
Changes in England resulting from the Electoral Administration Act 2006

The Electoral Administration Act was passed on 11 July 2006 and commits the Government to the bulk of its provisions applying to elections on and after 3 May 2007. The Act was largely based on recommendations put forward by the Electoral Commission in our June 2003 report *Voting for change*.

This factsheet outlines the major changes affecting the electoral process.

Background

The Electoral Administration Act 2006 aims to improve the overall administration of elections. The Act sets out proposals to increase the accessibility of voting, tighten security and minimise fraud.

In England, the changes outlined below are affected by a series of regulations. Similar changes have been made in Wales and Scotland, by their own regulations, details of which can be found on separate factsheets.

Registration

Registration will continue to be carried out on a household rather than individual basis. However, a number of other new measures have been introduced within this area. These are mostly aimed at making the process more convenient. The main changes are:

- Electors can now register up until 11 working days before polling day.
- Anonymous registration is available for those people whose safety might be threatened if their details were published (this will commence on 1 June 2007).

- A framework for a centralised register of electors, called the Co-ordinated Online Record of Electors (CORE), has been introduced with a view to improving the accuracy of registers and allowing national access.
- Voting rights for detained mental health patients have been extended.
- Service voters now need to register only once every three years.

As well as changes to the registration process itself, new measures have been brought in to improve engagement and increase the number of registrations. As a result, local electoral officials now have a duty to 'encourage participation' by the public in the electoral process. This includes the promotion of registration and may include delivering canvass forms on more than one occasion to the same household and contacting electors where appropriate.

Absent voting

New anti-fraud measures have been brought in, affecting both the application and voting

processes for those who wish to vote by post or proxy. These include:

- Those who wish to vote by post or proxy must now provide a signature and date of birth on their application form.
- A signature and date of birth are also required on the postal vote statement sent with the ballot papers.
- Three new electoral offences have been introduced in relation to supplying false information for, failing to supply information for and falsely applying for a postal or proxy vote.

Candidates

The major change regarding candidacy is that the age required to stand at an election has been reduced from 21 to 18. The Act also introduces other minor changes to nomination procedures such as allowing candidates to use a commonly used forename on ballot papers, allowing deposits to be paid electronically, providing a checking period for nomination papers, allowing Returning Officers the discretion to correct minor errors on nomination papers, and allowing parties to register up to 12 party descriptions to be used on ballot papers.

Candidates standing for a party at elections from May 2007 will only be able to use either the registered party name or a description that has been registered with the Commission on the ballot paper. Returning Officers will no longer be able to accept any other names or descriptions, nor will they have any discretion as to what may be used.

Regulation of political parties

The Act aims to improve openness and transparency with regard to the financing of political parties, by bringing the reporting of loans and other credit facilities into line with the existing donations regime. Political parties must now report to the Commission all loans, credit facilities and security arrangements of more than £5,000 to its central party or more than £1,000 to one of its accounting units, and do so in the quarter in which they are entered into.

Parties that have repeatedly submitted 'nil' donation returns will be exempt from having to submit further returns once they have submitted four consecutive quarterly 'nil' returns and will remain exempt until they receive a reportable donation.

Parties that fail to submit their annual confirmation of registered details to the Commission within the prescribed timescale will be de-registered and therefore no longer able to field candidates at elections under a party name.

The time limits that parties have to receive and pay claims for campaign expenditure have been extended from 21 days to 30 days and 42 days to 60 days respectively. In addition, the party campaign expenditure limits for devolved elections have been brought into line with those for UK Parliamentary general elections in respect of candidates that stand for more than one party.

Delivery of electoral services

New powers for both electoral administrators and the Commission have been granted by the Act in order to improve the way electoral services are delivered. These include:

- more flexible funding arrangements for national elections
- the establishment of performance standards
- a framework to review access to polling stations
- allowing electoral administrators to correct administrative errors
- empowering the Commission to obtain election expenditure statements from electoral officers

In practical terms, the following measures have also been introduced:

- ballot papers to include a new watermark instead of a perforation
- the introduction of corresponding number lists will mean no need for counterfoils
- a period of 24 hours to check nominations before statement of persons nominated published
- improvements in the information available for electors in different languages and formats
- children will be allowed to accompany parents and guardians with caring responsibilities into polling stations

The Commission's role

The Electoral Commission will play an important role in the implementation of the Act. As well as new regulatory responsibilities and powers relating to performance standards, the Commission will be finding new ways to support Electoral Registration Officers and Returning Officers, parties and candidates. This support will take a variety of forms. One example which is already underway is our Do Politics Centre (www.dopolitics.org.uk) which serves as an idea and resource hub for democracy practitioners. We also offer guidance for electoral administrators on eXtra, the extranet page of our website.

Publications

The Electoral Commission, *Voting for change: An electoral law modernisation programme* (2003).

Feedback

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