

Table 7: Proposed 25-day parliamentary general election/by-election timetable, calculating backwards from polling day, compared with current local government timetable

Proceeding	Parliamentary general/by-election timetable: day before poll	Local government timetable: day before poll
Proclamation/issue of writ	-27	N/A
Receipt of writ	-26	N/A
Latest date for publication of notice of election	-25	-25
Issue of replacement ballot papers for lost or spoilt ballot papers (5pm)	-1	-1
Polling day	0	0

- 6.12 For reasons of clarity, the remainder of this paper assumes that, if adopted, the 25-day parliamentary general election/by-election timetable would be calculated backwards from polling day, thus enabling complete numerical alignment with the timetable for local government and other elections. In order to avoid any confusion, this method of calculation would be set out clearly in statute.
- 6.13 Unless otherwise indicated, further references to the timing of proceedings within the 25-day timetable are given as they would be calculated – as days before the poll. However, references to proceedings in the current parliamentary general election and by-election timetables are given in real time (in order to reflect the different method of calculation) and then, for ease of comparison, in brackets, as days before polling day.

Election timetable deadlines

- 6.14 This section considers the timing of various deadlines, or proceedings, which provide the essential structure of different election timetables. If it is agreed that the principle of consistency should be applied to election timetables, and that 25 days is the most appropriate length, we believe that it is then essential that views be sought in relation to the positioning of the key deadlines within those timetables. That is the purpose of this section.
- 6.15 The principal deadlines on which we seek views relate to nominations, absent voting and the appointment of polling and counting agents. The section does not consider issues relating to the publication of the electoral register – more specifically, whether it is might be desirable or possible to enable voters to register up to and including polling day – since these are being dealt with separately as part of our current review of the process of electoral registration.

Nominations

- 6.16 Table 8 sets out the current deadlines relating to nomination proceedings at different UK elections. Sections 6.17 to 6.27 explain how these deadlines might be brought within the framework of a new, or amended, 25-day election timetable, in order to bring about greater overall timetable consistency. We would emphasise that a detailed analysis of issues relating to the nomination process as a whole, as opposed to just the timetable for nominations, can be

found in our consultation paper on nomination procedures (published January 2003) and we would encourage stakeholders to respond separately to the points raised in that review.²⁰

Table 8: Nomination proceedings at different elections (for ease of comparison, all proceedings are calculated backwards from polling day)

	Current general election timetable	Current by-election timetable	Current local govt timetable (England and Wales)	Current local govt timetable (Northern Ireland)	Current European Parliament timetable
Proclamation/ issue of writ	17th day before poll	17th day before poll	N/A	N/A	N/A
Receipt of writ	16th day before poll	16th day before poll	N/A	N/A	N/A
Latest date for publication of notice of election	14th day before poll	14th day before poll	25th day before poll	25th day before poll	25th day before poll
Last day for delivery of nomination papers	11th day before poll 4pm	9th, 10th or 11th day before poll 4pm	19th day before poll 12pm	16th day before poll 5pm	19th day before poll 4pm
Last day for notices of withdrawals of candidature	11th day before poll 4pm	9th, 10th or 11th day before poll 4pm	16th day before poll 12pm	16th day before poll 5pm	19th day before poll 4pm
Last day for the appointment of election agents	11th day before poll 4pm	9th, 10th or 11th day before poll 4pm	16th day before poll 12pm	16th day before poll 5pm	19th day before poll 4pm
Publication of statement of persons nominated	11th day before poll 5pm	9th, 10th or 11th day before poll 5pm	17th day before poll 12pm	16th day before poll 6pm	19th day before poll 5pm

²⁰ *Review of nomination procedures for candidates at elections in the United Kingdom: Consultation Paper*, The Electoral Commission, January 2003.

- Parliamentary general elections and by-elections*
- 6.17 Under current parliamentary general election and by-election timetable arrangements, nomination papers of candidates must be received not later than the sixth working day (4pm) after the issue of the writ. The statement of persons nominated is published on the same day (5pm). This relatively early timing dates from an era before the registration of political parties, and is intended to allow time for the mass printing of ballot papers and to inform voters of the available options. While major political parties will invariably have adopted their prospective parliamentary candidates before the announcement of the election, this will not necessarily be the case for new and minor parties. We are aware that the nomination formalities can be challenging for new and minor parties and that even the major parties have encountered difficulties as a result of submitting incorrectly completed nomination papers.
- 6.18 The implementation of the Political Parties, Elections and Referendums Act 2000 has meant that nomination procedures have become even more complex, with new rules governing the way in which candidates can describe themselves in their nomination papers and thus on the ballot paper. Under these rules, potential candidates can use the description of a registered party, provided they have supplied proof of authorisation permitting them to do so; use the term 'Independent' with no further description; or provide no description at all. Independent candidates who wish to use a description other than 'Independent' are required to register as a political party. However, the cut-off point for party registration at the 2001 general election was the last day for publication of the notice of election rather than the close of nominations. As part of our nomination procedures review, we are examining current provisions for candidate descriptions and the related issue of registration for 'one candidate parties'.
- 6.19 Under a new timetable for parliamentary general elections, the deadline for delivery of nomination papers could be extended by another five days, moving it from its current 4pm on Day 6 of the current timetable (11th day before polling day) to 12pm on the 16th day before polling day of a 25-day timetable. This would give candidates more time to organise themselves and, if necessary, to obtain proof of authorisation enabling them to use the description of a registered party on their nomination papers. The last day for delivery of notices of withdrawals could also be fixed at 12pm on the 16th day before polling, while the publication of the statement of persons nominated could be set at 5pm on the same day.
- 6.20 At present, the last day for delivery of nomination papers for parliamentary by-elections can be set at Day 6, 7 or 8 (11th, 10th or 9th day before polling day). The date on which this proceeding is set affects the timing of the statement of persons nominated. If a fixed 25-day timetable were adopted for parliamentary by-elections, the latest day for the delivery of nomination papers and delivery of notices of withdrawals could also be set as 12pm on the 16th day before polling day, while the publication of statement of persons nominated could be fixed at 5pm on that day.
- 6.21 The current parliamentary general election timetable specifies Day 6 at 4pm as being the last day for the appointment of election agents. For the sake of simplicity, this could also be moved to 12pm on the 16th day before polling day

of a 25-day timetable. The same deadline could apply for parliamentary by-elections.

Local government elections (England and Wales)

- 6.22 In order to accomplish greater timetable consistency, the local government nominations deadline could be moved from its current 12pm on the 19th day before polling day to 12pm on the 16th day before the election. Delivery of notices of withdrawals of candidature would remain as it is, i.e. 12pm on the 16th day before the day of the election. This would mean that there would be identical close of nominations deadlines in the case of combined parliamentary and local elections. Alongside this, the publication of statements of persons nominated for local elections could be moved from 12pm on the 17th day before polling to 5pm on the 16th day. This would bring the deadline into alignment with that proposed for parliamentary general elections and by-elections.
- 6.23 While in theory there are, for the current local government timetable, two days between close of nominations and the statement of persons nominated, i.e. 19th to 17th day before polling, in practice ballot papers cannot be printed until after the deadline for withdrawals on the 16th day before polling. In practice, therefore, we do not consider that this extension would affect the administrative process.
- 6.24 The deadline for appointment of election agents would remain as 12pm on the 16th day before polling day.

Mayoral, parish and community council elections (England and Wales)

- 6.25 The timetables for mayoral, parish and community council elections in England and Wales are identical to the one that currently applies for local government elections in those parts of the UK. If changes of the order outlined above are to be made to the local government timetable, we believe that it would make sense to amend the mayoral, parish and community council timetables accordingly.

Local government elections (Northern Ireland)

- 6.26 The 25-day timetable for local elections in Northern Ireland specifies that the delivery of nomination papers shall take place between the hours of 10am and 5pm on the 17th and 16th days before polling day. Our view is that this is unnecessarily restrictive, and we can see no good reason why nomination proceedings should not be amended to allow for greater flexibility in the timetable. We believe that the same rules as are proposed for local government elections in England and Wales could also apply in Northern Ireland, i.e. a new deadline for delivery of nomination papers and notices of withdrawals of candidature fixed at the 16th day before polling (12pm). The statement of persons nominated could also be set at 5pm on the same day.

European Parliament elections

- 6.27 Similar adjustments could be made to the European Parliament timetable. The last day for delivery of nomination papers, notices of withdrawal of candidacy and appointment of election agents could move from 4pm on the 19th day to 12pm on the 16th day before polling day. The statement of persons nominated would accordingly move from 5pm on the 19th day to 5pm on the 16th day before polling day. Such amendments may have particular benefits for the political parties, who would have more time to organise their party lists.

Absent voting

- 6.28 One of the changes introduced by the Representation of the People Act 2000 was to extend the timetable to allow a postal or proxy vote application to be accepted up to six working days before the poll.²¹ Prior to this, the deadline was the eleventh day before the poll. With respect to parliamentary general elections, this means that electors now have two weeks from the issuing of writs to send in applications. For a parliamentary by-election the time available is likely to be even shorter.
- 6.29 This change in the law has meant that, for parliamentary general elections, electoral administrators are left with one week to send out ballot papers, although in practice many begin posting as soon as applications are received. Initial research suggests that altering the current deadline would not be practical, since in the context of an ordinary and not all-postal election there is only marginal room for moving the deadline closer to polling day. However, the suggested 25-day parliamentary general election/by-election timetable would potentially bring certain advantages for both electoral administrators and electors. Under this timetable the close of applications for postal and proxy votes would be retained as 5pm on the 6th day before polling. But, in view of the lengthier timetable, it would mean that electoral administrators would have an extra week to deal with absent voting applications, while voters would benefit from the whole of these extra days.
- 6.30 Issue of ballot papers following applications by postal voters for replacement of lost ballot papers at parliamentary general elections and by-elections would remain as the 4th day before polling, in line with other timetables.

Appointment of polling and counting agents

- 6.31 At present there are some variations with respect to the deadline for the appointment of polling and counting agents at different elections. For example, the deadline is Day 15 at parliamentary general elections (3rd day before polling), Days 13, 14, 15 or 17 at parliamentary by-elections (2nd day before polling), the 5th day before polling for local government elections in England and Wales, and the 2nd day before polling for European Parliament elections. In order to maximise consistency across these timetables, it may be appropriate to standardise this deadline as the 2nd day before polling.

Other deadlines

- 6.32 There are, of course, deadlines that form part of each election timetable which are set at the discretion of the returning officer, e.g. issuing of poll cards and issuing and opening of postal votes. We believe that there may be a case for fixing these deadlines in legislation.

Devolved bodies

- 6.33 If the changes outlined above were made to the parliamentary general election, by-election, local government, European, and mayoral, parish and community council election timetables, bringing about an alignment of those timetables, it

²¹ Different postal vote deadlines apply in Northern Ireland.

might make sense to amend the timetables for devolved bodies accordingly. Our suggestions as to how this could be achieved are set out below.

The Scottish Parliament

- 6.34 The timetable for the Scottish Parliament is a reserved matter, together with all electoral arrangements for the Parliament. Election rules for the Scottish Parliament were made in 1999, prior to the changes introduced by the Representation of the People Act 2000 with respect to rolling registration and absent voting. The Scottish Parliament (Elections etc.) Order 2002 consolidates, with amendments, the Scottish Parliament (Elections etc.) Order 1999 and three amending Orders in 2001. The Order sets out afresh the provisions as to the conduct of elections and the return of members to the Scottish Parliament.
- 6.35 The Scottish Parliament has to be dissolved at the beginning of the minimum period of 25 days set out in secondary legislation. However, the notice of election can be published as little as 21 days before polling day, which gives candidates only six days to submit nominations. We believe that the length should be set at 25 days, with the notice of election being fixed at the 25th day before polling, thus bringing the Scottish Parliament timetable into alignment with most other election timetables.
- 6.36 At present, the latest date for the delivery of nomination papers for the Scottish Parliament elections is 4pm on the 16th day before polling, while the publication of the statement of persons nominated is 5pm on the same day. One measure that would contribute to greater alignment across UK election timetables would be to consolidate the last day for delivery of nomination papers (12pm), withdrawal notices (12pm) and statement of persons nominated (5pm) into the 16th day before polling. This would increase the length of time available to submit nomination papers given that, at present, the notice of election can be published as little as 21 days before polling day. We believe that this extra time could be important, since Scottish Parliament elections are conducted under a system of proportional representation in which party lists need to be constructed. This change should also provide sufficient time to print ballot papers and distribute them in time for postal votes.
- 6.37 Were the Scottish Parliament timetable to be amended along the lines outlined above, it would also be appropriate to make adjustments to the deadline for the appointment of election agents, polling and counting agents. The deadline for the appointment of election agents could be fixed at 12pm on the 16th day before the poll, while the deadline for the appointment of counting and polling agents could be set as the 2nd day before polling, as is the case for other elections.

The National Assembly for Wales

- 6.38 The election timetable for the National Assembly for Wales is a reserved matter, with arrangements being made at Westminster. The timetable is very similar to the local government timetable, being fixed at 25 days.
- 6.39 One possible change to the current timetable might involve moving the closing date for nominations, together with statement of persons nominated and deadline for withdrawals, from its current 19th day before polling to the 16th day before polling. All times would be identical to those proposed for the 25-day

parliamentary general election timetable. A further change would involve moving the latest date for the appointment of election agents from 12pm on the 17th day before polling to 12pm on the 16th day before the election. The effect would be to achieve alignment with the timetable suggested for parliamentary general elections. An additional effect would be to give parties more time – three days in total – to organise the construction of party lists for the election.

The Northern Ireland Assembly

- 6.40 The timetable for the Northern Ireland Assembly is a reserved matter, with arrangements for elections being made at Westminster. However, the absent vote and registration changes introduced by the Representation of the People Act 2000 do not apply in Northern Ireland.
- 6.41 The Northern Ireland Assembly (Elections) Order 2001 extended the timetable from 19 to 25 days. The timetable allows just two days for the delivery of nomination papers, between the 16th and 17th day before polling. This is the same period as applies to local government elections in Northern Ireland. We believe that there may be a case for introducing greater flexibility to the timetable for nominations, to give parties more time to organise themselves. We therefore propose that the deadlines for delivery of nomination papers, delivery of withdrawal notices and appointment of election agents be fixed at 12pm on the 16th day before the poll. In line with the proposals made in relation to election timetables for the Scottish Parliament and National Assembly for Wales, the publication of the statement of persons nominated could be moved to 5pm on the 16th day before the poll.

Model timetable

- 6.42 Table 9 sets out a model 25-day timetable, based upon the proposed changes and amendments outlined in the previous sections of this chapter. In order to give effect to these changes and amendments, legislation would be necessary, and the result would be a consistent timetable for the following elections:
- Parliamentary general elections;
 - Parliamentary by-elections;
 - European Parliament;
 - Scottish Parliament;
 - National Assembly for Wales;
 - Northern Ireland Assembly;
 - local government (England and Wales);
 - local government (Northern Ireland);
 - community, parish and mayoral (England and Wales).

Table 9: Model 25-day election timetable

Proceeding	Day before poll
Proclamation/issue of writ (applies to parliamentary general elections and by-elections only)	-27
Receipt of writ (applies to parliamentary general elections and by-elections only)	-26
Latest date for publication of notice of election	-25
	-24
	-23
	-22
	-21
	-20
	-19
	-18
	-17
Last day for delivery of nomination papers and delivery of notices of withdrawals (12pm). Last day for the appointment of election agents. Publication of statement of persons nominated (5pm)	-16
	-15
	-14
	-13
	-12
	-11
	-10
	-9
	-8
	-7
Close of applications for postal and proxy votes (5pm) ²²	-6
	-5
Issue of ballot papers following applications by postal voters for replacement of lost ballot papers	-4
	-3
Last day for appointment of polling and counting agents	-2
Issue of replacement ballot papers for lost or spoilt ballot papers (5pm)	-1
Polling day (7am–10pm)	0

Issues for comment

6.43 The Commission invites comment on the following issues:

- a. Do you agree that the 25-day timetable set out above should be the model for all elections in the UK?
- b. If not, what should be the model?
- c. Would the application of the 25-day timetable present any difficulties for political parties, candidates, electoral administrators or voters?
- d. Do you believe that deadlines that are currently set at the discretion of the returning officer for each election should be fixed in legislation?

²² The different absent voting deadlines would continue to apply in Northern Ireland.

Appendices: current election timetables

Appendix 1

Parliamentary general election timetable

Proceeding	Day
Proclamation and issue of writ	Day 0
Receipt of writ	Day 1
	Day 2
Last day for publication of notice of election (4pm)	Day 3
	Day 4
	Day 5
Last day for delivery of nomination papers/withdrawals of candidate/appointment of election agents (4pm)	Day 6
Statement of persons nominated, 5pm, or as soon afterwards as any objections are disposed of	Day 7
	Day 8
	Day 9
	Day 10
Last day for receipt of postal and proxy vote applications ²³	Day 11
	Day 12
First day to issue ballot papers to replace lost postal ballots	Day 13
	Day 14
Last day for appointment of polling and counting agents	Day 15
Last day to issue replacement spoilt or lost ballot papers (5pm) ²⁴	Day 16
Polling day (7am–10pm)	Day 17

²³ Day 3 in Northern Ireland.

²⁴ Day 14 in Scotland.

Appendix 2

Parliamentary by-election timetable

Proceeding	Day
Issue of writ	Day 0
Receipt of writ	Day 1
Last day for publication of notice of election (4pm)	Day 3
Last day for delivery of nomination papers/withdrawals of candidature/appointment of election agents (4pm)	To be fixed by acting returning officer: not earlier than Day 6; not later than Day 8
Statement of persons nominated published at close of time for making objections to nomination papers	5pm on Day 6, 7 or 8 as the case may be or as soon afterwards as any objections are disposed of
Last day for receipt of absent voting applications (5pm)	6 th day before polling day
Last day for appointment of polling and counting agents	2 nd day before polling day
Polling day (7am–10pm)	To be fixed by the acting returning officer: between Days 15–17, 16–18 or 17–19, depending on the day fixed as the last for the delivery of nomination papers

Appendix 3

Local government election timetable (England and Wales)²⁵

Proceeding	Day before poll
Latest date for publication of notice of election	-25
	-24
	-23
	-22
	-21
	-20
Publication of register for use at election (first reckonable day of month)	-19
Delivery of nomination papers (12pm)	-18
Publication of statement of persons nominated (12pm)	-17
Delivery of notices of withdrawals of candidature (12pm). Last day for appointment of election agents (12pm)	-16
	-15
	-14
	-13
	-12
Last day for requests to change existing pre-2000 postal vote or proxy appointment	-11
	-10
	-9
	-8
	-7
Last day for publication of notice of poll. Close of applications for postal and proxy votes (5pm)	-6
Last day for appointment of counting agents	-5
Applications by postal voters for replacement of lost ballot papers	-4
	-3
	-2
Applications for replacement of lost or spoilt ballot papers (5pm)	-1
Polling Day (8am–9pm)	0

²⁵ This timetable also applies to parish, community council and mayoral elections in England and Wales.

Appendix 4

Local government election timetable (Northern Ireland)

Proceeding	Day before poll
Latest date for publication of notice of election	-25
	-24
	-23
	-22
	-21
	-20
	-19
	-18
	-17
	-16
Earliest date for delivery of nomination papers	-15
Latest date for delivery of nomination papers (5pm). Latest date for delivery of notices of withdrawal of candidature (5pm). Publication of statement of persons nominated (6pm)	-16
	-15
	-14
	-13
	-12
	-11
	-10
	-9
	-8
	-7
Latest date for receipt of late postal and proxy vote applications on health grounds	-6
	-5
	-4
	-3
Appointment of polling and counting agents	-2
	-1
Polling day (7am–10pm)	0

Appendix 5

European Parliament election timetable

Proceeding	Day before poll	
Latest date for publication of notice of election	-25	
	-24	
	-23	
	-22	
	-21	
	-20	
Delivery of notices of withdrawal of candidacy. Delivery of nomination papers. Notice of appointment of individual candidates' agents (4pm). Publication of statement of parties and individual candidates nominated (5pm, or as soon afterwards as any objections are disposed of)	-19	
	-18	
	-17	
	-16	
	-15	
	-14	
	-13	
	-12	
	Last day for requests to cancel or change pre-2000 existing postal or proxy votes	-11
		-10
-9		
Close of applications for new postal and proxy votes	-8	
	-7	
	-6	
	-5	
Applications by postal voters for replacement of lost ballot papers	-4	
	-3	
Last day for appointment of counting and polling agents	-2	
Last day for issue of replacement of lost or spoilt ballot papers	-1	
Polling day (7am–10pm)	0	

Appendix 6

Greater London Authority election timetable

Proceeding	Day before poll
Latest date for publication of notice of election	-25
	-24
	-23
	-22
	-21
	-20
Delivery of nomination papers (12pm)	-19
	-18
Publication of statement of persons nominated (12pm)	-17
Delivery of notices of withdrawals of candidature (12pm). Last day for appointment of election agents (12pm)	-16
	-15
	-14
	-13
	-12
	-11
	-10
	-9
	-8
	-7
Last day for publication of notice of poll. Close of applications for postal and proxy votes (5pm)	-6
Last day for appointment of counting agents	-5
Applications by postal voters for replacement of lost ballot papers	-4
	-3
	-2
Applications for replacement of lost or spoilt ballot papers (5pm)	-1
Polling day (7am–9pm)	0

Appendix 7

Scottish Parliament election timetable

Proceeding	Day before poll
Earliest date for the publication of notice of election, and for the delivery of nomination papers	-28
	-27
Parliament dissolved	-26
	-25
	-24
	-23
	-22
Latest date for the publication of notice of election	-21
	-20
	-19
	-18
	-17
Latest date for the delivery of nomination papers and withdrawal notices (4pm). Latest date for appointment of election agents (4pm). Latest date for the publication of statement of persons and parties nominated (5pm, or as soon afterwards as any objections disposed of)	-16
	-15
	-14
	-13
	-12
	-11
	-10
	-9
	-8
	-7
Last day for new applications to vote by post or proxy (5pm)	-6
Last day for appointment of polling and counting agents	-5
Replacement of lost postal ballot papers begins (5pm)	-4
Last day for replacement of spoilt ballot papers	-3
	-2
Polling day (7am–10pm)	-1
	0

Appendix 8

National Assembly for Wales election timetable

Proceeding	Day before poll
Latest date for publication of notice of election	-25
	-24
	-23
	-22
	-21
	-20
	-19
	-18
	-17
	-16
Delivery of nomination papers (12pm)	-15
Delivery of notices of withdrawals of candidature (12pm). Latest date for appointment of election agent (12pm)	-14
Publication of statement of persons nominated (12pm)	-13
	-12
	-11
	-10
	-9
	-8
	-7
Close of applications for postal and proxy votes	-6
	-5
Replacement of lost postal ballot papers begins (5pm)	-4
	-3
Appointment of polling and counting agents	-2
Last day for replacement of spoilt absent ballot papers (5pm)	-1
Polling day (7am–10pm)	0

Appendix 9

Northern Ireland Assembly election timetable

Proceeding	Day before poll
Latest date for the publication of notice of election	-25
	-24
	-23
	-22
	-21
	-20
	-19
	-18
	-17
	-16
Earliest date for the delivery of nomination papers	-17
Latest date for the delivery of nomination papers and withdrawal notices (4pm). Last day for appointment of election agents (4pm). Publication of statement of persons and parties nominated at (5pm)	-16
Latest date for applications to vote by post or proxy	-15
	-14
	-13
	-12
	-11
	-10
	-9
	-8
Latest date for receipt of late postal and proxy vote applications on health grounds	-7
	-6
	-5
	-4
	-3
Appointment of polling and counting agents	-2
	-1
Polling day (7am–10pm)	0

