

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

STATES' ASSEMBLY & CONSTITUTION COMMITTEE

BY-ELECTION 2026

The States are asked to decide whether, after consideration of the policy letter entitled "By-Election 2026" dated 2 February 2026, they are of the opinion:

1. To agree that the date of the By-Election of a People's Deputy required pursuant to Article 29(2) of the Reform (Guernsey) Law, 1948 will be 29 April 2026.
2. To agree that the Electoral Roll will close on 25 April 2026 at 23:59.
3. To agree that applications for postal votes will close on 10 April 2026 at 23:59.
4. To agree to maintain the expenditure limits set for the 2025 General Election, as follows:
 - i. Up to £3,000 in money or money's worth for candidates
 - ii. Up to £3,000 in money or money's worth for political parties
 - iii. Candidates supported or endorsed by political parties have the option of transferring up to half of their expenditure allowance to fund their political party, provided the total of all transferred expenditure does not exceed the party's expenditure limit prescribed in (ii).
5. To agree that the regulated period will start on 2 March 2026 and end on 29 April 2026.
6. To approve The By-election Ordinance, 2026.
7. To approve the Postal Voting (Amendment) Ordinance, 2026.
8. To approve The Electoral Expenditure (By-election) Ordinance, 2026.
9. To approve the Super Polling Station (By-election) Ordinance, 2026.

The above propositions have been submitted to His Majesty's Procureur for advice on any legal or constitutional implications.

EXPLANATORY MEMORANDUM

BY-ELECTION ORDINANCE, 2026

This Ordinance provides that the date of the by-election to fill the casual vacancy in the office of People's Deputy shall be the 29th April, 2026 and that the electoral roll shall be closed on the 25th April, 2026 in relation to that election.

POSTAL VOTING (AMENDMENT) (BY-ELECTION) ORDINANCE, 2026

This Ordinance amends section 5 of the Reform (Amendment) (Guernsey) Law, 1972 to change (a) the reference there to the June 2025 general election to a reference to the April 2026 by-election and (b) the date by which an absent voter who wants to vote by post at that election must apply to the Registrar-General to have his or her name entered into the Register of Absent Voters (which equates to applying for a postal vote).

ELECTORAL EXPENDITURE (BY-ELECTION) ORDINANCE, 2026

This Ordinance, which is made under the Reform (Guernsey) Law, 1948, specifies the regulated period before the 2026 by-election during which electoral expenditure (including giving value in money's worth) by candidates and political parties is controlled, and specifies £3,000 as the limit of permissible electoral expenditure by both candidates and parties. It provides for a candidate to be able to transfer £1,500 of his or her permissible expenditure to a political party for that party to spend on the promotion of the party and its policies, and specifies that a political party may not incur expenditure over the amount so transferred to it by candidates (and not in excess of the £3,000 total referred to above). It provides that expenditure may be incurred before the regulated period, and the goods and services so procured used during the regulated period, as long as the total expenditure does not exceed the candidate's available expenditure allowance. It clarifies that for these purposes the time of a person who provides services for a candidate or party on an unpaid, voluntary basis has no value in money or money's worth. Finally, it provides that the leader and treasurer of a political party which exceeds the electoral expenditure limits shall be guilty of an offence.

SUPER POLLING STATION (BY-ELECTION) ORDINANCE, 2026

This Ordinance provides that the Beau Sejour Leisure Centre (Dave Ferguson Hall), together with any additional polling station the establishment of which has been provided for by the Registrar-General of Electors under Article 26(3) of the Reform (Guernsey) Law, 1948, shall be super polling stations at the 2026 by-election; that is, any person entitled to vote in the election may vote there on Wednesday 29th April, 2026, regardless of which parish they live in.

THE STATES OF DELIBERATION

of the
ISLAND OF GUERNSEY

STATES' ASSEMBLY & CONSTITUTION COMMITTEE

BY-ELECTION 2026

The Presiding Officer
States of Guernsey
Royal Court House
St Peter Port

2 February 2026

Dear Sir

1 Executive Summary

- 1.1 The States' Assembly & Constitution Committee ('the Committee') is mandated to advise the States and to develop and implement policies in relation to elections to the office of People's Deputy.
- 1.2 The recent resignation of a Member has led to a vacancy in the States of Deliberation which, in accordance with Article 29(2) of the Reform (Guernsey) Law, 1948 ('The Reform Law'), requires a by-election to be held.
- 1.3 The purpose of this policy letter is to seek the States' agreement to the date of the by-election; the polling stations to be used; candidate expenditure limits; and postal voting arrangements.
- 1.4 The Committee *for* Home Affairs also needs to ensure that legislation is in place setting out the date for closing the Electoral Roll. In drafting this policy letter, the Committee has worked closely with the Committee *for* Home Affairs and, with its agreement, has included a proposition in this respect.
- 1.5 The Committee is proposing that the by-election takes place on 29 April 2026, and all relevant legislation is attached for approval in order that arrangements for the by-election may be progressed without delay.

2 Introduction

- 2.1 The recent resignation of a Member of the States of Deliberation means that, in accordance with Article 29(2) of the Reform Law, a by-election must be held. The

Committee's role is to ensure that the necessary legislative provisions are in place to facilitate the holding of a by-election on the date agreed by the States.

- 2.2 The forthcoming by-election will be the first to take place under the island-wide voting system. As the electorate has now experienced two island-wide General Elections, the Committee is keen to ensure that the voting experience is very similar, whilst recognising that some elements of General Elections will not be needed for a by-election.
- 2.3 This policy letter commences with the proposed date for polling day, which is the first date that needs to be established in order to map out all other key dates in the build up to the Election. It then considers candidate expenditure limits; and concludes with proposals in respect of postal voting and the Electoral Roll.

3 Date of the By-election

- 3.1 Article 29(3) of the Reform Law states that the date for the holding of any election shall be appointed by Ordinance.
- 3.2 It is convention for general elections to be held on Wednesdays and, with this in mind, the Committee has decided that it would be preferable to hold the by-election on a Wednesday, given that this is a day when voters are used to turning out for both General Elections and parish elections. However, mindful of the fact that many people work during the day, polling stations will be open from 8am until 8pm.
- 3.3 The Committee is keen to ensure that a by-election is held at the earliest opportunity. It also needs to ensure that candidates have sufficient time to campaign for election, as well as allowing time for the necessary logistics to be put in place, which include securing suitable venues for voting and counting and arranging for the production and distribution of postal vote packs, which, owing to the scale of an island-wide by-election, cannot be produced manually as has been the case in the past for district by-elections.
- 3.4 Consequently, the Committee is proposing that the by-election be held on 29 April 2026.
- 3.5 The Presiding Officer has indicated that he wishes to allow three days for nominations to be submitted. A date of 29 April allows time for him to determine his preferred nomination period following the States' meeting at which this policy letter will be debated, and it is anticipated that he will opt to open candidate nominations on 23 March and close them on 25 March, thereby allowing three full days for nominations.
- 3.6 The last two by-elections took place in 2015 and 2016 under the district-based

voting system. In 2015, nominations closed on 3 November, with the by-election taking place on 2 December, thereby giving a gap of 30 days between the two. In 2016, the period between the two was 26 days from 23 September to 19 October.

- 3.7 These periods are consistent with the time between nominations closing and General Elections taking place which, in recent years, has varied between 26-34 days. It would therefore be possible to maintain consistency with these time frames if the by-election were to be held on 29 April 2026.
- 3.8 The successful candidate will be sworn in on Monday 11 May 2026. Ahead of this, IT equipment will be provided, in addition to an onboarding process, which will cover essentials such as cybersecurity, data protection and the Rules of Procedure.
- 3.9 In order to ensure that momentum is maintained in respect of preparations, The By-election Ordinance, 2026 is attached to this policy letter for approval. The Ordinance provides that the by-election will take place on 29 April 2026.
- 3.10 Having consulted the Committee *for* Home Affairs, it has been agreed that the Electoral Roll should close on 25 April 2026 which, at four days, is the same period in advance of the by-election as in 2016. The attached Ordinance also reflects this.
- 3.11 Keeping the Electoral Roll open until 25 April will mean that there is no need to create separate legislation regarding the inspection of the Electoral Roll, as existing provisions, as set out in [The Electoral Roll \(Public Inspection\) Rules, 2020](#) state that the Roll is to be available for public inspection on each weekday during the month of March, at the locations stipulated, namely: Sir Charles Frossard House; the Greffe; the Guille-Allès Library; and Beau Sejour.
- 3.12 This will create a good opportunity for the electorate to check that they are on the Electoral Roll and that their details are correct before the Roll closes for the by-election. As current Electoral Roll data is less than one year old, there is no need for people who were registered on the Electoral Roll for the June 2025 General Election to re-register, although they may wish to amend their details if they have changed since registration. However, anyone who is currently eligible but who did not or could not register in time for the General Election will be able to register in order to vote in the by-election.

4 Candidate and Party Expenditure Limits

- 4.1 The amount of expenditure permissible by candidates and political parties is governed by Article 44 of the Reform Law, and in 2020 further provisions were introduced for the first time in respect of campaign finance for political parties

by [The Electoral Expenditure Ordinance, 2020](#), made under the Reform Law.

- 4.2 The Ordinance set out the permitted maximum levels of expenditure for candidates and political parties, and the transfer of permitted expenditure from candidates to parties; the value of assistance given in kind (“in money’s worth”); the need to maintain financial records; and the way in which spending pre-election period counted towards permitted expenditure.
- 4.3 Article 44 of the Reform Law provides that no candidate in any election shall 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, and any candidate who contravenes these provisions shall be guilty of an offence.
- 4.4 For the 2025 General Election, candidates were permitted to spend up to £3,000 in money or money’s worth, and those candidates who were supported or endorsed by political parties had the option of transferring up to £1,500 of their expenditure allowance to fund their political party, up to the prescribed expenditure limit for political parties of £3,000, to be expended on the promotion of the party and its policies.
- 4.5 In the June 2025 General Election, candidate expenditure ranged from zero to just over £2,900. The one political party registered spent just under £2,800. (Full expenditure returns are available [here](#).)
- 4.6 Candidates in a by-election, who, inevitably, will be part of a smaller field, may need to spend less than candidates in a General Election who are competing for attention among dozens of candidates. Smaller candidate numbers make traditional hustings much more feasible and online promotion more likely to stand out.
- 4.7 The States of Guernsey will once more provide candidates with the opportunity to put their manifestos, videos and other details online via a dedicated election website, and the Committee anticipates that the local media will provide significant coverage, as they did in June last year.
- 4.8 All of these factors have led the Committee to conclude that it will not be necessary to produce and post a manifesto booklet to all households with someone registered on the Electoral Roll. This represents a considerable saving and is a significant factor in ensuring that the cost of the by-election is kept as low as possible. Candidates are free to produce some printed copies of their manifesto (as candidates routinely did prior to the 2020 election) to make available to any voters expressing a preference for a printed copy.
- 4.9 In light of the expenditure incurred by candidates in 2025, given the proximity of

that election, and bearing in mind the fact that candidate promotion for a by-election is more straightforward than for a General Election, the Committee is not proposing any change to candidate or party expenditure limits, and is therefore recommending that they remain at £3,000 for both candidates and parties. As in 2025, any candidate affiliated to a party may transfer up to £1,500 of their expenditure allowance to that political party, subject to the total amount of allowances transferred not exceeding the party's £3,000 limit.

- 4.10 These limits are set out in [The Electoral Expenditure Ordinance, 2025](#), which also sets out the dates of the “regulated period” – i.e. the dates between which expenditure incurred must remain within the prescribed limits and must be declared. For the 2025 General Election, this period started six weeks before nominations but for a smaller-scale by-election the Committee believes that a three-week period would be adequate. Therefore, it is recommending that for the 2026 by-election the regulated period should commence on 2 March 2026.

5 Polling Stations

- 5.1 Under article 26(3) of the Reform Law, polling stations are established by the Registrar-General of Electors “*in accordance with any Resolution of the States for the time being in force in that behalf*”. Consequently, the Assembly needs to make a Resolution in this respect, notwithstanding the fact that the Registrar-General may provide for the establishment of such additional polling stations as he may deem convenient to the electorate.
- 5.2 In addition, Article 15A of [the Reform \(Amendment\) \(Guernsey\) Law, 1972](#) requires an Ordinance to provide for voting at elections for the office of People's Deputy. Consequently, the proposed arrangements in respect of polling stations are outlined here to inform the Assembly's decision to make the required Ordinance.
- 5.3 Given that the past two General Elections have involved the use of super polling stations, and in particular noting that in 2025 every polling station was a super polling station, meaning that voters could use it regardless of their parish of residence, the Committee is recommending that this principle be followed for the forthcoming by-election and that every polling station be a super polling station.
- 5.4 As there has never been an island-wide by-election previously, it is difficult to predict voter behaviour. Parish by-elections in 2015 (St Peter Port North) and 2016 (Vale) saw turnout of 27% and 33.59% respectively. Assuming a turnout in the region of 30% for the first island-wide by-election would indicate potential voter numbers between 9,000 and 10,000, although inevitably some would opt for a postal vote.

- 5.5 In 2016, 200 people out of an electorate of just over 5,000 requested postal votes. If a similar proportion choose postal voting in the 2026 by-election, this would mean 1,200 people would seek postal votes, meaning that polling stations could see a combined footfall in the order of 7,800 to 8,800.
- 5.6 Whilst the Committee is keen to consolidate resources wherever possible in order to ensure that costs are kept low, it recognises that it would be unwise to operate with just one polling station, partly because it would not be sufficiently convenient for many islanders but also because it would be possible for that polling station to become overwhelmed, particularly at peak times, which would lead to long queues, which in turn would discourage voting, either at the by-election and/or at future elections. In part, this will be mitigated by the use of electronic devices rather than paper Electoral Rolls to check voters' eligibility and mark them as having voted. Whilst this will speed up the flow of voters, it will not be sufficient, of itself, to negate the need for some additional polling stations.
- 5.7 However, it also has to be borne in mind that the more polling stations there are, the greater the number of volunteers that will be required to run them. It proved difficult to recruit and train volunteers in the numbers needed for the 2025 General Election, and therefore, ideally, polling stations would be kept to the minimum number considered necessary to deal with anticipated voter turnout and a to provide a suitable level of geographical convenience.
- 5.8 Consequently, having consulted the Registrar-General of Electors, the Committee is recommending that a large, central super polling station be established at Beau Sejour, together with at least two more, ideally situated in other areas of the island. If the States are in agreement with this, contact will be made with all the parishes in the first instance to see whether they would wish to operate a polling station or, if not, whether they might be able to provide volunteers for other polling stations.

6 Postal Voting

- 6.1 Article 15A(1) of the Reform (Amendment) (Guernsey) Law, 1972 enables the States to make provisions by Ordinance as it sees fit in relation to postal voting and other means of voting, whether or not involving attendance at a polling station, at elections for the office of People's Deputy.
- 6.2 The last two General Elections (2020 and 2025) are the only ones that have taken place under the island-wide voting system. Both saw a sharp increase in the number of voters seeking postal votes. It is highly likely that in 2020 this was driven at least in part by Covid, and anecdotally it is known that people opted for postal votes because of the length of the ballot paper and the number of votes that can be cast. It is possible, therefore, that the appetite may be lower for postal voting in a by-election that will not have the high number of candidates

seen in a General Election and also where each voter is asked to cast only one vote. However, it is equally possible that postal voting may now have become a default position for many voters.

- 6.3 The deadline for postal vote applications for the 2025 General Election was 23:59 on Friday 29 May, ahead of pre-polling opening on Sunday 15 June, which allowed a reasonable period of time for the processing and despatch of postal voting packs to anyone who had not registered in time for the first issue, as well as ensuring that the Electoral Roll can be updated ahead of polling.
- 6.4 This allowed a period of 20 days between the cut-off date for postal vote registration and polling day itself. If the same period is allowed for in respect of the by-election, this would see postal vote registrations closing at 23:59 on Friday 10 April. Consequently, the Committee recommends this as the cut-off date for postal vote registration and asks the States to approve the necessary legislation, which, for the sake of expediency, is attached to this policy letter.

7 Compliance with Rule 4

- 7.1 Rule 4 of the Rules of Procedure of the States of Deliberation and their Committees sets out the information which must be included in, or appended to, motions laid before the States.
- 7.2 In accordance with Rule 4(1)(a), the holding of a by-election ensures that the States' international obligations are met.
- 7.3 In accordance with Rule 4(1)(b), the Committee has liaised with the Committee *for* Home Affairs and the Registrar-General of Electors in the preparation of the propositions.
- 7.4 In accordance with Rule 4(1)(c), the propositions have been submitted to His Majesty's Procureur for advice on any legal or constitutional implications.
- 7.5 In accordance with Rule 4(1)(d), it is estimated that the financial implications to the States of running a by-election will be approximately £75,000.
- 7.6 In accordance with Rule 4(2)(a), the propositions relate to the duties of the Committee "to advise the States and to develop and implement policies in relation to elections to the office of People's Deputy".
- 7.7 In accordance with Rule 4(2)(b), it is confirmed that the Propositions have the unanimous support of the Committee.

Yours faithfully

S Hansmann Rouxel
President

Y Burford
Vice President

J A B Gollop
G A St Pier
T Rylatt

The By-election Ordinance, 2026

THE STATES, in pursuance of their Resolutions of * January, 2026¹, and in exercise of the powers conferred on them by Articles 29(3), 34(11)(a) and 77B of the Reform (Guernsey) Law, 1948 as amended², and all other powers enabling them in that behalf, hereby order:-

Date of by-election and closure of Roll.

1. An election to fill the casual vacancy in the office of People's Deputy arising upon the resignation from that office of Jonathan Paul le Tocq shall be held on Wednesday, 29th April, 2026; and for the purposes of that election the Electoral Roll shall be closed on Saturday, 25th April, 2026.

Citation.

2. This Ordinance may be cited as the By-election Ordinance, 2026.

¹ Article * of Billet d'État No. * of 2026.

² Ordres en Conseil Vol. XIII, p. 288; this enactment has been amended.

The Postal Voting (Amendment) (By-election)

Ordinance, 2026

the States, in pursuance of their Resolution of the * January, 2026³, and in exercise of the powers conferred on them by section 15A of the Reform (Amendment) (Guernsey) Law, 1972⁴, and all other powers enabling them in that behalf, hereby order:-

Amendment of the 1972 Law.

1. (1) The Reform (Amendment) (Guernsey) Law, 1972 is amended as follows.

(2) In subsection (2) of section 5 (application by absent voter to be entered on the Register), for "general election to be held in June 2025" substitute "by-election to be held in April 2026", and for "29th May 2025" substitute "10th April 2026".

Citation.

2. This Ordinance may be cited as the Postal Voting (Amendment) (By-election) Ordinance, 2026.

³ Article * of Billet d'État No. * of 2026.

⁴ Ordres en Conseil Vol. XXIII, p. 476; this enactment has been amended.

The Electoral Expenditure (By-election) Ordinance, 2026

THE STATES, in pursuance of their Resolutions of the * January, 2026⁵, and in exercise of the powers conferred on them by Articles 44(1), (1A) and (1B) and 77B of the Reform (Guernsey) Law, 1948 as amended⁶, and all other powers enabling them in that behalf, hereby order:-

Electoral Expenditure.

1. (1) In this section, "**the regulated period**" means the period starting on 2nd March, 2026 (that is, three weeks before the first day on which a nomination of a candidate may be delivered to the Presiding Officer), and ending on the date of the by-election; and "**the by-election**" means the by-election to the office of People's Deputy to be held on 29th April, 2026.

(2) A candidate in the by-election (a "**candidate**") may, during the regulated period, expend money or give value in money's worth in respect of that election up to a maximum of £3,000 (the candidate's "**expenditure allowance**").

(3) A candidate who is supported or endorsed by a political party may, on notifying the Registrar-General in such manner as the Registrar-General may direct, transfer up to £1,500 of his or her expenditure allowance to that political party, to be available for that party to spend on the promotion of the party and its policies at the by-election during the regulated period.

(4) The effect on a candidate of a transfer by the candidate under subsection (3) is that the amount of the candidate's expenditure allowance is reduced by the amount transferred.

⁵ Article * of Billet d'État No. * of 2026.

⁶ Ordres en Conseil Vol. XIII, p. 288; this enactment has been amended.

(5) The maximum total allowance that may be transferred to a political party by candidates in the by-election under this section to be available for that party to spend on the promotion of the party and its policies at that election is £3,000.

(6) During the regulated period, a political party may not –

- (a) expend money or give value in money's worth on the promotion of the party and its policies, or
- (b) use goods and services for the purpose of promoting the party and its policies that were procured before the regulated period by the expenditure of money, or the giving of value in money's worth,

in a sum greater than the total allowance transferred to it by candidates under this section.

(7) For the avoidance of doubt, a candidate may expend money or give value in money's worth in respect of the by-election before the regulated period and use the goods and services so procured during the regulated period, provided that the money expended and value given in money's worth both before and during the regulated period in respect of goods and services used during the regulated period does not exceed in total the candidate's available expenditure allowance.

(8) For the purposes of this section time spent by a person providing services or otherwise working for a candidate or political party on an unpaid and voluntary basis in respect of the by-election has no value in money or money's worth.

(9) The Registrar-General may issue guidance in respect of any of the

matters set out in this section.

Electoral expenditure: offences.

2. (1) If a political party contravenes any provision of section 1(6), the leader and treasurer of that political party shall each be guilty of an offence, and shall be liable on conviction to a fine not exceeding level 5 on the uniform scale.

(2) It is a defence for a person charged with an offence under subsection (1) to prove that he or she has taken all reasonable precautions to avoid the commission of an offence.

Citation.

3. This Ordinance may be cited as the Electoral Expenditure (By-election) Ordinance, 2026.

The Super Polling Station (By-election) Ordinance, 2026

THE STATES, in pursuance of their Resolutions of * January, 2026⁷, and in exercise of the powers conferred on them by section 15A of the Reform (Amendment) Law, 1972 as amended⁸, and all other powers enabling them in that behalf, hereby order:-

All polling stations to be super polling stations.

1. (1) A person entitled to vote at the by-election for the office of People's Deputy to be held on Wednesday 29th April, 2026 ("**an elector**") may vote in that election between the hours of 8am and 8pm on that day at the polling station at the Beau Sejour Leisure Centre (Dave Ferguson Hall) or at any additional polling station the establishment of which has been provided for by the Registrar-General of Electors under Article 26(3) of the Reform (Guernsey) Law, 1948⁹.

(2) An elector may vote under subsection (1) regardless of which section of the Electoral Roll the elector's name is inscribed on.

Citation.

2. This Ordinance may be cited as the Super Polling Station (By-election) Ordinance, 2026.

⁷ Article * of Billet d'État No. * of 2026.

⁸ Ordres en Conseil Vol. XXIII, p. 476; this enactment has been amended.

⁹ Ordres en Conseil Vol. XIII, p. 288; this enactment has been amended.