is made by the voter to whom the number on the pre-addressed envelope is assigned, and that the declaration has been duly completed –
 - (a) open the ballot paper envelope contained in the pre-addressed envelope and place the ballot paper or papers in the appropriate ballot box; and
 - (b) attach the declaration of identity and the pre-addressed envelope to a copy of the register.
 - (5) If not satisfied as described in paragraph (4), the *Autorisé* shall reject the ballot paper or papers by endorsing the ballot paper envelope with the words “VOTE REJECTED” and placing the ballot paper envelope unopened, with the declaration of identity and the pre-addressed envelope, in a package used solely for that purpose.
 - (6) Where a pre-addressed envelope, on being opened pursuant to paragraph (4), is found not to contain the declaration of identity, but the *Autorisé* has reasonable grounds for believing that the declaration is in the ballot paper envelope, the *Autorisé* may open the ballot paper envelope and remove the declaration of identity (if there).
 - (7) A ballot paper shall not be rejected by reason only that the *Autorisé* has opened the ballot paper envelope pursuant to paragraph (6) and removed the declaration of identity.
 - (8) At the conclusion of the voting but before the ballot boxes are opened for the purpose of counting the votes, the *Autorisé* shall seal the package referred to in paragraph (5), and, in a further separate package used solely for the purpose, the *Autorisé* shall seal the documents and copy of the register referred to in paragraph (4)(b).
 - (9) The *Autorisé* shall sign each package and indicate on it –
 - (a) the office for which the election is being held;
 - (b) the place and date of the poll;
 - (c) the names of the candidates; and
 - (d) the contents of the package.
 - (10) As soon as possible after the election, the *Autorisé* shall forward the 2 sealed packages to the Judicial Greffier.

46B Name accidentally omitted from electoral register

- (1) If it appears to the Judicial Greffier that the name of a person attending to pre-poll vote or applying to postal vote is not included in the electoral register for the electoral district specified by the person, the Judicial Greffier shall notify the person accordingly.

- (2) The person may, if he or she believes that his or her name has been omitted from the electoral register as a result of an administrative error, apply to the Judicial Greffier for his or her name to be added to the register, indicating his or her belief that there has been such an omission.
- (3) The Judicial Greffier may –
 - (a) consult the electoral administrator or another officer of the parish where the electoral district is located before deciding whether the name of the person has been omitted from the electoral register as a result of an administrative error; and
 - (b) refuse the application unless it is supported by such evidence or information as the Judicial Greffier may require by notice served on the applicant.¹³¹
- (4) If the Judicial Greffier is then satisfied that the name of the person has been omitted from the electoral register as a result of an administrative error, the Judicial Greffier shall –
 - (a) add the name to the copy of the register; and
 - (b) give notice of the addition to the *Autorisé* for the relevant electoral district.
- (5) The *Autorisé* shall –
 - (a) make a note of the person's name on his or her own copy of the electoral register; and
 - (b) assign a serial number for the person and –
 - (i) record it on the copy of the register, and
 - (ii) notify the Judicial Greffier of it.
- (6) The Judicial Greffier shall make a note on the copy of the register of the serial number assigned to the person.

46C Formalities where person's name is omitted from electoral register under Article 9

- (1) This Article applies in the case of a person who, by virtue of his or her name and address being omitted from the electoral register under Article 9, may only pre-poll or postal vote.
- (2) Where any provision of this Part requires the Judicial Greffier to make a note against the name of the person in a copy of the register, the Judicial Greffier shall instead make a note against the entry made under Article 9(6)(b) in respect of, and the electoral number for, the person.
- (3) Articles 42 and 43 shall apply as if the references in them to marking off or against the person's name in the copy of the register were references to making the mark in accordance with this Article.
- (4) Notwithstanding Article 46, the Judicial Greffier shall open a pre-addressed envelope received from the person under Article 44 and –
 - (a) if he or she is satisfied as to the matters described in Article 46A(4), shall deliver the pre-addressed envelope to the *Autorisé*, opened and with the declaration of identity removed;
 - (b) if he or she is not so satisfied, take the action described in Article 46A(5).

- (5) The Judicial Greffier may take the action described in Article 46A(6) where he or she opens a pre-addressed envelope under paragraph (4) of this Article, and a ballot paper shall not be rejected by reason only that he or she has so acted.
- (6) Where the Judicial Greffier delivers a pre-addressed envelope to the *Autorisé* under paragraph (4)(a) –
 - (a) the *Autorisé* shall not be required to satisfy himself or herself as to the matters described in Article 46A(4); and
 - (b) Article 46A(4)(b) shall have effect as if the reference in it to the form of declaration of identity was omitted.
- (7) The Judicial Greffier shall –
 - (a) place the forms of declaration of identity removed under paragraph (4)(a) in a package used solely for that purpose; and
 - (b) seal the package, sign it, and indicate on it the information described in Article 46A(9).

46D Candidate or representative not to interfere with application to postal vote

- (1) A candidate, or a representative of a candidate shall not –
 - (a) complete, on behalf of a person entitled to postal vote, or assist such a person in completing, any form required to be completed for the purposes of an application to postal vote; or
 - (b) deliver, or cause to be delivered, to the Judicial Greffier, on behalf of a such a person, any form or supporting documents required for the purposes of an application to postal vote.
- (2) Paragraph (1) shall not prohibit a candidate or representative of a candidate providing a person entitled to postal vote with the form (if any) required to make an application to postal vote.

PART 8

COUNT

A47 ¹³²

47 Designation of counting stations¹³³

- (1) Where there is one electoral district in the constituency in which the public election is held, and one polling station in that electoral district, that polling station shall be taken to have been designated as the location for the count of the votes in that election.
- (2) Where there is one electoral district in the constituency in which a public election is held, and 2 or more polling stations in the electoral district, the principal *Autorisé* shall designate one or more of the polling stations in the electoral district as locations for the count of the votes in that election.

- (3) Where there are 2 or more electoral districts in the constituency in which a public election is held, the principal *Autorisé* shall designate one or more of the polling stations in those electoral districts as locations for the count of the votes in that election.¹³⁴
- (4) ¹³⁵
- (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.¹³⁶
- (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.¹³⁷
- (6) Where votes cast at a polling station are not to be counted there, the designation under paragraph (2) or (3) must specify the counting station at which the votes from that polling station are to be counted.¹³⁸
- (7) A designation under paragraph (2) or (3) must be notified to the candidates in the election, and made public, in such a way as is likely to bring it to the attention of voters in the poll, no later than 7 days before the day of the poll.¹³⁹

47A Supervision of polling station after close of poll¹⁴⁰

- (1) The *Autorisé* (or *Adjoint*) in charge of a polling station shall have control over it, and its immediate vicinity, whilst the requirements of this Part are complied with.
- (2) The *Autorisé* (or *Adjoint*) may give such reasonable directions and take such reasonable measures as are necessary within the polling station, and its immediate vicinity, to ensure that procedures conducted under this Part are not disrupted, impeded or interfered with and that the requirements of this Part are otherwise met.

48 Procedures at polling station after close of the poll¹⁴¹

- (1) Where votes may be cast at a polling station in 2 or more public elections, or in one or more public elections and a referendum, the *Autorisé* (or *Adjoint*) in charge of a polling station may, after the close of the poll –
 - (a) open the ballot boxes; and
 - (b) transfer any vote that has been placed in a ballot box that is being used for a public election or referendum other than that in which the vote is cast from that ballot box to the ballot box that is being used for the public election or referendum in which the vote is cast.
- (2) Ballot boxes shall be opened and votes transferred under paragraph (1) in the presence of –
 - (a) any candidates in any of those elections for whom a vote could have been cast in that electoral district and who wish to be present; and
 - (b) any of their representatives duly appointed under Article 28 who wish to be present.

- (3) In paragraphs (1) and (2) –
“ballot box” includes a ballot box being used in a referendum;
“referendum” means a referendum held under the Referendum (Jersey) Law 2002.
- (4) In any public election, the *Autorisé* (or *Adjoint*) in charge of a polling station shall, after the close of the poll and after any transfer of votes permitted by paragraph (1) has taken place –
 - (a) seal the ballot boxes so as to prevent the introduction of additional ballot papers; and
 - (b) place the booklets containing the unused ballot papers and their counterfoils, the counterfoils of the used ballot papers, the spoilt ballot papers and their counterfoils and the copies of the electoral register used at the polling station in packages and seal them.
- (5) The *Autorisé* (or *Adjoint*) shall sign each package prepared under paragraph (4)(b) and indicate on it –
 - (a) the office for which the public election is held;
 - (b) the name of the polling station and date of the poll;
 - (c) the names of the candidates; and
 - (d) the contents of the package.
- (6) In a case where a polling station is not also the counting station, the *Autorisé* (or *Adjoint*) in charge of that polling station shall forthwith forward the ballot boxes, and the packages prepared under paragraph (4)(b), to the *Autorisé* in charge of the counting station at which the votes in those ballot boxes are to be counted.

49 Counting¹⁴²

- (1) The *Autorisé* (or *Adjoint*) in charge of a counting station must satisfy himself or herself that he or she has all the ballot boxes used and all the packages prepared under Article 48(4)(b), in a public election, for the votes in that public election that are to be counted at that station.
- (2) Once satisfied, the *Autorisé* (or *Adjoint*) shall proceed to the count.
- (3) As part of the count, the *Autorisé* (or *Adjoint*) shall determine –
 - (a) the number of ballot papers in the ballot boxes (whether valid or invalid); and
 - (b) the number of counterfoils of used ballot papers.
- (4) If the *Autorisé* (or *Adjoint*) decides that it is not possible to proceed to the count immediately, the *Autorisé* (or *Adjoint*) shall –
 - (a) ensure that the ballot boxes and associated packages for the votes in that election that are to be counted at that counting station are kept secure from interference until such time as it is possible to commence the count, in accordance with this Article; and
 - (b) inform the persons entitled under paragraph (5) to be present at the count of the time when the count shall commence.
- (5) The count shall be carried out in the presence of –

- (a) any candidates for whom a vote could have been cast in an electoral district from which the votes are to be counted at the counting station and who wish to be present at the count; and
 - (b) any of their representatives duly appointed under Article 28 that wish to be present at the count.
- (6) *Adjoints* shall assist the *Autorisé* (or *Adjoint*) in charge of a counting station in the count.
- (7) The ballot boxes shall be opened, and the ballot papers in them shall be counted, in such a way that the serial numbers on the ballot papers cannot be seen.

50 Recording the numbers at a counting station¹⁴³

- (1) The following numbers shall be determined and recorded by the *Autorisé* (or *Adjoint*) in charge of a counting station, in relation to the votes counted at that station in a public election –
- (a) the number of valid votes obtained by each candidate;
 - (b) the number of invalid ballot papers; and
 - (c) the number of valid ballot papers.
- (2) The used ballot papers shall be arranged in 2 groups, depending on whether they are valid or invalid, then the groups shall be placed in packages and each package shall be sealed, signed by the *Autorisé* (or *Adjoint*) and marked with –
- (a) the office for which the public election is held;
 - (b) the date of the poll;
 - (c) the names of the candidates;
 - (d) the number and character of the ballot papers that it encloses;
 - (e) the names of the polling stations from which the votes have been counted at the counting station; and
 - (f) the name of the counting station.

51 Invalid ballot papers

- (1) A ballot paper is invalid for the purposes of this Law –
- (a) if the ballot paper has not been given to a person under Article 32 or 42 or sent or given to a person under Article 43;
 - (b) if it does not bear the stamp referred to in Article 32(A1), 42(1B) or 43(2)(b);
 - (c) if it has been cancelled in accordance with Article 36;
 - (d) if it has been rejected under Article 46A(5) (including that provision as applied by Article 46C(4)(b));
 - (e) if it does not clearly record a vote;
 - (f) if it records more votes than there are vacancies; or
 - (g) if it records a vote for any person other than those whose names are printed on it.¹⁴⁴

- (1A) A ballot paper is not invalid, for the purposes of this Law, by reason only that it is given to a person, or a person's vote cast, in accordance with measures taken under Article 35 or 42(11).¹⁴⁵
- (2) For the purposes of this Law, the decision of the *Autorisé* shall be final on every question as to the validity of a disputed ballot paper.
- (3) Notwithstanding paragraph (2), the Royal Court is not prevented from making its own determination on such a decision or such a question if the election is disputed.
- (4) The *Autorisé* shall initial every disputed ballot paper and mention it in the return.

PART 8A¹⁴⁶

RESULT

52 Result in election for one or more Senators¹⁴⁷

- (1) This Article applies to a public election for one or more Senators.
- (2) An *Autorisé* (or *Adjoint*) in charge of a counting station who is not the principal *Autorisé* in relation to the election shall forthwith forward to the principal *Autorisé* –
 - (a) the packages prepared under Article 50(2); and
 - (b) the packages prepared under Article 48(4)(b), associated with the votes counted in that election at the counting station.
- (3) The principal *Autorisé* must satisfy himself or herself that he or she has all of the packages, described in paragraph (2), for all of the counting stations in the parish.
- (4) Once satisfied, the principal *Autorisé* shall add the results of the counts in the parish.
- (5) The principal *Autorisé* shall then inform such of the candidates and their representatives as are present of the votes recorded in the counts in the parish and show them the spoiled ballot papers.
- (6) Persons who were entitled to vote in the election in the parish who wish to attend shall then be admitted into the counting station at which the principal *Autorisé* is in charge.
- (7) The principal *Autorisé* shall announce the number of valid votes recorded for each candidate in the count in the parish.
- (8) The principal *Autorisé* shall inform the Judicial Greffier of the numbers so announced.
- (9) The Judicial Greffier shall –
 - (a) add the results of the counts in each parish and determine the result of the election;
 - (b) at 4 p.m. on the day following the poll, at the Judicial Greffe, inform such of the candidates and their representatives as are then present, of the results of the election; and
 - (c) if no request for a recount is made under Article 52AA or, after a recount has been conducted, the Judicial Greffier shall announce the results of the election

and declare the total number of votes cast and the number of valid votes obtained by each candidate.

52A Result in other public elections¹⁴⁸

- (1) This Article applies to a public election other than an election for one or more Senators.
- (2) In the case of an election for which there is more than one counting station in the constituency –
 - (a) an *Autorisé* (or *Adjoint*) in charge of a counting station who is not the principal *Autorisé* shall forthwith forward to the principal *Autorisé* –
 - (i) the package prepared under Article 50(2), and
 - (ii) the packages prepared under Article 48(4)(b), associated with the votes counted in that election at the counting station;
 - (b) the principal *Autorisé* must satisfy himself or herself that he or she has all of the packages, described in sub-paragraph (a), from all of the counting stations in the constituency;
 - (c) once satisfied, the principal *Autorisé* shall add the results of the counts in the constituency.
- (3) In every case –
 - (a) the principal *Autorisé* shall inform such of the candidates and their representatives as are present of the votes recorded in the count or counts in the constituency and show them the spoilt ballot papers;
 - (b) persons who were entitled to vote in the election who wish to attend shall then be admitted into the counting station at which the principal *Autorisé* is in charge;
 - (c) the principal *Autorisé* shall announce the results of the election and declare the number of valid votes obtained by each candidate.

52AA Recounts¹⁴⁹

- (1) An unsuccessful candidate in an election or his or her representative may, within 24 hours of being informed of the result, request a recount on the ground that the difference between –
 - (a) the number of votes cast for the unsuccessful candidate; and
 - (b) the number of votes cast for the person elected,is 1% or less of the total number of votes cast in the election (and where more than one person is elected, the ‘person elected’ for the purposes of sub-paragraph (b) means the person with the lowest number of votes).
- (2) Without prejudice to paragraph (1) an unsuccessful candidate in an election for one or more Senators or his or her representative may, within 24 hours of being informed of the result, request a recount on the ground that the difference between –
 - (a) the number of votes cast for the unsuccessful candidate; and
 - (b) the number of votes cast for the person elected,

is 1% or less of the number in sub-paragraph (b) (and where more than one person is elected, the 'person elected' for the purposes of sub-paragraph (b) means the person with the lowest number of votes).

- (3) A recount requested in an election for one or more Senators shall be conducted by the Judicial Greffier in accordance with Article 52B.
- (4) A recount requested in any other public election shall be conducted by the principal *Autorisé* in accordance with Article 52C.
- (5) Neither the Judicial Greffier nor a principal *Autorisé* is required to conduct more than one recount upon one or more requests being made for a recount of the results in a public election.

52B Procedure for recount in election for one or more Senators¹⁵⁰

- (1) A recount in an election for one or more Senators shall be conducted by the Judicial Greffier.
- (2) The Judicial Greffier may engage such assistance in the recount as he or she requires.
- (3) An *Autorisé* and his or her *Adjoints* shall comply with any request made by the Judicial Greffier for assistance in conducting a recount in the electoral district for which the *Autorisé* was appointed.
- (4) Notwithstanding Article 55, the Judicial Greffier may, for the purposes of the recount, open the packages containing the used ballot papers and the counterfoils of the used ballot papers.
- (5) The Judicial Greffier shall announce the result of the recount.

52C Procedure for recount by *Autorisé*¹⁵¹

- (1) This Article applies where –
 - (a) an *Autorisé* is requested by the Judicial Greffier, under Article 52B(3) to conduct a recount in his or her electoral district; or
 - (b) a principal *Autorisé* conducts a recount following a request under Article 52AA(1).¹⁵²
- (2) If an *Autorisé* decides that it is not possible to proceed to a recount of votes in a public election immediately, and packages from the election are in his or her possession, the *Autorisé* shall –
 - (a) ensure that the packages from the election are kept secure from interference until such time as it is possible to commence the recount; and
 - (b) inform the persons entitled under paragraph (3) to be present at the count of the time when the recount shall commence.¹⁵³
- (3) A recount shall be carried out in the presence of the same persons who were entitled, by Article 49(3), to be present at the count and who wish to be present at the recount.
- (4) If an *Autorisé* (or *Adjoint*) has already forwarded papers associated with an election to another *Autorisé* or to the Royal Court, and those papers are required by the *Autorisé* (or *Adjoint*) for the purposes of the recount, the papers shall be returned to him or her.¹⁵⁴

- (5) Notwithstanding Article 55, an *Autorisé* shall, for the purposes of the recount, open the packages containing the used ballot papers and the counterfoils of the used ballot papers, if these have already been sealed.
- (6) The *Adjoints* shall assist the *Autorisé* in the recount.
- (7) *Autorisés* who are not the principal *Autorisé*, and *Adjoints*, shall assist the principal *Autorisé* in the recount.¹⁵⁵
- (8) The principal *Autorisé* shall announce the result of the recount.¹⁵⁶

PART 9

AFTER RESULT OBTAINED

53 Completion of return and delivery of papers¹⁵⁷

- (1) Each principal *Autorisé* for an election for one or more Senators, or the principal *Autorisé* for any other public election, shall prepare and sign a return for the election.
- (2) Subject to paragraph (5), the return shall state, for a public election –
 - (a) the number of valid votes obtained by each candidate;
 - (b) the number of invalid ballot papers;
 - (c) the number of valid ballot papers;
 - (d) the number of voters; and
 - (e) the names of the counting stations and the names of the polling stations from which the votes were counted at each counting station.
- (3) Subject to paragraph (5), the principal *Autorisé* shall annex to the return the declarations made in accordance with Articles 3 and 34.
- (4) Subject to paragraph (5), the principal *Autorisé* shall, as soon as possible after the election, forward to the Judicial Greffier –
 - (a) the return; and
 - (b) the packages prepared in accordance with Articles 48(4)(b) and 50(2) in connection with the public election, whether prepared by the principal *Autorisé* or received by him or her in accordance with Article 52(2) or 52A(2).
- (5) In the case of an election for one or more Senators –
 - (a) one of the principal *Autorisés* shall comply with paragraph (3); and
 - (b) the numbers and names given in the return and the registers and papers sent to the Judicial Greffier by a principal *Autorisé* under paragraph (4) shall relate only to conduct of the poll and the votes cast in the parish for which that principal *Autorisé* is designated.
- (6) If, after the principal *Autorisé* has completed a return for a public election, there is a recount of the votes cast in the election, the principal *Autorisé* shall, following the recount, complete a further return for the election and forward it to the Judicial Greffier as soon as possible.

- (7) A return shall be admitted in any court of law as proof of the facts that are set out in it.
- (8) The Judicial Greffier shall, on demand, make a return available during normal office hours for inspection by any person who was a candidate in the election to which the return relates and shall, on demand and payment of the reasonable costs of copying, provide a copy of it to such a candidate.

54 Report to Royal Court and arrangements for taking of oath¹⁵⁸

- (1) The Judicial Greffier shall –
 - (a) report the results of a public election to the Royal Court; and
 - (b) give notice to the person or persons elected to appear in the Royal Court to take the customary oath.
- (2) Where a recount is to be conducted by an *Autorisé* or the Judicial Greffier and the result of the recount will not be known before the time notified for the person or persons elected in the election to appear in the Royal Court to take the customary oath, the Judicial Greffier shall make arrangements for the administration of the oath to the persons elected in the election to be deferred until after the result of the recount is known.

55 Secrecy of used ballot papers

The packages containing the used ballot papers and the counterfoils of the used ballot papers shall not be opened except in accordance with Article 59.

56 Documents to be kept then destroyed

- (1) The returns, and, if a poll was held, the copies of the registers used in the poll, the used and unused ballot papers, the counterfoils of the used ballot papers, the documents that were in the sealed packages referred to in Articles 46A(8) and 46C(7) and, in general, all documents relating to a public election shall remain in the custody of the Judicial Greffier for a period of 12 months following the day which has been fixed for delivering the returns to the Royal Court.¹⁵⁹
- (2) The Judicial Greffier shall cause those documents to be destroyed at the end of that period if they are not required in a case pending before the Royal Court at that time.
- (3) If they are so required at that time, the Judicial Greffier shall cause them to be destroyed as soon as the case has been finally disposed of.

PART 10

DISPUTED ELECTIONS

57 Application to Royal Court

- (1) Every case of a disputed public election shall be dealt with by the Royal Court.

- (2) Any person, whether or not a candidate in an election, may dispute a public election by making application to the Royal Court, being an application on oath setting out the grounds for the dispute and made before the end of the period of 12 months following the day that has been fixed for delivering the returns to the Royal Court.¹⁶⁰

58 Procedure

- (1) In a case where a public election is disputed, the Royal Court shall –
 - (a) order that the parties shall appear before the Judicial Greffier to state their allegations and pleas; and
 - (b) by order, fix the day when the parties are to appear in the Royal Court with witnesses, being a day within 6 weeks after the date of the order where the election has been for Senator, and within one month after the date of the order in the case of any other election.
- (2) If a plaintiff fails to proceed before the Judicial Greffier, so as to complete his or her case within the time allowed by the Royal Court, his or her objection shall be set aside, and the plaintiff shall be ordered to pay the recoverable and non-recoverable costs of the case.

59 Examination of papers

- (1) If the count is disputed, or the decision of the *Autorisé* as to a disputed ballot paper is disputed, the Royal Court may order that the packages containing the relevant used ballot papers (both valid and invalid) be opened.
- (2) If the validity of the ballot papers is disputed, the Royal Court may order that the parties may examine the relevant used ballot papers (both valid and invalid) at the Judicial Greffe.
- (3) If the Royal Court upholds an objection to a vote, the packages containing the relevant ballot papers and their counterfoils may be opened and, if so, the relevant ballot paper and its counterfoil shall be taken out and kept apart.
- (4) In all the cases referred to in this Article, the Royal Court shall cause the packages, if opened, to be re-sealed as soon as the examination which made their opening necessary has been completed.

60 Discounting numbers of votes¹⁶¹

If the Royal Court upholds a dispute that turns on any of the following circumstances, it shall order that the relevant return be amended by subtracting from the number of valid votes the number of votes (if any) cast by persons in those circumstances –

- (a) that the name of a person was wrongly included on the electoral register in force for the election or the supplementary electoral register in force for the election (if any);
- (b) that a person who voted was, at the time of voting, disqualified from voting because of Article 4;
- (ba) that a person who voted was not, by virtue of Article 2(3A), entitled to vote in the election;

- (c) that a person accepted, directly or indirectly, any gift, promise or advantage in consideration of voting in favour of a candidate;
- (d) that a person falsely represented himself or herself as being a person included on the electoral register in force for the election or the supplementary electoral register in force for the election (if any);
- (e) that a person recorded his or her vote in a manner contrary to the requirements of this Law.

61 Declaration of vacancy, or that entire election void¹⁶²

- (1) The Royal Court shall declare the election of a candidate void and a casual vacancy in the office left vacant as a consequence if –
 - (a) the Court finds that the candidate elected to that office –
 - (i) is disqualified for such election, or
 - (ii) has committed an offence against Article 62 or 64 at the election;
 - (b) the Court finds that the candidate's nomination did not comply with the requirements of this Law; or
 - (c) the candidate elected to that office does not for any reason take the oath of office before the Royal Court.
- (2) Except as provided by paragraph (1), if the Royal Court finds that a public election has not been conducted in a constituency in accordance with the requirements of this Law the Royal Court may –
 - (a) declare the election of one or more candidates in the election in that constituency void and a casual vacancy in the offices left vacant as a consequence; or
 - (b) declare the election void in the constituency.
- (3) Notwithstanding paragraph (1)(b), if the Royal Court considers that any defect in a candidate's nomination is not a matter of substance and has not affected the result of the election, the Court shall not make a declaration under paragraph (1).
- (4) Notwithstanding paragraph (2), if the Royal Court considers that any failure to conduct an election in accordance with the requirements of this Law is not a matter of substance and has not affected the result of the election, the Court shall not make a declaration under paragraph (2).

PART 11

OFFENCES

62 Inducements and threats

- (1) A person shall be guilty of an offence and liable to a fine not exceeding level 3 on the standard scale if, with intent to obtain a vote for himself or herself, or for any other person, at a public election, or an abstention from voting at a public election, the person –

- (a) gives, offers or promises money, any article of value or any advantage to any person;
 - (b) publishes a false statement about a person who is a candidate at the election knowing the statement to be untrue; or
 - (c) assaults or threatens any person.
- (2) A person shall be guilty of an offence and liable to a fine not exceeding level 3 on the standard scale if he or she receives or accepts any money, any article of value, or any advantage, knowing that it has been given, offered or promised with the intent referred to in paragraph (1).

62A Interference with postal and pre-poll voting¹⁶³

A candidate or representative of a candidate who contravenes Article 46D(1) shall be guilty of an offence and liable to a fine of level 3 on the standard scale.

63 Behaviour inside polling station

- (1) At a public election, a candidate or representative of a candidate shall not engage a voter in conversation inside a polling station.
- (2) At a public election, a person shall not attempt inside a polling station to influence a voter by means of any sign or clothing or otherwise.
- (3) At a public election, a candidate (or representative of a candidate referred to in Article 28) shall not attempt to ascertain a number on a ballot paper or counterfoil.
- (4) Except as provided in Article 28, a person shall not, without lawful excuse, enter or remain in a polling station during a poll at a public election.
- (5) A person who contravenes this Article shall be guilty of an offence and liable to a fine not exceeding level 2 on the standard scale.

64 Interference with poll

- (1) A person shall be guilty of an offence and liable to a fine not exceeding level 3 on the standard scale if, at a public election, the person –
 - (a) discloses any vote given secretly other than his or her own;
 - (b) alters a counterfoil fraudulently;
 - (c) alters a ballot paper fraudulently for the purpose of rendering it invalid or of changing the vote recorded on it;
 - (d) removes or adds a ballot paper fraudulently; or
 - (e) knowingly states any number of ballot papers to be greater or less than the number the person believes to have been determined during the count.
- (2) A person shall be guilty of an offence and liable to a fine not exceeding level 3 on the standard scale if he or she, knowingly and without authority for the purpose, opens or causes to be opened any ballot box, package or envelope containing ballot papers, or counterfoils, that have been used at a public election.

65 Voting without the right

A person shall be guilty of an offence and liable to a fine not exceeding level 3 on the standard scale if, at a public election and with fraudulent intent, the person has –

- (a) voted, or presented himself or herself to vote, in the name and in the place of another person;
- (b) represented himself or herself as having the right to vote at a public election when the person did not have that right; or
- (c) voted without the right to do so at a public election.

66 Various offences

(1) A person shall be guilty of an offence and liable to a fine not exceeding level 3 on the standard scale if he or she does any of the following –

- (a) knowingly makes a false declaration, or gives false information, for the purposes of this Law;
- (b) with fraudulent intent procures the registration of himself or herself on more than one electoral register;
- (c) votes or attempts to vote at a public election in an electoral district for which the person is not registered;
- (d) votes or attempts to vote at a public election in more than one electoral district;
- (e) having had his or her name included on the register of postal and pre-poll voters under this Law, votes, or attempts to vote, in person at a public election (otherwise than by casting a pre-poll vote at the Judicial Greffe);
- (f) except with lawful authority, removes a ballot paper from a polling station at a public election;
- (g) fails to comply with a reasonable direction of the *Autorisé* given under Article 29(2) or 46A(2) or under any other provision of this Law.¹⁶⁴

(2) Without prejudice to any penalty imposed under paragraph (1), the Royal Court may disqualify a person found guilty under that paragraph from voting at public elections for a period not exceeding 4 years.

(3) A candidate (or a representative of a candidate referred to in Article 28) at a public election shall be guilty of an offence and liable to a fine not exceeding level 2 on the standard scale if, at an examination under Article 59 of ballot papers used at the election, he or she examines or attempts to examine a counterfoil so used.

67 Aiding and abetting

A person who aids, abets, counsels or procures the commission of an offence under this Law shall be liable to be dealt with, tried and punished as a principal offender.

68 Limitation on prosecution and civil action

No civil action, or criminal prosecution, arising from facts that have occurred at a public election or relate to a public election, may be instituted under this Law after the expiration of 12 months from the date of the election.¹⁶⁵

PART 12

MISCELLANEOUS

A69 Observers¹⁶⁶

- (1) The Privileges and Procedures Committee, after consultation with the Chief Minister, may appoint one or more observers of a public election.
- (2) The Privileges and Procedures Committee shall, as soon as possible after making an appointment under paragraph (1), present to the States a report informing the States of the appointment.
- (3) Notwithstanding any provision of this Law, but subject to paragraphs (5) and (6), an observer appointed under paragraph (1) –
 - (a) shall, at his or her request, be provided by the electoral administrator for a parish with a copy, free of charge, of any electoral register in force for the election;
 - (b) has the right to be present when pre-poll votes are taken pursuant to Article 42;
 - (c) has the right to be present in any polling station where an elector may vote in the election –
 - (i) while preparations are being made to open the poll, and
 - (ii) during the poll; and
 - (d) has the right to be present during any count in the election.
- (4) An observer exercising the right conferred by paragraph (3)(b) or (c) shall not –
 - (a) attempt to influence a voter by means of any sign or clothing, in conversation, or otherwise; or
 - (b) do anything to compromise the secrecy and integrity of pre-poll voting or voting at a polling station.
- (5) An observer exercising the right conferred by paragraph (3)(b) shall comply with any directions given to the observer by the Judicial Greffier for the purpose of ensuring the complete secrecy and regularity of pre-poll voting under Article 42.
- (6) An observer exercising the right conferred by paragraph (3)(c) or (d) shall comply with such directions as are given to him or her by an *Autorisé* (or *Adjoint*) under Article 29(2) or 47A(2).
- (7) An observer who contravenes paragraph (4) shall be guilty of an offence and liable to a fine of level 2 on the standard scale.
- (8) An observer who contravenes paragraph (5) or (6) shall be guilty of an offence and liable to a fine of level 3 on the standard scale.

69 How documents may be sent or served

- (1) Any notice, return, ballot paper or other document required or authorized by or under this Law to be sent to or served on a person, may be served –
 - (a) by delivering it to that person;

- (b) by leaving it at the person's proper address; or
 - (c) by sending it by post to the person's proper address.
- (2) For the purposes of this Article and of Article 7 of the [Interpretation \(Jersey\) Law 1954](#) in its application to this Article, the proper address of any person shall be the usual or last known place of abode of the person or, if that person has furnished an address for service in accordance with arrangements agreed to for that purpose, his or her proper address shall be the address furnished.
- (3) If the name or the address of any owner, lessee or occupier of premises to or on whom any notice, return, ballot paper or other document is to be sent or served, cannot after reasonable enquiry be ascertained, it may be sent or served by addressing it to that person (by the description of "owner", "lessee" or "occupier" of the premises), specifying the premises and delivering it to some responsible person resident or appearing to be resident on the premises or, if there is no person to whom it can be delivered, by affixing it, or a copy of it, to some conspicuous part of the premises.
- (4) A document may be sent to the electoral administrator for a parish under this Law by delivering it to, leaving it at, or sending it by post to, the relevant parish hall.¹⁶⁷

70 Misnomer or inaccurate description

No inaccurate description, or misnomer, of any person or place in a register, notice or return shall prejudice the operation of this Law with respect to that person or place in any case where the description of the person or place is such as to be commonly understood.

71 Civil liability of officers

- (1) A person to whom this Article applies shall not be liable in damages for anything done or omitted in the discharge or purported discharge of any functions under this Law or under any enactment made, or purportedly made, under this Law unless it is shown that the act or omission was in bad faith.
- (2) This Article applies to the Judicial Greffier and to an electoral administrator for a parish, *Autorisé* or *Adjoint*, a person presiding at a nomination meeting and any person who is, or is acting as, an officer, employee or agent of a parish or performing any duty or exercising any power on behalf of a parish.¹⁶⁸

72 Regulations

- (1) The States may, by Regulations, make provision for the purpose of carrying this Law into effect and, in particular, but without prejudice to the generality of the foregoing, for prescribing any matter that may be prescribed by Regulations under this Law.
- (1A) The States may, by Regulations, amend this Law –
- (a) to enable a person to apply, in electronic form, for inclusion on an electoral register or for his or her name to be omitted from an electoral register;
 - (b) to provide that such an application may be authenticated otherwise than by being signed by the applicant.¹⁶⁹
- (1B) The States may, by Regulations, amend this Law and the Referendum (Jersey) Law 2002, or such Law as from time to time replaces it –

- (a) to enable a person to vote in electronic form and to provide for authentication of that person's right to vote; and
 - (b) without prejudice to the generality of paragraph (2)(b), to make all supplementary provision as is necessary to facilitate such voting, including provision regarding the conduct of a poll or referendum, the conduct of any count in a poll or referendum, and the steps to be taken after a result in a poll or referendum has been obtained.¹⁷⁰
- (1C) In paragraphs (1A) and (1B) a reference to doing something in electronic form is a reference to doing it by any electronic means, whether using the internet, any other form of remote communication or any other digital technology from time to time developed.¹⁷¹
- (2) Regulations made under this Law may –
- (a) make different provision in relation to different cases or circumstances; and
 - (b) contain such transitional, consequential, incidental or supplementary provisions as appear to be necessary or expedient for the purposes of the Regulations.

73 Savings and transitional provisions

- (1) The States may by Regulations make provisions of a savings or transitional nature consequent on the enactment of this Law.
- (2) Any such provision may, if the Regulations so provide, take effect from the day on which this Law comes into force or a later day.
- (3) To the extent to which any such provision takes effect from a date that is earlier than the date of its promulgation, the provision does not operate so as –
 - (a) to affect, in a manner prejudicial to any person (other than the States or an authority of the States), the rights of that person existing before the date of its promulgation; or
 - (b) to impose liabilities on any person (other than the States or an authority of the States) in respect of anything done or omitted to be done before the date of its promulgation.

74 Citation and commencement

- (1) This Law may be cited as the Public [Elections \(Jersey\) Law 2002](#).
- (2) This Law shall come into force on such day as the States may by Act appoint and different days may be appointed for different purposes or different provisions of this Law.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement	Project No (where applicable)
Public Elections (Jersey) Law 2002	L.12/2002	5 June 2002 (R&O.42/2002) except Articles 6(6), 7(1)-(3) and (5), 12(2)(b) and 20(5)-(7) 21 March 2006 (R&O.23/2006) as to Articles 6(6) and 7(1) (except sub-paragraph (b)), (2), (3) and (5) 1 January 2007 (R&O.23/2006) as to Article 7(1)(b) Article 12 (2) (b) omitted by L.39/2008 ; Article 20 (5)-(7) not in force	P.132/2001
Public Elections (Jersey) Regulations 2002	R&O.43/2002	5 June 2002	P.60/2002
Public Elections (Amendment) (Jersey) Law 2003	L.20/2003	2 May 2003	P.234/2002
Public Elections (Jersey) Regulations 2003	R&O.51/2003	1 July 2003	P.64/2003
States of Jersey (Amendments and Construction Provisions No. 7) (Jersey) Regulations 2005	R&O.47/2005	9 December 2005	P.61/2005
States of Jersey Law 2005	L.8/2005	9 December 2005 (R&O.158/2005)	P.124/2004 (re-issue)
Connétables (Jersey) Law 2008	L.15/2008	28 March 2008	P.184/2007
Public Elections (Amendment No. 2) (Jersey) Law 2008	L.1/2008	1 April 2008 (R&O.41/2008)	P.94/2007
Political Parties (Registration) (Jersey) Law 2008	L.31/2008	1 August 2008	P.25/2008
Public Elections (Amendment No. 3) (Jersey) Law 2008	L.39/2008	31 October 2008	P.65/2008
Public Elections (Amendment No. 4) (Jersey) Law 2011	L.11/2011	24 June 2011	P.14/2011

Legislation	Year and No	Commencement	°Projet No (where applicable)
Procureurs du Bien Public (Terms of Office) (Jersey) Law 2013	L.9/2013	26 July 2013	P.45/2013
Public Elections (Amendment No. 5) (Jersey) Law 2014	L.16/2014	26 July 2014 except Article 7 1 January 2015 as to Article 7	P.46/2014
Public Elections (Amendment No. 6) (Jersey) Law 2016	L.32/2016	24 December 2016	P.52/2016
Public Elections (Amendment of Law) (Jersey) Regulations 2017	R&O.46/2017	25 April 2017	P.13/2017
Public Elections (Amendment No. 7) (Jersey) Law 2017	L.7/2017	28 April 2017	P.124/2016
Public Elections (Amendment No. 8) (Jersey) Law 2017	L.8/2017	28 April 2017	P.125/2016
Public Elections (Amendment of Law) (No. 2) (Jersey) Regulations 2018	R&O.13/2018	1 March 2018	P.2/2018
Constitution of the States and Public Elections (Jersey) Law 2021	L.11/2021	22 December 2021 Schedule 2, Part 1, paragraphs 1 to 14	P.17/2021

°Projets available at www.statesassembly.gov.je

Table of Renumbered Provisions

Original	Current
73	spent, omitted from this revised edition
74	73
75	74

Table of Endnote References

- ¹ *This Law has been amended by the States of Jersey (Amendments and Construction Provisions No. 7) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government*
- ² *Article 1* amended by L.20/2003, L.31/2008, L.11/2011, L.16/2014, L.8/2017, L.11/2021
- ³ *Article 1A* inserted by L.11/2021
- ⁴ *Article 2(1)* amended by L.20/2003, L.16/2014, L.11/2021
- ⁵ *Article 2(1A)* inserted by L.16/2014, amended by L.11/2021
- ⁶ *Article 2(2)* amended by L.16/2014, L.11/2021
- ⁷ *Article 2(3)* amended by L.16/2014, deleted by L.11/2021

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- ⁸ Article 2(3A) *inserted by L.16/2014, amended by L.11/2021*
- ⁹ Article 3 *amended by L.16/2014*
- ¹⁰ Article 4 *substituted by L.7/2017*
- ¹¹ Article 4A *inserted by L.7/2017*
- ¹² Article 5(1) *amended by L.1/2008*
- ¹³ Article 5(3) *inserted by L.7/2017*
- ¹⁴ Article 5A *inserted by L.16/2014*
- ¹⁵ Article 6 *substituted by L.39/2008*
Article 25 of L.39/2008 makes the following transitional provision -
“An electoral register in force for an electoral district immediately
before this Law comes into force shall remain in force, on and after
that date, as if it had been prepared under Article 6 of the principal
Law as substituted by this Law.”
- ¹⁶ Article 6(1) *amended by L.16/2014*
- ¹⁷ Article 7 *substituted by L.39/2008*
- ¹⁸ Article 7(1) *amended by L.16/2014*
- ¹⁹ Article 7(2) *amended by L.16/2014, R&O.46/2017*
- ²⁰ Article 7(3) *amended by L.16/2014, R&O.46/2017*
- ²¹ Article 7(4) *amended by L.16/2014, R&O.13/2018*
- ²² Article 7(5) *substituted by R&O.13/2018*
- ²³ Article 7A *inserted by L.16/2014*
- ²⁴ Article 7A(4) *amended by L.8/2017*
- ²⁵ Article 8 *substituted by L.39/2008*
- ²⁶ Article 8(1) *amended by L.16/2014*
- ²⁷ Article 8(2) *amended by L.16/2014*
- ²⁸ Article 8(3) *amended by L.16/2014*
- ²⁹ Article 8(4) *amended by L.16/2014*
- ³⁰ Article 8(5) *amended by L.16/2014*
- ³¹ Article 9 *substituted by L.39/2008*
- ³² Article 9(1) *amended by L.16/2014*
- ³³ Article 9(3) *amended by L.16/2014*
- ³⁴ Article 9(3A) *inserted by L.16/2014*
- ³⁵ Article 9(4) *amended by L.16/2014*
- ³⁶ Article 9(5) *amended by L.16/2014*
- ³⁷ Article 9(6) *amended by L.11/2011, L.16/2014*
- ³⁸ Article 9(7) *inserted by L.8/2017*
- ³⁹ Article 9A *inserted by L.16/2014, heading amended by L.11/2021*
- ⁴⁰ Article 9A(1) *amended by L.11/2021*
- ⁴¹ Article 10 *substituted by L.39/2008*
- ⁴² Article 10(1) *substituted by L.16/2014*
- ⁴³ Article 11(1) *amended by L.16/2014*
- ⁴⁴ Article 11(2) *amended by R&O.43/2002, L.39/2008, L.16/2014*
- ⁴⁵ Article 12(1) *amended by L.11/2021*
- ⁴⁶ Article 12(1A) *inserted by L.39/2008, amended by L.11/2011*
- ⁴⁷ Article 12(2) *substituted by L.39/2008, amended by L.16/2014*
- ⁴⁸ Article 12(3) *added by L.39/2008, amended by L.16/2014*
- ⁴⁹ Article 15(1) *amended by L.16/2014, L.11/2021*
- ⁵⁰ Article 15(2) *deleted by L.11/2021*
- ⁵¹ Article 15(3) *added by L.16/2014*
- ⁵² Article 16 *amended by L.16/2014*
- ⁵³ Article 17(1) *amended by L.20/2003, L.8/2005, L.15/2008, L.9/2013*
- ⁵⁴ Article 17(2) *amended by L.11/2021*

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- ⁵⁵ Article 17(2AA) inserted by L.11/2021
- ⁵⁶ Article 17(2A) inserted by L.8/2017
- ⁵⁷ Article 17(2B) inserted by L.8/2017, amended by L.11/2021
- ⁵⁸ Article 17(2C) inserted by L.8/2017, deleted by L.11/2021
- ⁵⁹ Article 17(3) added by L.39/2008
- ⁶⁰ Article 17(3A) inserted by L.8/2017, amended by L.11/2021
- ⁶¹ Article 17(4) added by L.39/2008, substituted by L.16/2014, amended by L.11/2021
- ⁶² Article 17A inserted by L.16/2014
- ⁶³ Article 17A(2) amended by L.11/2021
- ⁶⁴ Article 18 renumbered as Article 18(1) by L.15/2008
- ⁶⁵ Article 18(1) amended by L.16/2014, L.11/2021
- ⁶⁶ Article 18(2) substituted by L.11/2011; former Article inserted by L.15/2008, amended by L.11/2021
- ⁶⁷ Article 18(3) inserted by L.11/2011
- ⁶⁸ Article 19(1) amended by L.8/2017, L.11/2021
- ⁶⁹ Article 19(3) amended by L.20/2003, L.39/2008, L.11/2021
- ⁷⁰ Article 19(3A) inserted by L.39/2008, deleted by L.11/2021
- ⁷¹ Article 20(2) amended by L.16/2014, L.11/2021
- ⁷² Article 20(2A) inserted by L.16/2014, amended by L.11/2021
- ⁷³ Article 20(4) amended by L.16/2014, L.11/2021
- ⁷⁴ Article 20(4AA) inserted by L.16/2014
- ⁷⁵ Article 20(4A) inserted by L.31/2008, amended by L.11/2021
- ⁷⁶ Article 20(4B) inserted by L.31/2008, amended by L.8/2017
- ⁷⁷ Article 20(4C) inserted by L.31/2008
- ⁷⁸ Article 20(4CA) substituted by L.8/2016
- ⁷⁹ Article 20(4CB) inserted by L.8/2016
- ⁸⁰ Article 20(4D) inserted by L.31/2008, amended by L.11/2011
- ⁸¹ Article 20(4E) inserted by L.31/2008
- ⁸² Article 20(8) substituted by L.39/2008
- ⁸³ Article 21(1) amended by L.8/2017
- ⁸⁴ Article 21(3) amended by L.8/2017
- ⁸⁵ Article 22(2) amended by L.16/2014
- ⁸⁶ Article 22(3) substituted by L.11/2011, amended by L.8/2017
- ⁸⁷ Article 23 heading amended by L.8/2017
- ⁸⁸ Article 23(A1) inserted by L.8/2017
- ⁸⁹ Article 23(2) amended by L.8/2017
- ⁹⁰ Article 24(1) amended by L.31/2008, L.11/2011, L.16/2014, L.8/2017, deleted by L.11/2021
- ⁹¹ Article 24(2) amended by L.16/2014, deleted by L.11/2021
- ⁹² Article 24(3) substituted by L.31/2008
- ⁹³ Article 24(3A) inserted by L.31/2008, amended by L.11/2011, amended by L.8/2017, L.11/2021
- ⁹⁴ Article 26(1) amended by L.16/2014
- ⁹⁵ Article 26(4) deleted by L.11/2011
- ⁹⁶ Article 26(5) substituted by L.11/2011; former Article amended by L.39/2008
- ⁹⁷ Article 26(6) inserted by L.11/2011
- ⁹⁸ Article 30 substituted by L.8/2017
- ⁹⁹ Article 31(2) amended by L.16/2014
- ¹⁰⁰ Article 31(2A) inserted by L.16/2014
- ¹⁰¹ Article 32(A1) inserted by L.8/2017
- ¹⁰² Article 32(1) substituted by L.11/2011
- ¹⁰³ Article 32(2) amended by L.11/2011, L.16/2014, L.8/2017

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- ¹⁰⁴ Article 32(2A) inserted by L.11/2011
- ¹⁰⁵ Article 32(2B) inserted by L.11/2011, amended by L.16/2014, L.8/2017
- ¹⁰⁶ Article 32(3) amended by L.11/2011, L.16/2014
- ¹⁰⁷ Article 32A inserted by L.39/2008
- ¹⁰⁸ Article 32A(1) substituted by L.11/2011
- ¹⁰⁹ Article 32A(4) substituted by L.11/2011
- ¹¹⁰ Article 33(3) amended by L.11/2011
- ¹¹¹ Article 34(2) amended by L.16/2014
- ¹¹² Article 35 substituted by L.8/2017
- ¹¹³ Article 35A inserted by L.16/2014
- ¹¹⁴ Article 35A(2) amended by L.8/2017
- ¹¹⁵ Part 7 substituted by L.11/2011
- ¹¹⁶ Article 38 amended by L.7/2017
- ¹¹⁷ Article 39 amended by L.7/2017
- ¹¹⁸ Article 39A inserted by L.16/2014
- ¹¹⁹ Article 40 substituted by L.16/2014
- ¹²⁰ Article 42(1) substituted by L.16/2014
- ¹²¹ Article 42(1A) inserted by L.16/2014
- ¹²² Article 42(1B) inserted by L.8/2017
- ¹²³ Article 42(3) amended by L.8/2017
- ¹²⁴ Article 42(6) amended by L.8/2017
- ¹²⁵ Article 42(8) amended by L.16/2014
- ¹²⁶ Article 42(11) substituted by L.8/2017
- ¹²⁷ Article 42(12) substituted by L.8/2017
- ¹²⁸ Article 43(4) inserted by L.7/2017
- ¹²⁹ Article 44(2) amended by L.16/2014
- ¹³⁰ Article 44(5) amended by L.8/2017
- ¹³¹ Article 46B(3) amended by L.16/2014
- ¹³² Article A47 deleted by L.8/2017
- ¹³³ Article 47 substituted by L.8/2017
- ¹³⁴ Article 47(3) amended by L.11/2021
- ¹³⁵ Article 47(4) deleted by L.11/2021
- ¹³⁶ Article 47(5) substituted by L.11/2021
- ¹³⁷ Article 47(5A) inserted by L.11/2021
- ¹³⁸ Article 47(6) amended by L.11/2021
- ¹³⁹ Article 47(7) amended by L.11/2021
- ¹⁴⁰ Article 47A inserted by L.8/2017
- ¹⁴¹ Article 48 substituted by L.8/2017
- ¹⁴² Article 49 substituted by L.8/2017
- ¹⁴³ Article 50 substituted by L.8/2017
- ¹⁴⁴ Article 51(1) amended by L.11/2011, L.8/2017
- ¹⁴⁵ Article 51(1A) inserted by L.39/2008, amended by L.11/2011
- ¹⁴⁶ Part 8A inserted by L.16/2014
- ¹⁴⁷ Article 52 substituted by L.8/2017
- ¹⁴⁸ Article 52A substituted by L.8/2017
- ¹⁴⁹ Article 52AA inserted by L.8/2017
- ¹⁵⁰ Article 52B inserted by L.16/2014
- ¹⁵¹ Article 52C inserted by L.16/2014
- ¹⁵² Article 52C(1) substituted by L.8/2017
- ¹⁵³ Article 52C(2) amended by L.8/2017
- ¹⁵⁴ Article 52C(4) substituted by L.8/2017
- ¹⁵⁵ Article 52C(7) substituted by L.8/2017

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- ¹⁵⁶ Article 52C(8) substituted by L.8/2017
- ¹⁵⁷ Article 53 substituted by L.8/2017
- ¹⁵⁸ Article 54 inserted by L.16/2014, former Article repealed by L.39/2008
- ¹⁵⁹ Article 56(1) amended by L.39/2008, L.11/2011, L.16/2014
- ¹⁶⁰ Article 57(2) amended by L.11/2011
- ¹⁶¹ Article 60 amended by L.16/2014
- ¹⁶² Article 61 substituted by L.8/2017
- ¹⁶³ Article 62A inserted by L.39/2008, amended by L.11/2011
- ¹⁶⁴ Article 66(1) amended by L.39/2008
- ¹⁶⁵ Article 68 amended by L.11/2011
- ¹⁶⁶ Article A69 inserted by L.8/2017
- ¹⁶⁷ Article 69(4) amended by L.16/2014
- ¹⁶⁸ Article 71(2) amended by L.16/2014
- ¹⁶⁹ Article 72(1A) inserted by L.16/2014
- ¹⁷⁰ Article 72(1B) inserted by L.32/2016
- ¹⁷¹ Article 72(1C) inserted by L.32/2016