

# ORDER IN COUNCIL

**II  
2012**

ratifying a Projet de Loi

ENTITLED

## **The Reform (Guernsey) (Amendment) Law, 2011**

(Registered on the Records of the Island of Guernsey  
on the 17th January, 2012.)



2012

## ORDER IN COUNCIL



### IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

17<sup>th</sup> day of January, 2012 before Sir Geoffrey Rowland, Bailiff; present:- Stephen Edward Francis Le Poidevin, Alan Cecil Bisson, Esquire, Susan Mowbray, Barbara Jean Bartie, David Osmond Le Conte, John Ferguson, Stephen Murray Jones, Esquires, Claire Helen Le Pelley, Peter Sean Trueman Girard, Terry George Snell, David Percy Langley Hodgetts LVO, Niall David McCathie, Terry John Ferbrache, David Allan Grut, Esquires, Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated 14<sup>th</sup> December, 2011 approving and ratifying a Projet de Loi entitled “The Reform (Guernsey) (Amendment) Law, 2011”, THE COURT, after the reading of the said Order in Council and after having heard Her Majesty’s Procureur thereon, ORDERED that the said Order be registered on the records of this Island.



*At the Court at Buckingham Palace*

THE 14th DAY OF DECEMBER 2011

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY  
IN COUNCIL

The following report from the Committee of Council for the Affairs of Jersey and Guernsey was today read at the Board:

“In accordance with Your Majesty's General Order of Reference of 22nd February 1952 the Committee have considered a Petition of the States of Guernsey:

“That, in pursuance of their Resolution of 25th February 2010, the States of Deliberation at a meeting on 26th October 2011 approved a *Projet de Loi* entitled the Reform (Guernsey) (Amendment) Law, 2011 and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction to it. That the *Projet de Loi* is as set forth in the attached Schedule. The Petition most humbly prays that Your Majesty might be graciously pleased to sanction the Reform (Guernsey) (Amendment) Law, 2011, and to order that it shall have force of law in the Islands of Guernsey, Herm and Jethou.

“The Committee have considered the *Projet de Loi* and have agreed to report that it may be advisable for Your Majesty to approve and ratify it”.

Her Majesty, having taken the report into consideration, was pleased, by and with the advice of Her Privy Council, to approve and ratify the *Projet de Loi* (a copy of which is annexed to this Order) and to order that it, together with this Order, shall have the force of law in the Islands of Guernsey, Herm and Jethou and shall be entered on the Register of the Island of Guernsey and observed accordingly.

Her Majesty's Officers in the Bailiwick of Guernsey, and all others whom it may concern, are therefore to take notice of Her Majesty's Order and to proceed accordingly.

*Judith Simpson*

# PROJET DE LOI

ENTITLED

## **The Reform (Guernsey) (Amendment) Law, 2011**

**THE STATES**, in pursuance of their Resolution of the 25<sup>th</sup> February, 2010<sup>a</sup>, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Islands of Guernsey, Herm and Jethou:-

### **Amendment of Law of 1948.**

1. The Reform (Guernsey) Law, 1948, as amended<sup>b</sup> is further amended as follows.

2. Immediately before article 27(1A) insert the following paragraph -

"(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) -

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<sup>a</sup> Article XI of Billet d'État No. IV of 2010.

<sup>b</sup> Ordres en Conseil Vol. XIII, p. 288; Vol. XIV, p. 407; Vol. XV, p. 279; Vol. XVI, p. 178; Vol. XVIII, p. 275; Vol. XIX, pp. 84 and 140; Vol. XXII, p. 122; Vol. XXIII, p. 476; Vol. XXV, p. 326; Vol. XXVI, p. 255; Vol. XXIX, p. 56; Vol. XXX, p. 16; Vol. XXXI, p. 164; Vol. XXXII, p. 41; Vol. XXXIV, p. 397; Vol. XXXVI, p. 478; Vol. XXXVIII, pp. 150 and 295; No. XIII of 2003; No. III of 2004; No's. II and XX of 2007; No's. XIII and XXII of 2008; No. VII of 2010; also amended by Recueil d'Ordonnances Tome XXIX, p. 406; and Tome XXXIII, p. 126.

- (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).".

3. After article 27(3) insert the following paragraph -

"(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. After article 34(8) insert the following paragraphs -

"(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."

- 5. After article 34(9) insert the following paragraph -

"(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."

- 6. In article 34(10) -

- (a) for the words "in an application" substitute "in or for the purposes of an application or declaration", and
- (b) for the word "information" wherever appearing substitute " information, document or other material".

7. After article 34(11) insert the following paragraphs -

"(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."

8. In article 34(12) for "paragraph (11)" substitute "paragraphs (11) and (11A)".

**Citation.**

9. This Law may be cited as the Reform (Guernsey) (Amendment) Law, 2011.

J. Torode,  
Her Majesty's Greffier.

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Her Majesty's Greffier, Royal Court House, Guernsey.**

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