

2016 No. 2

The Electoral Roll (Availability) Rules, 2016

Made	25 th January 2016
Laid before the States	March 2016
Coming into operation	1 st February 2016

THE STATES ASSEMBLY AND CONSTITUTION COMMITTEE, in exercise of the powers conferred on it by Article 35 (2) of the Reform (Guernsey) Law, 1948¹ as amended², hereby makes the following rules:-

Availability of Electoral Roll to Candidates

1. A candidate in an election shall be entitled upon application to the Registrar-General of Electors, during the period commencing on the day on which the candidate's nomination form is delivered to the Presiding Officer and ending on the date of the election,
- (i) to obtain one free copy of the section of the Electoral Roll relating to the District for which the candidate is standing;
 - (ii) to purchase up to two additional copies on payment to the Registrar-General of Electors of a fee of £15 per copy.

Availability of Electoral Roll in electronic form

2. A candidate in an election shall be entitled upon application to the Registrar-General of Electors, during the period commencing on the day on which the candidate's nomination form is delivered to the Presiding Officer and ending on the date of the election, to purchase an electronic version of the section of the Electoral Roll relating to the District for which the candidate is standing on payment to the Registrar-General of Electors of a fee of £15.

Availability of Electoral Roll in Road Order

3. A candidate in a General Election of People's Deputies shall be entitled upon application to the Registrar-General of Electors, during the period commencing on the day on which the candidate's nomination form is delivered to the Presiding Officer and ending on the date of the election,
- (i) to obtain one free copy in Road Order of the section of the Electoral Roll relating to the District for which the candidate is standing; or

¹ Ordres en Conseil Vol. XIII, p.288

² Ordres en Conseil 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; Order in Council No. XIII of 2003; No. III of 2004; Nos. II and XX of 2007; Nos. XIII and XXII of 2008; No. VII of 2010; No. II of 2012; Ordinance No. XXXIII of 2003 and No. XXVI of 2008.

- (ii) if the candidate has not taken the free copy of the Electoral Roll referred to in Rule 1(i), to obtain two free copies in Road Order of the section of the Electoral Roll relating to the District for which the candidate is standing;
- (iii) to purchase up to two additional copies on payment to the Registrar-General of Electors of a fee of £15 per copy.

Data Protection Compliance

4. A candidate receiving the Electoral Roll in any form shall comply with the requirements of the Data Protection (Bailiwick of Guernsey) Law, 2001. A candidate receiving the Electoral Roll in electronic form shall notify the Data Protection Commissioner of the processing in accordance with section 17 of the Data Protection (Bailiwick of Guernsey) Law, 2001.

Restriction on use of Electoral Roll

5. A candidate who has obtained an Electoral Roll pursuant to the preceding provisions shall not dispose of it or any copy of it by way of sale or gift, or cause or permit such disposal; and neither shall the candidate permit its use or the use of any copy of it except by persons directly concerned with the candidate's election campaign and for the purposes of that campaign.

Availability of Electoral Roll to the Lieutenant-Governor, Bailiff, Island Police and the Guernsey Border Agency

6. His Excellency the Lieutenant-Governor, the Bailiff and the Head of Law Enforcement, as Chief Officer of Police and Chief Officer of the Guernsey Border Agency, shall each be entitled upon application to the Registrar-General of Electors to obtain a free copy of the Electoral Roll and an electronic version thereof provided that the Electoral Roll and electronic data shall only be used in the execution of their respective offices.

Access to Electoral Roll database by the Bailiff

7. The Bailiff shall be entitled to have access to the live electronic database from which the Electoral Roll is compiled, provided that such access shall be used only for the execution of that office.

Interpretation

8. In these Rules, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:

- “election” means an election for a People's Deputy, Constable, Douzenier or Procureur;
- “Presiding Officer” includes, in relation to the election of a Constable, Douzenier or Procureur, the person responsible for the conduct of the election in accordance with Article 54 of The Reform (Guernsey) Law, 1948, as amended.

Revocation

9. The Electoral Roll (Availability) Rules, 2003³ and the Electoral Roll (Availability) (Amendment) Rules, 2011⁴ are revoked.

³ S.I. 2003 No. 25.

⁴ S.I. 2011 No. 31.

Citation

10. These rules may be cited as The Electoral Roll (Availability) Rules, 2016.

Commencement

11. These rules shall come into operation on 1st February, 2016.

Dated this 25th day of January 2016.



M. J. Fallaize
Chairman, States' Assembly & Constitution Committee
For and on behalf of the Committee

EXPLANATORY NOTE

These rules specify the conditions on which the Registrar-General of Electors may supply copies of the Electoral Roll to election candidates and certain office holders.