ELECTIONS (JERSEY) LAW 2002

Official Consolidated Version

This is an official version of consolidated legislation compiled and issued under the authority of the Legislation (Jersey) Law 2021.

Showing the law from 7 June 2026 to Current

ELECTIONS (JERSEY) LAW 2002

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Jersey

ELECTIONS (JERSEY) LAW 2002[1]

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

Commencement [see endnotes]

PART 1

PRELIMINARY

1 Interpretation[2]

In this Law unless the context otherwise requires –

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

"annulled ballot paper" has the meaning given in Article 36(2);

"*Autorisé*" 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;

"ballot paper packages" has the meaning given by Article 52(7);

"candidates' lists of voters" means candidates' primary lists of voters and candidates' supplementary lists of voters;

"candidates' primary list of voters" has the meaning given in Article 12A(1);

"candidates' supplementary list of voters" has the meaning given in Article 12A(2);

"constituency" –

(a) in relation to the election of a Senator, has the meaning given in Article 3A of the States of Jersey Law 2005;

(b) in relation to the election of a Deputy, has the meaning given in Article 3B of the States of Jersey Law 2005;

(c) in relation to the election of a Connétable of a parish, means the parish;

(d) in relation to the election of a Centenier or Procureur du Bien Public of a parish, means the parish;

"counting station" means a place designated under Article 47 as the location, or 1 of the locations, for the count of votes in an 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" has the meaning given in Article 6(4)(a)(i);

"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) or (3);

"invalid", in relation to a ballot paper, means invalid on any of the grounds listed in Article 51(1);

"JEA" means the Jersey Electoral Authority established by Article 13A;

"late registration period" has the meaning given in Article 9A(5);

"nomination day" means –

(a) in relation to a parish election, the day on which the nomination meeting for the election is held;

(b) in relation to a public election, the first day of the nomination period for the election (determined under Article 17C);

"nomination meeting" means a meeting under Part 5 at which candidates at a parish election are proposed and seconded;

"parish election" means an election of a Centenier or Procureur du Bien Public;

"political party" means a political party which is registered under the Political Parties (Registration) (Jersey) Law 2008;

"PPC" means the Privileges and Procedures Committee established under the Standing Orders of the States of Jersey;

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

"public election" means an election of a Senator, Deputy or Connétable;

"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(4);

"working day" means a day other than –

(a) a Saturday or a Sunday;

(b) Christmas Day or Good Friday; or

(c) a day that is a public holiday or a bank holiday under the Public Holidays and Bank Holidays (Jersey) Law 1951.

1A Electoral districts[3]

(1) In relation to an election of a Senator, 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.[4]

(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.[5]

(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.[6]

(1B) A person is entitled to vote in an election for the office of Senator if the person's name is included in –

(a) an electoral register in force for the election (for any electoral district); or

(b) a supplementary electoral register in force for the election (for any electoral district).[7]

(2) A person is entitled to vote in an election for the office of Deputy for a constituency if the person's name is included in –

(a) the electoral register in force for the election for an electoral district that is, or is within, the constituency; or

(b) the supplementary register in force for the election for an electoral district that is, or is within, the constituency.[8]

(3) [9]

(3A) Notwithstanding paragraphs (1), (1A), (1B) and (2) a person who is registered as a future voter under any of Articles 5B to 5D 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 6(4)(b).[10]

(4) A person is not prevented from voting at a public election or a parish election just because the person holds any office (including that of *Autorisé* or *Adjoint*), or exercises any function, under this Law.[11]

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.[12]

4 [13]

4A Voting by prisoners[14]

(1) This Article applies to a person who –

(a) is detained in prison (whether following conviction or otherwise); and

(b) is entitled to vote in a public or parish election.[15]

(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.

(3) A person to whom this Article applies may vote in a parish election only pursuant to measures taken by an *Autorisé* or *Adjoint* under Article 35 (and for this purpose the *Autorisé* or *Adjoint* must take measures for taking the person's vote).[16]

(4) In this Article, "prison" has the same meaning as in the Prison (Jersey) Law 1957 (see Article 1(1) of that Law).[17]

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 1 year 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.[18]

(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 ordinarily resident in Jersey only in pursuance of a sentence of imprisonment.

(b) [19]

(4) Articles 5A to 5D provide for the entitlement to be registered as a future voter in the electoral register for an electoral district.[20]

5A Advance registration: general provision[21]

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

5B Advance registration: age grounds[22]

(1) This Article applies in relation to a person who –

(a) satisfies the requirements of Article 5(1)(c) (period of residency); but

(b) is under the age of 16.

(2) The person is entitled, at a time within the advance registration period, to be registered as a future voter in the electoral register for the electoral district in which the person is ordinarily resident at that time.

(3) For the purposes of paragraph (2), the "advance registration period" is the period of 3 months ending with the day on which the person will attain the age of 16.

5C Advance registration: residency grounds[23]

(1) This Article applies in relation to a person who –

(a) is at least 16 years old and ordinarily resident in Jersey; but

(b) does not satisfy the requirement in Article 5(1)(c) (period of residency).

(2) The person is entitled, at a time within the advance registration period, to be registered as a future voter in the electoral register for the electoral district in which the person is ordinarily resident at that time.

(3) For the purposes of paragraph (2), the "advance registration period" is the period of 3 months ending with the day on which the person would, if the person continued to be ordinarily resident in Jersey, satisfy the requirement in Article 5(1)(c).

5D Advance registration: age and residency grounds[24]

(1) This Article applies in relation to a person who is ordinarily resident in Jersey but –

(a) is under the age of 16; and

(b) does not satisfy the requirement in Article 5(1)(c) (period of residency).

(2) The person is entitled, at a time within the advance registration period, to be registered as a future voter in the electoral register for the electoral district in which the person is ordinarily resident at that time.

(3) For the purposes of paragraph (2), the "advance registration period" is the period of 3 months ending with the later of –

(a) the day on which the person will attain the age of 16; and

(b) the day on which the person would, if the person continued to be ordinarily resident in Jersey, satisfy the requirement in Article 5(1)(c).

5E Chief Minister to supply lists of registrable persons[25]

(1) The Chief Minister must, from time to time, in relation to each electoral district –

(a) create a list of registrable persons in relation to the electoral district; and

(b) supply the list to the electoral administrator for the parish that is the electoral district or in which the electoral district is located.

(2) If, at any time, an electoral administrator requests the Chief Minister to create and supply to them a list of registrable persons (in accordance with paragraph (1)(a) and (b)), the Chief Minister must comply with that request within a reasonable period.

(3) A person is a "registrable person" in relation to an electoral district if –

(a) the person is registered in the Register of Names and Addresses;

(b) the person's residential address, as recorded in that Register, is located in the electoral district; and

(c) it appears to the Chief Minister, having taken the relevant data into account, that –

(i) the person is at least 16 years old, is ordinarily resident in the electoral district and satisfies the requirements of Article 5(1)(c) (period of residency); or

(ii) the person is entitled to be registered as a future voter in the electoral register for the electoral district.

(4) For the purposes of paragraph (3)(c) "relevant data" means –

(a) information included in the Register of Names and Addresses;

(b) information obtained under or for the purposes of the Social Security (Jersey) Law 1974, disclosed to the Chief Minister under Article 8A of the Revenue Administration (Jersey) Law 2019; and

(c) other information (including information referred to in Article 5F) that the Chief Minister considers relevant for indicating whether or not a person meets the conditions in paragraph (3)(c).

(5) The list created and supplied under paragraph (1) must –

(a) include the following information, as recorded in the Register of Names and Addresses, in relation to each person included in the list –

(i) the person's name (including title);

(ii) the person's residential address;

(iii) the person's date of birth;

(b) identify the persons who appear to be entitled to be registered as future voters under any of Articles 5B to 5D; and

(c) in relation to each person who appears to be entitled to be registered as a future voter, specify the earliest date on which the person may satisfy the requirements of Article 5.

(6) In this Article, "Register of Names and Addresses" means the register established and maintained under Part 2 of the Register of Names and Addresses (Jersey) Law 2012.

5F Disclosure and use of information[26]

(1) Information obtained (for any purpose) by a relevant public authority may be disclosed to the Chief Minister for use for the purposes of Article 5E(3)(c).

(2) The reference in paragraph (1) to information obtained by a relevant public authority includes, in particular, information obtained under or for the purposes of –

(a) the Health Insurance (Jersey) Law 1967; or

(b) the Income Support (Jersey) Law 2007.

(3) In this Article, "relevant public authority" means –

(a) a Minister;

(b) a department established on behalf of the States;

(c) a body, office or unit of administration established on behalf of the States (including under an enactment);

(d) a parish.

6 Electoral registers[27]

(1) The electoral administrator for a parish must prepare and maintain, in electronic form, an electoral register for each electoral district that is, or is within, the parish.

(2) The electoral administrator must include a person's name in the electoral register for an electoral district if –

(a) the person's name is included in a list supplied under Article 5E(1)(b) in relation to the electoral district (subject to the exception in paragraph (3)(a));

(b) an application under Article 6A for inclusion in the electoral register for the electoral district has been granted (subject to the exception in paragraph (3)(b)); or

(c) the electoral administrator is otherwise satisfied that the person is entitled to have their name included in the electoral register for the electoral district.

(3) But –

(a) an electoral administrator is not required to include a person's name in an electoral register under paragraph (2)(a) if –

(i) the person's name has been removed from the electoral register under Article 6C(2) or 6D(2) (and has not subsequently been reinstated); or

(ii) the electoral administrator is not satisfied that the person is entitled to have their name included in the electoral register;

(b) an electoral administrator is not required to include a person's name in an electoral register under paragraph (2)(b) if, since the application was granted, the person's name has been removed from the electoral register under Article 6C(2) or 6D(2) (and has not subsequently been reinstated).

(4) An electoral register must include –

(a) in relation to each person whose name is included in the register –

(i) a reference number (an "electoral number") assigned to the person by the electoral administrator; and

(ii) the person's residential address; and

(b) in relation to each person who is registered as a future voter under any of Articles 5B to 5D, the last day of the advance registration period in relation to the person.

6A Application for inclusion in electoral register[28]

(1) In this Article, "unregistered voter" means a person –

(a) who is entitled to have their name included in an electoral register for an electoral district (the "appropriate electoral register"); but

(b) whose name is not included in the appropriate electoral register.

(2) An unregistered voter may apply for inclusion in the appropriate electoral register.

(3) If a person makes an application under paragraph (2) for inclusion in an electoral register for an electoral district, the application must be made –

(a) to the electoral administrator for the parish that is the electoral district or in which the electoral district is located; and

(b) in the form provided to the unregistered voter by the electoral administrator.

6B Determination of application for inclusion in electoral register[29]

(1) This Article applies if an electoral administrator for a parish receives an application under Article 6A(2) for inclusion in an electoral register.

(2) The electoral administrator must, as soon as reasonably practicable after receipt of the application –

(a) if the electoral administrator is satisfied that the applicant is entitled to be included in the electoral register, add the applicant's name to the electoral register and give written notice to the applicant stating that the application has been granted;

(b) if the electoral administrator is not satisfied that the applicant is entitled to be included in the electoral register, give written notice to the applicant stating –

(i) that the electoral administrator has not added the applicant's name to the register; and

(ii) the reason for that decision; or

(c) if the electoral administrator considers that the application cannot be determined on the basis of the information available to them, give written notice to the applicant –

(i) stating that the application cannot be determined without the provision of further information; and

(ii) specifying the further information required.

(3) If an electoral administrator gives a notice under paragraph (2)(c), they must, as soon as reasonably practicable after receipt of the information specified in the notice, take the step described in paragraph (2)(a) or (b).

6C Removal of name: omission from Article 5E list[30]

(1) This Article applies if –

(a) a person's name has been included in a list supplied under Article 5E(1)(b) in relation to an electoral district;

(b) the person's name is included on the electoral register for the electoral district under Article 6(2)(a); and

(c) the person's name is omitted from a list subsequently supplied under Article 5E(1)(b) in relation to the electoral district.

(2) The electoral administrator must remove the person's name from the electoral register, unless the electoral administrator is satisfied that the person continues to be entitled to have their name included in the register.

(3) If a person's name is removed under this Article, the electoral administrator must take reasonable steps to notify the person of the removal.

6D Removal of name: death or leaving electoral district[31]

(1) This Article applies if –

(a) the electoral administrator for a parish is satisfied that a person whose name is on the electoral register for an electoral district that is, or is within, the parish –

(i) is deceased;

(ii) is no longer ordinarily resident in the electoral district; or

(iii) for any other reason, is not entitled to have their name included in the electoral register for the electoral district; and

(b) Article 6C does not apply in relation to the person.

(2) The electoral administrator must remove the person's name from the electoral register.

(3) If a person's name is removed on a ground specified in paragraph (1)(a)(ii) or (iii), the electoral administrator must take reasonable steps to notify the person of the removal.

6E Confirmation of inclusion on electoral register[32]

(1) The electoral administrator for a parish must, on request by a person –

(a) inform the person whether or not the person's name is included in the electoral register for an electoral district that is, or is within, the parish; and

(b) if there is more than 1 electoral district within the parish, provide the information under paragraph (a) in relation to each of those electoral districts.

(2) If the electoral administrator fails to comply with paragraph (1) within a reasonable period of the request being made, the person may apply to the Royal Court for an order requiring the electoral administrator to provide the person with the information referred to in paragraph (1)(a) and (b).

7 [33]

7A [34]

8 [35]

9 [36]

9A Supplementary electoral registers for elections of Deputies and Connétables[37]

(1) This Article applies if the Royal Court has made an order for the holding of –

(a) an election for the office of Senator;

(b) an election for the office of Deputy or Connétable for a constituency.[38]

(1A) If the order relates to an election for the office of Senator, the electoral administrator for each parish must prepare and maintain, in electronic form, a supplementary electoral register for each relevant electoral district that is, or is within, the parish.[39]

(2) If the order relates to an election for the office of Deputy or Connétable for a constituency, an electoral administrator for the constituency must prepare and maintain, in electronic form, a supplementary electoral register for each relevant electoral district that is, or is within, the constituency.[40]

(3) A supplementary register has effect only for the purposes of –

(a) the election to which the order mentioned in paragraph (1) relates; or

(b) if the order relates to more than 1 election to be held on the same day, each of those elections.

(4) For the purposes of each election mentioned in Article 9A(1), the supplementary electoral register in force for an electoral district is that register as it stands at the end of the late registration period.

(5) For the purposes of this Article and Article 9B, the late registration period –

(a) begins at the time when the electoral register for the public election or elections becomes, in accordance with Article 12(1) or (3), the electoral register in force for the election or elections; and

(b) ends at midday on the seventh working day before the day of the poll or polls.

(6) In paragraphs (1A) and (2), "relevant electoral district", in relation to an electoral administrator for a parish, means an electoral district that is, or is within, the parish.[41]

(7) In paragraph (2), the reference to an electoral administrator for a constituency is a reference to an electoral administrator for a parish that alone, with other parishes, or in part, comprises the constituency.[42]

9B Supplementary electoral registers: content[43]

(1) This Article applies if an electoral administrator is required by Article 9A(1A) or (2) to prepare and maintain a supplementary electoral register for an electoral district.[44]

(2) The electoral administrator must include a person's name in the supplementary electoral register for the electoral district if –

(a) during the late registration period, the electoral administrator is required by Article 6(2) to include the person's name in the electoral register for the electoral district; and

(b) the person's name is not included in an electoral register for any other electoral district that is an electoral district in relation to an election of a Senator, Deputy or Connétable; and

(c) if the person is entitled to be included in the electoral register as a future voter under any of Articles 5B to 5D, the date entered in the electoral register, in relation to the person, under Article 6(4)(b), is on or before the date of the poll.[45]

(3) Article 6(4)(a) applies to a supplementary electoral register as it applies to an electoral register.

10 Appeals[46]

(1) A person may appeal to the Royal Court against a decision of an electoral administrator to –

(a) refuse to grant an application made under Article 6A for the person's name to be included in an electoral register; or

(b) remove the person's name from an electoral register under Article 6C or 6D.

(2) An appeal may not be brought after the end of the period of 28 days beginning with –

(a) the day on which the notice of the refusal or removal is given; or

(b) if no notice is given, the day on which the person becomes aware of the refusal or removal.

11 [47]

12 Electoral register in force for election[48]

(1) For the purposes of an election, the electoral register in force for an electoral district is that register as it stands at midday on the last working day before nomination day in relation to the election.

(2) But paragraph (3) applies (instead of paragraph (1)) for the purposes of an election if –

(a) the election is to be held on the same day as at least 1 other election;

(b) nomination days in relation to those elections fall on 2 consecutive days; and

(c) but for the operation of this paragraph, there would be 2 electoral registers, as in force on 2 consecutive days, for an electoral district.

(3) If this paragraph applies for the purposes of an election, the electoral register in force for an electoral district is that register as it stands at midday on the last working day before the earliest of the nomination days referred to in paragraph (2)(b).

(4) The electoral administrator for a parish must, in relation to an election, make available to the Judicial Greffier, and to the *Autorisés* and *Adjoints* for the election, a copy of each electoral register in force for an electoral district that is, or is within, the parish.

(5) The electoral administrator for a parish may, in relation to a public election, make available to the electoral administrator for another parish, and to the *Autorisés* and *Adjoints* for another public election, a copy of each electoral register referred to in paragraph (4).

12A Candidates' primary and supplementary lists of voters: definitions[49]

(1) "Candidates' primary list of voters", in relation to an election, means a list of the names and addresses of the persons who –

(a) are included in the electoral register in force for the purposes of that election; and

(b) have not opted out of inclusion in candidates' lists of voters, in accordance with Article 12C or 12D.

(2) "Candidates' supplementary list of voters", in relation to a public election, means a list of the names and addresses of the persons who –

(a) are included in the supplementary electoral register in force for the purposes of that election; and

(b) have not opted out of inclusion in candidates' lists of voters, in accordance with Article 12C or 12D.

12B Preparation and provision of candidates' lists of voters[50]

(1) The electoral administrator for a parish must, in relation to a public election –

(a) prepare –

(i) a candidates' primary list of voters for each electoral district that is, or is within, the parish; and

(ii) a candidates' supplementary list of voters for each of those electoral districts;

(b) provide, free of charge, a copy of each list prepared under paragraph (a) in relation to an electoral district to a person who –

(i) has become a candidate for the election in accordance with Article 17H(4);

(ii) is a candidate for a constituency that is, or includes, the electoral district; and

(iii) requests a copy of those lists.

(2) The electoral administrator for a parish must, in relation to a parish election –

(a) prepare a candidates' primary list of voters for the electoral district that is the parish; and

(b) provide, free of charge, a copy of the list prepared under paragraph (a) to a person who –

(i) has been admitted as a candidate for the election in accordance with Article 18; and

(ii) requests a copy of the list.

12C Candidates' lists of voters: opt-out notices[51]

(1) A person may opt out of inclusion in candidates' lists of voters by giving written notice to the relevant electoral administrator that their details are not to be included in lists prepared under Article 12B.

(2) A person may revoke a notice given by them under paragraph (1) by giving written notice to that effect to the relevant electoral administrator (and, accordingly, the person ceases to be opted out for the purposes of Article 12A(1)(b) or (2)(b)).

(3) In this Article, "relevant electoral administrator", in relation to a candidates' list of voters for an electoral district, means the electoral administrator for the parish that is the electoral district or in which the electoral district is located.

12D Electoral administrators required to notify previous opt-outs[52]

(1) Paragraph (2) applies if –

(a) a person's name is included in the electoral register for an electoral district that is, or is within, a parish ("Parish A");

(b) the person has opted out of inclusion in candidates' lists of voters, under Article 12C or this Article, for an electoral district in Parish A (and the notice giving effect to the opt-out has not been revoked under Article 12C or cancelled under this Article);

(c) the person is subsequently removed from the electoral register for the electoral district referred to in sub-paragraph (a); and

(d) on removal, the person is to be included in the electoral register for an electoral district that is, or is within, another parish ("Parish B").

(2) The electoral administrator for Parish A must, on removal of the person from the electoral register for the first electoral district, notify the electoral administrator for Parish B that the person had opted out of inclusion in candidates' lists of voters.

(3) If a notice is given under paragraph (2) –

(a) the person to whom the notice relates is treated as having opted out of inclusion in candidates' lists of voters for each electoral district that is, or is within, Parish B; and

(b) the person may cancel the notice by giving written notice to that effect to the electoral administrator for Parish B (and, accordingly, the person ceases to be treated as having opted out for the purposes of Article 12A(1)(b) or (2)(b)).

12E Further provision about notices under Articles 12C and 12D[53]

(1) A notice given to an electoral administrator under Article 12C(1) or (2) or Article 12D(3)(b) must be in the form provided by the electoral administrator.

(2) A notice given under Article 12C or 12D has effect –

(a) in relation to both candidates' primary lists of voters and candidates' supplementary lists of voters; and

(b) in relation to –

(i) each public election held after the notice is given, except as provided by Article 12F(2)(a) and (4)(a); and

(ii) each parish election held after the notice is given, except as provided by Article 12F(6)(a).

(3) If the conditions in paragraph (4) are met –

(a) a notice given by a person to an electoral administrator for a parish under Article 12C(1) is treated as being revoked;

(b) a notice given in respect of a person to an electoral administrator for a parish under Article 12D(2) is treated as being cancelled.

(4) The conditions are that –

(a) the person is removed from the electoral register for an electoral district that is, or is within, the parish; and

(b) the person is not (on removal from the electoral register referred to in sub-paragraph (a)) to be included in the electoral register for any other electoral district within that parish.

12F Candidates' lists of voters: opt-out, revocation and cancellation notices given close to an election[54]

(1) Paragraph (2) applies, in relation to a public election, if a notice is given under Article 12C or 12D –

(a) after midday on the last working day before nomination day in relation to the election; and

(b) at or before midday on the seventh working day before the day of the poll or polls for the election.

(2) The notice –

(a) does not have effect in relation to a candidates' primary list of voters for the election; but

(b) in accordance with Article 12E(2)(b), has effect in relation to –

(i) candidates' primary lists of voters for subsequent elections; and

(ii) candidates' supplementary lists of voters for that election and for subsequent elections.

(3) Paragraph (4) applies, in relation to a public election, if a notice is given under Article 12C or 12D after midday on the seventh working day before the day of the poll or polls for the election.

(4) The notice –

(a) does not have effect in relation to a candidates' supplementary list of voters for the election; but

(b) in accordance with Article 12E(2)(b), has effect in relation to candidates' primary and supplementary lists of voters for subsequent elections.

(5) Paragraph (6) applies, in relation to a parish election, if a notice is given under Article 12C or 12D –

(a) after midday on the last working day before nomination day in relation to the election; and

(b) on or before the day of the poll for the election.

(6) The notice –

(a) does not have effect in relation to a candidates' primary list of voters for the election; but

(b) in accordance with Article 12E(2)(b), has effect in relation to candidates' primary lists of voters for subsequent elections.

13 Regulations amending this Part[55]

The States may by Regulations –

(a) amend a period of time specified in this Part;

(b) amend Article 5E to alter the required contents of a list created and supplied under Article 5E(1) (list of registrable persons);

(c) add an entry to the list in Article 5F(2) (information obtained for certain purposes).

PART 3A[56]

JERSEY ELECTORAL AUTHORITY

13A Establishment of Jersey Electoral Authority

(1) A body corporate called the Jersey Electoral Authority (the "JEA") is established.

(2) The Schedule makes further provision about the constitution and proceedings of the JEA.

13B Reports on election

(1) The JEA –

(a) must prepare a report on the administration of each public election required under Article 6C of the States of Jersey Law 2005 or Article 2 of the Connétables (Jersey) Law 2008; and

(b) may prepare a report on the administration of a public election required under Article 6G of the States of Jersey Law 2005 or Article 3 of the Connétables (Jersey) Law 2008.[57]

(2) Where a report on an election is prepared under paragraph (1) –

(a) the JEA must, before the end of the period of 6 months beginning with the day on which the election is held, submit the report to the PPC; and

(b) the PPC must present the report to the States.

(3) The report must include the JEA's recommendations (if any) as to changes to the law and practice relating to elections.

13BA 2026 elections (transitional): reports on elections for Senators and Deputies[58]

(1) The JEA must prepare a report on the administration of each public election required under Article 6 or 6B of the States of Jersey Law 2005.

(2) Where a report on an election is prepared under paragraph (1) –

(a) the JEA must, before the end of the period of 6 months beginning with the day on which the election is held, submit the report to the PPC; and

(b) the PPC must present the report to the States.

(3) The report must include the JEA's recommendations (if any) as to changes to the law and practice relating to elections.

(4) This Article is deleted at the end of 31 December 2026.

13C Code of conduct for candidates

(1) The JEA must prepare, and may from time to time revise, a code of conduct for candidates at public elections.

(2) The code of conduct may, in particular, include guidance on –

(a) the manner in which candidates are expected to conduct their election campaigns;

(b) the use and content of advertisements or other campaign material, whether published (in any form), broadcast or circulated online;

(c) conduct while present at a polling station (by reason of Article 28 or 48) or at the count (under Article 49).

(3) The JEA must publish the code of conduct in such manner as it considers appropriate.

13D Resolution of disputes

(1) A candidate at an election may make a complaint to the JEA about –

(a) the conduct of another candidate at the election;

(b) the conduct of any person carrying out functions in connection with the election under this or any other Law.

(2) The JEA may take such steps as it considers appropriate for the purpose of seeking to address or resolve the complaint.

(3) The States may by Regulations make further provision about –

(a) the functions and powers of the JEA in respect of complaints made by candidates;

(b) the procedure to be followed by the JEA on receipt of a complaint.

13E Observation of elections

For the purposes of observing a public election, the Chair or an ordinary member of the JEA may –

(a) attend any location at which facilities for pre-poll voting are made available;

(b) attend any polling station –

(i) while preparations are being made to open the poll,

(ii) during the poll, or

(iii) after the poll has closed;

(c) be present during the count or any recount of the votes.

13F Other functions and powers of the JEA

(1) The JEA may –

(a) provide any person with advice or assistance which is incidental to, or otherwise connected with, the exercise of its functions; and

(b) do anything it thinks appropriate for the purposes of, or in connection with, its functions.

(2) The States may by Regulations confer further functions in connection with regulating elections on the JEA.

PART 4

GENERAL

14 Public elections and parish elections[59]

Public elections and parish elections 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.[60]

(2) [61]

(3) The following are to be met by the States –

(a)

(b) the costs incurred for the purposes of a public election of a Senator or a Deputy under Article 6C of the States of Jersey Law 2005;

(ba) the costs incurred for the purposes of a public election of a Senator or a Deputy under Article 6G of the States of Jersey Law 2005;

(c) the costs incurred by the JEA in the exercise of any of its functions.[62]

15A 2026 elections (transitional): cost of elections for Senators and Deputies[63]

(1) The following are to be met by the States –

(a) the costs incurred for the purposes of a public election of a Deputy under Article 6 of the States of Jersey Law 2005;

(b) the costs incurred for the purposes of a public election of a Senator under Article 6B of the States of Jersey Law 2005.

(2) This Article is deleted at the end of 31 December 2026.

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.[64]

17 Order for election

(1) The Royal Court must –

(a) make an order for the holding of a public election where such an election is required under Article 6C or 6G of the States of Jersey Law 2005 or Article 2 or 3 of the Connétables (Jersey) Law 2008;

(b) make an order for the holding of a parish election where such an election is required under Article 3 of the Centeniers (Terms of Office) (Jersey) Law 2007, Article 2 of the Loi (1853) au sujet des centeniers et officiers de police or Article 3 of the Procureurs du Bien Public (Terms of Office) (Jersey) Law 2013.[65]

(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 (subject to Article 54(2)); and

(d) direct the principal *Autorisé* to deliver a return about the election to the Court.[66]

(2AA) In the case of an order in respect of an election under Article 6C of the States of Jersey Law 2005 (ordinary elections for Senators and Deputies: 2030 onwards) 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 as early as is reasonably practicable and, in any event, within the period of 14 days beginning with the day of the election.[67]

(2AB) In the case of an order in respect of an election under Article 6G of the States of Jersey Law 2005 (casual vacancy in office of Senator or Deputy) or Article 3 of the Connétables (Jersey) Law 2008 (casual vacancy in office of Connétable), the date fixed under paragraph (2)(c) must be as early as is reasonably practicable and, in any event, within the period of 14 days beginning with the day of the election.[68]

(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.[69]

(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.[70]

(2C) In the case of a public election for the office of Senator, the Royal Court must also designate 1 *Autorisé* in each parish as the principal *Autorisé* for that parish in relation to the election.[71]

(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.[72]

(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*.[73]

(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.[74]

17AA 2026 elections (transitional): order for elections for Senators and Deputies[75]

(1) The Royal Court must make an order (unless an order has been made under Article 17) for the holding of –

(a) a public election required under Article 6 of the States of Jersey Law 2005 (ordinary elections for Deputies: 2022 and 2026); and

(b) a public election required under Article 6B of that Law (ordinary election for Senators: 2026).

(2) If the Elections (Appointed Day) (Jersey) Act 2025 is repealed, and the date of the 2026 Deputies election is not fixed by a subsequent Act under Article 6 of the States of Jersey Law 2005 –

(a) the order under paragraph (1)(a) must fix the date of the election required under Article 6(2) to be held in 2026; and

(b) the date fixed must be at least 38 days after the day on which the order is made.

(3) The following provisions of Article 17 apply in relation to an order made under paragraph (1) as they apply in relation to an order in respect of an election under Article 6C of the States of Jersey Law 2005 –

(a) paragraph (2)(b) to (d);

(b) paragraphs (2A) to (4).

(4) In relation to an order made under paragraph (1), the date fixed under Article 17(2)(c) (date for persons elected to take their oath) as applied by paragraph (3) must be as early as reasonably practicable and, in any event, within the period of 14 days beginning with the day of the election.

(5) This Article is deleted at the end of 31 December 2026.

17A Electoral administrator for a parish[76]

The electoral administrator for a parish is the Secretary of the parish, unless another employee of the parish is appointed as the electoral administrator instead.

PART 4A[77]

NOMINATION: SENATORS, DEPUTIES AND CONNÉTABLES

17B Application of this Part[78]

This Part applies in relation to a public election –

(a) for Senators and Deputies under Article 6C of the States of Jersey Law 2005 and for Connétables under Article 2 of the Connétables (Jersey) Law 2008 (referred to in this Part as "an ordinary public election");

(b) for a Senator or Deputy under Article 6G of the States of Jersey Law 2005 or for a Connétable under Article 3 of the Connétables (Jersey) Law 2008 (referred to in this Part as "a public by-election").

17BA 2026 elections (transitional): application of this Part[79]

(1) This Part applies in relation to a public election held in 2026 –

(a) for Deputies under Article 6 of the States of Jersey Law 2005;

(b) for Senators under Article 6B of the States of Jersey Law 2005.

(2) References in this Part to "an ordinary public election" include references to an election mentioned in paragraph (1).

(3) This Article is deleted at the end of 31 December 2026.

17C Nomination of a candidate

(1) A person is nominated as a candidate at a public election if, during the nomination period determined under paragraph (2) –

(a) the person submits a nomination form to the JEA; and

(b) the JEA is satisfied that the form complies with the requirements of this Part (see Article 17G(7)).

(2) The JEA must –

(a) determine the "nomination period" in relation to a public election, (which must comply with the requirements of paragraphs (3) and (4)); and

(b) take such steps as it considers appropriate for bringing the nomination period to the attention of the public.

(3) The nomination period in relation to an ordinary public election –

(a) must begin at least 6 weeks before, but no more than 7 weeks before, the day on which the election is to be held; and

(b) must be a period of at least 2 working days.

(4) The nomination period in relation to a public by-election –

(a) must begin not more than 7 days after the day on which the order for the holding of the election is made under Article 17; and

(b) must be a period of at least 2 working days.

(5) A person who is nominated as a candidate for a public election cannot be nominated as a candidate for an election for any other constituency, or for any other office, where the poll for that election is held on the same day.

(6) [80]

17D Nomination forms: content

(1) A nomination form must –

(a) state the office in respect of which the person is to be nominated as a candidate;

(aa) if the nomination is for the office of Deputy or Connétable, state the constituency to which the nomination relates;

(b) state the prospective candidate's –

(i) full name, and

(ii) home address;

(c) include the written declaration required, in the case of a person to be nominated for the office of Senator or Deputy, by Article 9 of the States of Jersey Law 2005 or, in the case of a person to be nominated for the office of Connétable, by Article 4A of the Connétables (Jersey) Law 2008;

(d) include a declaration that the prospective candidate has read, and agrees to comply with, the code of conduct published by the JEA under Article 13C;

(e) include the political party declaration (see Article 17F); and

(f) comply with such other requirements as to form and content as the JEA determine.[81]

(2) A nomination form –

(a) may include a statement by the prospective candidate that his or her home address is not to be made public, and

(b) where a statement under paragraph (a) is included, must state an alternative address for the prospective candidate.

(3) Where an alternative address is stated in accordance with paragraph (2), the reference in Articles 17H(3)(a) and 22(3)(c) to the person's address is to be treated as a reference to the alternative address.[82]

(4) If the prospective candidate is commonly known by a forename or surname which is different to that stated in accordance with paragraph (1)(b)(i), the nomination form may (in addition) state the commonly used forename or surname.

(5) Where an alternative name is stated in accordance with paragraph (4), references in Articles 17H(3)(a), 22(3)(c) and 24(3B)(d) to the person's name are to be treated as references to the alternative name.

(6) But paragraph (4) does not apply if the JEA –

(a) determine that –

(i) the use of the declared name would be likely to mislead or confuse voters in the election, or

(ii) the declared name is obscene or offensive; and

(b) notify the candidate of that determination.

(7) A nomination form must be accompanied by a photograph of the prospective candidate.

17E Subscription of nomination form

(1) After a nomination form has been completed with all of the information and declarations required by Article 17D, the form must be subscribed by –

(a) a proposer; and

(b) 9 seconders.

(2) The proposer and seconders must all be persons who are entitled under Article 2(1A) or (2) to vote in the election for the office and (in the case of an election for the office of Deputy or Connétable) the constituency to which the form relates.[83]

(3) The proposer and seconders must each give a written statement of their name and the address at which they are ordinarily resident.[84]

17F Political party declaration

(1) The "political party declaration" is a declaration as to whether the prospective candidate is or is not endorsed by a political party.

(2) A declaration that a prospective candidate is endorsed by a political party –

(a) must be accompanied by a statement of the registered name of the party;

(b) may be accompanied by a statement that the registered abbreviation (if any) of the party is to be entered on the ballot paper in relation to the candidate (instead of the registered name of the party); and

(c) must be signed by 2 persons, of whom one may be the prospective candidate, who are registered officeholders of the party.

(3) Where a statement under paragraph (2)(b) is made, the references in Articles 24 and 26A to the name of the political party are to be treated as references to the registered abbreviation of the party.

(4) For the purposes of paragraph (2)(c), "registered officeholder" has the same meaning as in the Political Parties (Registration) (Jersey) Law 2008.

(5) The States may, by Regulations, amend paragraph (2)(c) so as to alter the description of, or number of, persons required to sign the political party declaration.

17G Validation of nomination forms

(1) This paragraph applies in relation to each nomination form submitted to the JEA during the nomination period.

(2) The JEA must –

(a) in relation to an election for the office of Senator, give a copy of the nomination form to the electoral administrator for –

(i) the parish in which the prospective candidate's address given under Article 17D(1)(b)(ii) is located; and

(ii) each other parish (if any) in which a proposer or seconder's address given under Article 17E(3) is located;

(b) in relation to an election for the office of Deputy or Connétable, give a copy of the nomination form to each electoral administrator for the constituency to which it relates.[85]

(3) The electoral administrator must –

(a) review the nomination form for the purposes of assessing whether or not it complies with the requirements of this Part; and

(b) notify the JEA of the outcome of that review.

(4) In the course of the review under paragraph (3)(a), the electoral administrator must compare the details of the prospective candidate, the proposer and the seconders stated in the form with the details (if any) of those persons included in the electoral register for the electoral district which is within, or is the area comprising, the electoral administrator's parish.

(5) If the JEA is notified under paragraph (3)(b), or otherwise considers, that the nomination form does not comply the requirements of this Part –

(a) the JEA must notify the prospective candidate of the defect in the form; and

(b) the prospective candidate may submit a further nomination form before the date specified by the JEA.

(6) The date specified by the JEA –

(a) may be a date falling after the end of the nomination period determined under Article 17C(2); but

(b) must not be a date falling before the end of the nomination period.

(7) If the JEA is satisfied, following receipt of the notification under paragraph (3)(b), that the form complies with the requirements of this Part, the JEA must notify the prospective candidate accordingly (and the person is nominated for the purposes of this Part).

(8) In paragraph (2)(b), the reference to an electoral administrator for the constituency is a reference to an electoral administrator for a parish that alone, with other parishes, or in part, comprises the constituency.[86]

17H Announcement of candidates standing for election

(1) The JEA must –

(a) prepare a statement of persons nominated as candidates for a public election (the "candidate announcement"); and

(b) publish the candidate announcement in such manner as the JEA considers appropriate.

(2) The candidate announcement under paragraph (1) –

(a) may not be published –

(i) before the end of the nomination period, or

(ii) if a date is specified by the JEA under Article 17G(6), before that date; and

(b) in the case of an ordinary public election, must be published at least 5 weeks before the day on which the election is to be held.

(3) The candidate announcement must include, in relation to each person nominated –

(a) the person's name and address;

(b) the office for which, and (in relation to an election for the office of Deputy or Connétable) the constituency for which, the person is nominated; and

(c) where the person is endorsed by a political party, the name of the party.[87]

(4) A person nominated in accordance with this Part becomes a candidate for the election on the day on which the JEA publishes the candidate announcement under paragraph (1)(b).

17I Extension of nomination period if more vacancies than candidates

(1) Paragraph (2) applies if –

(a) in relation to a public election for the office of Connétable for a constituency, at the end of the nomination period no person is nominated as a candidate for election to that office;

(b) in relation to a public election for the office of Senator, or for the office of Deputy for a constituency, at the end of the nomination period, either –

(i) no person is nominated as a candidate for election to that office, or

(ii) the number of vacancies for that office exceeds the number of persons nominated as candidates for election to that office.[88]

(2) The nomination period in relation to the election for that office and (in relation to an election for the office of Deputy or Connétable) that constituency is treated as ending 2 days after the day fixed by the JEA for the purposes of Article 17C(2).[89]

17IA Hustings: Deputies and Connétables[90]

(1) This Article applies in relation to a public election for the office of Deputy or Connétable in a constituency.

(2) The JEA must arrange a meeting, in each relevant parish in relation to the constituency, at which each person nominated as a candidate for the election may address members of the public.

(3) Each meeting must be held –

(a) after the candidate announcement in relation to the election is published under Article 17H(1); and

(b) at least 3 days before the day of the poll for the election.

(4) The JEA must, during the nomination period in relation to the election –

(a) determine the date and location of each meeting; and

(b) take the steps that it considers appropriate for bringing the date and location of each meeting to the attention of the public.

(5) In this Article, "relevant parish", in relation to a constituency, means a parish that alone, with other parishes, or in part, comprises the constituency.

17IB Hustings: Senators[91]

(1) This Article applies in relation to a public election for the office of Senator.

(2) The JEA must arrange a meeting, in each parish, at which each person nominated as a candidate for the election may address members of the public.

(3) Each meeting must be held –

(a) after the candidate announcement in relation to the election is published under Article 17H(1); and

(b) at least 3 days before the day of the poll for the election.

(4) The JEA must, during the nomination period in relation to the election –

(a) determine the date and location of each meeting; and

(b) take the steps that it considers appropriate for bringing the date and location of each meeting to the attention of the public.

PART 5

NOMINATION: CENTENIERS AND PROCUREURS DU BIEN PUBLIC[92]

17J Application of this Part[93]

This Part applies in relation to a parish election for a Centenier or a Procureur du Bien Public.

18 Nomination of candidates

(1) A person shall be admitted as a candidate for a parish election only if he or she has been duly proposed and seconded at a meeting of persons entitled under Article 2(1) to vote at the election, being a meeting held in accordance with this Part.[9495]

(2) [96]

(3) [97]

19 Holding of nomination meeting

(1) Where an Order has been made under Article 17 for the holding of a parish election, the Connétable of the parish in which the election is to be held must convene a meeting of the persons entitled under Article 2(1) to vote at the election (referred to in this Part as a "nomination meeting").[98]

(1A) The nomination meeting must be held at least 21 days before the day fixed for the poll.[99]

(2) [100]

(3) [101]

(3A) [102]

(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 before the day when the meeting is held; and

(b) to be posted, during the 4 days before the meeting is held, in the place specified in Article 3 of the Loi (1842) sur les publications dans les églises.[103]

20 Procedure at nomination meeting

(1) Each nomination meeting for a parish election shall be presided over by the Connétable who convenes it.[104]

(2) However, if at the meeting that Connétable is absent or is proposed as a candidate, the persons entitled under Article 2(1) 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.[105]

(2A) [106]

(3) No proposition shall be put to a nomination meeting except the nomination of a candidate for the parish election.[107]

(4) The nomination of a candidate for a parish 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) to vote for that candidate in any poll held for the election.[108]

(4AA) Notwithstanding Article 18(1) and paragraph (4) of this Article, a person who has been entered in an electoral register under any of Articles 5B to 5D 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 6(4)(b).[109]

(4A) [110]

(4B) [111]

(4C) [112]

(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.[113]

(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(3)(c) and 24(3B)(d) 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.[114]

(4D) A declaration made in accordance with paragraph (4CA) cannot be withdrawn after the document in which it is contained has been produced to the nomination meeting in accordance with paragraph (4).[115]

(4E) [116]

(5) *not in force*

(6) *not in force*

(7) *not in force*

(8) A nomination meeting shall not be closed less than 10 minutes after it has been opened.[117]

(9) The person presiding shall make a record of the nominations.

21 Procedure where candidates do not exceed vacancies

(1) If there are not more candidates than vacancies for a parish election, 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.[118]

(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.[119]

PART 6

POLL

22 Announcement of the poll[120]

(1) If, in the case of a parish election, there are more candidates than vacancies for the constituency, a poll is to be held in the constituency.[121]

(1AA) If, in the case of a public election for the office of Senator, there is at least one candidate for the office, a poll is to be held.[122]

(1A) If, in the case of a public election for the office of Deputy or Connétable, there is at least one candidate for the office and constituency, a poll is to be held in the constituency.[123]

(2) In every public election or parish 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 before the day when the poll is held; and

(b) cause a notice to be posted, during the 4 days 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.[124]

(2A) In this Part, references to a parish where a poll is, or is to be, held, are –

(a) in relation to a public election for the office of Senator, references to each parish in Jersey;

(b) in relation to any other public election or a parish election, references to the parish that alone, with other parishes, or in part, comprises the constituency.[125]

(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 and address of each candidate.[126]

23 Withdrawal, disqualification or death of candidate[127]

(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.[128]

(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, each relevant person must report that event to the Royal Court as soon as possible.[129]

(1A) In paragraph (1), "relevant person" means –

(a) in relation to a candidate for the office of Senator, the JEA;

(b) in relation to a candidate for the office of Deputy or Connétable for a constituency, an electoral administrator for the constituency.[130]

(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).[131]

(3) In paragraph (1A)(b), the reference to an electoral administrator for the constituency is a reference to an electoral administrator for a parish that alone, with other parishes, or in part, comprises the constituency.[132]

(4) If there is more than 1 electoral administrator for a constituency, a report made by 1 of them under paragraph (1) discharges the obligation of the others to make a report under that paragraph.[133]

24 Ballot papers

(A1) This Article applies if a poll for an election is to be held (in accordance with Article 22).[134]

(1) [135]

(2) [136]

(3) If the poll is for a parish election, the electoral administrator for the parish in which the poll is to be held must arrange for a sufficient number of ballot papers for the election to be printed.[137]

(3AA) If the poll is for a public election, the Judicial Greffier must arrange for a sufficient number of ballot papers for the election to be printed.[138]

(3A) The ballot papers for a parish election shall be in such form and printed on such paper as the States prescribe by Regulations.[139]

(3B) The ballot papers for a public election or parish election must –

(a) show the date and place of the election;

(b) indicate whether the election is for a Senator, Deputy, Connétable, Centenier or Procureur du Bien Public;

(c) indicate the number of votes that an elector may cast in the election (and in a public election where paragraph (3C)(b) applies, indicate that if the person votes for none of the candidates no other vote may be cast);

(d) show the name of each candidate, in alphabetical order (by reference to surname).[140]

(3C) The ballot papers for a public election must also –

(a) in the case of a candidate who is endorsed by a political party, show the name of the party;

(b) where the number of vacancies for the office is equal to, or exceeds, the number of candidates, include an option of voting for none of the candidates (and indicate that an elector voting for that option may not cast a vote for any other candidate);

(c) comply with other requirements, if any, as to content (which may include requirements to show photographs of candidates) specified by the JEA; and

(d) be in the form specified by the JEA.[141]

(3D) Where a ballot paper includes the option mentioned in paragraph (3C)(b), the option must be shown below the list of candidates shown in accordance with paragraph (3B)(d).[142]

(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[143]

In every public election or parish 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 must provide 1 or more polling stations –

(a) in the case of a parish election, in such a way that the *Autorisé* is satisfied that all persons have reasonable facilities for the exercise of their right to vote; and

(b) in the case of a public election, in such a way that the JEA, having consulted with the *Autorisé*, is satisfied that all persons have reasonable facilities for the exercise of their right to vote.[144]

(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.[145]

(4) [146]

(5) Each polling station shall have, for each public election or parish election for which a poll is being taken on the day, one or more ballot boxes to receive the votes cast in the poll.[147]

(6) A ballot box shall be –

(a) marked, in a manner approved by the relevant authority, to indicate the election for which it is being used; and

(b) made according to a model approved by the relevant authority.[148]

(7) For the purposes of paragraph (6), the "relevant authority" means –

(a) in relation to a public election, the JEA; and

(b) in relation to a parish election, the Comité des Connétables.[149]

26A Candidate information document[150]

(1) If a poll for a public election for the office of Senator is to be held, the JEA must –

(a) prepare a document containing the candidate information in respect of each candidate standing at the election; and

(b) arrange for copies of the document to be printed and distributed to each polling station in Jersey.[151]

(1A) If a poll for a public election for the office of Deputy or Connétable is to be held in a constituency, the JEA must –

(a) prepare a document containing the candidate information in respect of each candidate standing at the election; and

(b) arrange for copies of the document to be printed and distributed to each polling station in the constituency.[152]

(1B) In paragraphs (1) and (1A), "candidate information" means –

(a) the candidate's name;

(b) the photograph of the candidate provided with the nomination form; and

(c) if the candidate is endorsed by a political party, the name of the party.[153]

(2) The names of the candidates included in each document prepared under this Article must be shown in the same order as on the ballot paper.[154]

(3) The *Autorisé* or *Adjoint* supervising a polling station must –

(a) ensure that a copy of each document prepared under this Article is made available (in the booth or otherwise) to each person attending a polling station; and

(b) take the steps that the *Autorisé* or *Adjoint* considers appropriate for making the information contained in each document accessible to all persons.[155]

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) An *Autorisé* (who is not the principal *Autorisé*) must notify the principal *Autorisé* of the appointment and names of the *Adjoints*.[156]

(4) The principal *Autorisé* must include in the return a record of the appointment and names.[157]

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 and its vicinity[158]

(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.

(1A) Paragraph (1B) applies in relation to a polling station at which a poll for a public election is held.[159]

(1B) No more than one representative of each candidate at the election, in addition to the candidate, may remain in the immediate vicinity of the entrance to the polling station while the poll is open.[160]

(1C) For the purposes of paragraph (1B), a representative of a political party is to be regarded as a representative of each of the candidates endorsed by that party.[161]

(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 –

(a) to ensure the complete secrecy and regularity of the vote at the polling station;

(b) to secure compliance with paragraph (1B); or

(c) to ensure that any other requirement of this Law is met.[162]

(3) The Chair or an ordinary member of the JEA attending a polling station may, for the purpose of securing compliance with paragraph (1B), give reasonable directions to any person.[163]

(4) But directions under paragraph (3) may not be given without the consent of the *Autorisé*.[164]

30 Opening and closing of poll[165]

(1) This Article applies in every public election and parish election.[166]

(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 relevant person shall cause the appropriate ballot papers to be delivered to the *Autorisé* in each electoral district in the constituency where a poll is to be held in reasonable time for the commencement of the poll.[167]

(1A) For the purposes of paragraph (1), "relevant person" means –

(a) in relation to a poll for a parish election, the electoral administrator for the parish in which the poll is to be held;

(b) in relation to a poll for a public election, the Judicial Greffier.[168]

(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.[169]

(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.[170]

(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).[171]

(1) For each poll being taken for a public election or parish election, the *Autorisé* (or *Adjoint*) in charge of a polling station must give a ballot paper to each person who satisfies the *Autorisé* (or *Adjoint*) that they are entitled to vote there.[172]

(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).[173]

(2A) [174]

(2B) [175]

(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 for the purposes of the return of the fact that the person was allowed to vote and, if more than one poll for a public election or parish election is being taken, the elections for which the person was given a ballot paper.[176]

(3A) An *Autorisé* (who is not the principal *Autorisé*) must inform the principal *Autorisé* of any note made under paragraph (3), for the purposes of its inclusion in the return.[177]

(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 post[178]

(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.[179]

(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.[180]

(5) [181]

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 election in which the vote is cast, and then immediately leave the polling station.[182]

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.[183]

(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 for the purposes of the return the circumstances of the taking of the doubtful ballot paper.[184]

(5) An *Autorisé* (who is not the principal *Autorisé*) must inform the principal *Autorisé* of any objection recorded under paragraph (1) and any note made under paragraph (4), for the purposes of its inclusion in the return.[185]

35 Measures to assist voting by certain persons who are ill, disabled etc.[186]

(1) An *Autorisé* or *Adjoint* may take the measures that they consider appropriate for taking a person's vote in a public or parish election if –

(a) the person is entitled to vote in that election;

(b) the person is (apart from this paragraph) unable to cast their vote because they are –

(i) ill, disabled, illiterate or in custody; or

(ii) the carer of a person who is ill or disabled; and

(c) in the case of a public election, the *Autorisé* or *Adjoint* considers that –

(i) applying for a postal vote under Article 43 would not have resolved the person's inability to cast their vote;

(ii) the person could not reasonably have been expected to apply for a postal vote; or

(iii) the person could not reasonably have foreseen that they would be unable to cast their vote.[187]

(2) [188]

(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 [189]

36 Annulled ballot papers[190]

(1) 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*.[191]

(2) A ballot paper which is cancelled and initialled in accordance with paragraph (1) is referred to in this Law as an "annulled ballot paper".[192]

PART 7[193]

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 40A.[194]

(2) In this Part, any reference to pre-poll voting is a reference to voting in accordance with Article 42.

38 Entitlement to pre-poll vote or postal vote[195]

(1) A person who is entitled to vote in a public election, and whose name is included in an electoral register in force for that election, is entitled to –

(a) pre-poll vote in accordance with this Part; or

(b) postal vote in accordance with this Part.

(2) But paragraph (1)(a) does not apply to a person entitled to vote in a public election only by virtue of Article 4A (voting by prisoners).

39 [196]

39A [197]

40A Provision of copy of register to Judicial Greffier[198]

(1) The electoral administrator for a constituency in relation to a public election must, for the purposes of facilitating pre-poll and postal voting in the election, provide to the Judicial Greffier a copy of the electoral register in force for the election.

(2) In paragraph (1), the reference to the electoral administrator for a constituency is a reference to the electoral administrator for a parish that alone, with other parishes, or in part, comprises the constituency.

40B Pre-poll voting: facilities and arrangements[199]

(1) The JEA must determine in relation to a public election –

(a) the locations at which facilities for pre-poll voting at the election are to be provided;

(b) the days on which, and the times at which, those facilities are to be provided at each location.

(2) The Judicial Greffier must provide the facilities for pre-poll voting in accordance with paragraph (1).

(3) The JEA must take such steps as it considers necessary for bringing the arrangements for pre-poll voting at the election to the attention of the public.

40C Pre-poll voting locations treated as polling stations for certain purposes[200]

(1) The provisions listed in paragraph (2) apply in relation to the locations at which facilities for pre-poll voting are provided, but as if –

(a) references to a polling station were references to a location at which facilities for pre-poll voting are provided;

(b) references to the period during the poll are references to the times at which facilities for pre-poll voting are provided;

(c) references to the *Autorisé* or *Adjoint* are references to the Judicial Greffier.

(2) The provisions are –

(a) Article 26(2) and (3);

(b) Article 29 (and Article 66(1)(g) and (2) apply accordingly);

(c) Article 63(2) and (5).

40 [201]

41 [202]

42 Procedure for pre-poll voting

(1) A person who is entitled to pre-poll vote in a public election may cast his or her vote before the date of that election at a location, and in accordance with the facilities provided, under Article 40B.[203]

(1A) [204]

(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).[205]

(2) The Judicial Greffier, if satisfied that the person is entitled to vote in a poll for a public election, must 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.[206]

(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.[207]

(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) [208]

(6) [209]

(7) [210]

(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.[211]

(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) The Judicial Greffier may take the measures that they consider appropriate for taking a person's pre-poll vote in a public election (including at locations other than those determined under Article 40B) if –

(a) the person is entitled to vote in that election;

(b) the person is (apart from this paragraph) unable to cast their vote because they are –

(i) ill, disabled or illiterate; or

(ii) the carer of a person who is ill or disabled; and

(c) the Judicial Greffier considers that –

(i) applying for a postal vote under Article 43 would not have resolved the person's inability to cast their vote;

(ii) the person could not reasonably have been expected to apply for a postal vote; or

(iii) the person could not reasonably have foreseen that they would be unable to cast their vote.[212]

(12) Notwithstanding paragraph (1), the measures referred to in paragraph (11) –

(a) must be taken during the period within which facilities for pre-poll voting are provided in accordance with Article 40B;

(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.[213]

(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.

42A Arrangements for postal voting[214]

The JEA must –

(a) specify, in relation to a public election –

(i) the earliest date on which an application for a postal vote may be made (the "opening date"); and

(ii) the latest date on which an application for a postal vote may be made (the "closing date");

(b) take such steps as it considers necessary for bringing the arrangements for postal voting at the election to the attention of the public.

43 Application to postal vote

(1) A person entitled to postal vote in a public election may make an application to the Judicial Greffier for the purposes of this Article.[215]

(1A) The application must be in the form, and comply with such requirements, as may be specified by the Judicial Greffier.[216]

(1B) Paragraph (2) applies if the Judicial Greffier receives an application for a postal vote in relation to a public election –

(a) on or after the opening date specified under Article 42A(a)(i); and

(b) on or before the closing date specified under Article 42A(a)(ii).[217]

(2) 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.[218]

(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 the closing date specified under Article 42A(a)(ii), 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.[219]

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.[220]

(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.[221]

(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 43(3).[222]

(2) On receipt of the ballot paper envelopes and pre-addressed envelopes delivered by the Judicial Greffier under Article 46, the *Autorisé* shall –

(a) count the number of each; and

(b) (if the *Autorisé* is not the principal *Autorisé*) notify the principal *Autorisé* of the totals.[223]

(2A) The principal *Autorisé* must include in the return a record of the total number of ballot papers and pre-addressed envelopes.[224]

(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.[225]

(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 [226]

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, or with other general information about postal voting.[227]

PART 8

COUNT

A47 [228]

47 Designation of counting stations[229]

(1) [230]

(2) Where there is one electoral district in the constituency in which a public election or parish election is held, the principal *Autorisé* shall designate at least 1 place in the relevant parish as a location for the count of the votes in that election.[231]

(3) Where there are 2 or more electoral districts in the constituency in which a public election is held, the principal *Autorisé* shall designate at least 1 place in at least 1 relevant parish as a location for the count of the votes in that election.[232]

(4) In relation to a public election for the office of Senator, each principal *Autorisé* for a parish (designated by the Royal Court under Article 17(2C)) must designate at least 1 place in the parish as a location for the count of the votes cast in the parish in that election.[233]

(5) Before making a designation under paragraph (2), the principal *Autorisé* must consult the electoral administrator for the relevant parish.[234]

(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.[235]

(5B) Before making a designation under paragraph (4), the principal *Autorisé* for a parish must consult the electoral administrator for the parish.[236]

(6) Where votes cast at a polling station are not to be counted there, the designation under paragraph (2), (3) or (4) must specify the counting station at which the votes from that polling station are to be counted.[237]

(7) A designation under paragraph (2), (3) or (4) 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.[238]

(8) In this Article, "relevant parish", in relation to an electoral district, means the parish that is the electoral district or in which the electoral district is located.[239]

47A Supervision of polling station after close of poll[240]

(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 poll[241]

(1) Where votes may be cast at a polling station in 2 or more public elections or parish elections, or in one or more 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 an 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 election or referendum in which the vote is cast.[242]

(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 or parish 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 annulled ballot papers and their counterfoils and the copies of the electoral register used at the polling station in packages and seal them.[243]

(5) The *Autorisé* (or *Adjoint*) shall sign each package prepared under paragraph (4)(b) and indicate on it –

(a) the office for which the 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.[244]

(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 Counting[245]

(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 an election, for the votes in that election that are to be counted at that station.[246]

(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.

(5A) The *Autorisé* may, for the purposes of facilitating the count and maintaining secrecy in voting –

(a) give reasonable directions to a candidate, or to a candidate's representative, who is present at the count;

(b) take such other measures during the count as the *Autorisé* considers reasonable.[247]

(5B) The directions given, or measures taken, under paragraph (5A) may, in particular, include directions or measures –

(a) as to the distance from which a candidate, or a candidate's representative, may observe the count; and

(b) preventing candidates or their representatives from attempting to communicate with the *Autorisé* or any *Adjoint* during the count, subject to such exceptions (if any) as the *Autorisé* considers appropriate.[248]

(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 station[249]

(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 or parish election –

(a) the number of valid votes obtained by each candidate;

(aa) the number of valid votes for none of the candidates, in a public election where that option is included in the ballot paper under Article 24(3C)(b);

(b) the number of invalid ballot papers; and

(c) the number of valid ballot papers.[250]

(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 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.[251]

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 is an annulled ballot paper (see Article 36);

(d) if it has been rejected under Article 46A(5);

(e) if it does not clearly record a vote;

(ea) if, in the case of a ballot paper that includes the option of voting for none of the candidates, it records a vote for both that option and for one or more of the candidates;

(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.[252]

(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).[253]

(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.[254]

(5) An *Autorisé* (who is not the principal *Autorisé*) must notify the principal *Autorisé* of any disputed ballot papers initialled under paragraph (4).[255]

(6) The principal *Autorisé* must include in the return a note of the disputed ballot papers.[256]

PART 8A[257]

RESULT

52 Result in public elections (Senators)[258]

(1) This Article applies in relation to a public election for the office of Senator.

(2) An *Autorisé* (or *Adjoint*) in charge of a counting station must (unless they are the principal *Autorisé* in relation to the election) forward the ballot paper packages relating to the election to the principal *Autorisé*.

(3) The principal *Autorisé* must, when satisfied that they have all the ballot paper packages for all the counting stations in the parish, take the following steps –

(a) add the results of the counts in the parish;

(b) if any candidates or their representatives are present (in accordance with Article 49(5)) –

(i) inform them of the number of votes recorded, for each candidate, in the counts in the parish; and

(ii) show them the invalid ballot papers.[259]

(4) After the principal *Autorisé* has taken the steps specified in paragraph (3) at the counting station –

(a) any person who was entitled to vote in the election in the parish is entitled to be admitted into the counting station; and

(b) the principal *Autorisé* must announce –

(i) the number of valid votes recorded for each candidate in the count in the parish; and

(ii) the number of valid votes recorded for none of the candidates, if that option is included in the ballot paper under Article 24(3C)(b).

(5) The principal *Autorisé* must inform the Judicial Greffier of the numbers announced under paragraph (4)(b).

(6) The Judicial Greffier must –

(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 the candidates and their representatives who are present of the results of the election; and

(c) as soon as reasonably practicable after the end of the period within which a recount may be requested under Article 52AA or, if later, after a recount requested under that Article has been conducted –

(i) announce the results of the election; and

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

(7) In this Article and in Article 52A, "ballot paper packages" means –

(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.

52A Result in public elections (Deputies or Connétables) or parish elections[260]

(1) This Article applies in relation to –

(a) a public election for the office of Deputy or Connétable (but not for the office of Senator);

(b) a parish election.

(2) For an election for which there is more than 1 counting station in the constituency –

(a) an *Autorisé* (or *Adjoint*) in charge of a counting station must (unless they are the principal *Autorisé* in relation to the election) forward the ballot paper packages relating to the election to the principal *Autorisé* as soon as reasonably practicable after the count has been carried out under Article 49; and

(b) the principal *Autorisé* must, when satisfied that they have all the ballot paper packages for all the counting stations in the constituency, add the results of the counts in the constituency.

(3) For any election to which this Article applies, the principal *Autorisé* must, if any candidates or their representatives are present (in accordance with Article 49(5)) –

(a) inform them of the number of votes recorded, for each candidate, in the count in the constituency; and

(b) show them the invalid ballot papers.[261]

(4) For any election to which this Article applies, after the principal *Autorisé* has taken the steps specified in paragraph (3) at the counting station –

(a) any person who was entitled to vote in the election in the parish is entitled to be admitted into the counting station; and

(b) the principal *Autorisé* must announce –

(i) the number of valid votes recorded for each candidate in the count in the constituency; and

(ii) the number of valid votes recorded for none of the candidates, if that option is included in the ballot paper under Article 24(3C)(b).

52AA Recounts[262]

(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 (the "higher number"),

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).[263]

(1AA) An unsuccessful candidate in an election for the office of Senator or their representative may, within 24 hours after being informed of the result, request a recount on the ground that the difference mentioned in paragraph (1) is 1% or less of the higher number (as an alternative to requesting a recount under paragraph (1)).[264]

(1A) Paragraph (1B) applies in the case of a public election if –

(a) the option to vote for none of the candidates is included in the ballot paper under Article 24(3C)(b); and

(b) a higher number of votes is cast for that option than for the unsuccessful candidate.[265]

(1B) Where this paragraph applies, the reference in paragraph (1)(b) to the number of votes cast for the person elected is to be treated as a reference to the number of votes cast for the "none of the candidates" option.[266]

(2) [267]

(3) A recount requested in an election for the office of Senator must be conducted by the Judicial Greffier in accordance with Article 52B.[268]

(4) A recount requested in any other public election, or in a parish election, must be conducted by the principal *Autorisé* in accordance with Article 52C.[269]

(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 an election.[270]

52B Procedure for recount by Judicial Greffier: Senator elections[271]

(1) This Article applies if the Judicial Greffier is required, in accordance with Article 52AA, to conduct a recount in an election for the office of Senator following a request under Article 52AA(1) or (1AA).

(2) The Judicial Greffier may engage assistance in the recount.

(3) An *Autorisé* and their *Adjoints* must 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) The Judicial Greffe 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 must announce the result of the recount.

52C Procedure for recount by *Autorisé*[272]

(1) This Article applies if –

(a) an *Autorisé* is requested by the Judicial Greffier, under Article 52B(3), to assist in conducting a recount in an electoral district; or

(b) a principal *Autorisé* conducts a recount following a request under Article 52AA(1).[273]

(1A) An *Autorisé* and his or her *Adjoints* must comply with any request made by the principal *Autorisé* for assistance in conducting a recount in the electoral district for which the *Autorisé* was appointed.[274]

(2) If an *Autorisé* decides that it is not possible to proceed to a recount of votes in a public election or parish 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.[275]

(3) A recount shall be carried out in the presence of the same persons who were entitled, by Article 49(5), to be present at the count and who wish to be present at the recount.[276]

(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.[277]

(5) An *Autorisé* may, 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.[278]

(6) The *Adjoints* shall assist the *Autorisé* in the recount.

(7) [279]

(8) The principal *Autorisé* shall announce the result of the recount.[280]

PART 9

AFTER RESULT OBTAINED

53 Completion of return and delivery of papers[281]

(1) Each principal *Autorisé* for an election for the office of Senator must prepare and sign a return for the election, by reference to the conduct of the poll and the votes cast in the parish for which that principal *Autorisé* is designated.[282]

(1A) The principal *Autorisé* for an election for the office of Deputy or Connétable, or a parish election, must prepare and sign a return for the election.[283]

(2) The return shall state –

(a) the number of valid votes obtained by each candidate (and the number of valid votes for none of the candidates, in the case of a public election where that option is included in the ballot paper under Article 24(3C)(b));

(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.[284]

(3) The principal *Autorisé* shall annex to the return –

(a) the declarations made in accordance with Article 3 and 34;

(b) the information recorded for the purposes of the return under Articles 27, 32, 34, 46A and 51.[285]

(4) 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 election (whether prepared, or received in accordance with Article 52A(2), by the principal *Autorisé*).[286]

(5) In relation to an election for the office of Senator, the obligations in paragraphs (2), (3) and (4) apply in relation to each principal *Autorisé* in relation to the poll conducted in the parish for which they are designated (and not in relation to the election as a whole).[287]

(6) If, after the principal *Autorisé* has completed a return for a public election or parish 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.[288]

(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 oath[289]

(1) The Judicial Greffier shall –

(a) report the results of a public election or parish election to the Royal Court; and

(b) give notice to the person or persons elected (if any) to appear in the Royal Court to take the customary oath.[290]

(2) Where a recount is to be conducted in respect of a constituency, the Judicial Greffier must make such arrangements as may be necessary for the taking of the oath by the persons elected for that constituency to be deferred until the result of the recount is known.[291]

55 Secrecy of used ballot papers[292]

The packages containing the used ballot papers and the counterfoils of the used ballot papers shall not be opened except in accordance with Article 52B(4), 52C(5) or 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 Article 46A(8) and, in general, all documents relating to a public election or parish 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.[293]

(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 or parish election shall be dealt with by the Royal Court.[294]

(2) Any person, whether or not a candidate in an election, may dispute a public election or parish 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.[295]

58 Procedure

(1) In a case where a public election or parish 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 one month after the date of the order.[296]

(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 votes[297]

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 void[298]

(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)

(c) the candidate elected to that office does not for any reason take the oath of office before the Royal Court.[299]

(2) Except as provided by paragraph (1), if the Royal Court finds that a public election or parish 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.[300]

(3) [301]

(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).

(5) Paragraph (6) applies if, in a public election –

(a) the option of voting for none of the candidates is included in the ballot paper (see Article 24(3C)(b)); and

(b) none of the candidates standing for election obtains more valid votes than the option mentioned in paragraph (a).[302]

(6) The Royal Court must –

(a) if the election is for the office of Connétable, declare a casual vacancy in that office (in which case Article 3 of the Connétables (Jersey) Law 2008 applies accordingly and the Connétable holding office is treated as having resigned for the purposes of Article 1(3) of that Law);

(b) if the election is for the office of Senator or Deputy, declare a casual vacancy or casual vacancies (as the case may be) in that office (in which case Article 6G of the States of Jersey Law 2005 applies accordingly).[303]

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 parish election, or an abstention from voting at a public election or parish 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.[304]

(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 voting[305]

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 or parish election, a candidate or representative of a candidate shall not engage a voter in conversation inside a polling station.[306]

(2) At a public election or parish election, a person shall not attempt inside a polling station to influence a voter by means of any sign or clothing or otherwise.[307]

(3) At a public election or parish 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.[308]

(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 or parish election.[309]

(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 or parish 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.[310]

(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 or parish election.[311]

65 Voting without the right[312]

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 or parish 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 that election when the person did not have that right; or

(c) voted without the right to do so at that 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 or parish election in an electoral district for which the person is not registered;

(d) votes or attempts to vote at a public election or parish 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 or parish election;

(g) fails to comply with a reasonable direction of the *Autorisé* given under Article 29(2), 47A(2) or 49(5A) or under any other provision of this Law;

(h) fails to comply with a reasonable direction of the Chair or an ordinary member of the JEA given under Article 29(3).[313]

(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 or parish elections for a period not exceeding 4 years.[314]

(3) A candidate (or a representative of a candidate referred to in Article 28) at a public election or parish 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.[315]

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[316]

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

PART 12

MISCELLANEOUS

A69 Observers[317]

(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.[318]

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.

70A [319]

71 Civil liability[320]

(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.[321]

(3) This Article also applies to –

(a) the JEA;

(b) any member of the JEA;

(c) any person exercising a function on behalf of the JEA.[322]

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.[323]

(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.[324]

(1C) In paragraphs (1A), (1B) and (1D) 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.[325]

(1D) The States may by Regulations amend this Law (apart from Article 5) to make provision for and in connection with –

(a) the establishment and maintenance of a register, in electronic form, of persons who are entitled to be included in an electoral register for any electoral district in Jersey (the "central register"); and

(b) the creation, from the information held on the central register, of an electoral register, in electronic form, for each electoral district.[326]

(1E) [327]

(1F) Regulations under paragraph (1D) may, in particular, include provision for –

(a) advance registration;

(b) the preparation of a supplementary electoral register of persons who are not included in the electoral register at a particular time;

(c) a person to apply, in certain circumstances, for the person's name and address to be omitted from the electoral register for an electoral district;

(d) the electoral register for an electoral district to be made available only to specified persons or persons of a specified description.[328]

(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 (including provision amending, repealing or otherwise modifying the application of this or any other enactment).[329]

72A Transitional provision: electoral registers[330]

(1) [331]

(2) [332]

(3) [333]

(4) The States may by Regulations –

(a) make provision that is consequential on, or incidental or supplementary to, any provision of the Elections (Electoral Registers) (Jersey) Amendment Law 2025;

(b) make transitional or saving provision in connection with the coming into force of that Law.

(5) The power to make Regulations under paragraph (4) –

(a) must not be exercised after the end of 31 December 2026;

(b) includes the power to amend, repeal or modify the application of this Law or any other enactment.

(6) Paragraphs (1) to (3) are deleted at the end of 15 March 2026.

72B Consequential, transitional and other matters: Senators[334]

(1) The States may by Regulations –

(a) make provision that is consequential on, or incidental or supplementary to –

(i) any provision of the Elections (Senators) (Jersey) Amendment Law 2025; or

(ii) any Act made under Article 6(3) of the States of Jersey Law 2005;

(b) make transitional or saving provision in connection with the coming into force of that Law or that Act.

(2) The power to make Regulations under paragraph (1) –

(a) must not be exercised after the end of 31 December 2026;

(b) includes the power to –

(i) amend this Law or any other enactment; and

(ii) modify the application of this Law or any other enactment.

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 Elections (Jersey) Law 2002.[335]

(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.

SCHEDULE[336]

(Article 13A(2))

JERSEY ELECTORAL AUTHORITY

1 Constitution of the JEA

The JEA is to consist of –

(a) a Chair;

(b) at least 2 but not more than 4 ordinary members;

(c) a parish representative member; and

(d) the following *ex officio* members –

(i) the Judicial Greffier,

(ii) the Greffier of the States.

2 Selection and appointment of the Chair and ordinary members

(1) The Chair and ordinary members of the JEA are to be appointed by the PPC from among persons nominated by –

(a) the Judicial Greffier; and

(b) the Greffier of the States.

(2) The PPC must, at least 15 days before the appointment of the Chair or an ordinary member, present a report to the States giving notice of the proposed appointment (including the name of the proposed appointee).

(3) The PPC may not appoint as the Chair or an ordinary member an individual who –

(a) is, or has at any time during the preceding 12 months been, a member of the States of Jersey;

(b) is a States' employee or is otherwise under the direction and control of the States; or

(c) is engaged in any employment, occupation (whether or not remunerated) or business, or receives any benefit, that is incompatible with the functions of a member of the JEA.

(4) In this paragraph, and in paragraph 4, "States' employee" has the same meaning as in the Employment of States of Jersey Employees (Jersey) Law 2005.

3 Terms of appointment

(1) The Chair and each ordinary member must be appointed for a fixed term of not more than 4 years.

(2) The Chair and each ordinary member holds and vacates office in accordance with the terms and conditions of that person's appointment.

(3) Subject to the provisions of this Law, and any Regulations made under it, those terms and conditions are to be determined by the PPC.

(4) The previous appointment of a person as a member of the JEA does not affect the person's eligibility for re-appointment, but no person may be a member for a total period of more than 12 consecutive years.

4 Termination of appointment of Chair or ordinary member

(1) The Chair or an ordinary member may resign from office by giving not less than one month's notice in writing to the PPC.

(2) The PPC may remove the Chair or an ordinary member from office if it is satisfied that the person is unable or unfit to discharge the functions of the office, or is otherwise failing to do so, or that person meets the condition in paragraph 2(3)(b) or (c).

(3) A person ceases to hold office as the Chair or an ordinary member if the person becomes –

(a) a member of the States of Jersey;

(b) a States' employee.

5 Parish representative member

(1) The parish representative member is a person who –

(a) holds office as the Secretary of a parish; and

(b) has been nominated by the Secretary of the Comité des Connétables, to act as that member.

(2) Before making a nomination for the purposes of paragraph (1)(b) the Secretary of the Comité des Connétables must consult all persons eligible to act as the parish representative member.

(3) A nomination for the purposes of paragraph (1)(b) must be made by notice in writing to the Chair of the JEA.

6 Committees

(1) The JEA may establish a committee for the purpose of exercising any of its functions.

(2) A committee may include persons who are not members of the JEA (but must include at least one member of the JEA).

7 Proceedings of the JEA

(1) The JEA may regulate its own proceedings and the proceedings of any committee (including quorum), subject to the provisions of this Law and any Regulations made under it.

(2) The validity of proceedings of the JEA, or any committee of the JEA, is not affected by a vacancy or defective appointment.

(3) The States may by Regulations make provision about the proceedings of the JEA.

8 Delegation

(1) The JEA may delegate any of its functions to –

(a) a member; or

(b) a committee.

(2) A function is delegated under this paragraph to the extent and on the terms that the JEA determines.

(3) The delegation of a function by the JEA under this paragraph does not prevent the JEA from exercising that function.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement	◦Projet No (where applicable)
Public Elections (Jersey) Law 2002	L.12/2002	5 June 2002 (R&O.42/2002) – except Articles 6(6), 7(1) to (3) and (5), 12(2)(b) and 20(5) to (7) 21 March 2006 (R&O.23/2006) – Articles 6(6) and 7(1) (except sub-paragraph (b)), (2), (3) and (5) 1 January 2007 (R&O.23/2006) – Article 7(1)(b) Article 12(2)(b) omitted by L.39/2008 Not in force – Article 20 (5) to (7)	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

Legislation	Year and No	Commencement	◦Projet No (where applicable)
Public Elections (Amendment No. 4) (Jersey) Law 2011	L.11/2011	24 June 2011	P.14/2011
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 – 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 22 June 2022 – Schedule 2, Part 1, paragraphs 15 to 21	P.17/2021
Elections (Transitional Provisions) (Jersey) Regulations 2022	R&O.3/2022	20 January 2022	P.110/2021
Elections (Miscellaneous Amendments) (Jersey) Law 2021	L.19/2021	20 January 2022 – except Article 6 (R&O.4/2022)	P.56/2021
Elections (Senators) (Jersey) Amendment Law 2025	L.22/2025	1 February 2026 – Articles 23, 24, 25, 26, 27, 28(a), 29, 30(1) and (2), 31, 32(1), (2)(a), (3) and (4), 33, 34, 35(1) and (2), 36 to 56, and 58 7 June 2026 – Articles 28(b), 30(3), 32(2)(b), 35(3) and 57	P.56/2025
Elections (Jersey) Amendment Law 2025	L.19/2025	10 February 2026 (R&O.4/2026)	P.28/2025

Legislation	Year and No	Commencement	◦Projet No (where applicable)
Elections (Consequential Amendments) (Jersey) Amendment Regulations 2026	R&O.8/2026	10 February 2026 – Regulations 2, 6, 7, 8 and 9 24 March 2026 – Regulations 3 and 4 7 June 2026 – Regulation 5	P.119/2025
Elections (Electoral Registers) (Jersey) Amendment Law 2025	L.18/2025	14 March 2026 – Article 23 (R&O.34/2026) 24 March 2026 – all remaining provisions (R&O.34/2026)	P.27/2025
Elections (Jersey) Amendment No. 2 Law 2026	L.7/2026	20 March 2026	P.104/2025 (re-issue)

◦Projets available at 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, L.19/2021, L.22/2025, L.19/2025, L.7/2026, L.18/2025*

[3] *Article 1A* — *inserted by L.11/2021*

[4] *Article 1A(1)* — *amended by L.22/2025*

[5] *Article 2(1)* — *amended by L.20/2003, L.16/2014, L.11/2021*

[6] *Article 2(1A)* — *inserted by L.16/2014, amended by L.11/2021*

[7] *Article 2(1B)* — *inserted by L.22/2025*

[8] *Article 2(2)* — *amended by L.16/2014, L.11/2021, substituted by L.22/2025*

[9] *Article 2(3)* — *amended by L.16/2014, deleted by L.11/2021*

[10] *Article 2(3A)* — *inserted by L.16/2014, amended by L.11/2021, L.22/2025, L.18/2025*

[11] *Article 2(4)* — *amended by L.19/2021*

[12] *Article 3* *amended by L.16/2014*
[13] *Article 4* *substituted by L.7/2017, deleted by L.19/2025*
[14] *Article 4A* *inserted by L.7/2017, heading amended by L.19/2025*
[15] *Article 4A(1)* *substituted by L.19/2025*
[16] *Article 4A(3)* *inserted by L.19/2021*
[17] *Article 4A(4)* *inserted by L.19/2025*
[18] *Article 5(1)* *amended by L.1/2008, L.19/2025*
[19] *Article 5(3)* *inserted by L.7/2017, amended by L.19/2025*
[20] *Article 5(4)* *inserted by L.18/2025*
[21] *Article 5A* *inserted by L.16/2014, substituted by L.18/2025*
[22] *Article 5B* *inserted by L.18/2025*
[23] *Article 5C* *inserted by L.18/2025*
[24] *Article 5D* *inserted by L.18/2025*
[25] *Article 5E* *inserted by L.18/2025*
[26] *Article 5F* *inserted by L.18/2025*
[27] *Article 6* *substituted by L.39/2008, L.18/2025*
[28] *Article 6A* *inserted by L.18/2025*
[29] *Article 6B* *inserted by L.18/2025*
[30] *Article 6C* *inserted by L.18/2025*
[31] *Article 6D* *inserted by L.18/2025*
[32] *Article 6E* *inserted by L.18/2025*
[33] *Article 7* *substituted by L.39/2008, deleted by L.18/2025*
[34] *Article 7A* *inserted by L.16/2014, deleted by L.18/2025*
[35] *Article 8* *substituted by L.39/2008, deleted by L.18/2025*
[36] *Article 9* *substituted by L.39/2008, deleted by L.18/2025*
[37] *Article 9A* *inserted by L.16/2014, heading amended by L.11/2021, L.22/2025, substituted by L.18/2025*
[38] *Article 9A(1)* *substituted by R&O.8/2026*
[39] *Article 9A(1A)* *inserted by R&O.8/2026*
[40] *Article 9A(2)* *amended by R&O.8/2026*
[41] *Article 9A(6)* *substituted by R&O.8/2026*
[42] *Article 9A(7)* *inserted by R&O.8/2026*
[43] *Article 9B* *inserted by L.18/2025*
[44] *Article 9B(1)* *amended by R&O.8/2026*
[45] *Article 9B(2)* *amended by R&O.8/2026*
[46] *Article 10* *substituted by L.39/2008, L.18/2025*
[47] *Article 11* *deleted by L.18/2025*
[48] *Article 12* *substituted by L.18/2025*
[49] *Article 12A* *inserted by L.18/2025*
[50] *Article 12B* *inserted by L.18/2025*
[51] *Article 12C* *inserted by L.18/2025*
[52] *Article 12D* *inserted by L.18/2025*
[53] *Article 12E* *inserted by L.18/2025*
[54] *Article 12F* *inserted by L.18/2025*
[55] *Article 13* *substituted by L.18/2025*
[56] *Part 3A* *inserted by L.19/2021*
[57] *Article 13B(1)* *amended by L.22/2025*
[58] *Article 13BA* *inserted by L.22/2025*
[59] *Article 14* *heading amended by L.19/2021, amended by L.19/2021*
[60] *Article 15(1)* *amended by L.16/2014, L.11/2021*
[61] *Article 15(2)* *deleted by L.11/2021*

[62] *Article 15(3)*	*added by L.16/2014, substituted by L.19/2021, amended by L.22/2025, L.18/2025*
[63] *Article 15A*	*inserted by L.22/2025*
[64] *Article 16*	*amended by L.16/2014*
[65] *Article 17(1)*	*amended by L.20/2003, L.8/2005, L.15/2008, L.9/2013, substituted by L.19/2021, amended by L.22/2025*
[66] *Article 17(2)*	*amended by L.11/2021, L.19/2021*
[67] *Article 17(2AA)*	*inserted by L.11/2021, amended by L.19/2021, L.22/2025*
[68] *Article 17(2AB)*	*inserted by L.19/2025, amended by R&O.8/2026*
[69] *Article 17(2A)*	*inserted by L.8/2017*
[70] *Article 17(2B)*	*inserted by L.8/2017, amended by L.11/2021*
[71] *Article 17(2C)*	*inserted by L.8/2017, deleted by L.11/2021, inserted by L.22/2025*
[72] *Article 17(3)*	*added by L.39/2008*
[73] *Article 17(3A)*	*inserted by L.8/2017, amended by L.11/2021*
[74] *Article 17(4)*	*added by L.39/2008, substituted by L.16/2014, amended by L.11/2021*
[75] *Article 17AA*	*inserted by L.22/2025*
[76] *Article 17A*	*inserted by L.16/2014, substituted by L.19/2021*
[77] *Part 4A*	*inserted by L.19/2021, heading substituted by L.22/2025*
[78] *Article 17B*	*amended by L.22/2025*
[79] *Article 17BA*	*inserted by L.22/2025*
[80] *Article 17C(6)*	*deleted by L.18/2025*
[81] *Article 17D(1)*	*amended by L.22/2025*
[82] *Article 17D(3)*	*amended by L.19/2025*
[83] *Article 17E(2)*	*amended by L.22/2025*
[84] *Article 17E(3)*	*inserted by L.22/2025*
[85] *Article 17G(2)*	*substituted by L.22/2025*
[86] *Article 17G(8)*	*substituted by L.22/2025*
[87] *Article 17H(3)*	*amended by L.22/2025*
[88] *Article 17I(1)*	*amended by L.22/2025*
[89] *Article 17I(2)*	*amended by L.22/2025*
[90] *Article 17IA*	*inserted by L.19/2025, heading amended by R&O.8/2026*
[91] *Article 17IB*	*inserted by L.22/2025*
[92] *Part 5*	*sub-heading substituted by L.19/2021*
[93] *Article 17J*	*inserted by L.19/2021*
[94] *Article 18*	*renumbered as Article 18(1) by L.15/2008*
[95] *Article 18(1)*	*amended by L.16/2014, L.11/2021, L.19/2021*
[96] *Article 18(2)*	*substituted by L.11/2011; former Article inserted by L.15/2008, amended by L.11/2021, deleted by L.19/2021*
[97] *Article 18(3)*	*inserted by L.11/2011, deleted by L.19/2021*
[98] *Article 19(1)*	*amended by L.8/2017, L.11/2021, substituted by L.19/2021*
[99] *Article 19(1A)*	*inserted by L.19/2021*
[100] *Article 19(2)*	*deleted by L.19/2021*
[101] *Article 19(3)*	*amended by L.20/2003, L.39/2008, L.11/2021, deleted by L.19/2021*
[102] *Article 19(3A)*	*inserted by L.39/2008, deleted by L.11/2021*
[103] *Article 19(4)*	*amended by L.19/2025*
[104] *Article 20(1)*	*amended by L.19/2021*
[105] *Article 20(2)*	*amended by L.16/2014, L.11/2021, L.19/2021*
[106] *Article 20(2A)*	*inserted by L.16/2014, amended by L.11/2021, deleted by L.19/2021*
[107] *Article 20(3)*	*amended by L.19/2021*
[108] *Article 20(4)*	*amended by L.16/2014, L.11/2021, L.19/2021*
[109] *Article 20(4AA)*	*inserted by L.16/2014, amended by L.18/2025*
[110] *Article 20(4A)*	*inserted by L.31/2008, amended by L.11/2021, deleted by L.19/2021*

[111] *Article 20(4B)* *inserted by L.31/2008, amended by L.8/2017, deleted by L.19/2021*
[112] *Article 20(4C)* *inserted by L.31/2008, deleted by L.19/2021*
[113] *Article 20(4CA)* *substituted by L.8/2016*
[114] *Article 20(4CB)* *inserted by L.8/2016, amended by L.19/2021*
[115] *Article 20(4D)* *inserted by L.31/2008, amended by L.11/2011, L.19/2021*
[116] *Article 20(4E)* *inserted by L.31/2008, deleted by L.19/2021*
[117] *Article 20(8)* *substituted by L.39/2008*
[118] *Article 21(1)* *amended by L.8/2017, L.19/2021*
[119] *Article 21(3)* *amended by L.8/2017*
[120] *Article 22* *heading substituted by L.19/2021*
[121] *Article 22(1)* *substituted by L.19/2021*
[122] *Article 22(1AA)* *inserted by L.22/2025*
[123] *Article 22(1A)* *inserted by L.19/2021, amended by L.22/2025*
[124] *Article 22(2)* *amended by L.16/2014, L.19/2021, L.19/2025*
[125] *Article 22(2A)* *inserted by L.22/2025*
[126] *Article 22(3)* *substituted by L.11/2011, amended by L.8/2017, L.19/2021*
[127] *Article 23* *heading amended by L.8/2017*
[128] *Article 23(A1)* *inserted by L.8/2017*
[129] *Article 23(1)* *amended by L.19/2021, L.22/2025*
[130] *Article 23(1A)* *inserted by L.22/2025*
[131] *Article 23(2)* *amended by L.8/2017*
[132] *Article 23(3)* *inserted by L.19/2021, substituted by L.22/2025*
[133] *Article 23(4)* *inserted by L.22/2025*
[134] *Article 24(A1)* *inserted by L.22/2025*
[135] *Article 24(1)* *amended by L.31/2008, L.11/2011, L.16/2014, L.8/2017, deleted by L.11/2021*
[136] *Article 24(2)* *amended by L.16/2014, deleted by L.11/2021*
[137] *Article 24(3)* *substituted by L.31/2008, L.19/2021, L.7/2026*
[138] *Article 24(3AA)* *inserted by L.7/2026*
[139] *Article 24(3A)* *inserted by L.31/2008, amended by L.11/2011, L.8/2017, L.11/2021, L.19/2021*
[140] *Article 24(3B)* *inserted by L.19/2021, amended by L.22/2025*
[141] *Article 24(3C)* *inserted by L.19/2021, amended by L.19/2025*
[142] *Article 24(3D)* *inserted by L.19/2021*
[143] *Article 25* *amended by L.19/2021*
[144] *Article 26(1)* *amended by L.16/2014, substituted by L.19/2025*
[145] *Article 26(3)* *amended by L.19/2021*
[146] *Article 26(4)* *deleted by L.11/2011*
[147] *Article 26(5)* *substituted by L.11/2011; former Article amended by L.39/2008, amended by L.19/2021*
[148] *Article 26(6)* *inserted by L.11/2011, amended by L.19/2021*
[149] *Article 26(7)* *inserted by L.19/2021*
[150] *Article 26A* *inserted by L.19/2021*
[151] *Article 26A(1)* *substituted by L.22/2025*
[152] *Article 26A(1A)* *inserted by L.22/2025*
[153] *Article 26A(1B)* *inserted by L.22/2025*
[154] *Article 26A(2)* *amended by L.22/2025*
[155] *Article 26A(3)* *amended by L.22/2025, substituted by L.19/2025, amended by R&O.8/2026*
[156] *Article 27(3)* *substituted by L.19/2021*
[157] *Article 27(4)* *inserted by L.19/2021*
[158] *Article 29* *heading amended by L.19/2021*

[159] *Article 29(1A)* *inserted by L.19/2021*
[160] *Article 29(1B)* *inserted by L.19/2021*
[161] *Article 29(1C)* *inserted by L.19/2021*
[162] *Article 29(2)* *amended by L.19/2021*
[163] *Article 29(3)* *inserted by L.19/2021*
[164] *Article 29(4)* *inserted by L.19/2021*
[165] *Article 30* *substituted by L.8/2017*
[166] *Article 30(1)* *amended by L.19/2021*
[167] *Article 31(1)* *amended by L.19/2021, L.7/2026*
[168] *Article 31(1A)* *inserted by L.7/2026*
[169] *Article 31(2)* *amended by L.16/2014*
[170] *Article 31(2A)* *inserted by L.16/2014*
[171] *Article 32(A1)* *inserted by L.8/2017, amended by L.19/2025*
[172] *Article 32(1)* *substituted by L.11/2011, amended by L.19/2021, substituted by L.19/2025*
[173] *Article 32(2)* *amended by L.11/2011, L.16/2014, L.8/2017*
[174] *Article 32(2A)* *inserted by L.11/2011, amended by L.19/2021, deleted by L.19/2025*
[175] *Article 32(2B)* *inserted by L.11/2011, amended by L.16/2014, L.8/2017, L.19/2021, deleted by L.19/2025*
[176] *Article 32(3)* *amended by L.11/2011, L.16/2014, L.19/2021*
[177] *Article 32(3A)* *inserted by L.19/2021*
[178] *Article 32A* *inserted by L.39/2008*
[179] *Article 32A(1)* *substituted by L.11/2011*
[180] *Article 32A(4)* *substituted by L.11/2011*
[181] *Article 32A(5)* *deleted by L.18/2025*
[182] *Article 33(3)* *amended by L.11/2011, L.19/2021*
[183] *Article 34(2)* *amended by L.16/2014*
[184] *Article 34(4)* *amended by L.19/2021*
[185] *Article 34(5)* *inserted by L.19/2021*
[186] *Article 35* *substituted by L.8/2017*
[187] *Article 35(1)* *amended by L.19/2021, substituted by L.19/2025*
[188] *Article 35(2)* *deleted by L.19/2021*
[189] *Article 35A* *inserted by L.16/2014, deleted by L.18/2025*
[190] *Article 36* *heading amended by L.19/2025*
[191] *Article 36(1)* *unnumbered paragraph renumbered as (1) by L.19/2021*
[192] *Article 36(2)* *inserted by L.19/2021, amended by L.19/2025, editorial change, "a annulled" deleted, "an annulled" inserted instead*
[193] *Part 7* *substituted by L.11/2011*
[194] *Article 37(1)* *amended by L.19/2021, L.22/2025*
[195] *Article 38* *amended by L.7/2017, substituted by L.19/2021*
[196] *Article 39* *amended by L.7/2017, deleted by L.19/2021*
[197] *Article 39A* *inserted by L.16/2014, deleted by L.19/2021*
[198] *Article 40A* *inserted by L.19/2021, substituted by L.7/2026*
[199] *Article 40B* *inserted by L.19/2021*
[200] *Article 40C* *inserted by L.19/2021*
[201] *Article 40* *substituted by L.16/2014, deleted by L.19/2021*
[202] *Article 41* *deleted by L.19/2021*
[203] *Article 42(1)* *substituted by L.16/2014, L.19/2021*
[204] *Article 42(1A)* *inserted by L.16/2014, deleted by L.19/2021*
[205] *Article 42(1B)* *inserted by L.8/2017, amended by L.19/2025*
[206] *Article 42(2)* *amended by L.19/2025*
[207] *Article 42(3)* *amended by L.8/2017*

[208] *Article 42(5)* *deleted by L.19/2025*
[209] *Article 42(6)* *amended by L.8/2017, deleted by L.19/2025*
[210] *Article 42(7)* *deleted by L.19/2025*
[211] *Article 42(8)* *amended by L.16/2014*
[212] *Article 42(11)* *substituted by L.8/2017, amended by L.19/2021, substituted by L.19/2025*
[213] *Article 42(12)* *substituted by L.8/2017, amended by L.19/2021*
[214] *Article 42A* *inserted by L.19/2021, amended by L.19/2025*
[215] *Article 43(1)* *substituted by L.19/2021*
[216] *Article 43(1A)* *inserted by L.19/2021*
[217] *Article 43(1B)* *inserted by L.19/2021, substituted by L.19/2025*
[218] *Article 43(2)* *amended by L.19/2021*
[219] *Article 43(4)* *inserted by L.7/2017, amended by L.19/2021, L.19/2025*
[220] *Article 44(2)* *amended by L.16/2014*
[221] *Article 44(5)* *amended by L.8/2017*
[222] *Article 46A(1)* *amended by L.22/2025*
[223] *Article 46A(2)* *amended by L.19/2021*
[224] *Article 46A(2A)* *inserted by L.19/2021*
[225] *Article 46B(3)* *amended by L.16/2014*
[226] *Article 46C* *deleted by L.18/2025*
[227] *Article 46D(2)* *amended by L.19/2021*
[228] *Article A47* *deleted by L.8/2017*
[229] *Article 47* *substituted by L.8/2017*
[230] *Article 47(1)* *amended by L.19/2021, deleted by L.7/2025*
[231] *Article 47(2)* *amended by L.19/2021, L.7/2026*
[232] *Article 47(3)* *amended by L.11/2021, L.7/2026*
[233] *Article 47(4)* *deleted by L.11/2021, inserted by L.22/2025, amended by L.7/2026*
[234] *Article 47(5)* *substituted by L.11/2021, amended by L.22/2025, L.7/2026*
[235] *Article 47(5A)* *inserted by L.11/2021*
[236] *Article 47(5B)* *inserted by L.22/2025*
[237] *Article 47(6)* *amended by L.11/2021, L.22/2025*
[238] *Article 47(7)* *amended by L.11/2021, L.22/2025*
[239] *Article 47(8)* *inserted by L.7/2026*
[240] *Article 47A* *inserted by L.8/2017*
[241] *Article 48* *substituted by L.8/2017*
[242] *Article 48(1)* *amended by L.19/2021*
[243] *Article 48(4)* *amended by L.19/2021, L.19/2025*
[244] *Article 48(5)* *amended by L.19/2021*
[245] *Article 49* *substituted by L.8/2017*
[246] *Article 49(1)* *amended by L.19/2021*
[247] *Article 49(5A)* *inserted by L.19/2021*
[248] *Article 49(5B)* *inserted by L.19/2021*
[249] *Article 50* *substituted by L.8/2017*
[250] *Article 50(1)* *amended by L.19/2021*
[251] *Article 50(2)* *amended by L.19/2021*
[252] *Article 51(1)* *amended by L.11/2011, L.8/2017, L.19/2021, L.19/2025, L.18/2025*
[253] *Article 51(1A)* *inserted by L.39/2008, amended by L.11/2011*
[254] *Article 51(4)* *amended by L.19/2021*
[255] *Article 51(5)* *inserted by L.19/2021*
[256] *Article 51(6)* *inserted by L.19/2021*
[257] *Part 8A* *inserted by L.16/2014*
[258] *Article 52* *substituted by L.8/2017, deleted by L.11/2021, inserted by L.22/2025*

[259] *Article 52(3)* *amended by R&O.8/2026*
[260] *Article 52A* *substituted by L.8/2017, heading amended by L.19/2021, L.11/2021, substituted by L.22/2025*
[261] *Article 52A(3)* *amended by L.19/2025*
[262] *Article 52AA* *inserted by L.8/2017*
[263] *Article 52AA(1)* *amended by L.22/2025*
[264] *Article 52AA(1AA)* *inserted by L.22/2025*
[265] *Article 52AA(1A)* *inserted by L.19/2021*
[266] *Article 52AA(1B)* *inserted by L.19/2021*
[267] *Article 52AA(2)* *deleted by L.11/2021*
[268] *Article 52AA(3)* *deleted by L.11/2021, inserted by L.22/2025*
[269] *Article 52AA(4)* *amended by L.19/2021, L.11/2021, L.22/2025*
[270] *Article 52AA(5)* *amended by L.19/2021, L.11/2021, L.22/2025*
[271] *Article 52B* *inserted by L.16/2014, deleted by L.11/2021, inserted by L.22/2025*
[272] *Article 52C* *inserted by L.16/2014, heading amended by L.11/2021, heading substituted by L.22/2025*
[273] *Article 52C(1)* *substituted by L.8/2017, amended by L.11/2021, substituted by L.22/2025*
[274] *Article 52C(1A)* *inserted by L.11/2021*
[275] *Article 52C(2)* *amended by L.8/2017, L.19/2021*
[276] *Article 52C(3)* *amended by L.22/2025*
[277] *Article 52C(4)* *substituted by L.8/2017*
[278] *Article 52C(5)* *amended by L.22/2025*
[279] *Article 52C(7)* *substituted by L.8/2017, deleted by L.19/2021*
[280] *Article 52C(8)* *substituted by L.8/2017*
[281] *Article 53* *substituted by L.8/2017*
[282] *Article 53(1)* *amended by L.19/2021, L.11/2021, substituted by L.22/2025*
[283] *Article 53(1A)* *inserted by L.22/2025*
[284] *Article 53(2)* *amended by L.19/2021, L.11/2021*
[285] *Article 53(3)* *amended by L.19/2021, L.11/2021*
[286] *Article 53(4)* *amended by L.19/2021, L.11/2021, L.19/2025*
[287] *Article 53(5)* *deleted by L.11/2021, inserted by L.22/2025*
[288] *Article 53(6)* *amended by L.19/2021*
[289] *Article 54* *inserted by L.16/2014, former Article repealed by L.39/2008*
[290] *Article 54(1)* *amended by L.19/2021*
[291] *Article 54(2)* *substituted by L.19/2021*
[292] *Article 55* *amended by L.22/2025*
[293] *Article 56(1)* *amended by L.39/2008, L.11/2011, L.16/2014, L.19/2021, L.18/2025*
[294] *Article 57(1)* *amended by L.19/2021*
[295] *Article 57(2)* *amended by L.11/2011, L.19/2021*
[296] *Article 58(1)* *amended by L.19/2021, L.11/2021*
[297] *Article 60* *amended by L.16/2014*
[298] *Article 61* *substituted by L.8/2017*
[299] *Article 61(1)* *amended by L.19/2021*
[300] *Article 61(2)* *amended by L.19/2021*
[301] *Article 61(3)* *deleted by L.19/2021*
[302] *Article 61(5)* *inserted by L.19/2021*
[303] *Article 61(6)* *inserted by L.19/2021, amended by L.22/2025*
[304] *Article 62(1)* *amended by L.19/2021*
[305] *Article 62A* *inserted by L.39/2008, amended by L.11/2011*
[306] *Article 63(1)* *amended by L.19/2021*
[307] *Article 63(2)* *amended by L.19/2021*

[308] *Article 63(3)*	*amended by L.19/2021*
[309] *Article 63(4)*	*amended by L.19/2021*
[310] *Article 64(1)*	*amended by L.19/2021*
[311] *Article 64(2)*	*amended by L.19/2021*
[312] *Article 65*	*amended by L.19/2021*
[313] *Article 66(1)*	*amended by L.39/2008, L.19/2021*
[314] *Article 66(2)*	*amended by L.19/2021*
[315] *Article 66(3)*	*amended by L.19/2021*
[316] *Article 68*	*amended by L.11/2011, L.19/2021*
[317] *Article A69*	*inserted by L.8/2017*
[318] *Article 69(4)*	*amended by L.16/2014*
[319] *Article 70A*	*inserted by R&O.3/2022, expired on 22 June 2022*
[320] *Article 71*	*heading amended by L.19/2021*
[321] *Article 71(2)*	*amended by L.16/2014*
[322] *Article 71(3)*	*inserted by L.19/2021*
[323] *Article 72(1A)*	*inserted by L.16/2014*
[324] *Article 72(1B)*	*inserted by L.32/2016*
[325] *Article 72(1C)*	*inserted by L.32/2016, amended by L.19/2021*
[326] *Article 72(1D)*	*inserted by L.19/2021*
[327] *Article 72(1E)*	*inserted by L.19/2021, deleted by L.18/2025*
[328] *Article 72(1F)*	*inserted by L.19/2021*
[329] *Article 72(2)*	*amended by L.19/2021*
[330] *Article 72A*	*inserted by L.18/2025*
[331] *Article 72A(1)*	*deleted by Article 72A(6) at the end of 15 March 2026*
[332] *Article 72A(2)*	*deleted by Article 72A(6) at the end of 15 March 2026*
[333] *Article 72A(3)*	*deleted by Article 72A(6) at the end of 15 March 2026*
[334] *Article 72B*	*inserted by L.22/2025*
[335] *Article 74(1)*	*amended by L.19/2021*
[336] *Schedule*	*inserted by L.19/2021*