

PUBLIC ELECTIONS (JERSEY) LAW 2002

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

1. Qualification and disqualification for election to office as Senator or Deputy, or as Connétable, are set out in the States of Jersey Law 2005 (for Senators and Deputies) and the Connétables (Jersey) Law 2008 (for Connétables).

A person shall, unless disqualified by provisions in the above laws or any other enactment, be qualified for election if he or she –

- (a) is of full age; and
- (b) is a British citizen who has been –
 - (i) ordinarily resident in Jersey for a period of at least 2 years up to and including the day of the election, or
 - (ii) ordinarily resident in Jersey for a period of 6 months up to and including the day of the election, as well as having been ordinarily resident in Jersey at any time for an additional period of, or for additional periods that total, at least 5 years.

A person shall be disqualified for election if he or she is a paid officer in the service of the States or any administration of the States, unless he or she is permitted, by or under the Employment of States of Jersey Employees (Jersey) Law 2005, to stand for election.

A retiring Senator, Connétable or Deputy who is not disqualified by the laws or any other enactment shall be eligible for re-election.

In addition a person standing for election as Connétable must be resident in the Parish in which s/he is a candidate.

Article 8 of the States of Jersey Law 2008 and Article 4C of the Connétables (Jersey) Law 2008 set out the following disqualifications for election as Senator, Connétable or Deputy.

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

- (a) if the person pays his or her debts in full on or before the conclusion of the bankruptcy proceedings, on the day the proceedings are concluded;
- (b) in any other case, on the expiry of 5 years from the day the proceedings are concluded.

(4) The disqualification attaching to a person by reason of his or her having made a composition or arrangement with his or her creditors shall cease –

- (a) if the person pays his or her debts in full, on the day on which the payment is completed;
- (b) in any other case, on the expiry of 5 years from the day on which the terms of the composition or arrangement are fulfilled.

2. Nomination Document and Political Party Declaration must be completed by a candidate for election to the office of Senator, Connétable or Deputy.
3. Declaration of convictions must be made by all candidates for election to the office of Connétable (under the Connétables (Jersey) Law 2008), Senator or Deputy (under the States of Jersey Law 2005).
4. Office of Connétable - candidates for election should be aware that the Royal Court may refuse to swear a person to office if not satisfied that he or she is a fit and proper person to hold that office. Candidates may be asked to complete a basic criminal records check.
5. Candidate in one election only - the Public Elections (Jersey) Law 2002 provides that where 2 or more elections for one or more Senators, Deputies or Connétables are held on the same day a person cannot be admitted as a candidate in more than one of those elections. If a person is admitted as a candidate in an election and is subsequently admitted as a candidate in another of those elections then the earlier admission as a candidate shall lapse.
6. Electoral constituencies for each election are as follows:
 - a. The Island of Jersey for the office of Senator
 - b. The Parish for the office of Connétable
 - c. For the office of Deputy -
 - i. Parishes of St Clement, Grouville, St John, St Lawrence, St Martin, St Mary, St Ouën, St Peter and Trinity
 - ii. Districts 1 and 2 St Brelade; Districts 1, 2 and 3 St Helier; and Districts 1, 2 and 3 St Saviour.
7. Proposer and seconders of a candidate must all be entitled under the Public Elections (Jersey) Law 2002 to vote for the candidate they nominate in any poll held for the election.
8. Persons entitled to vote in an election are those names on an electoral register or on a supplementary register within the constituency. An elector who has registered in advance of meeting the eligibility criteria may not vote prior to the date on which he/she meets the criteria.

ELECTION EXPENSES – the Public Elections (Expenditure and Donations) (Jersey) Law 2014 limits the amount that candidates can spend when standing for election to the States as a Senator, Connétable or Deputy. The Law may be viewed on the Jersey Legal Information Board website www.jerseylaw.je and an explanatory leaflet is available from the States Greffe (Tel: 441020).

ELECTION MATERIALS – the Department for Infrastructure (Tel: 445509) has requirements and guidelines regarding the placing of election materials on the highway and on road signs. Please ensure you follow these requirements and guidelines.

PUBLIC ELECTIONS (JERSEY) LAW 2002 - NOMINATION DOCUMENT

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

Please use one form for each candidate.

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

We, the undersigned, being electors of [constituency] nominate

[full name]

[address]

[electoral district/parish] [elector number of candidate] as a candidate

for the office of [office in that constituency] this day of 20....

The CANDIDATE may declare any family name or forename by which he/she is commonly known and which the candidate wishes to appear on the ballot paper. Enter details and signature below.

Family name: Forename: Signature:

POLITICAL PARTY DECLARATION

A candidate for the office of Senator, Connétable or Deputy must complete the following declaration BEFORE the proposer and seconders sign the Nomination Document. Delete A or B as appropriate.

I [full name of candidate] confirm that-

A] my candidacy is NOT endorsed by any political party OR

B] my candidacy is endorsed by [registered name of political party] and I confirm that I wish the registered name / registered abbreviation [delete as appropriate] to be entered on the ballot paper.

Signature of candidate: Date:

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

Signature: Print Name: Date:

Signature: Print Name: Date:

Note 1. 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.

Note 2. A declaration made cannot be withdrawn after the Nomination Document has been produced to the nomination meeting.

PROPOSER Full Name:		
Address:		
Electoral District & Parish:	Electoral Number:	Signature:
SECONDER Full Name:		
Address:		
Electoral District & Parish:	Electoral Number:	Signature:
SECONDER Full Name:		
Address:		
Electoral District & Parish:	Electoral Number:	Signature:
SECONDER Full Name:		
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Electoral District & Parish:	Electoral Number:	Signature:
SECONDER Full Name:		
Address:		
Electoral District & Parish:	Electoral Number:	Signature:

The proposer and seconders must all be entitled under Article 2(1A), (2), (3) and (3A) of the Public Elections (Jersey) Law 2002 to vote for the candidate they nominate in any poll held for the election.

The details you provide may be processed by the Parishes, the Judicial Greffe and/or the Law Officers' Department in accordance with the Data Protection (Jersey) Law 2005 for the purposes of the Public Elections (Jersey) Law 2002 and will not be further used or disclosed without your consent.

DECLARATION BY CANDIDATE FOR ELECTION

STATES OF JERSEY LAW 2005

Declaration to be made by candidate for election as Senator or Deputy

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

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

OR

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

Signed Date

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

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

The details you provide may be processed by the Parishes, the Judicial Greffe and/or the Law Officers' Department in accordance with the Data Protection (Jersey) Law 2005 for the purposes of Public Elections (Jersey) Law 2002 and/or the States of Jersey Law 2005 and will not be further used or disclosed without your consent.

STATES OF JERSEY LAW 2005

Article 9 Declaration to be made when nominated

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

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

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

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

DECLARATION BY CANDIDATE FOR ELECTION

CONNÉTABLES (JERSEY) LAW 2008

Declaration to be made by candidate for election as Connétable

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

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

OR

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

Signed..... Date

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

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

The details you provide may be processed by the Parishes, the Judicial Greffe and/or the Law Officers' Department in accordance with the Data Protection (Jersey) Law 2005 for the purposes of the Public Elections (Jersey) Law 2002 and/or the Connétables (Jersey) Law 2008, and will not be further used or disclosed without your consent.

CONNÉTABLES (JERSEY) LAW 2008

4A Declaration to be made when nominated

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

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

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