PROJET DE LOI

ENTITLED

The Reform (Guernsey) Law, 1948 *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. It has been prepared for the Guernsey Law website and is believed to be accurate and up to date, but it is not authoritative and has no legal effect. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.

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Ordres en Conseil Vol. XIII, p. 288; as amended by the Reform (Guernsey) Amendment Law, 1950 (Ordres en Conseil Vol. XIV, p. 407); the Reform (Guernsey) Law, 1948 (Amendment) Law, 1952 (Ordres en Conseil Vol. XV, p. 279); the Appointment of Her Majesty's Sheriff (Guernsey) Law, 1955 (Ordres en Conseil Vol. XVI, p. 178); the Reform (Amendment) (Guernsey) Law, 1960 (Ordres en Conseil Vol. XVIII, p. 275); the Reform (Amendment) (Guernsey) Law, 1962 (Ordres en Conseil Vol. XIX, p. 84); the Reform (Amendment) (Guernsey) Law, 1963 (Ordres en Conseil Vol. XIX, p. 140); the Deputy Bailiff (Guernsey) Law, 1969 (Ordres en Conseil Vol. XXII, p. 122); the Reform (Amendment) (Guernsey) Law, 1972 (Ordres en Conseil Vol. XXIII, p. 476); the Reform (Amendment) (Guernsey) Law, 1975 (Ordres en Conseil Vol. XXV, p. 326); the Reform (Amendment) (Guernsey) Law, 1978 (Ordres en Conseil Vol. XXVI, p. 255); the Reform (Amendment) (Guernsey) Law, 1984 (Ordres en Conseil Vol. XXVIII, p. 581); the Reform (Amendment) (Guernsey) Law, 1985 (Ordres en Conseil Vol. XXIX, p. 56); the Reform (Amendment) (Guernsey) Law, 1987 (Ordres en Conseil Vol. XXX, p. 16); the Reform (Amendment) (Guernsey) Law, 1988 (Ordres en Conseil Vol. XXXI, p. 58); the Reform (Amendment No. 2) (Guernsey) Law, 1988 (Ordres en Conseil Vol. XXXI, p. 164); the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989 (Ordres en Conseil Vol. XXXI, p. 278); the Reform (Amendment) (Guernsey) Law, 1990 (Ordres en Conseil Vol. XXXII, p. 41); the Reform (Election of Conseillers and Minor Amendments) (Guernsey) Law, 1993 (No. V of 1993, Ordres en Conseil Vol. XXXIV, p. 397); the Reform (Amendment) (Guernsey) Law, 1996 (No. II of 1996, Ordres en Conseil Vol. XXXVI, p. 478); the Reform (Guernsey) Law, 1998 (No. III of 1998, Ordres en Conseil Vol. XXXVIII, p. 150); the Reform (Replacement of Conseillers) (Guernsey) Law, 1998 (No. X of 1998, Ordres en Conseil Vol. XXXVIII, p. 295); the Reform (Guernsey) (Amendment) Law, 2003 (No XIII of 2003); the Reform (Amendment No. 2) (Guernsey) Law, 2003 (No. III of 2004, Ordres en Conseil Vol. XLIV(1), p. 29); the Emergency Powers (Bailiwick of Guernsey) (Amendment) Law, 2005 (No. VII of 2005); the Reform (Guernsey) (Amendment) Law, 2006 (No. II of 2007); the Reform (Guernsey) (Amendment) Law, 2007 (No. XX of 2007); the Reform (Guernsey) (Amendment) Law, 2008 (No. XIII of 2008); the Royal Court (Reform) (Guernsey) Law, 2008 (No. XXII of 2008); the Reform (Guernsey) (Amendment) Law, 2009 (No. VII of 2010); the Reform (Guernsey) (Amendment) Law, 2011 (No. II of 2012); the Civil Contingencies (Bailiwick of Guernsey) Law, 2012 (No. XIV of 2012); the States (Reform) (Guernsey) Law, 2015 (No. XVII of 2015); the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII of 2003, Recueil d'Ordonnances Tome XXIX, p. 406); the House Committee (Transfer of Functions) Ordinance, 2008 (No. XXVI of 2008, Recueil d'Ordonnances Tome XXXIII, p. 126); the Reform (Guernsey) (Amendment) Ordinance, 2011 (No. XXXII of 2011); the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016 (No. IX of 2016); the Resolution of the States of 12th December, 1996, concerning Billet d'État No. XXVII. See also the Royal Court of Guernsey (Miscellaneous Reform Provisions) Law, 1950 (Ordres en Conseil Vol. XIV, p. 388); the Judgments (Reciprocal Enforcement) (Guernsey) Law, 1957 (Ordres en Conseil Vol. XVII, p. 178); the Service of Process and Taking of Evidence (Guernsey) Law, 1957 (Ordres en Conseil Vol. XVII, p. 203); the Law Reform (Age of Majority and Guardianship of Minors) (Guernsey) Law, 1978 (Ordres en Conseil Vol. XXVI, p. 264); the States of Guernsey (Representation of Alderney) Law, 1978 (Ordres en Conseil Vol. XXVI, p. 548); the Criminal Justice (Bailiwick of Guernsey) Law, 1979 (Ordres en Conseil Vol. XXVII, p. 172); the Magistrate's Court and Miscellaneous Reforms (Guernsey) Law, 1996 (No. IX of 1996, Ordres en Conseil Vol. XXXVI, p. 639); the Electoral Roll Ordinance, 1999 (No. IX of 1999, Recueil d'Ordonnances Tome XXVIII, p. 232); the Resolution of the States of 27th November, 2002 (Billet d'État XXII, Article XXI, Proposition 1).

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PROJET DE LOI

ENTITLED

The Reform (Guernsey) Law, 1948

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PROJET DE LOI

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The Reform (Guernsey) Law, 1948

THE STATES have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in the Islands of Guernsey, Herm and Jethou.

PART I

The States of Deliberation

Constitution.

1. [(1) The States of Deliberation shall be composed as follows –

(a) The Bailiff,

(b) (i) Her Majesty's Procureur,

(ii) Her Majesty's Comptroller,

(c) [Thirty-eight] People's Deputies,

(d) …

(e) Two Alderney Representatives.]

(2) The Bailiff shall be ex-officio [Presiding Officer] of the States of Deliberation and shall from time to time nominate in writing one or more Members to perform the duties of Acting [Presiding Officer] [in the absence or incapacity of both the Bailiff and the Deputy Bailiff or in the absence or incapacity of the Deputy Bailiff during a vacancy in the office of Bailiff], and may at any time in writing revoke such nominations or any of them. The Member who is at the time

senior in order of appointment shall perform the duties of Acting [Presiding Officer], unless such senior Member shall for any reason decline to act, whether generally or in relation to any particular matter, in which case the Member next senior in order of appointment shall act either generally or in the particular matter, as the case may be, and with the like power of declining to act, and so in turn until the Member junior in order of appointment shall have been reached, who shall be bound to act.

(3) In case of a vacancy in the office of Bailiff, the nominations of the former holder of that office shall remain in force under the conditions set out in the last preceding paragraph until such time as the next succeeding holder of that office shall have made his nominations, whereupon the former nominations shall cease to be valid.

(4) The Acting [Presiding Officer] shall have in relation to the performance of the duties of his office all the powers and be subject to all the duties of the [Presiding Officer].

(5) (a) The [Presiding Officer], or the Acting [Presiding Officer], as the case may be, shall have no original vote [and no casting vote, and in the event of an equality of votes he shall (except in the case of an election) declare the proposition lost].

(b) The Members, other than the [Presiding Officer] or the Acting [Presiding Officer], as the case may be, His Majesty's Procureur and His Majesty's Comptroller, shall each have one vote.

NOTES

In Article 1,

paragraph (1) was substituted by the Reform (Replacement of Conseillers) (Guernsey) Law, 1998, section 1, with effect from 1st May, 2000, subject to the transitional provisions in section 9(2) of the 1998 Law;

the words in square brackets in sub-paragraph (c) of paragraph (1)

were substituted by the States (Reform) (Guernsey) Law, 2015, section 5(1)(a), with effect from 1st May, 2016;

sub-paragraph (d) of paragraph (1) was repealed by the Reform (Guernsey) (Amendment) Law, 2003, section 1(2), with effect from 1st May, 2004;

the words "Presiding Officer" in square brackets, wherever occurring, were substituted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(3), with effect from 1st May, 2004;

the words in the third pair of square brackets in paragraph (2) were substituted by the Deputy Bailiff (Guernsey) Law, 1969, section 4, Schedule, with effect from 9th September, 1969;

the words in the third pair of square brackets in sub-paragraph (a) of paragraph (5) were substituted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(4), with effect from 1st May, 2004.

The following Ordinance has been made under this Law:

Electoral Roll Ordinance, 1999.

The following cases have referred to this Law:

Bordeaux Vineries Limited v. States of Guernsey (1993) 16.GLJ.85*;*
Angenent v. Pring 2005–06 GLR 1*;*
Angenent v. Pring 2005–06 GLR 11*;*
States v. Jersey Fishermen's Association Limited, IF Limited, Interfish Wirons Limited, Scerene Fishing Company Limited and Lovell 2005–06 GLR 226*;*
Jersey Fishermen's Association Limited, IF Limited, Interfish Wirons Limited, Scerene Fishing Company Limited and Lovell v. States 2007–08 GLR 36.

In accordance with the provisions of the Reform (Guernsey) Law, 1998, section 7(2), with effect from 27th May, 1998, this Law, when cited together with the Reform (Guernsey) Laws, 1948 to 1996 and the 1998 Law, may be cited as the Reform (Guernsey) Laws, 1948 to 1998.[1]

[**Jurat may not be People's Deputy or Douzenier.**

2. A Jurat shall vacate his office on being elected as People's Deputy or Douzenier and a People's Deputy or Douzenier shall vacate his office on being elected as Jurat.]

NOTE

Article 2 was substituted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(5), with effect from 1st August, 2003.[2]

Quorum.

3. (1) Subject to the provisions of [paragraphs (4) and (5)] of this Article the [Presiding Officer] or acting [Presiding Officer], as the case may be, and [a number of voting Members equal to the nearest whole number above one half of the number of voting Members for the time being specified in Article 1] shall form a Quorum of the States of Deliberation.

(2) …

(3) …

[(4) [Without prejudice to paragraph (1)] of this Article any resolution of the States of Deliberation directing the preparation of legislation to repeal or vary any of the provisions of this Law which is carried by a majority of less than two-thirds of the members present and voting shall not be deemed to have been carried before the expiration of seven days from the date of the resolution:

Provided that where before the expiration of the aforesaid seven days an application in writing signed by not less than seven members of the States of Deliberation is made in that behalf to the [Presiding Officer] such resolution shall be brought back before the States of Deliberation by the [Presiding Officer] as soon as may be after the expiration of three months from the date of the resolution whereupon such resolution shall be declared lost unless confirmed by a simple majority.

(5) [Without prejudice to paragraph (1)] of this Article any resolution of the States of Deliberation approving a Projet de Loi intended to repeal or vary any of the provisions of this Law and authorising the Bailiff to present a most Humble Petition to Her Majesty in Council praying for Her Royal Sanction thereto which is carried by a majority of less than two-thirds of the members present and voting shall not be deemed to have been carried before the expiration of seven days from the date of the resolution:

Provided –

(i) that where before the expiration of the aforesaid seven days an application in writing

signed by not less than seven members of the States of Deliberation is made in that behalf to the [Presiding Officer] such resolution shall be brought back before the States of Deliberation by the [Presiding Officer] as soon as may be after the expiration of three months from the date of the resolution whereupon such resolution shall be declared lost unless confirmed by a simple majority, and

(ii) that the provisions of this paragraph shall not apply to a resolution approving a Project de Loi in respect of which the resolution directing the preparation of the necessary legislation was confirmed in accordance with the provisions of the proviso to paragraph (4) of this Article.]

NOTES

In Article 3,

the words, figures and parentheses in the first and fourth pairs of square brackets in paragraph (1) were substituted by the Reform (Guernsey) (Amendment) Law, 2009, respectively section 2(a)(i) and section 2(a)(ii), with effect from 5th August, 2010;[3]

the words "Presiding Officer" in square brackets, wherever occurring, were substituted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(3), with effect from 1st May, 2004;

paragraph (2) and paragraph (3) were repealed by the Reform (Guernsey) (Amendment) Law, 2009, section 2(b), with effect from 5th August, 2010;[4]

paragraph (4) and paragraph (5) were inserted by the Reform (Amendment) (Guernsey) Law, 1987, section 1(d), with effect from 19th May, 1987;

the words, figures and parentheses in the first pairs of square brackets within paragraph (4) and paragraph (5) were substituted by the Reform (Guernsey) (Amendment) Law, 2009, section 2(c), with effect from 5th August, 2010.

PART II

The States of Election

Constitution.

4. (1) During the period from the 1st day of October, 1948, to the 31st day of December, 1948, both dates inclusive, the States of Election shall be composed as follows –

(a) the Bailiff,

(b) the [16] Jurats (Jurés-Justiciers),

(c) the ten Rectors,

(d) (i) His Majesty's Procureur,

(ii) His Majesty's Comptroller,

(e) thirty-four Douzaine Representatives,

(f) the eighteen People's Deputies.

(2) On and after the 1st day of January, 1949, the States of Election shall be composed as follows –

(a) the Bailiff,

(b) the [16] Jurats (Jurés-Justiciers),

(c) …

(d) the ten Rectors,

(e) (i) His Majesty's Procureur,

(ii) His Majesty's Comptroller,

(f) [thirty-eight] People's Deputies,

(g) thirty-four Douzaine Representatives[:

Provided that a Rector shall not, by reason only of being a Rector, be eligible to exercise any of the functions appertaining to the office of Rector as a member of the States of Election under this Law unless he shall have had his ordinary place of residence in this Island for the twelve months immediately prior to the date of the exercise of such functions.]

(3) The Bailiff shall be ex-officio [Presiding Officer] of the States of Election and his powers and duties as such in relation to the nominations of Acting [Presiding Officers], and the duration of the validity of such nominations shall be in all respects similar to his powers and duties in relation to such nominations in respect of the States of Deliberation as provided in paragraphs (2) and (3) of Article 1 of this Law.

(4) The Acting [Presiding Officer] shall have in relation to the performance of the duties of his office all the powers and be subject to all the duties of the [Presiding Officer].

(5) (a) The [Presiding Officer], or the Acting [Presiding Officer], as the case may be, shall have no original vote, but in the event of an equality of votes he shall have a casting vote, which shall be exercisable by private intimation to the Scrutineers appointed by the assembly.

(b) The other Members may each vote in one capacity only.

NOTES

In Article 4,

the figures in square brackets in sub-paragraph (b) of paragraph (1) and sub-paragraph (b) of paragraph (2) were substituted by the Royal Court (Reform) (Guernsey) Law, 2008, section 9(1), with effect from 29th October, 2008;

sub-paragraph (c) of paragraph (2) was repealed by the Reform (Replacement of Conseillers) (Guernsey) Law, 1998, section 2(3)(a), with effect from 1st May, 2000, subject to the transitional provisions in section 9(2) of the 1998 Law;

the words in square brackets in sub-paragraph (f) of paragraph (2) were substituted by the States (Reform) (Guernsey) Law, 2015, section 5(1)(b), with effect from 1st May, 2016;[5]

the proviso to paragraph (2) was substituted by the Reform (Election of Conseillers and Minor Amendments) (Guernsey) Law, 1993, section 10(2), with effect from 1st May, 1994;[6]

the words "Presiding Officer" in square brackets, wherever occurring, were substituted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(3), with effect from 1st May, 2004.

Functions of the States of Election.

5. [(1) The function of the States of Election shall be to elect persons to the office of Jurat.]

[(2) Election to [the office of Jurat] shall be conducted in accordance with the provisions of the law from time to time regulating the procedure for secret ballot, save that the following special provisions shall apply to an election for the office of Jurat –

(a) no candidate shall be declared elected unless he has polled a number of votes greater than one half of the number of members of the States of Election present at the meeting at which the election is held,

(b) voting shall be by secret ballot irrespective of the number of candidates offering themselves for election,

(c) where more than one ballot becomes necessary, the ballots shall be held at the same meeting of the States of Election and the candidate with the lesser or least

number of votes, as the case may be, in any ballot in which no candidate is declared elected shall be eliminated from the next ballot, and

(d) not more than one vacancy shall be filled at any one meeting of the States of Election.]

NOTES

In Article 5,

paragraph (1) was substituted by the Reform (Election of Conseillers and Minor Amendments) (Guernsey) Law, 1993, section 10(3)(a), with effect from 1st May, 1994;[7]

paragraph (2) was substituted by the Reform (Amendment) (Guernsey) Law, 1962, section 1, with effect from 21st January, 1963;[8]

the words in square brackets in paragraph (2) were substituted by the Reform (Election of Conseillers and Minor Amendments) (Guernsey) Law, 1993, section 10(3)(b), with effect from 1st May, 1994.

Quorum.

6. [(1) A quorum of the States of Election shall be the [Presiding Officer] or Acting [Presiding Officer], as the case may be, and at least sixty other members.]

(2) In case at any meeting there shall not be a Quorum present, the [Presiding Officer] or Acting [Presiding Officer], as the case may be, may convene a fresh meeting by publishing in two daily newspapers published locally in the English language or, if there be only one such newspaper, then in that newspaper, a notice stating that at the meeting previously convened there was not a Quorum of Members present, and fixing a date for a fresh meeting, which meeting shall thereupon be lawfully convened for that date.

NOTES

In Article 6,

paragraph (1) was substituted by the Reform (Election of Conseillers and Minor Amendments) (Guernsey) Law, 1993, section 10(4),

with effect from 1st May, 1994;[9]

the words "Presiding Officer" in square brackets, wherever occurring, were substituted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(3), with effect from 1st May, 2004.

PART III

GENERAL

States of Deliberation and of Election

Procedure.

7. (1) The States of Deliberation may by Resolution decide the Rules of Procedure to be applicable from time to time in and in relation to assemblies of the States of Deliberation or of the States of Election, and may likewise at any time vary, revoke or suspend such Rules or any of them.

(2) Subject as aforesaid, the Rules of Procedure, not being inconsistent with any of the provisions of this Law, which are applicable in or in relation to either assembly on the 31st day of December, 1948, whether by Law or Custom or by Resolution of the States of Deliberation, shall continue to be applicable thereafter.

(3) The States of Deliberation are hereby empowered, after the date last mentioned, to repeal by Resolution with effect on such date or dates as shall be provided therein the provisions as to procedure in or in relation to either assembly of any Law, other than this Law, in force on the 31st day of December, 1948.

Eligibility as […] People's Deputy.

8. Any person of full age shall be eligible to hold the office […] of People's Deputy provided that –

(a) …

(b) …

[(c) he is ordinarily resident in this Island on the date of his nomination as a candidate for that office, and]

[(d) he has been ordinarily resident in this Island –

(i) for a period of two years immediately before that date, or

(ii) for a period or periods of at least five years in the aggregate at any time before that date,]

[(e) he has not at any time during the five years immediately preceding the date of the election been sentenced for an offence by a court in the United Kingdom, any of the Channel Islands, or the Isle of Man, to imprisonment for a period of six months or more (whether suspended or not) without the option of a fine, unless that sentence was quashed or reduced to less than six months on appeal.]

NOTES

In Article 8,

the words omitted in the first pair of square brackets therein, and in the marginal note thereto, were repealed by the Reform (Replacement of Conseillers) (Guernsey) Law, 1998, respectively section 2(4)(a) and section 2(4)(c), with effect from 1st May, 2000, subject to the transitional provisions in section 9(2) of the 1998 Law;

paragraph (a) was repealed by the Reform (Guernsey) (Amendment) Law, 2003, section 1(6), with effect from 1st August, 2003;

paragraph (b) was repealed by the States (Reform) (Guernsey) Law, 2015, section 5(c), with effect from 16th February, 2016;

paragraph (c) was substituted, and paragraph (d) was inserted, by the Reform (Guernsey) (Amendment) Law, 2006, section 1, with effect from 19th February, 2007;[10]

paragraph (e) was inserted by the Reform (Amendment) (Guernsey) Law, 1996, section 1(1), with effect from 5th June, 1996.

In accordance with the provisions of the Law Reform (Age of Majority and

Guardianship of Minors) (Guernsey) Law, 1978, section 1(1) and section 1(2), with effect from 1st July, 1978 and subject to the saving provision in section 1(6) of the 1978 Law, a person shall attain full age on attaining the age of eighteen instead of on attaining the age of twenty and the reference in this Article to a person of "full age" shall be construed accordingly.

[**Nomination of Jurat.**]

9. (1) Every candidate for the office of [Jurat […]] shall be nominated in writing by a Member of the States of Election or by a Douzenier and such nominations shall be seconded in writing by another such Member or Douzenier. Such nomination, duly seconded, shall be [delivered to the [Presiding Officer] of the States of Election not later than such time on such day, being a day before the fifteen days next preceding the day fixed for the election, as the [Presiding Officer] may appoint] and shall be accompanied by a certificate in writing, signed by the candidate, stating his willingness to serve in the office if elected […].

(2) …

NOTES

In Article 9,

the marginal note thereto was substituted by the Reform (Election of Conseillers and Minor Amendments) (Guernsey) Law, 1993, section 10(5)(c), with effect from 1st May, 1994;[11]

the word in the first pair of square brackets was substituted by the Reform (Amendment) (Guernsey) Law, 1960, section 1(c)(i), with effect from 20th December, 1960;

the words omitted in square brackets within the first pair of square brackets in paragraph (1) were repealed by the Reform (Election of Conseillers and Minor Amendments) (Guernsey) Law, 1993, section 10(5)(a), with effect from 1st May, 1994;

the words in the second pair of square brackets in paragraph (1) were substituted by the Reform (Amendment) (Guernsey) Law, 1960, section 1(c)(ii), with effect from 20th December, 1960;

the words in square brackets within the second pair of square brackets in paragraph (1) were substituted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(3), with effect from 1st May, 2004;

the paragraph (2), and the words omitted in the third pair of square brackets in paragraph (1), were repealed by the Reform (Election of Conseillers and Minor Amendments) (Guernsey) Law, 1993, respectively

section 10(5)(b) and section 10(5)(a), with effect from 1st May, 1994.

Election of Conseillers.

10. …

NOTE

Article 10 was repealed by the Reform (Election of Conseillers and Minor Amendments) (Guernsey) Law, 1993, section 10(6), with effect from 1st May, 1994.[12]

Member voting in election at which he is a candidate.

11. …

NOTE

Article 11 was repealed by the Reform (Election of Conseillers and Minor Amendments) (Guernsey) Law, 1993, section 10(6), with effect from 1st May, 1994.

Casual vacancies for office of Conseiller.

12. …

NOTE

Article 12 was repealed by the Reform (Election of Conseillers and Minor Amendments) (Guernsey) Law, 1993, section 10(6), with effect from 1st May, 1994.[13]

Term of office of a person filling a casual vacancy in the office of Conseiller.

13. …

NOTE

Article 13 was repealed by the Reform (Election of Conseillers and Minor Amendments) (Guernsey) Law, 1993, section 10(6), with effect from 1st May, 1994.

Election of ten Douzaine Representatives to the States of Deliberation.

14. **…**

NOTE

Article 14 was repealed by the Reform (Guernsey) (Amendment) Law, 2003, section 1(7), with effect from 1st August, 2003.[14]

Douzaine Representatives in the States of Election.

15. [(1) The Douzaine Representatives in the States of Election shall consist of [thirty four] Douzaine Representatives elected for each meeting of the States of Election by their respective Douzaine, as follows –

(a) from the Parish of Saint Peter Port, [nine] Douzeniers,

(b) from the Parish of Saint Sampson, [five] Douzeniers,

(c) from the Parish of the Vale, [five] Douzeniers,

(d) from the Parish of the Castel, [five] Douzeniers,

(e) from the Parish of Saint Saviour, [two Douzeniers],

(f) from the Parish of Saint-Peter-in-the-Wood, [one Douzenier],

(g) from the Parish of Torteval, [one Douzenier],

(h) from the Parish of the Forest, [one Douzenier],

(i) from the Parish of Saint Martin, [four] Douzeniers, and

(j) from the Parish of Saint Andrew, [one Douzenier]:

Provided that the States may at any time by resolution vary, in accordance with the

numbers of the respective populations of the Electoral Districts concerned, the allocation of the numbers of […] Douzaine Representatives as between the aforesaid Parishes so, however, that the total number of […] Douzaine Representatives shall remain at [thirty-four].]

(2) …

(3) On the issue of a Billet d'État convening a meeting of the States of Election, the Constables of each Parish in which it shall be requisite so to do for the purposes of this Article shall cause the Douzaine of that Parish to elect Douzaine Representatives, in accordance with the provisions of paragraph (1) thereof, and shall deliver a certificate to His Majesty's Greffier in writing under their hands not later than three o'clock in the afternoon of the working day next preceding the date of the meeting of the States of Election, as to the Douzaine Representatives so elected.

NOTES

In Article 15,

paragraph (1) was substituted by the Reform (Amendment No. 2) (Guernsey) Law, 1988, section 1, with effect from 14th February, 1989;[15]

the words in the first pair of square brackets in paragraph (1) were substituted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(8)(a), with effect from 1st May, 2004;

the words in square brackets in, first, sub-paragraph (a), sub-paragraph (b), sub-paragraph (d), sub-paragraph (e) and sub-paragraph (i) and, second, sub-paragraph (f), sub-paragraph (g), sub-paragraph (h) and sub-paragraph (j) of paragraph (1) were substituted by the Reform (Guernsey) (Amendment) Law, 2003, respectively section 1(8)(b) and section 1(8)(c), with effect from 1st May, 2004;[16]

the word in square brackets in sub-paragraph (c) of paragraph (1) was substituted in accordance with the provisions of the Resolution of the States of 12th December, 1996, concerning Billet d'État No. XXVII;

the words omitted in the twelfth and thirteenth pairs of square brackets in paragraph (1) were repealed by the Reform (Guernsey) (Amendment) Law, 2003, section 1(8)(d)(i), with effect from 1st May, 2004;

the words in the fourteenth pair of square brackets in paragraph (1) were substituted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(8)(d)(ii), with effect from 1st May, 2004;

paragraph (2) was repealed by the Reform (Guernsey) Law, 1948

(Amendment) Law, 1952, Article 1(d), with effect from 16th August, 1952.

The following Resolution has been made by the States under Article 15:

Resolution of 12th December, 1996, concerning Billet d'État No. XXVII.

[**Duty of a Douzaine Representative in the States of Election.**

16. A Douzaine Representative shall not be bound in the States of Election to vote in accordance with any direction or instruction given him by the Douzaine which he represents, and he shall be free on all occasions to cast his vote in accordance with his conscience.]

NOTE

Article 16 was substituted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(9), with effect from 1st May, 2004.

Resignation of [**…**] **People's Deputy** [**…**]**.**

17. (1) A […] People's Deputy […] may at any time resign his office, provided that –

(a) he shall inform the [Presiding Officer] of the States in writing under his hand of his desire so to do, and

(b) his resignation shall not take effect until it has been accepted by the States of Deliberation.

(2) If it shall appear to the Royal Court on petition brought by the Law Officers of the Crown or either of them that […] a People's Deputy –

(a) did not at the time of his election possess the qualifications required by the provisions of Article 8 of this Law, […] or

[(b) has subsequently to such election been sentenced for an offence by a court in the United Kingdom, any of

the Channel Islands, or the Isle of Man, to imprisonment for a period of six months or more (whether suspended or not) without the option of a fine, unless that sentence has been quashed or reduced to less than six months on appeal, or]

[(c)] has not, whether by reason of illness, absence or otherwise, for twelve consecutive months, fulfilled the duties of his office,

the Court shall so declare and thereupon the office of such […] People's Deputy shall be vacated.

(3) A copy of any such petition shall be served by His Majesty's Sergeant at the residence in this Island of such […] People's Deputy, with a written notice stating the date of the hearing, unless such […] People's Deputy […] has no residence in this Island, [in which case] the Law Officers of the Crown or either of them shall, in lieu of causing such service to be effected, cause to be inserted in the "Gazette Officielle" appearing in the week preceding the date of the hearing a notice stating that the petition will be brought, the date of the hearing thereof and the reasons for its being brought.

NOTES

In Article 17,

the words omitted in the first pair of square brackets in the marginal note thereto, and in the first pair of square brackets in paragraph (1) thereof, were repealed by the Reform (Replacement of Conseillers) (Guernsey) Law, 1998, section 2(5), with effect from 1st May, 2000, subject to the transitional provisions in section 9(2) of the 1998 Law;

the words omitted in the second pair of square brackets in the marginal note thereto, and in the second pair of square brackets in paragraph (1) thereof, were repealed by the Reform (Guernsey) (Amendment) Law, 2003, section 1(10), with effect from 1st May, 2004;

the words in square brackets in sub-paragraph (a) of paragraph (1) were substituted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(3), with effect from 1st May, 2004;

the words omitted in the first pair of square brackets in paragraph (2) and in the first and second pairs of square brackets in paragraph (3)

were repealed by the Reform (Replacement of Conseillers) (Guernsey) Law, 1998, section 2(5), with effect from 1st May, 2000, subject to the transitional provisions in section 9(2) of the 1998 Law;

first, the words omitted in square brackets in paragraph (2)(a) were repealed, second, the words omitted in the third pair of square brackets in paragraph (3) were repealed and, third, the words in the fourth pair of square brackets in paragraph (3) were substituted by the States (Reform) (Guernsey) Law, 2015, section 5, respectively paragraph (d)(i), paragraph (d)(ii)(A) and paragraph (d)(ii)(B), with effect from 16th February, 2016;

sub-paragraph (b) of paragraph (2) was inserted, and the original sub-paragraph (b) thereof was re-designated as "(c)", by the Reform (Amendment) (Guernsey) Law, 1996, section 1(2), with effect from 5th June, 1996, subject to the provisions of section 11(2) of the 1996 Law.

Membership of States Committees.

18. Save as may hereafter be specifically provided by Resolution of the States, in all cases in which the President or any Member of any Committee (however described) of the States is required by enactment or by resolution of the States to be a Member of the States, Jurats, Rectors and Douzeniers who at the commencement of this Law are serving on any such Committee may continue in office on that committee and may be re-elected thereto, and Jurats, Rectors or Douzeniers may be elected to any such committee notwithstanding that they are not Members of the States.

Oath of Office and Allegiance.

19. Every Member of the States of Deliberation shall before entering office take before the Royal Court an oath of office in the form appropriate to such office, and the oath of allegiance.

NOTE

In accordance with the provisions of the States of Guernsey (Representation of Alderney) Law, 1978, section 2(4), with effect from 1st January, 1980, the provisions of this Article shall not apply to the Alderney Representatives in the States of Deliberation.

Validity of acts done by unqualified persons.

20. The acts and proceedings of any person elected to the States of Deliberation or of Election and having acted as a Member thereof shall,

notwithstanding his disqualification or want of qualification, be deemed to have been as valid and effectual as if he had been qualified to be a Member thereof.

[**Absolute privilege for Members in course of States proceedings.**

20A. (1) No civil or criminal proceedings may be instituted against a Member of the States of Deliberation for or in respect of –

(a) any words spoken before, or written in any report to, the States of Deliberation or any department, or

(b) any matter or thing brought by him in or before the States of Deliberation or any department by requête, amendment, sursis, question, report or other written document.

(2) No civil or criminal proceedings may be instituted against a Member of the States of Election for or in respect of –

(a) any words spoken before, or written in any report to, the States of Election, or

(b) any matter or thing brought by him in or before the States of Election by written document.]

NOTE

Article 20A was inserted by the Reform (Guernsey) (Amendment) Law, 2006, section 2, with effect from 19th February, 2007.

[**Protection of persons responsible for States publications.**

20B. (1) No civil or criminal proceedings may be instituted against any person for or in respect of the publication by him or his servant or agent of any document by order or under the authority of the States or any department.

(2) For the purposes of paragraph (1), a certificate under the hand of the Chief Executive of the States stating that a document was published by

order or under the authority of the States or any department is conclusive evidence of that fact.]

NOTE

Article 20B was inserted by the Reform (Guernsey) (Amendment) Law, 2006, section 2, with effect from 19th February, 2007.

[**Protection of persons who publish extracts, etc, of States documents.**

20C. No civil or criminal proceedings may be instituted against any person for or in respect of the publication by him or his servant or agent, in good faith and without malice, of any account, summary or abstract of, or any extract from, any document published by order or under the authority of the States or any department.]

NOTE

Article 20C was inserted by the Reform (Guernsey) (Amendment) Law, 2006, section 2, with effect from 19th February, 2007.

[**Protection of persons who publish reports of States proceedings.**

20D. No civil or criminal proceedings may be instituted against any person for or in respect of the publication by him or his servant or agent of a fair and accurate report of any proceedings in public of the States of Deliberation or the States of Election unless the publication is shown to be made with malice, but –

(a) this Article does not apply to the publication to the public, or a section of the public, of matter which is not of public concern and the publication of which is not for the public benefit, and

(b) nothing in this Article shall be construed –

(i) as protecting the publication of matter the publication of which is prohibited by law, or

(ii) as limiting or abridging any privilege subsisting apart from this section.]

NOTE

Article 20D was inserted by the Reform (Guernsey) (Amendment) Law, 2006, section 2, with effect from 19th February, 2007.

[**Protection of persons appearing before Committees.**

20E. A person attending to give evidence to or to produce any document before –

(a) the States [Scrutiny Management Committee] or the States [Scrutiny Management Committee], or

(b) a panel established pursuant to Article 20F to investigate an allegation or complaint that there has been a failure to comply with a code of conduct or a breach or abuse of privilege,

is entitled, in respect of any evidence given or document produced by him, to the same immunities and privileges as if he were a witness before the Royal Court.]

NOTES

Article 20E was inserted by the Reform (Guernsey) (Amendment) Law, 2006, section 2, with effect from 19th February, 2007.

In Article 20E,

the words in the first pair of square brackets in paragraph (a) were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 11, with effect from 1st May, 2016;

the words in the second pair of square brackets in paragraph (a) were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 14, with effect from 1st May, 2016.

The functions, rights and liabilities of the Public Accounts Committee and its Minister arising under or by virtue of Article 20E of this Law were transferred to and vested in, respectively, the Scrutiny Management

Committee and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 11, with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.

The functions, rights and liabilities of the Scrutiny Committee and its Minister arising under or by virtue of Article 20E of this Law were transferred to and vested in, respectively, the Scrutiny Management Committee and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 14, with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.

[**Code of conduct.**

20F. (1) The States of Deliberation may by resolution adopt (and subsequently amend, revoke or replace) a code of conduct –

(a) prescribing or, as may be appropriate, regulating the duties, standards, propriety and conduct, in public life, of People's Deputies, and

(b) containing such other provision in relation to those matters as the States of Deliberation think fit.

(2) A code of conduct may, without limitation, make provision –

(a) for the investigation and disposal of allegations and complaints that a People's Deputy –

(i) has failed to comply with the code, or

(ii) has been guilty of any breach or abuse of privilege,

(b) for the establishment of a panel or panels to investigate such allegations and complaints, and the constitution, powers and proceedings of any such panel,

(c) requiring any People's Deputy under investigation by a panel to co-operate fully with it,

(d) without prejudice to subparagraph (b), empowering the panel to request the production of documents from any person (including the People's Deputy under investigation) and to request any person to appear before it,

(e) for the sanctions to be available against an offending People's Deputy, which may include –

(i) a reprimand [or caution], or

(ii) suspension or expulsion (for example, by debarring him from proceedings of, or terminating his membership of, the States of Deliberation or any department, or by removing any of his functions in relation to such proceedings).

(3) People's Deputies must comply with a code of conduct in all aspects of their public life and are bound by any decision made under it; and the code and any such decision shall have effect for the purposes of –

(a) this Law,

(b) the States Committees (Constitution and Amendment) (Guernsey) Law, 1991* and any resolution of the States of Deliberation thereunder, and

(c) the Rules of Procedure of the States of Deliberation,

the provisions of which shall apply accordingly.

(4) This Article applies in relation to –

(a) an Alderney Representative, and

(b) a member of a department who is not also a Member of the States of Deliberation as set out in Article 1(1), [and

(c) a person who has at any time been a member of the States of Deliberation,]

as it applies in relation to a People's Deputy; and references in this Article to a People's Deputy shall be construed accordingly.]

NOTES

Article 20F was inserted by the Reform (Guernsey) (Amendment) Law, 2006, section 2, with effect from 19th February, 2007.

In Article 20F,

the words in square brackets in sub-paragraph (e)(i) of paragraph (2) were inserted by the Reform (Guernsey) (Amendment) Law, 2009, section 3, with effect from 5th August, 2010;

sub-paragraph (c) of paragraph (4), and the word immediately after sub-paragraph (b) thereof, were inserted by the Reform (Guernsey) (Amendment) Ordinance, 2011, section 1, with effect from 1st November, 2011.

[**Interpretation of Articles 20A to 20F.**

20G. In Articles 20A to 20F –

"code of conduct" means a code of conduct adopted under Article 20F(1),

"department" means any department, council, committee or authority, however called, of the States, including, for the avoidance of

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* Order in Council No. XX of 1991.

doubt –

(a) the Board of Governors of the Ladies' College and the Board of Directors of Elizabeth College, and

(b) the Priaulx Library Council,

"document" includes an enactment,

"to publish" includes –

(a) to make known, distribute or transmit to any person,

(b) to publish in any electronic or other non-visible or non-legible form from which the content may, by any means, be reproduced in visible or legible form,

(c) to broadcast by means of wireless telegraphy within the meaning of section 19 of the Wireless Telegraphy Act 1949[**], and

(d) to include in a programme service within the meaning of section 201 of the Broadcasting Act 1990[***],

and related expressions shall be construed accordingly,

"States" means the States of Guernsey.]

NOTE

[**] An Act of Parliament (1949 c. 54); extended to the Bailiwick by United Kingdom S.I. 1952/1900.

[***] An Act of Parliament (1990 c. 42); extended to the Bailiwick by United Kingdom S.I. 1991/1709.

Article 20G was inserted by the Reform (Guernsey) (Amendment) Law, 2006, section 2, with effect from 19th February, 2007.

[**Power to amend by Ordinance.**

20H. (1) The States of Deliberation may by Ordinance amend –

(a) Articles 20A to 20G, and

(b) any other provision of this Law for the purpose of giving effect to –

(i) those Articles, as from time to time amended, and

(ii) any code of conduct.

(2) An Ordinance under paragraph (1) –

(a) may be amended or repealed by a subsequent Ordinance, and

(b) may contain such consequential, incidental, supplementary and transitional provision as may appear to be necessary or expedient, including (without limitation) provision as to the creation and punishment of offences.

(3) The provisions of Article 3(5) (including, for the avoidance of doubt, the proviso thereto) apply in relation to an Ordinance under this Article as those provisions apply in relation to a Projet de Loi intended to repeal or vary any of the provisions of this Law.]

NOTES

Article 20H was inserted by the Reform (Guernsey) (Amendment) Law, 2006, section 2, with effect from 19th February, 2007.

The following Ordinance has been made under Article 20H:

Reform (Guernsey) (Amendment) Ordinance, 2011.

Review in ten years.

21. …

NOTE

Article 21 was repealed by the Royal Court (Reform) (Guernsey) Law, 2008, section 9(2), with effect from 29th October, 2008.

Duties of H.M. Greffier, H.M. Sheriff and H.M. Sergeant.

22. (1) His Majesty's Greffier shall be Clerk and Registrar to the States of Deliberation and of Election and shall when so directed by the States of Deliberation act in the like capacity to any Committee of that assembly.

(2) His Majesty's Sheriff and his Majesty's Sergeant shall be officers of the States of Deliberation and of Election and shall obey the directions of the [Presiding Officer] of either assembly in the fulfilment of any ministerial functions required to be exercised by them for or on behalf of either assembly.

NOTE

In Article 22, the words in square brackets in paragraph (2) were substituted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(3), with effect from 1st May, 2004.

Abolition of Cantonal Douzaines.

23. On and after the 30th day of September, 1948, the members of the four Cantonal Douzaines of the Parish of Saint Peter Port shall cease to be eligible as Members of the States of Election, and on and after the 31st day of December, 1948, those Douzaines shall cease to exist.

Interpretation.

24. In Parts I and II and in this Part of this Law the expressions **"Douzenier"** and **"Douzaine Representative"** shall include a Constable of a Parish

[and **"Alderney Representative"** has the meaning assigned by the States of Guernsey (Representation of Alderney) Law, 1978[****]].

NOTE

In Article 24, the words in square brackets were inserted by the Reform (Replacement of Conseillers) (Guernsey) Law, 1998, section 2(6), with effect from 1st May, 2000.

PART IV

Election of People's Deputies

[**Compilation of Electoral Roll by Registrar-General.**

25. (1) The Electoral Roll of this Island shall be compiled by the Registrar-General in accordance with the provisions of this Law.

[(2) There shall be shown on the Electoral Roll in respect of every voter his surname, Christian names and full postal address, and such distinguishing number as shall be assigned to him for the purpose by the Registrar-General[; and also, in the case of a person inscribed on that Electoral Roll when his age is [15 years], that person's date of birth].]

[(3) The Electoral Roll shall remain valid until such date as the States may determine by Ordinance; and when, pursuant to an Ordinance under this paragraph, the Electoral Roll ceases to be valid, it shall be replaced by a new Electoral Roll which shall be compiled by the Registrar-General in accordance with the provisions of this Law and to which the provisions of this paragraph shall apply in all respects].]

NOTES

Article 25 was substituted by the Reform (Guernsey) Law, 1948 (Amendment) Law, 1952, Article 1(e), with effect from 16th August, 1952.

**** Ordres en Conseil Vol. XXVI, p. 548; Order in Council No. VI of 1993.

In Article 25,

paragraph (2) was substituted by the Reform (Amendment) (Guernsey) Law, 1975, section 1(d), with effect from 21st October, 1975;

the words in square brackets in paragraph (2) were inserted by the Reform (Amendment No. 2) (Guernsey) Law, 2003, section 1(2), with effect from 19th January, 2004;

the word and figures in the square brackets within the square brackets in paragraph (2) were substituted by the Reform (Guernsey) (Amendment) Law, 2007, section 2, with effect from 18th December, 2007;

paragraph (3) was inserted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(11), with effect from 1st August, 2003.

The following Ordinances have been made under Article 25:

Electoral Roll Ordinance, 2011;
Electoral Roll Ordinance, 2015.

Division of the Electoral Roll, and definition of the Electoral Districts.

26. [(1) The Electoral Roll shall be divided into 10 sections whereof each shall represent one Parish; but where for the purpose of any election an Electoral District (hereinafter referred to as a **"District"**) is an area other than one entire Parish, the section or sections of the Electoral Roll representing the Parish or Parishes concerned shall be subdivided and/or amalgamated to produce the section of the Electoral Roll for that District at that election.

(2) For the purpose of elections to the office of People's Deputy Guernsey shall be divided into such number of Districts, each being identified by such boundaries, and each returning such number of the People's Deputies provided for in this Law, as may from time to time be prescribed by Resolution of the States:

PROVIDED THAT –

(i) everywhere in Guernsey shall be represented by at least one Deputy,

(ii) the allocation of numbers of Deputies shall be in accordance with the respective populations of the Districts, and

(iii) no such Resolution shall take effect before the next General Election of Deputies.]

[(2A) Where by virtue of any Resolution of the States under paragraph (2) of this Article a District includes the whole or part of more than one Parish the references to Parishes in paragraph (3) of this Article and in Articles 34(5) and 38 of this Law are to be construed as references to each of the Parishes concerned.]

(3) In each of the Districts, polling stations shall be established by the Constables of the Parishes concerned in accordance with any Resolution of the States for the time being in force in that behalf and the Constables of a Parish may provide for the establishment of such additional polling stations therein as they may deem convenient to the electorate.

NOTES

In Article 26,

paragraph (1) and paragraph (2) were substituted by the Reform (Replacement of Conseillers) (Guernsey) Law, 1998, section 4(1)(a), with effect from 6th October 1998, subject to the provisions of both section 8(3) and the transitional provisions in section 9(1) of the 1998 Law;

paragraph (2A) was inserted by the Reform (Replacement of Conseillers) (Guernsey) Law, 1998, section 4(1)(b), with effect from 6th October 1998, subject to the provisions of section 8(3) of the 1998 Law.

Persons entitled to vote.

27. [(1) A person shall be entitled to be inscribed on the Electoral Roll if he –

(a) is of the age of [[15 years] or over:

PROVIDED that a person shall not vote at any election before he attains the age of [16 years]], and

(b) …

(c) is ordinarily resident in this Island on the date of his application to be inscribed, and

(d) has been ordinarily resident in this Island on the date referred to in subparagraph (c) either –

(i) for a period of at least two years immediately preceding that date, or

(ii) at any time before that date for a period or periods of at least five years in total, and

(e) has delivered to the Registrar-General, in respect of himself, in such form as the Registrar-General shall prescribe, an application for inclusion in the Electoral Roll.]

[(1AA) Notwithstanding paragraph (1), a person who on the date of his application to be inscribed on the Electoral Roll has not been ordinarily resident in this Island for the period or periods specified in item (i) or (ii) of paragraph (1)(d) –

(a) is, subject to compliance with the other subparagraphs of paragraph (1), entitled to be inscribed on the Electoral Roll, but

(b) may not vote at any election before he has been ordinarily resident in this Island for the period or periods specified in the said item (i) or (ii).]

[(1A) A person making an application for inclusion on the Electoral Roll in pursuance of this Article shall declare on the application form that he, and any other person included on the form, was ordinarily resident in this Island on the date of the application[, and, in the case of a person whose age is [15 years] on that date, that person's date of birth].]

[(1B) …]

(2) [Subject to paragraph (4) of this Article and to Article 27A of this Law, any person] whose name is inscribed on the section of the Electoral Roll for a District may vote at any polling station in that District […].

[(3) At an election the Returning Officer of each District shall cause to be kept at each polling station in that District a list (hereinafter referred to as **"a list of voters"**) [which shall, in respect of every person who voted at that polling station, specify his surname, the initials of his Christian names and the number assigned to him in pursuance of the provisions of paragraph (2) of Article 25 of this Law] and in any District where there is more than one polling station the Returning Officer shall cause the lists from each polling station in that District to be compared and shall report to the Law Officers of the Crown the name and address of any person appearing to have voted more than once at that election.]

[(3A) The list of voters to be kept by the Returning Officer of each District at each polling station under paragraph (3) may be kept in such form as the Returning Officer thinks fit, including, without limitation, in electronic form.]

[(4) It is hereby declared for the avoidance of doubt that a person shall not vote at any election at a time when he is [under the age of [16 years] […]] […].]

NOTES

In Article 27,

paragraph (1) was substituted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(12), with effect from 1st August, 2003;[17]

the words in square brackets in sub-paragraph (a) of paragraph (1) were substituted by the Reform (Amendment No. 2) (Guernsey) Law, 2003, section 1(3), with effect from 19th January, 2004;

the words and figures in the first and second pairs of square brackets within the square brackets in sub-paragraph (a) of paragraph (1) were substituted by the Reform (Guernsey) (Amendment) Law, 2007, respectively section 3(a) and section 3(b), with effect from 18th December, 2007;

first, paragraph (1)(b) was repealed and, second, the words omitted in, first, the second pair of square brackets within the first pair of square brackets within paragraph (4) and, second, the second pair of square brackets within paragraph (4) were repealed by the States (Reform) (Guernsey) Law, 2015, section 5, respectively paragraph (e)(i) and paragraph (e)(ii), with effect from 16th February, 2016;[18]

paragraph (1AA) and paragraph (3A) were inserted by the Reform (Guernsey) (Amendment) Law, 2011, respectively section 2 and section 3, with effect from 17th January, 2012;

paragraph (1A) (which was originally inserted by the Reform (Amendment) (Guernsey) Law, 1985, section 1(a)(iii), with effect from 30th September, 1985) was substituted by the Reform (Election of Conseillers and Minor Amendments) (Guernsey) Law, 1993, section 13(1)(b), with effect from 1st September, 1993;

the words in square brackets in paragraph (1A) were inserted by the Reform (Amendment No. 2) (Guernsey) Law, 2003, section 1(4), with effect from 19th January, 2004;

the word and figures in the square brackets within the square brackets in paragraph (1A) were substituted by the Reform (Guernsey) (Amendment) Law, 2007, section 4, with effect from 18th December, 2007;

paragraph (1B) (which was originally inserted by the Reform (Amendment) (Guernsey) Law, 1985, section 1(a)(iii), with effect from 30th September, 1985) was repealed by the Reform (Guernsey) (Amendment) Law, 2003, section 1(13), with effect from 1st August, 2003;

the words in the first pair of square brackets in paragraph (2) were substituted by the Reform (Amendment) (Guernsey) Law, 1996, section 3(1)(a), with effect from 5th June, 1996;

the words omitted in the second pair of square brackets in paragraph (2) were repealed, and paragraph (3) was inserted, by the Reform (Guernsey) Law, 1948 (Amendment) Law, 1952, respectively Article 1(f)(ii) and Article 1(f)(iii), with effect from 16th August, 1952;

the words in square brackets in paragraph (3) were substituted by the Reform (Amendment) (Guernsey) Law, 1975, section 1(e), with effect from 21st October, 1975;

paragraph (4) was inserted by the Reform (Amendment) (Guernsey) Law, 1996, section 3(1)(b), with effect from 5th June, 1996;

the words in square brackets in paragraph (4) were inserted by the Reform (Amendment No. 2) (Guernsey) Law, 2003, section 1(5), with effect from 19th January, 2004;

the word and figures in the square brackets within the square brackets in paragraph (4) were substituted by the Reform (Guernsey) (Amendment) Law, 2007, section 5, with effect from 18th December, 2007.

The following Ordinances have effect as if made under Article 27:

Electoral Roll Ordinance, 1995;

Electoral Roll Ordinance, 1996;
Electoral Roll Ordinance, 1999.

[**Prisoners.**

27A. (1) …

(2) A person who is detained in prison on the day of an election [whether or not] under a sentence of imprisonment may vote at that election only if –

(a) his name is entered in the register of absent voters and he votes by post in accordance with Part II of the Reform (Amendment) (Guernsey) Law, 1972 [or any Ordinance thereunder], or

(b) the Prison Governor (who has absolute discretion in the matter) permits him to vote in person.]

NOTES

Article 27A was inserted by the Reform (Amendment) (Guernsey) Law, 1996, section 3(2), with effect from 5th June, 1996.

In Article 27A,

paragraph (1) was repealed by the Reform (Guernsey) (Amendment) Law, 2003, section 1(14)(a), with effect from 1st August, 2003;

the words in the first and second pairs of square brackets in paragraph (2) were, respectively, substituted and inserted by the Reform (Guernsey) (Amendment) Law, 2003, respectively section 1(14)(b) and section 1(14)(c), with effect from 1st August, 2003.

[**Abolition of mental incapacity to vote.**

27B. Any rule of law which provides that a person is subject to a legal incapacity to vote by reason of his or her mental state is abolished.]

NOTE

Article 27B was inserted by the States (Reform) (Guernsey) Law, 2015, section 5(f), with effect from 16th February, 2016.

Persons not to vote unless inscribed on the Electoral Roll. Penalties for plural voting.

28. (1) A person shall not vote at any election unless [he is of the age of [16 years] or over and] his name is inscribed on the Electoral Roll and a person shall vote only in the District in respect of which his name appears on the Electoral Roll, and having once voted at any election he shall not thereafter vote or attempt or purport to vote in respect thereof but no such subsequent vote or attempted or purported vote shall invalidate the election in respect of which the same was or was attempted or purported to be given.

(2) Any person who fraudulently puts or attempts to put or causes to be put into any ballot box any paper other than the ballot paper which he is authorised to put therein shall be guilty of an offence [and liable on conviction to a fine not exceeding level 5 on the uniform scale, or to imprisonment for a term not exceeding three months, or to both].

NOTES

In Article 28,

the words in square brackets in paragraph (1) were inserted by the Reform (Amendment No. 2) (Guernsey) Law, 2003, section 1(6), with effect from 19th January, 2004;

the word and figures in the square brackets within the square brackets in paragraph (1) were substituted by the Reform (Guernsey) (Amendment) Law, 2007, section 6, with effect from 18th December, 2007;

the words and figure in square brackets in paragraph (2) were substituted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(15), with effect from 1st August, 2003.[19]

[**Holding of Deputies' Elections.**]

[**29.** (1) General Elections for the office of People's Deputy shall be held in [2020] during the month of [June] and [in every fourth year thereafter] during the month of [June], and, subject to the provisions of Article 19 of this Law, the persons elected shall take office on the 1st day of [July] next following their election, save that if at any General Election there shall be no candidate or an insufficient number of candidates for any District, an election to fill any vacancy not

filled at that General Election shall be held as soon as may be thereafter in respect of that District and any candidate elected thereat shall retire from office on the date on which he would have so retired had he been elected at that General Election.

(2) A casual vacancy in the office of Deputy occurring before the first day of [December] next preceding the date of a General Election shall be filled by election and any person so elected shall hold office for the remainder of [the four year term then current] [or, in the case of the General Election held on the 27th day of April, 2016, until the 30th day of June, 2020], but if such vacancy occurs after [the 30th day of November] next preceding the date of a General Election it shall be in the discretion of the [Presiding Officer] of the States whether or not an election shall be held to fill the vacated office until the date of such General Election.

(3) The date for the holding of any election shall be appointed by Ordinance.]

NOTES

Article 29 was substituted by the Reform (Guernsey) Law, 1948 (Amendment) Law, 1952, Article 1(g), with effect from 16th August, 1952.

In Article 29,

the marginal note thereto was substituted by the Reform (Election of Conseillers and Minor Amendments) (Guernsey) Law, 1993, section 11(2)(f), with effect from 31st March, 1994;

the date "2020" in the first pair of square brackets in paragraph (1) was substituted by the States (Reform) (Guernsey) Law, 2015, section 5(1)(g)(i)(A), with effect from 1st May, 2016;[20]

the words in the third pair of square brackets in paragraph (1) were substituted by the Reform (Replacement of Conseillers) (Guernsey) Law, 1998, section 3(a), with effect from 6th October 1998, subject to the provisions of section 8(3) of the 1998 Law;[21]

the word June" in square brackets, wherever occurring in paragraph (1), was substituted by the States (Reform) (Guernsey) Law, 2015, section 5(1)(g)(i)(B), with effect from 1st May, 2016;[22]

the word "July" in square brackets in paragraph (1) was substituted by the States (Reform) (Guernsey) Law, 2015, section 5(1)(g)(i)(C), with effect from 1st May, 2016;[23]

the words in the first and fourth pairs of square brackets in paragraph (2) were substituted by the Reform (Election of Conseillers and Minor Amendments) (Guernsey) Law, 1993, respectively section 11(2)(d)

and section 11(2)(e), with effect from 31st March, 1994;

the words in the second pair of square brackets in paragraph (2) were substituted by the Reform (Replacement of Conseillers) (Guernsey) Law, 1998, section 3(b), with effect from 6th October 1998, subject to the provisions of section 8(3) of the 1998 Law;

the words in the third pair of square brackets in paragraph (2) were inserted by the States (Reform) (Guernsey) Law, 2015, section 5(1)(g)(ii), with effect from 1st May, 2016;

the words in the fifth pair of square brackets in paragraph (2) were substituted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(3), with effect from 1st May, 2004.

The following Ordinances have been made under Article 29:

People's Deputy (Saint Andrew) Election Ordinance, 1954;
People's Deputies General Election Ordinance, 1955;
People's Deputy (Torteval) Election Ordinance, 1956;
People's Deputy (Vale) Election Ordinance, 1957;
People's Deputy (St. Martin's) Election Ordinance, 1957;
People's Deputies General Election Ordinance, 1958;
People's Deputy (Castel) Election Ordinance, 1958;
People's Deputy (Vale) Election Ordinance, 1960;
People's Deputies General Election Ordinance, 1961;
People's Deputy (Torteval) Election Ordinance, 1963;
People's Deputies General Election Ordinance, 1964;
People's Deputies (General Election) Ordinance, 1966;
People's Deputy (Saint Peter Port) Election Ordinance, 1968;
People's Deputy (St. Peter Port) (No. 2) Election Ordinance, 1968;
People's Deputy (Vale) Election Ordinance, 1968;
People's Deputy (Castel) Election Ordinance, 1969;
People's Deputy (Saint Peter Port) Election Ordinance, 1969;
People's Deputy (Saint Peter Port) (No. 2) Election Ordinance, 1969;
People's Deputies (General Election) Ordinance, 1969;
People's Deputy (Saint Andrew) Election Ordinance, 1971;
People's Deputy (Saint Sampson) Election Ordinance, 1972;
People's Deputy (Forest) Election Ordinance, 1972;
People's Deputies (General Election) Ordinance, 1972;
People's Deputy (Vale) Election Ordinance, 1973;
People's Deputy (Forest) Election Ordinance, 1975;
People's Deputies (General Election) Ordinance, 1975;
People's Deputy (Saint Peter Port) Election Ordinance, 1977;
People's Deputy (Saint Saviour) Election Ordinance, 1978;
People's Deputies (General Election) Ordinance, 1978;
People's Deputy (Saint Peter Port) Election Ordinance, 1979;
People's Deputy (Saint Peter Port) Election Ordinance, 1980;
People's Deputy (Saint Saviour) Election Ordinance, 1981;
People's Deputies (General Election) Ordinance, 1981;
People's Deputies (Saint Peter Port, Saint Peter-in-the-Wood, the Forest and Saint Martin) Elections Ordinance, 1983;
People's Deputy (Saint Peter Port) Election Ordinance, 1983;
People's Deputies (General Election) Ordinance, 1984;
People's Deputy (Saint Peter Port) Election Ordinance, 1984;
People's Deputy (Saint Martin) Election Ordinance, 1985;
People's Deputy (Castel) Election Ordinance, 1985;

People's Deputy (Vale) Election Ordinance, 1987;
People's Deputies (General Election) Ordinance, 1987;
People's Deputy (Saint Peter Port) Election Ordinance, 1988;
People's Deputies (General Election) Ordinance, 1990;
People's Deputy (Saint Peter Port) Election Ordinance, 1992;
General Elections Ordinance, 1993;
General Elections Ordinance, 1996;
By-Elections Ordinance, 1998;
General Election Ordinance, 1999;
By-Election Ordinance, 2001;
By-election (Vale) Ordinance, 2003;
By-election (Saint Sampson) Ordinance, 2003;
By-election (Saint Peter Port South) Ordinance, 2005;
Elections Ordinance, 2007;
By-election (Saint Peter Port North) Ordinance, 2015;
Elections Ordinance, 2015.

Elections to be determined by Secret Ballot Law.

30. Elections shall be held in accordance with the provisions of the law from time to time regulating the procedure for Secret Ballot.

Procedure in case of equality of votes.

31. Where at an election two or more candidates secure an equal number of votes and the addition of one vote to his poll would have entitled any such candidate to be declared elected, a further election shall be held, as soon as conveniently may be, in respect of such candidates only, which further election shall for the purposes of the term of office of any successful candidate be deemed to have been held on the date of the original election.

Nominations.

32. (1) Every nomination of a candidate for office as a People's Deputy shall be in writing signed by two persons whose names are inscribed on the section of the Electoral Roll representing the District for which the candidate intends to stand, and shall be delivered to the [Presiding Officer] of the States [not later than such time on such day, being a day before the [22] days next preceding the day fixed for the holding of the election, as the [Presiding Officer] may appoint].

(2) Every such nomination shall be accompanied by a declaration in writing signed by the candidate declaring that he is eligible under the provisions of this Law to hold the office of People's Deputy.

(3) A person may not stand as a candidate for more than one District at the same election.

[(4) In respect of any one candidate at an election the [Presiding Officer] of the States shall accept only the first valid nomination delivered to him, and any nomination subsequently delivered shall be of no effect.]

NOTES

In Article 32,

the words "Presiding Officer" in square brackets, wherever occurring, were substituted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(3), with effect from 1st May, 2004;

the words in the second pair of square brackets in paragraph (1) were substituted by the Reform (Amendment) (Guernsey) Law, 1960, section 1(d), with effect from 20th December, 1960;

the figures in the first pair of square brackets within the second pair of square brackets in paragraph (1) were substituted by the Reform (Election of Conseillers and Minor Amendments) (Guernsey) Law, 1993, section 14, with effect from 30th June, 1993;

paragraph (4) was inserted by the Reform (Amendment) (Guernsey) Law, 1996, section 5(1), with effect from 5th June, 1996.

Number of candidates not exceeding number of seats vacant.

33. At any election where the number of candidates is not greater than the number of seats vacant for that District, the [Presiding Officer] of the States shall, after the time fixed for the delivery of nominations has elapsed, declare such candidate or candidates elected, and shall thereupon give notice of such election by means of a notice in the vestibule of the Royal Court and by an announcement in the "Gazette Officielle".

NOTE

In Article 33, the words in square brackets were substituted inserted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(3), with effect from 1st May, 2004.

Compilation, publication and correction of Electoral Roll.

[**34.** (1) The Registrar-General shall […] make available forms of application for inclusion on the Electoral Roll at such centres as he may specify by notice in the "Gazette Officielle" and [on or before the seventh day of September (or on or before such other day, or during such other period, as may be specified by Ordinance of the States made under this paragraph) in any year so specified] he shall, in addition, cause to be distributed to each dwelling in the Island such number of forms of application as he may consider necessary for the number of voters living therein.

(2) A person whose name is inscribed on the Electoral Roll […] and who, having changed his ordinary place of residence in this Island, desires to have his address changed on the Electoral Roll […] may […] make application in that behalf to the Registrar-General in such form as may from time to time be prescribed by the Registrar-General.

(3) From the information delivered to him under the provisions of this Law the Registrar-General shall […] compile the Electoral Roll […].

(4) Each section of the Electoral Roll shall contain the names and addresses of the persons residing in the District to which that section relates, being persons entitled to have their names inscribed on the Electoral Roll.

(5) The section of the Electoral Roll in respect of each District shall be published for inspection [in such manner, at such time and place and for such period as the [States Assembly and Constitution Committee] may prescribe by rules made under this paragraph].

(6) In each year all the sections of the Electoral Roll shall be published for inspection [in such manner, at such time and place and for such period as the [States Assembly and Constitution Committee] may prescribe by rules made under this paragraph].

(7) The Registrar-General shall give previous notice by an announcement in the "Gazette Officielle" of the dates, times and places on, during and at which the Electoral Roll will be available for inspection.

(8) Any person claiming that he is entitled to have his name inscribed on any section of the Electoral Roll and that it is omitted from that section or that some material error in his name or address appears in that section, may […] deliver to the Registrar-General an application in writing to have his name and address inscribed on that section, or for the rectification of the error alleged; the Registrar-General shall, if he is satisfied of the existence of the omission or error, forthwith amend the Electoral Roll.

[(8A) The Registrar-General may remove a person's name and address from any section of the Electoral Roll on the grounds that that person –

(a) is no longer resident at that address, or

(b) is deceased.

(8B) An application for the removal of a person's name and address under paragraph (8A) may be made –

(a) in the case of an application by virtue of subparagraph (a) of that paragraph, by the current occupier of the dwelling of that address, the application being accompanied by a declaration by the applicant stating that the person named in the Electoral Roll is no longer resident at that address, or

(b) in the case of an application by virtue of subparagraph (b) of that paragraph, by a relative, acquaintance or neighbour of the person named in the Electoral Roll, the application being accompanied by a death certificate relating to that person (or, at the discretion of the Registrar-General, a document of equivalent effect and authority).

(8C) An application or declaration under paragraph (8B) shall be made in such form and manner and accompanied by such information, documents

and other material as the Registrar-General may require.]

(9) The section of the Electoral Roll compiled, published and amended […] as in this Article provided in respect of each District shall constitute the Electoral Roll of that District […] and shall determine[, subject to Articles 27(4) and 27A of this Law,] whether or not a person is entitled to vote in that District […] at an election for any of the offices of People's Deputy, Constable or Douzenier, and at any election a copy of the appropriate section shall be furnished free of charge by the Registrar-General to the Returning Officer of each District for each polling station in that District, and the Returning Officer shall ensure that a copy is available at each polling station in his District.

[(9A) The copy of the appropriate section of the Electoral Roll to be furnished by the Registrar-General to the Returning Officer of each District under paragraph (9) may be furnished in such form and by such means as the Registrar-General thinks fit, including, without limitation, in electronic form and by electronic means.]

(10) A person who knowingly furnishes [in or for the purposes of an application or declaration] under this Law any [information, document or other material] required to be furnished which is false in any material particular or recklessly so furnishes any [information, document or other material] which is false in a material particular shall be guilty of an offence and liable, on conviction, [to a fine not exceeding level 5 on the uniform scale, or to imprisonment for a term not exceeding three months, or to both].

[(11) Notwithstanding the preceding provisions of this Article, the Electoral Roll shall be closed –

(a) in respect of an election for the office of People's Deputy, on the date appointed by Ordinance of the States,

(b) in respect of an election for the office of Constable or Douzenier, on the date appointed by order of the [States Assembly and Constitution Committee],

and, during the period beginning on the date of closure and ending on the date of the election, no entry in the Electoral Roll shall be made or amended.

[(11A) Notwithstanding paragraph (11), the Registrar-General may at any time amend the Electoral Roll or any entry therein in order to rectify any formal defect or any administrative or clerical error or omission, whether on the application in writing of the person in respect of whom the defect, omission or error has occurred or of his own motion.

(11B) An application under paragraph (11A) shall be made in such form and manner and accompanied by such information, documents and other material as the Registrar-General may require.]

(12) References in [paragraphs (11) and (11A)] to the Electoral Roll are references to the section of the Electoral Roll relating to the District in which the election is to be held.]]

NOTES

Article 34 was substituted by the Reform (Amendment) (Guernsey) Law, 1972, section 1(b), with effect from 1st October, 1972.[24]

In Article 34,

the words omitted in the first pair of square brackets in paragraph (1) were repealed by the Reform (Guernsey) (Amendment) Law, 2003, section 1(16)(a), with effect from 1st August, 2003;[25]

the words in the second pair of square brackets in paragraph (1) were substituted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(16)(b), with effect from 1st August, 2003;[26]

the words omitted in the square brackets in paragraph (2), paragraph (3) and paragraph (8) were repealed by the Reform (Guernsey) (Amendment) Law, 2003, respectively section 1(16)(c), section 1(16)(d) and section 1(16)(f), with effect from 1st August, 2003;[27]

the words in square brackets in paragraph (5) and paragraph (6) were substituted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(16)(e), with effect from 1st August, 2003;

the words "States Assembly and Constitution Committee" in square brackets, wherever occurring, were substituted by the House Committee (Transfer of Functions) Ordinance, 2008, section 3, with effect from 24th

September, 2008;[28]

first, paragraph (8A), paragraph (8B) and paragraph (8C) and, second, paragraph (9A) were inserted and, third, the words in the first and, fourth, the second and third pairs of square brackets in paragraph (10) were substituted and, fifth, paragraph (11A) and paragraph (11B) were inserted and, sixth, the words, parentheses, figures and letter in square brackets in paragraph (12) were substituted by the Reform (Guernsey) (Amendment) Law, 2011, respectively section 4, section 5, section 6(a), section 6(b), section 7 and section 8, with effect from 17th January, 2012;

the words omitted in the first, second and fourth pairs of square brackets in paragraph (9) were repealed by the Reform (Guernsey) (Amendment) Law, 2003, section 1(16)(g), with effect from 1st August, 2003;

the words and punctuation in the third pair of square brackets in paragraph (9) were inserted by the Reform (Amendment) (Guernsey) Law, 1996, section 3(3), with effect from 5th June, 1996;

the words and figure in the fourth pair of square brackets in paragraph (10) were substituted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(16)(h), with effect from 1st August, 2003;[29]

paragraph (11) and paragraph (12) were inserted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(16)(i), with effect from 1st August, 2003.

The functions, rights and liabilities of the House Committee and of its Chairman arising under or by virtue of this Law were transferred to and vested in, respectively, the States Assembly and Constitution Committee and its Chairman by the House Committee (Transfer of Functions) Ordinance, 2008, section 1, with effect from 24th September, 2008, subject to the savings and transitional provisions in section 2 of the 2008 Ordinance.[30]

The following Ordinances have been made under Article 34:

Electoral Roll Ordinance, 1996;
Electoral Roll Ordinance, 1999;
By-election (Saint Peter Port South) Ordinance, 2005;
Elections Ordinance, 2007;
Electoral Roll Ordinance, 2011;
Electoral Roll Ordinance, 2015;
Elections Ordinance, 2015.

The following Rules have been made under Article 34:

Electoral Roll (Public Inspection) Rules, 2015.

The following Orders have been made under Article 34:

Electoral Roll (Closure) (Annual Elections of Constables and Douzeniers) Order, 2004;
Electoral Roll (Closure) (St Pierre du Bois By-election) Order, 2004;
Electoral Roll (Closure) (By-Elections of Constables and Douzeniers) Order, 2006.

In accordance with the provisions of the Electoral Roll Ordinance, 1999, section 1, with effect from 28th July, 1999, the specified year for the purposes of Article 34(1) is 1999.

Copies of Electoral Roll to be kept at Greffe and [office of the Registrar-General].

35. [(1)] A copy of the Electoral Roll shall be kept at the Greffe and at the [office of the Registrar-General] and shall be available during their respective normal office hours for inspection by the public.

[(2) The [States Assembly and Constitution Committee] may by rules made under this paragraph make such provision as they think fit in relation to –

(a) the persons or classes of persons to whom copies of the Electoral Roll shall be made available,

(b) the manner in which, the means by which and the times and places at which copies of the Electoral Roll shall be made available, and

(c) the charges and conditions subject to which copies of the Electoral Roll shall be made available.]

NOTES

In Article 35,

the words in square brackets in the marginal note thereto, and in paragraph (1) thereof, were substituted by the Reform (Election of Conseillers and Minor Amendments) (Guernsey) Law, 1993, section 16(1), with effect from 30th June, 1993;

paragraph (2) was inserted, and the existing text re-numbered as paragraph (1), by the Reform (Guernsey) (Amendment) Law, 2003, respectively section 1(17)(b) and section 1(17)(a), with effect from 1st August, 2003;

the words in square brackets in paragraph (2) were substituted by the House Committee (Transfer of Functions) Ordinance, 2008, section 3, with effect from 24th September, 2008.[31]

The functions, rights and liabilities of the House Committee and of its Chairman arising under or by virtue of this Law were transferred to and

vested in, respectively, the States Assembly and Constitution Committee and its Chairman by the House Committee (Transfer of Functions) Ordinance, 2008, section 1, with effect from 24th September, 2008, subject to the savings and transitional provisions in section 2 of the 2008 Ordinance.[32]

The following Rules have been made under Article 35(2):

Electoral Roll (Availability) Rules, 2016.

[**Candidates permitted to procure copies of relevant section of Electoral Roll.**

36. …]

NOTE

Article 36 (which was previously substituted by the Reform (Amendment) (Guernsey) Law, 1978, section 1(c), with effect from 21st March, 1978, subject to the saving in section 3 of the 1978 Law) was repealed by the Reform (Guernsey) (Amendment) Law, 2003, section 1(18), with effect from 1st August, 2003.[33]

[**Returning Officers.**

37. At every election the Royal Court, on the application of one of the Law Officers of the Crown, shall appoint –

(a) a Returning Officer for each District concerned, who shall appoint such Scrutineers to assist him in the counting of votes and otherwise as he may deem necessary,

(b) a deputy Returning Officer for each Parish within the District concerned, where that District comprises more than one Parish,

and every Returning Officer and deputy Returning Officer shall on his appointment be sworn as such before the Royal Court.]

NOTE

Article 37 was substituted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(19), with effect from 1st August, 2003.

Supervision of Ballot.

38. [(1)] The Constables and Douzaines shall supervise the conduct of the ballot at the polling stations in their respective Parishes, and in particular shall seal the ballot boxes on the conclusion of the voting, [and shall, subject to the provisions of paragraph (2), hand] the same to the Returning Officer for the District, who shall thereupon cause the votes cast to be counted and shall forthwith communicate the result of such count to the [Presiding Officer] of the States […]. In each District in which an election has been held the Returning Officer shall cause the said result […] to be exhibited at each polling station in the District.

[(2) Where, pursuant to Article 37, a deputy Returning Officer for each Parish within the District has been appointed, the Constables and Douzaines shall, after sealing the ballot boxes, hand them to the deputy Returning Officer for the Parish, who shall thereupon deliver them to the Returning Officer to enable him to perform his functions under paragraph (1).

(3) Where a District comprises more than one Parish, the Returning Officer shall, in performing his functions under paragraph (1), communicate and exhibit the result of the count only in respect of the District as a whole and not in respect of each Parish within the District.]

NOTES

In Article 38,

the words in the first pair of square brackets were substituted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(20)(b), with effect from 1st August, 2003;

the words in the second pair of square brackets in paragraph (1) were substituted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(3), with effect from 1st May, 2004;

the words omitted in the third and fourth pairs of square brackets in paragraph (1) were repealed by the Reform (Election of Conseillers and Minor Amendments) (Guernsey) Law, 1993, section 16(2), with effect from 30th June, 1993;

paragraph (2) and paragraph (3) were inserted, and the existing text re-numbered as paragraph (1), by the Reform (Guernsey) (Amendment) Law, 2003, respectively section 1(20)(c) and section 1(20)(a), with effect

from 1st August, 2003.

[**Presence of candidates etc. at count.**

38A. (1) Throughout the time during which the votes cast at an election in an Electoral District are being counted at any place, any candidate in that district is entitled to be present at that place if he has complied, and for so long as he continues to comply, with this Article and all rules made thereunder.

(2) A candidate may, in accordance with any rules made under this Article, nominate one other person to exercise his entitlement under paragraph (1) of this Article in place of, but not as well as, himself.

(3) A candidate or his nominated representative present at any counting of votes pursuant to this Article –

(a) is to be given by the Returning Officer all such reasonable facilities for overseeing the proceedings, and all such information in respect of them, as can be given consistently with their orderly conduct and the proper discharge of the Returning Officer's duties in connection with them, but

(b) must not impede the efficient counting of votes, and

(c) must comply with all rules made under this Article and with all reasonable directions given by the Returning Officer.

(4) The [States Assembly and Constitution Committee] may make rules under this Article –

(a) requiring candidates who intend to be present at any counting of votes to notify such persons, within such times and in such manner as the rules may specify,

(b) limiting the description of persons who may be nominated by candidates pursuant to paragraph (2) of this Article, and making provision as to notifications concerning persons so nominated,

(c) regulating the conduct of persons present at any counting of votes pursuant to this Article,

(d) making provision generally for the rights conferred by this Article to be exercised without affecting the fairness and efficiency of the counting of votes.

(5) All rules made under this Article shall be laid as soon as possible before a meeting of the States; and if at that or their next meeting the States resolve to annul them then the rules shall cease to have effect, but without prejudice to anything done under the rules or to the making of new rules under this Article.]

NOTES

Article 38A was inserted by the Reform (Guernsey) Law, 1998, section 2(1), with effect from 27th May, 1998.

In Article 38A, the words in square brackets in paragraph (4) were substituted by the House Committee (Transfer of Functions) Ordinance, 2008, section 3, with effect from 24th September, 2008.[34]

The functions, rights and liabilities of the House Committee and of its Chairman arising under or by virtue of this Law were transferred to and vested in, respectively, the States Assembly and Constitution Committee and its Chairman by the House Committee (Transfer of Functions) Ordinance, 2008, section 1, with effect from 24th September, 2008, subject to the savings and transitional provisions in section 2 of the 2008 Ordinance.[35]

The following Rules have been made under Article 38A:

Elections (Presence of Candidates at Count) Rules, 1999;
Elections (Presence of Candidates at Count) Rules, 2015.

[**Maintenance of order at elections.**

38B. (1) A Returning Officer, or any person appointed by him to be in charge of a polling station, may require any person who he considers is behaving in a disorderly or indecent manner in, or in the precincts of, a polling station or a

place where votes are being counted to leave that polling station or place and its precincts.

(2) Any person who –

(a) behaves in a disorderly or indecent manner in, or in the precincts of, a polling station or a place where votes are being counted, or

(b) fails to comply with a requirement imposed under paragraph (1) of this Article, or

(c) contravenes paragraph (b) or paragraph (c) of Article 38A(3) of this Law,

is guilty of an offence and liable, on conviction, to a fine not exceeding level 5 on the uniform scale, or to imprisonment for a term not exceeding three months, or to both.]

NOTE

Article 38B was inserted by the Reform (Guernsey) Law, 1998, section 3, with effect from 27th May, 1998.

[**Rules as to conduct of elections, etc.**

38C. The [States Assembly and Constitution Committee] may make such rules as it thinks fit in respect of –

(a) the conduct of, and procedures concerning, elections, and

(b) the conduct and functions, during elections, of candidates, returning officers and other persons or classes of persons prescribed by the rules.]

NOTES

Article 38C was inserted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(22), with effect from 1st August, 2003.

In Article 38C, the words in square brackets were substituted by the House Committee (Transfer of Functions) Ordinance, 2008, section 3, with effect from 24th September, 2008.[36]

The functions, rights and liabilities of the House Committee and of its Chairman arising under or by virtue of this Law were transferred to and vested in, respectively, the States Assembly and Constitution Committee and its Chairman by the House Committee (Transfer of Functions) Ordinance, 2008, section 1, with effect from 24th September, 2008, subject to the savings and transitional provisions in section 2 of the 2008 Ordinance.[37]

[**Complaints as to conduct of elections.**

38D. (1) The States may by Ordinance make such provision as they think fit in relation to the making and determination of complaints concerning –

(a) the conduct of elections,

(b) breaches of procedures concerning elections,

(c) the conduct, during elections, of candidates, returning officers and other persons or classes of persons prescribed by rules under Article 38C, and

(d) breaches by such persons of their functions during elections.

(2) An Ordinance under this Article –

(a) may, without limitation, prescribe –

(i) the person, body, court or tribunal to which complaints are to be made,

(ii) the proceedings and powers of, and the practice and procedure to be followed before, that

person, body or tribunal,

(iii) the persons or bodies who may make complaints,

(iv) the matters in respect of which complaints may be made, and

(v) the manner of making complaints,

(b) may contain incidental, consequential, supplementary and transitional provisions,

(c) may create offences and prescribe civil and criminal sanctions and penalties,

(d) may empower the [States Assembly and Constitution Committee] to make rules as to any matter in relation to which an Ordinance may make provision under this Article, and

(e) may be amended or repealed by a subsequent Ordinance hereunder.]

NOTES

Article 38D was inserted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(22), with effect from 1st August, 2003.

In Article 38D, the words in square brackets were substituted by the House Committee (Transfer of Functions) Ordinance, 2008, section 3, with effect from 24th September, 2008.[38]

The functions, rights and liabilities of the House Committee and of its Chairman arising under or by virtue of this Law were transferred to and vested in, respectively, the States Assembly and Constitution Committee and its Chairman by the House Committee (Transfer of Functions) Ordinance, 2008, section 1, with effect from 24th September, 2008, subject to the savings and transitional provisions in section 2 of the 2008 Ordinance.[39]

[**Hours of polling.**

39. (1) Subject to the provisions of paragraph (2) of this Article, at every election the polling stations shall open at ten o'clock in the morning and shall be kept open until eight o'clock in the evening of the same day.

(2) The States may, from time to time, by Ordinance vary the times at which the polling stations shall open and close and may so provide that the polling stations shall open and close at different times in different Districts.]

NOTES

Article 39 was substituted by the Reform (Amendment) (Guernsey) Law, 1978, section 1(d), with effect from 21st March, 1978, subject to the saving in section 3 of the 1978 Law.[40]

The following Ordinances have been made under Article 39(2):

Elections (Variation of Hours of Polling) Ordinance, 1993;
Elections Ordinance, 2007;
Elections Ordinance, 2015.

Duties on completion of Ballot.

40. On completion of the count as aforesaid each Returning Officer shall in respect of his District return the voting slips to the ballot boxes, re-seal the said boxes, keep them in safe custody and deliver them to His Majesty's Greffier [within the two days next following], together with the keys thereof, the counterfoils of the voting slips, any unused voting slips and the lists of voters.

NOTE

In Article 40, the words in square brackets were substituted by the Reform (Guernsey) Law, 1948 (Amendment) Law, 1952, Article 1(i), with effect from 16th August, 1952.

Recount.

41. If the total of the votes cast for any successful candidate does not exceed by more than two per centum of the total number of persons voting in the District concerned the total of the votes cast for any unsuccessful candidate, such unsuccessful candidate may, by notice in writing delivered to the [Presiding Officer]

of the States not later than twenty-four hours after the public declaration of the poll by the Returning Officer, demand a recount, and such recount shall be carried out in the Royal Court building[, or in such other place as the [Presiding Officer] of the States may direct,] as soon as practicable thereafter by independent scrutineers appointed by the [Presiding Officer] of the States. The candidate demanding the recount and any other candidate at that election for that District may be present during the recount, and such recount shall be final and conclusive as to the result of the poll in respect of that District. On completion of the recount, the scrutineers shall report the result of the same to the [Presiding Officer] of the States, who shall publish such result by causing a notice to be posted in the vestibule of the Royal Court.

NOTES

In Article 41,

the words "Presiding Officer" in square brackets, wherever occurring, were substituted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(3), with effect from 1st May, 2004;

the words in the second pair square brackets were inserted by the Reform (Amendment) (Guernsey) Law, 1996, section 8, with effect from 5th June, 1996.

Register to be kept of persons under disability.

42. …

NOTE

Article 42 was repealed by the States (Reform) (Guernsey) Law, 2015, section 5(h), with effect from 16th February, 2016.[41]

Persons physically incapable of recording a vote.

43. Persons entitled to vote attending at any polling station who are physically incapable of recording their vote or who declare that they are unable to read may apply to the person in charge of that polling station, who shall thereupon cause the vote of such voter to be marked on a ballot paper in manner directed by such voter, and the ballot paper placed in the ballot box, and shall make a record in writing of his having done so, which record shall include the name and address of

the incapacitated person and the cause of his incapacity, and shall be delivered to the Returning Officer.

Expenditure by candidates.

44. (1) Save as hereinafter provided no candidate in any election shall in respect of such election expend any sum of money or give any value in money's worth otherwise than in accordance with such provisions as shall, from time to time, be prescribed by Ordinance:

Save that nothing contained in this Article or in any Ordinance made hereunder, shall be deemed to affect the right of any candidate to purchase copies of the appropriate section of the Electoral Roll in accordance with Article 36 of this Law, and any moneys expended in such purchase may be expended in addition to the maximum permissible amounts so prescribed.

(2) Any candidate who contravenes, whether by himself or by his servant or agent, any of the provisions of this Article or of any Ordinance made thereunder, shall be guilty of an offence and shall be liable on conviction [to a fine not exceeding level 5 on the uniform scale and in addition to such fine shall, if a successful candidate, and if the Royal Court so orders on the application of Her Majesty's Procureur, forfeit his seat:]

PROVIDED ALWAYS that[, whether on a prosecution under this paragraph or on an application under this paragraph for the forfeiture of a seat,] if it is shown to the satisfaction of the Court that such contravention arose from inadvertence or from accidental miscalculation or from some other reasonable cause of a like nature, and in any case did not arise from any want of good faith, the […] Court may make an order relieving the candidate from the consequences of such contravention.

NOTES

In Article 44,

the words and figure in the first pair of square brackets in paragraph (2) were substituted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(23)(a), with effect from 1st August, 2003;[42]

the words in the second pair of square brackets in paragraph (2)

were inserted, and the words omitted in the third pair of square brackets therein were repealed, by the Reform (Guernsey) (Amendment) Law, 2003, respectively section 1(23)(b)(i) and section 1(23)(b)(ii), with effect from 1st August, 2003.

The following Ordinances have been made under Article 44(1):

Elections Ordinance, 2007;
By-election (Saint Peter Port North) Ordinance, 2015;
Elections Ordinance, 2015.

Return of expenditure by candidates.

45. (1) Every candidate at any election shall during the [fourteen days] next following the date of such election submit to the Returning Officer a return showing full particulars of all moneys or money's worth expended or given by him in respect of such election, and shall submit therewith vouchers supporting such disbursements and a declaration in writing signed by him that the particulars shown in such return are to the best of his knowledge and belief correct.

(2) Any candidate who supplies particulars which he knows or ought to have known to be false, or otherwise contravenes the requirements of paragraph (1) of this Article shall be guilty of an offence and, subject to the like proviso as is made to paragraph (2) of the last preceding Article, shall be liable on conviction to the same penalties as are in that paragraph specified.

NOTE

In Article 45, the words in square brackets in paragraph (1) were substituted by the Reform (Amendment) (Guernsey) Law, 1978, section 1(e), with effect from 21st March, 1978, subject to the saving in section 3 of the 1978 Law.

[**Expenditure by persons other than candidates.**

45A. (1) Except as authorised under the provisions of Article 44 of this Law, a person shall not expend any sum of money or give any value in money's worth with a view to promoting or procuring the election of a candidate in any election:

Provided that nothing in this Article shall be taken to restrict the publication in a newspaper or in a broadcast by radio or television of a statement presenting the

views of a candidate.

(2) Any person who contravenes the provisions of this Article shall be guilty of an offence and liable, on conviction, [to a fine not exceeding level 5 on the uniform scale].]

NOTES

Article 45A was inserted by the Reform (Amendment) (Guernsey) Law, 1975, section 1(g), with effect from 21st October, 1975.

In Article 45A, the words and figure in square brackets in paragraph (2) were substituted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(24), with effect from 1st August, 2003.[43]

Obligation of secrecy.

46. (1) Every person appointed to be in attendance at a polling station or at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting.

(2) Every person who acts in contravention of the last preceding paragraph shall be liable on conviction to imprisonment with or without hard labour for a term not exceeding six months.

NOTES

In accordance with the provisions of the Criminal Justice (Bailiwick of Guernsey) Law, 1979, section 2(2), with effect from 21st January, 1980, "[n]o person shall be sentenced by a Court to imprisonment with hard labour; and every enactment conferring power on a court to pass a sentence of imprisonment with hard labour in any case shall be construed as conferring power to pass a sentence of imprisonment for a term not exceeding the maximum term for which a sentence of imprisonment with hard labour could have been passed in that case immediately before the commencement of this Law; and so far as any enactment requires or permits prisoners to be kept to hard labour it shall cease to have effect".

In accordance with the provisions of the Magistrate's Court and Miscellaneous Reforms (Guernsey) Law, 1996, section 6, and with reference to the penalty prescribed for the offence in subsection (2), a court, instead of or in addition to any other punishment which may lawfully be imposed, may fine the offender for such offence.

List of Electoral Districts and allocation of Deputies.

47. …

NOTE

Article 47 was repealed by the Reform (Replacement of Conseillers) (Guernsey) Law, 1998, section 4(2), with effect from 6th October 1998, subject to the provisions of section 8(3) of the 1998 Law.

[**Herm and Jethou.**

48. In this Law **"Guernsey"** includes the Islands of Herm and Jethou, which Islands shall be deemed –

(a) for all purposes of this Law to be part of the Parish of St. Peter Port, and

(b) for the purpose of elections of People's Deputies, to be part of such District within the Parish of St. Peter Port as may be specified in any Resolution of the States under Article 26(2) of this Law.]

NOTES

Article 48 was substituted by the Reform (Replacement of Conseillers) (Guernsey) Law, 1998, section 4(3), with effect from 6th October 1998, subject to the provisions of section 8(3) of the 1998 Law.

In accordance with paragraph (3) of the Resolution of the States of 27th November, 2002 (Billet d'État XXII, Article XXI, Proposition 1), the Islands of Herm and Jethou shall form part of the District of St. Peter Port South.

Interpretation.

49. In this Part of this Law unless the context otherwise requires the following expressions shall have the meanings hereby respectively assigned to them –

[…]

"Election" means election to the office of People's Deputy,

[**"Registrar-General"** means the Registrar General of Electors, and the functions of that office shall be performed by [the Chief Executive of the States of Guernsey] or by such other person as the States may, from time to time, by Ordinance appoint to perform the functions of that office and the States may in addition, from time to time, by Ordinance designate such other person to perform the functions of that office during the absence or incapacity of [the Chief Executive of the States of Guernsey] or other person appointed as aforesaid.]

NOTES

In Article 49,

the words omitted in the first pair of square brackets (which words were previously substituted by the Reform (Amendment) (Guernsey) Law, 1996, section 4, with effect from 5th June, 1996) were repealed by the States (Reform) (Guernsey) Law, 2015, section 5(i), with effect from 16th February, 2016;

the definition of the expression "Registrar-General" was substituted by the Reform (Amendment) (Guernsey) Law, 1985, section 1(c), with effect from 30th September, 1985;

the words in square brackets in the definition of the expression "Registrar-General" were substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 3, with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.

PART V

Election of Constables and Douzeniers

Application of Law to election of Constables and douzeniers.

50. Notwithstanding any enactment or rule to the contrary, after the 30th day of November, 1948, every election to the office of Constable or Douzenier shall be governed by the provisions of this Part of this Law, but nothing therein contained shall affect the completion of the term of office of any Constable or Douzenier elected on or before the last mentioned date.

Eligibility for office.

51. Only those persons eligible for the office of People's Deputy shall be eligible for the office of Constable or Douzenier, save that any such person shall, in order to be so eligible, be ordinarily resident in the Parish concerned at the date of his nomination and, if elected, shall hold office for so long only as he continues to reside therein[; and, for the avoidance of doubt, paragraphs (a) and (b) of Article 17(2) of this Law apply in the case of a Constable or Douzenier as in the case of a Conseiller or People's Deputy].

NOTE

In Article 51, the words in square brackets were inserted by the Reform (Amendment) (Guernsey) Law, 1996, section 1(3), with effect from 5th June, 1996, subject to the provisions of section 11(2) of the 1996 Law.

Persons entitled to vote.

52. Only those persons whose names are inscribed on the section of the Electoral Roll relating to the Parish concerned shall be entitled to vote at an election.

[**Terms of office and casual vacancies.**

52A. (1) Subject to Articles 17(2) and 51 of this Law, and to paragraph (2) of this Article –

(a) the term of office of a Douzenier shall be [four years] commencing on 1st January following his election, and

(b) the term of office of a Constable shall be three years commencing on 1st January following his election:

PROVIDED THAT if a Constable notifies the Dean of his Parish's Douzaine before the end of October in his first or second year of office that he so wishes then his term of office shall expire at the end of that year;

BUT PROVIDED FURTHER THAT if both

Constables of a parish give such notice in the same year only that given by the Senior Constable shall be effective.

(2) If a Constable or Douzenier dies, ceases to reside in the parish concerned, [resigns his office in accordance with paragraph (4) of this Article,] or is discharged from his office by the Royal Court –

(a) the resulting casual vacancy shall be filled by an election if it occurred more than five whole months before the end of the term of the office vacated, and in any other case may be so filled at the discretion of the Dean of the Parish's Douzaine,

(b) a person elected to fill such a vacancy shall take office upon complying with Article 61 of this Law and shall hold office (subject to Articles 17(2) and 51 of this Law, and to paragraph (3) of this Article) for the remainder of the term of the office vacated.

(3) In the case of a person elected to fill a casual vacancy in the office of Constable –

(a) for the purposes of both subparagraphs (a) and (b) of paragraph (2) of this Article any notice given before the occurrence of the vacancy under the proviso to subparagraph (1)(b) of this Article shall be taken into account, and

(b) if no such notice has been given by his predecessor, he shall be entitled to give any such notice as his predecessor could have given if the vacancy had not occurred.

[(4) A Constable or Douzenier may at any time resign his office, provided that –

(a) he gives –

(i) in the case of the office of Constable, to the Dean of the Douzaine, or

(ii) in the case of the office of Douzenier, to the Senior Constable,

written notice of his wish to resign, and

(b) his resignation shall not take effect until the expiration of a period of 7 days from the date upon which the Dean, or Constable, as the case may be, receives notice under subparagraph (a)(i) or (ii).]]

NOTES

Article 52A was inserted by the Reform (Guernsey) Law, 1998, section 4(1), with effect from 27th May, 1998, subject to the transitional provisions in section 8(3) of the 1998 Law.

In Article 52A,

the words in square brackets in, first, sub-paragraph (a) of paragraph (1) and, second, paragraph (2) were, respectively, substituted and inserted by the Reform (Guernsey) (Amendment) Law, 2008, respectively section 1(2) and section 1(3), with effect from 30th July, 2008, subject to the transitional provisions in section 3 of the 2008 Law;

paragraph (4) was inserted by the Reform (Guernsey) (Amendment) Law, 2008, section 1(4), with effect from 30th July, 2008, subject to the transitional provisions in section 3 of the 2008 Law.

Application of Part IV of this Law.

53. The provisions of Part IV of this Law shall, subject to the modifications in this Part of this Law contained, apply, so far as the same are applicable, to elections to the offices of Constable and Douzenier.

Responsibility for conduct of Elections.

54. [(1) In any election –

(a) for the office of Constable, the Dean of the Parish concerned, or if he is absent, indisposed or otherwise unable to act the Vice-Dean, or if both are absent, indisposed, or otherwise unable to act, a Douzenier appointed in that behalf by the Douzaine,

(b) for the office of Douzenier, the Senior Constable of the Parish concerned, or if he is absent, indisposed or otherwise unable to act the Junior Constable, or if both are absent, indisposed or otherwise unable to act, a Douzenier appointed in that behalf by the Douzaine

shall be responsible for fixing the place of the electors' meeting, for fixing the […] time of the election, and for the conduct of the election.]

(2) The person so responsible as aforesaid shall be the Returning Officer for the election and shall preside at any meeting of electors.

(3) The Returning Officer may appoint such persons as he may deem necessary to assist him in the execution of his duties.

[(4) The election shall be held –

(a) on the first Wednesday of November, or

(b) if the first Wednesday of November falls on the 5th November, then on the first Tuesday of November,

and, if a secret ballot is demanded pursuant to the provisions of Article 59, it shall be held on the third Wednesday of November.

(5) The States may by Ordinance amend the provisions of paragraph (4).]

NOTES

In Article 54,

paragraph (1) was substituted by the Reform (Guernsey) Law, 1998, section 4(2), with effect from 27th May, 1998;

the words omitted in square brackets in paragraph (1) were repealed, and paragraph (4) and paragraph (5) were inserted, by the Reform (Guernsey) (Amendment) Law, 2003, respectively section 1(25)(a) and section 1(25)(b), with effect from 1st August, 2003.

Notice of Elections.

55. Notice of an election shall be given by the person responsible for the conduct thereof, not less than fourteen days in advance of the date fixed therefor, by an announcement in the "Gazette Officielle", of the date, time and place of the electors' meeting, which announcement shall also invite the submission of nominations, and a further announcement showing that date, time and place and containing particulars of the nominations received, shall be made by publication in two daily newspapers published locally in the English language or, if there be only one such newspaper, then in that newspaper, [on any three days within the period of the six days immediately preceding the election].

NOTE

In Article 55, the words in square brackets were substituted by the Reform (Amendment) (Guernsey) Law, 1985, section 1(d), with effect from 30th September, 1985.

Duty of Registrar-General to supply Roll.

56. The Registrar-General shall supply to the Returning Officer for each election a copy of the section of the Electoral Roll relating to the Parish concerned.

Nominations.

57. Every nomination of a candidate for the office of Constable or Douzenier shall be in writing, signed by two persons whose names are inscribed on the section of the Electoral Roll representing the Parish concerned, and such nominations shall be delivered to the Returning Officer [not later than 16.00 on the seventh day (not counting any intervening Saturday, Sunday or Public Holiday) before the day fixed for the holding of the election], and, in the case of an election

for the office of Douzenier, shall be accompanied by a declaration in writing signed by the candidate and signifying his consent to be a candidate for that office[:

PROVIDED THAT in respect of any one candidate at an election the Returning Officer shall accept only the first valid nomination delivered to him, and any nomination subsequently delivered shall be of no effect.]

NOTES

In Article 57,

the words in the first pair of square brackets were substituted by the Reform (Guernsey) Law, 1998, section 4(3), with effect from 27th May, 1998, subject to the transitional provisions in section 8(4) of the 1998 Law;

the proviso thereto was inserted by the Reform (Amendment) (Guernsey) Law, 1996, section 5(2), with effect from 5th June, 1996.

Number of candidates not exceeding vacancies.

58. At any election where the number of candidates is not greater than the number of offices vacant, the Returning Officer shall, at the electors' meeting, declare such candidate or candidates elected.

Contested Election.

59. At any election where the number of candidates is greater than the number of offices vacant the following procedure shall be adopted –

(1) The Returning Officer shall, at the electors' meeting, read to the meeting the names of the candidates and of the persons who have signed the respective nominations, in the order in which those nominations shall have been received by him, and shall ask the meeting to vote on the question whether or not they desire a secret ballot to be held. A secret ballot shall be held if not less than seven electors present demand it. The Returning Officer shall explain that a secret ballot may be demanded by not less than seven electors and that, if such a ballot be held, the formalities of a ballot for an election to the office of People's Deputy will, so far as the same are applicable, be observed in the holding thereof.

(2) If a secret ballot be not demanded –

(a) the Returning Officer shall cause a voting paper to be delivered to, and only to, every elector present, who shall record his vote by writing thereon the name of the candidate (or the names of the candidates if there be more than one vacancy to be filled) for whom he wishes to vote,

(b) the Returning Officer shall then cause the voting papers to be collected and the votes counted, and shall declare the result of the election to the meeting,

(c) the provisions of Part IV of this Law shall be applied as nearly as possible to a case of an equality of votes and to the right to demand a re-count,

(d) the Returning Officer shall be responsible for the safe custody of the voting papers after the same have been collected, and he shall destroy them after, but not before, the successful candidate has taken the oath of office.

(3) If a secret ballot be demanded, a record of that fact shall be made by the Returning Officer, who shall thereupon declare the meeting closed. He shall then [make arrangements in accordance with the provisions of this paragraph] […] for the holding of an election [on the third Wednesday of November (or on such other date as the States, by Ordinance under Article 54(5), may prescribe)] [at each polling station which shall be established by the Constables in accordance with the provisions of the next following Article and shall give notice of [such time and date] and of the location of each such polling station by means of an announcement in the "Gazette Officielle", and shall be responsible for the supply of ballot papers at each such polling station.] The ensuing election shall be held in the

manner prescribed for elections for the office of People's Deputy.

(4) The Returning Officer shall be responsible for the safe custody of the ballot papers, and shall destroy the same after, but not before, the successful candidate shall have taken the oath of office.

NOTES

In Article 59,

the words in the first and third pairs of square brackets in paragraph (3) were, respectively, substituted and inserted by the Reform (Guernsey) (Amendment) Law, 2003, respectively section 1(26)(a) and section 1(26)(c), with effect from 1st August, 2003;

the words omitted in the second pair of square brackets in paragraph (3) were repealed by the Reform (Guernsey) (Amendment) Law, 2003, section 1(26)(b), with effect from 1st August, 2003;

the words in the fourth pair of square brackets in paragraph (3) were substituted by the Reform (Amendment) (Guernsey) Law, 1978, section 1(f), with effect from 21st March, 1978, subject to the saving in section 3 of the 1978 Law;

the words in square brackets within the fourth pair of square brackets in paragraph (3) were substituted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(26)(d), with effect from 1st August, 2003.

[**Polling Stations.**

60. Where at any election a secret ballot is demanded as aforesaid, the Constables of the Parish concerned shall provide for the establishment of a polling station therein and may provide for the establishment of such additional polling stations therein as they may deem to be convenient to the electorate.]

NOTE

Article 60 was substituted by the Reform (Amendment) (Guernsey) Law, 1978, section 1(g), with effect from 21st March, 1978, subject to the saving in section 3 of the 1978 Law.

Oath of office.

61. After any election every successful candidate shall take an oath of

office before the Royal Court at the instance of the Law Officers of the Crown or either of them, and after the taking of such oath the validity of the election shall not be further subject to question.

Interpretation.

62. In this Part of this Law the following expressions shall unless the context otherwise requires, have the meanings hereby respectively assigned to them –

"Election" shall mean an election to the office of Constable or Douzenier,

"Registrar-General" shall have the same meaning as in Part IV of this Law.

PART VI

Transfer to the States of Deliberation of Functions of a legislative nature hitherto exercised by the Royal Court

Date and extent of transfer.

63. On and after the day following the date of the holding of the Chief Pleas after Christmas, 1948, subject to the provisions of this Part of this Law, the powers and functions of a legislative nature theretofore exercised by the Royal Court whether sitting as a Court of Chief Pleas or otherwise shall cease to be exercised by the Royal Court and those powers and functions shall thenceforth vest in and be exercised by the States of Deliberation (hereinafter in this Part of this Law referred to as **"the States"**) or by the States [Policy & Resources Committee] in accordance with the provisions of this Part of this Law and every enactment conferring power on the Royal Court to exercise any such powers and functions by way of Ordinance shall thenceforth be construed as having conferred the like power on the States of Deliberation or on the States [Policy & Resources Committee], as may be appropriate under the provisions aforesaid, in the place and stead of the Royal Court and where under any enactment, whether commencing before or after the said date, power is conferred on the States to make any Ordinance, that enactment shall be construed as conferring power on the States [Policy & Resources

Committee], within the limits of that Committee's authority as defined in this Part of this Law, to make that Ordinance.

NOTES

In Article 63, the words "Policy & Resources Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 8(b), Schedule 2, Part 6, paragraph 2, with effect from 1st May, 2016.[44]

The functions, rights and liabilities of the Legislation Select Committee and its Minister arising under or by virtue of Article 63 of this Law were transferred to and vested in, respectively, the Policy & Resources Committee and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 8(b), Schedule 2, Part 6, paragraph 2, with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.[45]

The following case has referred to Article 63:

Jersey Fishermen's Association Limited, IF Limited, Interfish Wirons Limited, Scerene Fishing Company Limited and Lovell v. States 2007–08 GLR 36.

The date of the holding of the Chief Pleas after Christmas, 1948 was 17th January, 1949.

[**…**] **Defence Regulations and Rules of Procedure.**

64. (1) Notwithstanding the provisions of the last preceding Article, powers and functions of a legislative nature as regards the following matters, namely –

(a) the making, variation, modification, and revocation or continuation of Defence Regulations in force or to be in force within the Bailiwick of Guernsey or some part thereof, and

(b) the making, variation, modification and revocation of Rules of Procedure in the Royal Court and any Division thereof and in any Court subordinate thereto,

shall [in the case of powers and functions referred to in subparagraph (a) vest in and

be exercisable by the States [Civil Contingencies Authority] and shall in the case of powers and functions referred to in subparagraph (b)] continue as hitherto to vest in and be exercised by the Royal Court.

(2) The Royal Court shall exercise such powers and functions by way of Orders to be styled "Orders of the Royal Court" and no such Order shall lapse, unless expressed so to do, by mere effluxion of time.

[(3) Regulations of the States [Civil Contingencies Authority] made by virtue of paragraph (1) shall be laid before a meeting of the States as soon as possible, and if the States resolve at that meeting or their next meeting that the regulations be annulled they shall cease to have effect, but without prejudice to anything done under them or to the making of new regulations.]

NOTES

In Article 64,

the words omitted in the marginal note thereto were repealed, and the words in square brackets in paragraph (1) were inserted, by the Reform (Guernsey) (Amendment) Law, 2003, respectively section 1(27)(a) and section 1(27)(b), with effect from 1st August, 2003;

the words "Civil Contingencies Authority" in square brackets, wherever occurring, were substituted by the Civil Contingencies (Bailiwick of Guernsey) Law, 2012, section 26(2), Schedule 3, Part III, with effect from 4th February, 2013;[46]

paragraph (3) was inserted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(27)(c), with effect from 1st August, 2003.

The following have been made by Order of the Royal Court under Article 64:

Defence (General) (Guernsey) Regulations, 1945, Amendment (No. 1) Order, 1950;
Defence (General) (Guernsey) Regulations, 1945, Amendment (No. 2) Order, 1950;
Defence (General) (Guernsey) Regulations, 1945, Amendment (No. 3) Order, 1950;
Defence (General) (Guernsey) Regulations, 1945, Amendment (No. 1) Order, 1951;
Defence Regulation 62 (Variation to extend to Alderney) Order, 1951;
Saisie Procedure (Simplification) (Bailiwick) Order, 1952;
Matrimonial Causes Rules, 1952;
Defence (General) (Guernsey) Regulations, 1945, Amendment (No. 1) Order, 1952;

Defence (General) (Guernsey) Regulations, 1945, Amendment (No. 2) Order, 1952;
Defence (General) (Guernsey) Regulations, 1945, Amendment (No. 1) Order, 1953;
Defence (General) (Guernsey) Regulations, 1945, Amendment (No. 2) Order, 1953;
Defence (General) (Guernsey) Regulations, 1945, Amendment (No. 3) Order, 1953;
Defence (General) (Guernsey) Regulations, 1945, Amendment (No. 1) Order, 1954;
Competent Authority (Alderney) (Revocation) Order, 1954;
Defence (General) (Guernsey) Regulations, 1945, Amendment (No. 2) Order, 1954;
Defence (Finance) (Guernsey) Regulations, 1945 (Revocation) Order, 1955;
Defence (General) (Guernsey) Regulations, 1945, Amendment (No. 1) Order, 1955;
Maintenance Orders (Facilities for Enforcement) (Guernsey) Rules, 1955;
Court of Alderney (Robes) Order, 1955;
Defence (General) (Guernsey) Regulations, 1945, Amendment (No. 2) Order, 1956;
Defence (General) (Guernsey) Regulations, 1945, Amendment (No. 1) Order, 1958;
Judgments (Reciprocal Enforcement) (Guernsey) Rules, 1972;
Matrimonial Causes (Amendment) Rules, 1973;
Matrimonial Causes (Amendment) (No. 2) Rules, 1973;
Judgments (Reciprocal Enforcement) (Amendment) (Guernsey) Rules, 1975;
Matrimonial Causes (Amendment) Rules, 1980;
Royal Court (Despatch of Business) Order, 1982;
Royal Court (List of Advocates) Order, 1982;
Royal Court (Plaids d'Héritage) Order, 1982;
Committal Proceedings (Written Statements) Rules, 1983;
Matrimonial Causes (Amendment) Rules, 1983;
Committal Proceedings (Written Statements) (Amendment) Rules, 1986;
Eviction Actions Order, 1986;
Royal Court (Non-contentious Applications) Rules, 1988;
Curatelle Rules, 1989;
Companies (Application for change of name) Procedure Rules, 1989;
Royal Court (Non-contentious Applications) (Amendment) Rules, 1989;
Magistrate's Court (Criminal Appeals) Rules, 1989;
Magistrate's Court (Criminal Appeals) (Amendment) Rules, 1989;
Advocate's Trust Accounts Rules, 1989;
Advocate's Trust Accounts Rules, 1989;
Advocate's Accounts Rules, 1989;
Advocates' Accounts (Deposit Interest) Rules, 1989;
Eviction Procedures Rules, 1989;
Saisie Procedure (Simplification) (Bailiwick) (Amendment) Order, 1989;
Royal Court (Affidavits) Civil Rules, 1990;
Royal Court (Non-contentious Applications) (Amendment) Rules, 1990;
Juvenile Court (Criminal Cases) Rules, 1990;
Royal Court (Criminal Procedure) Rules, 1991;

Juvenile Court (Criminal Cases) (Amendment) Rules, 1994;
Royal Court (Election of Counsel) Order 1994;
Royal Court (Plaids d'Héritage) Order, 1995;
Royal Court (Non-contentious Applications) Rules, 1995;
Matrimonial Causes (Amendment) Rules, 2001;
Royal Court (Signing of Summonses) Order, 2003;
Royal Court (Publication of Notices, etc) Order, 2006;
Royal Court Civil Rules, 2007;
Royal Court Civil Rules (Amendment) Order, 2008.

The following cases have referred to Article 64:

Angenent v. Pring 2005–06 GLR 1*;*
Angenent v. Pring 2005–06 GLR 11.

In accordance with the provisions of the Royal Court of Guernsey (Miscellaneous Reform Provisions) Law, 1950, section 12, with effect from 11th September, 1951, the power of the Royal Court to make, vary, modify and revoke rules of procedure in the Royal Court and any division thereof in pursuance of the provisions of this section shall include power to make rules of procedure varying, modifying or revoking any rule of procedure operative in pursuance of customary or enacted Law.

In accordance with the provisions of the Judgments (Reciprocal Enforcement) (Guernsey) Law, 1957, with effect from 6th April, 1957, the power of the Royal Court to make rules of court under this section shall include power to make rules of court for the purposes set in section 5 of the 1957 Law.

In accordance with the provisions of the Service of Process and Taking of Evidence (Guernsey) Law, 1957, section 9, as and when that section enters into force, the power of the Royal Court to make rules of court under this section shall include a power to make rules of court from time to time—

(a) for any purpose for which rules of court may be made under Part II of the 1957 Law, and

(b) for the purposes of giving effect to Part III of the 1957 Law and regulating the procedure thereunder.

The States [Scrutiny Management Committee].

65. (1) There shall be set up by the States, as soon as may be after the 1st day of January, 1949, a States Standing Committee to be styled "the States [Scrutiny Management Committee]" (hereinafter in this Part of this Law referred to as **"the Committee"**) […].

[(2) The constitution of the Committee shall be such as shall, from time to time, be prescribed by the States by Resolution.]

(3) …

(4) …

(5) …

NOTES

In Article 65,

the words "Scrutiny Management Committee" in square brackets, wherever occurring, substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 8(a), Schedule 2, Part 6, paragraph 1, with effect from 1st May, 2016;[47]

first, the words omitted in the second pair of square brackets in paragraph (1) were repealed and, second, paragraph (2) was substituted and paragraph (3), paragraph (4) and paragraph (5) were repealed by the Reform (Amendment) (Guernsey) Law, 1990, respectively section 1(a) and section 1(b), with effect from 20th March, 1990, subject to the savings in section 2 of the Law of 1990.[48]

The functions, rights and liabilities of the Legislation Select Committee and its Minister arising under or by virtue of this Law were transferred to and vested in, respectively, the Scrutiny Management Committee and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 8(a), Schedule 2, Part 6, paragraph 1, with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.[49]

Functions of the Committee.

66. The functions of the Committee shall be as follows –

(1) To review and revise every Projet de Loi presented to the Committee by a Law Officer of the Crown for the purpose of ensuring that the same is in accordance with and will effectually carry into effect any Resolution of the States designated to be implemented thereby and to transmit the same to the States for the consideration and for the decision (subject to the Sanction of His Most Excellent Majesty in Council) of the States.

(2) To review and revise every draft Ordinance presented to the Committee by a Law Officer of the Crown at the instance of

the States or of some Authority, Board, Committee or Council of the States [and to transmit the same –

(a) to the States for consideration and decision of the States, or

(b) where the Policy and Resources Committee is of opinion that the immediate or early enactment thereof is necessary or expedient in the public interest under Article 66A, to the Policy and Resources Committee for consideration and order of that Committee.]

(3) …

(4) …

NOTE

In Article 66, first, the words in square brackets in paragraph (2) were inserted and, second, paragraph (3) and paragraph (4) were repealed, by the States (Reform) (Guernsey) Law, 2015, respectively section 5(1)(j)(i) and section 5(1)(j)(ii), with effect from 1st May, 2016.

[**Power of Policy and Resources Committee to enact Ordinances.**

66A. (1) Where, in the case of any draft Ordinance transmitted under paragraph (2)(b) of Article 66, the Policy and Resources Committee is of opinion that the immediate or early enactment thereof is necessary or expedient in the public interest, the Policy and Resources Committee shall have power to order that the same shall be operative either immediately or upon such then future date as it shall prescribe and thereupon the Ordinance shall have effect accordingly:

PROVIDED that every Ordinance coming into effect by virtue of this paragraph shall be laid before the States as soon as may be after the making thereof in such manner as the States may, by general resolution, from time to time direct and if, at the Meeting of the States in the course of which any Ordinance made by the Policy and Resources Committee is laid before them or at the next subsequent Meeting, the States resolve that the Ordinance be annulled, the Ordinance shall cease to have

effect but without prejudice to anything previously done thereunder or to the making by the Policy and Resources Committee of any new Ordinance.

(2) For the purpose or removing doubts, it is hereby declared that on an Ordinance ceasing to have effect by virtue of a Resolution of the States under the proviso to paragraph (1) of this Article, any other Ordinance which was modified or extended or repealed in whole or in part by the first-mentioned Ordinance shall thenceforth have effect, notwithstanding such modification, extension or repeal as though such modification, extension or repeal had not been effected.

(3) In paragraph (2)(b) of Article 66 and in this Article, **"the Policy and Resources Committee"** means the States Policy and Resources Committee.]

NOTES

Article 66A was inserted by the States (Reform) (Guernsey) Law, 2015, section 5(1)(k), with effect from 1st May, 2016.

The following Ordinances have effect, in accordance with the provisions of section 5(2) of the States (Reform) (Guernsey) Law, 2015, as if made under Article 66A:

Coast Protection Ordinance, 1949;
Dutiable Goods (Returns) Ordinance, 1949;
Automobile Amendment Law Commencement Ordinance, 1950;
Cutting of Hedges Ordinance, 1953;
Bills of Exchange (Guernsey) Law, 1958 (Commencement) Ordinance, 1958;
States Water Supply (Commencement) Ordinance, 1958;
Importation of Hay, Straw and Litter (Amendment) Ordinance, 1961;
Official Publications (Amendment) Ordinance, 1965;
People's Deputies (General Election) Ordinance, 1966;
Wharfage (Guernsey) Law, 1970 (Commencement) Ordinance, 1971;
Social Insurance (Limited Medical Benefit) (Guernsey) Ordinance, 1971;
Social Insurance (Medical Certification) (Amendment) (Guernsey) Ordinance, 1971;
Social Insurance (Amendment and Repeals) (Guernsey) Ordinance, 1971;
Supplementary Benefit (Implementation) Ordinance, 1971;
Alderney (Application of Legislation) (Supplementary Benefit) Ordinance, 1971;
People's Deputy (Forest) Election Ordinance, 1972;

Official Publications (Amendment) Ordinance, 1973;
Motor Vehicles (International Circulation) Ordinance, 1974;
Motor Vehicles (International Motor Insurance Card) Ordinance, 1974;
Water Byelaws (Restrictions) Ordinance, 1976;
Supplementary Family Allowances (Guernsey) Law, 1976 (Commencement) Ordinance, 1976;
People's Deputy (Saint Saviour) Election Ordinance, 1981;
People's Deputies (Saint Peter Port, Saint Peter-in-the-Wood, the Forest and Saint Martin) Elections Ordinance, 1983;
Royal Bank of Scotland (Guernsey) Law, 1985 (Appointed Day) Ordinance, 1985;
Judgments (Interest) (Repeal) Ordinance, 1986;
Import and Export (Plant Health) (Amendment) Ordinance, 1987;
Road Traffic (Construction and Use of Motor Vehicles) (Amendment) Ordinance, 1988;
Traffic Signs and Traffic Light Signals (Amendment) Ordinance, 1989;
Prohibited and One-Way Streets (Amendment) (No. 3) Ordinance, 1991;
Right to Work (Limitation and Proof) (Tent Dwellers' Industries) (Amendment) Ordinance, 1992;
Public Transport (Amendment) Ordinance, 1993;
Special Constabulary (Amendment) (No. 2) Ordinance, 1993;
Electoral Roll Ordinance, 1995;
Driving Licences (Amendment) (No. 3) (Guernsey) Ordinance, 1996;
Alderney (Application of Legislation) (Health Service) (Benefit) (Amendment) Ordinance, 1997;
Health Service (Physiotherapy Benefit) Ordinance, 1997;
Magistrate's Court and Miscellaneous Reforms (Guernsey) Law, 1996 (Commencement) Ordinance, 1997;
Water Restrictions (Amendment) Ordinance, 1997;
Federal Republic of Yugoslavia (Supply, Sale and Export of Petroleum and Petroleum Products) (Penalties and Licences) (Guernsey) (No. 2) Ordinance, 1999;
Motor Taxation and Licensing (Guernsey) Law, 1987 (Commencement) Ordinance, 2001;
Health Service (Benefit) (Amendment) (No. 3) Ordinance, 2003;
Reform (Guernsey) (Amendment) Law, 2003 (Commencement) Ordinance, 2003;
Bar (Amendment) Ordinance, 2004;
Burma (Sale, Supply, Export, Technical Assistance, Financing and Financial Assistance and Shipment of Equipment) (Penalties and Licences) (Guernsey) (Amendment) Ordinance, 2004;
Gambling (Crown and Anchor) (Guernsey) (Amendment) Ordinance, 2004;
States Audit Commission (Guernsey) (Repeal) Law, 2004 (Commencement) Ordinance, 2004;
Sudan (Provision of Technical Assistance, etc.) (Guernsey) Ordinance, 2004;
Zimbabwe (Freezing of Funds and Economic Resources) (Guernsey) Ordinance, 2004;
Zimbabwe (Sale, Supply, Export, Financing and Financial Assistance and Shipment of Equipment) (Penalties and Licences) (Guernsey) Ordinance, 2004;
Boats and Vessels (Registration, Speed Limits and Abatement of Noise) (Amendment) Ordinance, 2005;

Housing (Control of Occupation) (Extension) Ordinance, 2005;

International Criminal Tribunal for the Former Yugoslavia (Freezing of Funds and Economic Resources of Indictees) (Guernsey) Ordinance, 2005;

Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) (Enforcement of Overseas Confiscation Orders) (Amendment) Ordinance, 2006;

European Communities (Bailiwick of Guernsey) (Amendment) Ordinance, 2006;

Lebanon (Restrictive Measures) (Guernsey) Ordinance, 2006;

Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2006;

Machinery of Government (Transfer of Functions) (Guernsey) (No. 3) Ordinance, 2006;

Prison Administration (Guernsey) (Amendment) Ordinance, 2006;

Criminal Justice (International Co-operation) (Enforcement of Overseas Forfeiture Orders) (Bailiwick of Guernsey) Ordinance, 2007;

Limited Partnerships (Guernsey) (Amendment) Law, 2006 (Commencement) Ordinance, 2007;

Motorcycle Licence Plates (Guernsey and Alderney) Ordinance, 2007;

North Korea (Restrictive Measures) (Guernsey) Ordinance, 2007;

Terrorism and Crime (Enforcement of External Orders) (Bailiwick of Guernsey) Ordinance, 2007;

Alderney (Application of Legislation) (Education) (No. 2) Ordinance, 2008;

Companies (Guernsey) Law, 2008 (Amendment) Ordinance, 2008;

Companies (Guernsey) Law, 2008 (Amendment) (No.2) Ordinance, 2008;

Companies (Guernsey) Law, 2008 (Commencement) Ordinance, 2008;

Education (Compulsory School Age) (Guernsey) (No.2) Ordinance, 2008;

Charities and Non Profit Organisations (Registration) (Guernsey) Law, 2008 (Amendment) Ordinance, 2008;

Forfeiture of Money, etc in Civil Proceedings (Bailiwick of Guernsey) Law, 2007 (Amendment) Ordinance, 2008;

Protection of Investors (Bailiwick of Guernsey) Law, 1987 (Amendment) Ordinance, 2008;

Registration of Non-Regulated Financial Services Businesses (Bailiwick of Guernsey) Law, 2008 (Amendment) Ordinance, 2008;

Road Traffic (Drink Driving) (Amendment) Ordinance, 2008;

Union of the Comoros (Freezing of Funds) (Guernsey) Ordinance, 2008;

Alderney (Application of Legislation) (Education) Ordinance, 2009;

Cash Controls Law (Definition of Cash) (Bailiwick of Guernsey) Ordinance, 2009;

Children (Consequential Amendments etc.) (Guernsey and Alderney) Ordinance, 2009;

Gambling (Betting) (Amendment) Ordinance, 2009;

Judgments (Reciprocal Enforcement) (Amendment) Ordinance, 2009;

Public Holidays Ordinance, 2009;

Road Traffic (Compulsory Third Party Insurance) (Amendment) (Guernsey) Ordinance, 2009;

Fees, Charges and Penalties (Guernsey) (Amendment) Ordinance, 2010;

Afghanistan (Restrictive Measures) (Guernsey) Ordinance, 2011;

Belarus (Freezing of Funds) (Guernsey) (Amendment) Ordinance, 2011;

Belarus (Freezing of Funds) (Guernsey) (Amendment) (No. 2) Ordinance, 2011;

Egypt (Freezing of Funds) (Guernsey) Ordinance, 2011;

Health Service (Benefit) (Amendment) (No. 2) Ordinance, 2011;

Iran (Freezing of Funds) (Guernsey) Ordinance, 2011;

Libya (Restrictive Measures) (Guernsey) (Amendment) (No. 3) Ordinance, 2011;

Tunisia (Freezing of Funds) (Guernsey) Ordinance, 2011;

Belarus (Freezing of Funds) (Guernsey) (Amendment) Ordinance, 2012;

Eritrea (Restrictive Measures) (Guernsey) Ordinance, 2012;

Income Tax (Pension Amendments) (Guernsey) Ordinance, 2012;

Iran (Restrictive Measures) (Guernsey) Ordinance, 2012;

Public Holidays (Diamond Jubilee) Ordinance, 2012;

Republic of Guinea (Restrictive Measures) (Guernsey) Ordinance, 2012;

Republic of Guinea-Bissau (Restrictive Measures) (Guernsey) Ordinance, 2012;

Somalia (Restrictive Measures) (Guernsey) Ordinance, 2012;

Syria (Restrictive Measures) (Guernsey) Ordinance, 2012;

Al-Qaida (Restrictive Measures) (Guernsey) Ordinance, 2013;

Al–Qaida (Restrictive Measures) (Guernsey) (Amendment) Ordinance, 2013;

Egypt (Freezing of Funds) (Guernsey) (Amendment) Ordinance, 2013;

Foreign Tax (Retention Arrangements) (Guernsey and Alderney) (Amendment) Ordinance, 2013;

Iran (Restrictive Measures) (Guernsey) (Amendment) Ordinance, 2013;

Libya (Restrictive Measures) (Guernsey) (Amendment) Ordinance, 2013;

Mental Health (Miscellaneous Provisions) (Guernsey and Alderney) Ordinance, 2013;

Myanmar/Burma (Restrictive Measures) (Guernsey) Ordinance, 2013;

North Korea (Restrictive Measures) (Guernsey) (Amendment) Ordinance, 2013;

North Korea (Restrictive Measures) (Guernsey) (Amendment) (No. 2) Ordinance, 2013;

Rehabilitation of Offenders (Bailiwick of Guernsey) (Amendment) Ordinance, 2013;

Syria (Restrictive Measures) (Guernsey) (Amendment) Ordinance, 2013;

Tunisia (Freezing of Funds) (Guernsey) (Amendment) Ordinance, 2013;

Income Tax (Approved International Agreements) (Implementation) (Guernsey) Ordinance, 2013;

Afghanistan (Restrictive Measures) (Guernsey) (Amendment) Ordinance, 2014;

Aviation Registry (Guernsey) (Amendment) Ordinance, 2014;

Central African Republic (Restrictive Measures) (Guernsey) Ordinance, 2014;

Central African Republic (Restrictive Measures) (Guernsey) (Amendment) Ordinance, 2014;

Charities and Non Profit Organisations (Registration) (Guernsey) Law, 2008 (Amendment) Ordinance, 2014;

Companies (Guernsey) Law, 2008 (Amendment) Ordinance, 2014;
Crimea and Sevastopol (Restrictive Measures) (Guernsey) Ordinance, 2014;
Crimea and Sevastopol (Restrictive Measures) (Guernsey) (Amendment) Ordinance, 2014;
Income Tax (Guernsey) (Miscellaneous Amendments) Ordinance, 2014;
Income Tax (Guernsey) (Amendment) (No. 2) Ordinance, 2014;
Income Tax (Guernsey) (Amendment) (No. 3) Ordinance, 2014;
Protection of Investors (Limitation of Liability) (Bailiwick of Guernsey) Ordinance, 2014;
Russian Federation (Restrictive Measures) (Guernsey) Ordinance, 2014;
Sudan (Restrictive Measures) (Guernsey) Ordinance, 2014;
Territorial Integrity etc. of Ukraine (Restrictive Measures) (Guernsey) Ordinance, 2014;
Territorial Integrity etc. of Ukraine (Restrictive Measures) (Guernsey) (Amendment) Ordinance, 2014;
Ukraine (Restrictive Measures) (Guernsey) Ordinance, 2014;
Ukraine (Restrictive Measures) (Guernsey) (Amendment) Ordinance, 2014;
Yemen (Restrictive Measures) (Guernsey) Ordinance, 2014;
Aviation Registry (Interests in Aircraft) (Guernsey) Ordinance, 2015;
Côte d'Ivoire (Restrictive Measures) (Guernsey) Ordinance, 2015;
Cremation (Longue Hougue Facility) Ordinance, 2015;
Financial Services Ombudsman (Bailiwick of Guernsey) Law, 2014 (Commencement and Amendment) Ordinance, 2015;
Sark General Purposes and Advisory and Finance and Commerce Committees (Transfer of Functions) (Guernsey) Ordinance, 2015;
South Sudan (Restrictive Measures) (Guernsey) Ordinance, 2015;
Burundi (Restrictive Measures) (Guernsey) Ordinance, 2015;
Income Tax (Zero 10) (Company Intermediate Rate) (Amendment) (Guernsey) (No. 2) Ordinance, 2015;
Libya (Restrictive Measures) (Guernsey) Ordinance, 2016;
Public Transport (Amendment) Ordinance, 2016.

Approval of subordinate legislation by Committee and States in lieu of Royal Court.

67. Where in any enactment it is provided that rules, regulations or other subordinate legislation, however described, prepared by any Authority, Board, Committee or Council of the States shall only come into operation after having received the approval of the Royal Court, that enactment shall, instead, be deemed to provide that on and after the day following the date of the holding of the Chief Pleas after Christmas, 1948, any such rules, regulations or other subordinate legislation as shall not have been approved by the Royal Court before that day shall only come into operation after having been reviewed by the Committee and after having received the approval of the States. Such approval shall be given by way of Ordinance.

New style of Ordinances.

68. Ordinances made by the States or by [the Policy & Resources Committee] shall be styled "Ordinances of the States" and no such Ordinance unless its period of operation be limited by express words or by operation of law, shall lapse merely by effluxion of time.

NOTES

In Article 68, the words in square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 8(b), Schedule 2, Part 6, paragraph 2, with effect from 1st May, 2016.

The functions, rights and liabilities of the Legislation Select Committee and its Minister arising under or by virtue of Article 68 of this Law were transferred to and vested in, respectively, the Policy & Resources Committee and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 8(b), Schedule 2, Part 6, paragraph 2, with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.

Making of Orders under Defence Regulations.

69. On and after the day following the date of the holding of the Chief Pleas after Christmas, 1948, the Royal Court shall cease to be a Competent Authority under any Defence Regulation and the powers and functions theretofore vesting in the Royal Court as a Competent Authority under that Defence Regulation shall thenceforth for so long as that Defence Regulation continues in force vest in and be exercised by [the Policy & Resources Committee] as a Competent Authority thereunder but without prejudice to anything previously done thereunder.

NOTES

In Article 69, the words in square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 8(b), Schedule 2, Part 6, paragraph 2, with effect from 1st May, 2016.

The functions, rights and liabilities of the Legislation Select Committee and its Minister arising under or by virtue of Article 68 of this Law were transferred to and vested in, respectively, the Policy & Resources Committee and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule

1, paragraph 8(b), Schedule 2, Part 6, paragraph 2, with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.

Permanent and Provisional Ordinances existing at Chief Pleas after Christmas, 1948.

70. On and after the day following the date of the holding of the Chief Pleas after Christmas, 1948, Ordinances of the Royal Court –

(1) which after receiving the approval of the States, have before that day been made Permanent Ordinances by the Royal Court and are still in force, shall, until repealed, continue in force,

(2) which by virtue of the provisions of any Order in Council are Permanent Ordinances and are still force, shall, until repealed, continue in force,

(3) made before that day which are Provisional Ordinances and are still in force, shall, unless previously repealed, continue in force as Provisional Ordinances until the 1st day of January, 1950, and shall thenceforth become Permanent Ordinances of the States:

PROVIDED that the Committee shall review all such Provisional Ordinances as are referred to in paragraph (3) of this Article and shall report to the States thereon and if, at any time during the calendar year 1949, the States resolve that any such Provisional Ordinance shall be annulled, the same shall cease to have effect as though it had been repealed but without prejudice to anything previously done thereunder.

Power of Committee to repeal or vary Ordinances.

71. [The Policy & Resources Committee], within the limits of the latter's authority and subject to the provisions of paragraph (4) of Article 66 of this Law, and the States shall have power, from time to time, to repeal, suspend, vary or

modify any Ordinance made by the Royal Court (except in relation to any of the matters referred to in paragraph (1) of Article 64 of this Law) or by the States or by [the Policy & Resources Committee].

NOTES

In Article 71, the words "T/he Policy & Resources Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 8(b), Schedule 2, Part 6, paragraph 2, with effect from 1st May, 2016.

The functions, rights and liabilities of the Legislation Select Committee and its Minister arising under or by virtue of Article 68 of this Law were transferred to and vested in, respectively, the Policy & Resources Committee and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 8(b), Schedule 2, Part 6, paragraph 2, with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.

The following Ordinances have been made under Article 71:

Public Health (Amendment) Ordinance, 2010;
European Communities (Food and Feed Controls) (Guernsey) Ordinance, 2016.

PART VII

Miscellaneous and Repeals

Number of votes restricted to number of vacancies.

72. No person shall vote or purport to vote at any election for a greater number of candidates than there are seats vacant, and any vote cast or purported to be cast in contravention of this Article shall be void.

Disqualification of Advocates for the office of Constable.

73. …

NOTE

Article 73 was repealed by the Reform (Guernsey) (Amendment) Law, 2003, section 1(28), with effect from 1st August, 2003.

Limitation of the application of the Secret Ballot Laws.

74. Where any provision of any law relating to Secret Ballot (Scrutin Secret) conflicts with any of the provisions of this Law, then, unless that law specifically provides to the contrary, the provisions of this Law shall prevail.

[**Saving of powers for existing States of Deliberation and Election.**

75. (1) The Conseillers and People's Deputies due to retire on the 31st day of December, 1954 shall continue in office until the 31st day of March, 1955, and the Douzaine Representatives in office on the 30th day of November, 1954, shall continue to hold office until the 31st day of March 1955, and any Douzaine Representative elected after the 30th day of November, 1954, to fill a casual vacancy shall hold office until the 31st day of March, 1955.

(2) The Conseillers due to retire on the 31st day of December, 1957, shall continue in office until the 31st day of March, 1958.]

NOTE

Article 75 was substituted by the Reform (Guernsey) Law, 1948 (Amendment) Law, 1952, Article 1(k), with effect from 16th August, 1952.

Repeals.

76. The enactments set out in the first column of the Second Schedule to this Law shall be repealed to the extent and on the dates indicated in the second and third columns respectively of that Schedule.

Saving.

77. The repeal of section 3 of the States (Election of People's Deputies) (Special Provisions) Law, 1945, shall not affect the continuance of the qualification for office in respect of residence of any People's Deputy elected or deemed to have been elected at the General Election to be held during the month of December, 1948.

[**General provisions as to rules.**

78. Rules made by the [States Assembly and Constitution Committee]

under any provision of this Law –

(a) shall be laid as soon as possible before a meeting of the States and shall, if at that or their next meeting the States resolve to annul them, cease to have effect, but without prejudice to anything done under them or to the making of new rules under that provision,

(b) may contain incidental, consequential, supplementary and transitional provisions, and

(c) may be amended or repealed by subsequent rules under that provision.]

NOTES

Article 78 was inserted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(29), with effect from 1st August, 2003.

In Article 78, the words in square brackets were substituted by the House Committee (Transfer of Functions) Ordinance, 2008, section 3, with effect from 24th September, 2008.[50]

The Law received Royal Sanction on 5th August, 1948 and was registered on the Records of the Island of Guernsey and came into force on 28th August, 1948.

The functions, rights and liabilities of the House Committee and of its Chairman arising under or by virtue of this Law were transferred to and vested in, respectively, the States Assembly and Constitution Committee and its Chairman by the House Committee (Transfer of Functions) Ordinance, 2008, section 1, with effect from 24th September, 2008, subject to the savings and transitional provisions in section 2 of the 2008 Ordinance.[51]

FIRST SCHEDULE Article 47(1)

ALLOCATION OF DEPUTIES BETWEEN THE ELECTORAL DISTRICTS

Electoral District	*Number of Deputies*
Parish of Saint Peter Port	13
Parish of Saint Sampson	4
Parish of the Vale	5
Parish of the Castel	3
Parish of Saint Saviour	1
Parish of Saint Peter-in-the-Wood	1
Parish of Torteval	1
Parish of the Forest	1
Parish of Saint Martin	3
Parish of Saint Andrew	1

NOTES

The First Schedule, though not formally repealed, is in practice spent as a consequence of the repeal of Article 47 by the Reform (Replacement of Conseillers) (Guernsey) Law, 1998, with effect from 6th October 1998, which repeal is subject to the provisions of section 8(3) of the 1998 Law.

In accordance with paragraph (1) of the Resolution of the States of 27th November, 2002 (Billet d'État XXII, Article XXI, Proposition 1), the Districts and number of seats available in each District for the purpose of

elections to the office of People's Deputy, with effect from the 2004 General Election and thereafter, are as follows:

	Electoral District	***Number of Deputies***
1.	*St. Peter Port South*	*6*
2.	*St. Peter Port North*	*7*
3.	*St. Sampson*	*6*
4.	*The Vale*	*7*
5.	*The Castel*	*7*
6.	*West (comprising the Parishes of St. Saviour, St. Pierre du Bois, Torteval and The Forest)*	*6*
7.	*South-East (comprising the Parishes of St. Martin and St. Andrew)*	*6*

SECOND SCHEDULE Article 76

REPEALS

Law	*Extent of Repeal*	*Date of Repeal*
Réforme des États, registered on the Records on 27th December, 1844	Articles 1, 2, 3, 4 and 5	On date of registration of this Law
	Articles 6, 7 and 14	So far as the same concern the States of Election, on the 30th September, 1948, and, so far as they concern the States of Deliberation, on the 31st December, 1948
	Articles 8, 9, 10, 11 and 12	On the 31st December, 1948
	Articles 15 and 16	On such date after the 31st December, 1948, as the States of Deliberation shall by Resolution appoint
	Article 17	On the 30th September, 1948
De l'Eligibilité des Douzeniers de Canton à la Charge de Douzenier de Paroisse, registered on the Records on 2nd August, 1851	Article 5	On date of registration of this Law
Articles Supplémentaires à la	Article 1	So far as the same concerns

Loi de 1844 qui Règle la Constitution des États, registered on the Records on 25th June, 1853		the States of Election, on the 30th September, 1948, and, so far as it concerns the States of Deliberation, on the 31st December, 1948
	Articles 2, 3, 4 and 5	On date of registration of this Law
Constitution des États Articles Supplémentaires à la Loi de 1844, registered on the Records on 6th August, 1864	The Whole Law	On such date after the 31st December, 1948, as the States of Deliberation shall by Resolution appoint
Loi relative à la Réforme des États de Délibération, registered on the Records on 26th August, 1899	Articles II, VIII, IX and X	On the 31st December, 1948
Loi relative à la Douzaine de la Ville et Paroisse de Saint Pierre Port, registered on the Records on 13th October, 1900	The Whole Law	On date of registration of this Law
Loi relative aux États d'Election, registered on the Records on 29th June, 1901	The Whole Law	On the 30th September, 1948
Loi Supplémentaire à la Loi réglant la Constitution des États (1844), registered on the Records on 8th June, 1915	The Whole Law	On such date after the 31st December, 1948, as the States of Deliberation shall by Resolution appoint
Loi Supplémentaire à la Loi	Articles I and V	On the 31st December, 1948

relative à la Réforme des États de Délibération, registered on the Records on 30th October, 1920	Articles VIII, X, XI, XIII and XVI	On the 30th September, 1948
	Articles XIV, XV, XVII and XVIII	On date of registration of this Law
Loi Supplémentaire à la Loi relative à la Réforme des États de Délibération, 1923	The Whole Law	On the 30th September, 1948
Loi Supplémentaire à la Loi relative à la Réforme des États de Délibération, 1938	The Whole Law	On the 31st December 1948
Loi Supplémentaire relative à la Réforme des États (No. 2), 1938	The Whole Law	On the 30th September, 1948
Loi relative à la Réforme des États, 1939	The Whole Law	On the 30th September, 1948
Loi provisoire supplémentaire à la Loi relative à la Réforme des États (No. 2, 1940)	Articles 1, 2 and 4	On the 31st December, 1948
	Article 3.	On date of registration of this Law.
Loi relative à la Réforme des États (1940)	The Whole Law	On date of registration of this Law
Loi Supplémentaire à la Loi relative à la Réforme des États de Délibération, 1941	The Whole Law	On date of registration of this Law

The States (Election of People's Deputies) (Special Provisions) Law, 1945	The Whole Law except section 3 thereof	On the 30th September, 1948
	Section 3	On the 31st March, 1949

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1 Previously, collective title provisions were included in the Reform (Guernsey) Amendment Law, 1950, section 4; the Reform (Guernsey) Law, 1948 (Amendment) Law, 1952, section 2; the Reform (Amendment) (Guernsey) Law, 1960, section 2(2); the Reform (Amendment) (Guernsey) Law, 1962, section 2(2); the Reform (Amendment) (Guernsey) Law, 1963, section 3; the Reform (Amendment) (Guernsey) Law, 1972, section 19; the Reform (Amendment) (Guernsey) Law, 1975, section 2(2); the Reform (Amendment) (Guernsey) Law, 1978, section 4(2); the Reform (Amendment) (Guernsey) Law, 1984, section 4; the Reform (Amendment) (Guernsey) Law, 1985, section 3; the Reform (Amendment) (Guernsey) Law, 1987, section 3; the Reform (Amendment) (Guernsey) Law, 1988, section 4; the Reform (Amendment) (Guernsey) Law, 1990, section 7; the Reform (Election of Conseillers and Minor Amendments) (Guernsey) Law, 1993, section 21; the Reform (Amendment) (Guernsey) Law, 1996, section 10(2); the Reform (Amendment) (No. 2) (Guernsey) Law, 1996, section 3; the Reform (Replacement of Conseillers) (Guernsey) Law, 1998, section 7(2).

2 Prior to its substitution, Article 2 was amended by the Reform (Replacement of Conseillers) (Guernsey) Law, 1998, section 2(2), with effect from 1st May, 2000.

3 Paragraph (1) was previously amended by the Reform (Amendment) (Guernsey) Law, 1987, section 1(a), with effect from 19th May, 1987.

4 Prior to their repeal, paragraph (2) and paragraph (3) were amended by the Reform (Amendment) (Guernsey) Law, 1987, respectively section 1(b) and section 1(c), with effect from 19th May, 1987; and the Reform (Guernsey) (Amendment) Law, 2003, section 1(3), with effect from 1st May, 2004.

5 These words were previously substituted by the Reform (Replacement of Conseillers) (Guernsey) Law, 1998, section 2(3)(b), with effect from 1st May, 2000.

6 Prior to this substitution, the first proviso to Article 4(2) was inserted by the Reform (Amendment) (Guernsey) Law, 1978, section 1(a), with effect from 21st March, 1978, subject to the saving in section 3 of the 1978 Law; the second proviso thereto was inserted by the Reform (Amendment) (Guernsey) Law, 1984, section 1, with effect from 29th January, 1985.

7 Prior to its substitution, paragraph (1) was amended by the Appointment of

Her Majesty's Sheriff (Guernsey) Law, 1955, section 2, with effect from 18th June, 1955.

8 Prior to its substitution, paragraph (2) was amended by the Appointment of Her Majesty's Sheriff (Guernsey) Law, 1955, section 2, with effect from 18th June, 1955.

9 Prior to its substitution, paragraph (1) was substituted by the Reform (Amendment) (Guernsey) Law, 1978, section 1(b), with effect from 21st March, 1978, subject to the saving in section 3 of the 1978 Law.

10 Prior to its substitution, paragraph (c) was amended by the Reform (Amendment) (Guernsey) Law, 1960, section 1(a), with effect from 20th December, 1960; paragraph (d) was previously repealed by the Reform (Amendment) (Guernsey) Law, 1960, section 1(b), with effect from 20th December, 1960; re-inserted by the Reform (Amendment) (Guernsey) Law, 1988, section 1, with effect from 21st June, 1988, then repealed again by the Reform (Replacement of Conseillers) (Guernsey) Law, 1998, section 2(4)(b), with effect from 1st May, 2000.

11 Prior to its substitution, the marginal note was amended by the Reform (Amendment) (Guernsey) Law, 1960, section 1(c), with effect from 20th December, 1960.

12 Prior to its repeal, Article 10 was amended by the Reform (Guernsey) Law, 1948 (Amendment) Law, 1952, Article 1(a), with effect from 16th August, 1952; the Reform (Amendment) (Guernsey) Law, 1975, section 1(a), with effect from 21st October, 1975.

13 Prior to its repeal, Article 12 was amended by the Reform (Guernsey) Law, 1948 (Amendment) Law, 1952, Article 1(b), with effect from 16th August, 1952; the Reform (Amendment) (Guernsey) Law, 1975, section 1(b), with effect from 21st October, 1975.

14 Prior to its repeal, Article 14 was amended by the Reform (Guernsey) Law, 1948 (Amendment) Law, 1952, Article 1(c), with effect from 30th November, 1954; the Reform (Guernsey) Law, 1998, section 1, with effect from 27th May, 1998, subject to the transitional provisions in section 8(2) of the 1998 Law.

15 Prior to its substitution, paragraph (1) was substituted by the Reform (Amendment) (Guernsey) Law, 1975, section 1(c), with effect from 21st October, 1975.

16 The word in square brackets in paragraph (a) was previously substituted in accordance with the provisions of the Resolution of the States of 12th December, 1996, concerning Billet d'État No. XXVII.

17 Prior to its substitution, paragraph (1) was substituted by the Reform (Guernsey) Law, 1948 (Amendment) Law, 1952, Article 1(f)(i), with effect from 16th August, 1952; and the Reform (Amendment) (Guernsey) Law, 1996, section 2, with effect from 5th June, 1996, subject to the provisions of section 11(3) of the 1996 Law; and amended by the Reform (Amendment) (Guernsey) Law, 1963, section 1, with effect from 9th August, 1963; the Reform (Amendment) (Guernsey) Law, 1972, section 1(a), with effect from 1st October, 1972; the Reform (Amendment) (Guernsey) Law, 1985, section 1(a), with effect from 30th September, 1985; the Reform (Election of Conseillers and Minor Amendments) (Guernsey) Law, 1993, section 13(1)(a), with effect from 1st September, 1993.

18 The words omitted in the second pair of square brackets within the first pair

of square brackets within paragraph (4) were previously inserted, in part, by the Reform (Amendment No. 2) (Guernsey) Law, 2003, section 1(5), with effect from 19th January, 2004.

19 Prior to their substitution, these words were amended by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, section 2(2), with effect from 1st July, 1989.

20 This date was previously substituted by the Reform (Election of Conseillers and Minor Amendments) (Guernsey) Law, 1993, section 11(2)(a), with effect from 31st March, 1994; the Reform (Replacement of Conseillers) (Guernsey) Law, 1998, section 3(a), with effect from 6th October 1998, subject to the provisions of section 8(3) of the 1998 Law.

21 Prior to its substitution, the date in the first pair of square brackets was substituted by the Reform (Election of Conseillers and Minor Amendments) (Guernsey) Law, 1993, section 11(2)(a), with effect from 31st March, 1994.

22 This word was previously substituted by the Reform (Election of Conseillers and Minor Amendments) (Guernsey) Law, 1993, section 11(2)(b), with effect from 31st March, 1994.

23 This word was previously substituted by the Reform (Election of Conseillers and Minor Amendments) (Guernsey) Law, 1993, section 11(2)(c), with effect from 31st March, 1994.

24 Prior to its substitution, Article 34 was substituted by the Reform (Guernsey) Law, 1948 (Amendment) Law, 1952, Article 1(h), with effect from 16th August, 1952; and amended by the Reform (Guernsey) Amendment Law, 1950, section 1, with effect from 21st October, 1950; the Reform (Amendment) (Guernsey) Law, 1963, section 2, with effect from 9th August, 1963.

25 Prior to their repeal, these words were amended by the Reform (Amendment) (Guernsey) Law, 1985, section 1(b)(i), with effect from 30th September, 1985.

26 Prior to their substitution, these words were amended by the Reform (Amendment) (Guernsey) Law, 1985, section 1(b)(i), with effect from 30th September, 1985; and the Reform (Election of Conseillers and Minor Amendments) (Guernsey) Law, 1993, section 13(2), with effect from 1st September, 1993.

27 Prior to their repeal, the words in the third pair of square brackets in paragraph (2) were amended by the Reform (Amendment) (Guernsey) Law, 1985, section 1(b)(ii), with effect from 30th September, 1985.

28 These words were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 27, with effect from 6th May, 2004.

29 These words and figure were previously amended by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, section 2(2), with effect from 1st July, 1989.

30 The functions, rights and liabilities of the House Committee and of its Chairman arising under or by virtue of this Law were previously transferred to them from the States Procedures and Constitution Committee and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 27, with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.

[31] These words were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 27, with effect from 6th May, 2004.

[32] The functions, rights and liabilities of the House Committee and of its Chairman arising under or by virtue of this Law were previously transferred to them from the States Procedures and Constitution Committee and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 27, with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.

[33] Prior to its repeal, Article 36 was amended by the Reform (Election of Conseillers and Minor Amendments) (Guernsey) Law, 1993, section 15, with effect from 30th June, 1993; and the Reform (Amendment) (Guernsey) Law, 1996, section 7, with effect from 5th June, 1996.

[34] These words were previously substituted by the Reform (Guernsey) (Amendment) Law, 2003, section 1(21), with effect from 1st August, 2003; the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 27, with effect from 6th May, 2004.

[35] The functions, rights and liabilities of the House Committee and of its Chairman arising under or by virtue of this Law were previously transferred to them from the States Procedures and Constitution Committee and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 27, with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.

[36] These words were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 27, with effect from 6th May, 2004.

[37] The functions, rights and liabilities of the House Committee and of its Chairman arising under or by virtue of this Law were previously transferred to them from the States Procedures and Constitution Committee and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 27, with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.

[38] These words were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 27, with effect from 6th May, 2004.

[39] The functions, rights and liabilities of the House Committee and of its Chairman arising under or by virtue of this Law were previously transferred to them from the States Procedures and Constitution Committee and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 27, with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.

[40] Prior to its substitution, Article 39 was previously substituted by the Reform (Amendment) (Guernsey) Law, 1975, section 1(f), with effect from 21st October, 1975.

[41] Prior to its repeal, Article 42 was amended by the Reform (Guernsey) Law, 1948 (Amendment) Law, 1952, Article 1(j), with effect from 16th August, 1952; the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 4, with effect from 6th May, 2004.

[42] Prior to their substitution, these words and figure were previously amended by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, section 2(2), with effect from 1st July, 1989.

[43] Prior to their substitution, these words and figure were previously amended by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, section 2(2), with effect from 1st July, 1989.

[44] These words were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 20, with effect from 6th May, 2004.

[45] The functions, rights and liabilities of the Legislation Select Committee and its Minister arising under or by virtue of this Law were previously transferred to and vested in them, respectively, from the Legislation Committee and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 20, with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.

[46] These words were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 14, with effect from 6th May, 2004; and the functions rights and liabilities of the Policy Council and its Minister arising under or by virtue of this Law were transferred to them from, respectively, the Emergency Council and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 14, with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance; and by the Emergency Powers (Bailiwick of Guernsey) (Amendment) Law, 2005, section 9, with effect from 12th May, 2005; and the functions, rights and liabilities of the Policy Council and of the Chief Minister arising under or by virtue of this Law were transferred to and vested in, respectively, the Emergency Powers Authority and its Chairman by the Emergency Powers (Bailiwick of Guernsey) (Amendment) Law, 2005, section 8, with effect from 12th May, 2005, subject to the savings and transitional provisions in section 10 of the 2005 Law.

[47] These words were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 20, with effect from 6th May, 2004.

[48] Prior to their repeal, the words in paragraph (1) were amended by the Reform (Guernsey) Amendment Law, 1950, section 2, with effect from 21st October, 1950; prior to its substitution, paragraph (2) was previously substituted by the Reform (Guernsey) Amendment Law, 1950, section 3, with effect from 21st October, 1950.

[49] The functions, rights and liabilities of the Legislation Select Committee and its Minister arising under or by virtue of this Law were previously transferred to and vested in them, respectively, from the Legislation Committee and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 20, with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.

[50] These words were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 27, with effect from 6th May, 2004.

[51] The functions, rights and liabilities of the House Committee and of its

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Chairman arising under or by virtue of this Law were previously transferred to them from the States Procedures and Constitution Committee and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 27, with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.