

Draft as at 30 April 2003

**MINUTES OF THE MEETING OF THE ELECTORAL COMMISSION HELD ON 9 & 10 APRIL 2003**

Present: Sam Younger (Chair) (SY)  
Pamela Gordon (PG)  
Glyn Mathias (GM)  
Sir Neil McIntosh (NM)  
Karamjit Singh (KS)  
Professor Graham Zellick (GZ) (for item 6 onwards)

In attendance: Roger Creedon (RC)  
Jacqui Dixon (JD)  
Roger Gough (RG)  
Chris Welford (CW)  
Nicole Smith (NS)  
Anne Hinds (AH)  
Rael Zackon (RZ)  
Mark Williams (MW)  
Stephen Judson (SJ)  
Ellie Greenwood (EG)

**1. Minutes of the meeting held on 13 March 2003**

1.1 The minutes of the meeting of the Electoral Commission held on 13 March 2003 were agreed subject to:

Paragraph 6.2: it was confirmed that GM would chair the NIF review committee

Paragraph 7.3: the schedule of agreed grants should be checked. (This has been done and the minute is accurate)

Paragraph 12.3: the word 'auditing' should be replaced by 'policing'.

**2. Minutes of the meeting held on 28 March 2003**

2.1 The minutes of the private meeting of the Commissioners held on 28 March 2003 were agreed.

**3. PPERA: final report**

3.1 EG presented the report; the Commissioners thanked her for the work done so far on this review. SY stated that this was not intended as a major policy review of PPERA but it was an opportunity to address, in the light of experience, those areas where it was obvious that amendments were

required. RC reported that LCD had set up a team to prepare the new Bill and would like to have all the legislative proposals no later than the end of September.

3.2 The Commissioners discussed the recommendations in the report and raised the following issues:

- The need for consistency of approach between this review and other policy reviews, particularly in relation to Nomination Process, Registration and donation control exemptions
- Independent candidates
- Registration requirements for parties
- Deregistration of parties
- Donation thresholds
- The use of local authority premises by political parties
- The third party framework
- The treatment of regulated donees

3.3 In relation to the third party framework, it was agreed that there was limited experience and it would be premature to come to a conclusion. The issue would be kept under review. RC reported that LCD agreed that changes were needed to the RPA on third party spending at constituency level on public meetings and publicity materials.

3.4 **The Commissioners agreed that the report should be amended in the light of the discussion and the revised version approved by SY and KS (as chair of the review group).**

#### 4. Election timetables

4.1 MW presented the report. The Commissioners thanked MW for a well –written report. The Commissioners discussed the recommendations in the report which were agreed, subject to the question of days of national mourning. If a practical solution on this issue could be found, it should be included in the report.

4.2 **The Commissioners agreed the report, subject to a possible amendment on days of national mourning.**

#### 5. European Parliament (Representation) Bill: distribution of MEPs

5.1 SJ presented the report. The Commissioners congratulated him on an excellent paper. The report set out four options, with two options being recommended for consultation.

5.2 It was agreed that a broad approach was best, and that the paper should therefore leave open all four options rather than just two. It was agreed that detailed worked examples should be provided separately on the Commission website rather than as part of the paper.

- 5.3 GM suggested that the Commissioners should be provided with worked examples showing the application of all the options in relation to real electorates.
- 5.4 **The Commissioners approved the consultation paper.**

## 6. Ballot paper design: final report

- 6.1 NS presented the report. The Commissioners discussed the report and the recommendations and commented in particular on the following issues:
- The use of languages other than English and Welsh on ballot papers
  - The requirement to produce information in other languages and formats, which reflect the needs of the community
  - The need for consistency with the review report on Accessibility
  - The need to remove recommendations which did not propose any change
  - The use of serial numbers in relation to the secrecy of the ballot
  - Candidates names on closed lists
- 6.2 **The Commissioners agreed to approve the report, subject to the amendments discussed, and authorised SY and the chair of the review board to approve the final version.**

## 7. Nomination procedures: final report

- 7.1 SM presented the report. Attention was drawn to some minor drafting amendments. The Commissioners discussed the recommendations in the report, and commented in particular on the following issues:
- The options set out in paragraph 3.34 in relation to the deposit and subscriber systems. Paragraph 3.32 should be removed. The report needed to include evidence supporting the recommendations. It was agreed that the recommendation should include a standard rate of £500 for deposits and 2% as the retention limit.
  - Paragraph 4.10 should be amended to refer to the use of regulated names for registered parties
  - Paragraph 4.18 required amendment to be consistent with the review of PPERA, in particular in relation to collective terms
- 7.2 GZ referred to paragraphs 5.8 and 5.9, which required further consideration. It was agreed to draw attention to the issue of disqualification in the report but to remove the recommendation.
- 7.3 The Commissioners thanked SM for his work on this review.
- 7.4 **The Commissioners approved the report, subject to the amendments discussed.**

## 8. Accessibility: legal issues

- 8.1 SG and NS presented the report. It was noted that the Disability Discrimination Act 1995 takes effect in relation to buildings and facilities in October 2004, and it may be appropriate to review the need for further legislation within two years of that date.
- 8.2 The Commissioners discussed the recommendations in the report and commented in particular on the following issues:
- The need for user involvement at local level
  - The need for consistency with other review reports, particularly on Ballot Paper Design
  - The powers of Returning Officers to produce materials in alternative formats
- 8.3 Commissioners were invited to send comments on the text of the report to SG.
- 8.4 **The Commissioners approved the draft report subject to the amendments discussed.**

## 9. Electoral reform Programme: overview

- 9.1 NS presented the report. Commissioners were invited to send comments on the text to NS by 11 April; the next draft would be available on 16 April.
- 9.2 SY proposed that this report should be the basis of a seminar or similar event to be held on 3 June 2003.
- 9.3 **The Commissioners approved the draft report subject to the amendments discussed, and agreed the timetable set out in the recommendation.**

## 10. Referendums

- 10.1 DS, RC and RZ presented papers on Government proposals to ask an additional referendum question in those parts of the region which would move to unitary status. A letter to the Commission from the Minister for Local Government was awaited. SY stated that the Commission needed to give early advice that it has serious issues with the proposals, particularly for the format of the ballot paper(s) and the relationship between the principal and subsidiary questions. RC advised that this was the opportunity to comment on the preamble to the question, which would be contained in the Bill. The subsidiary question itself could not be fully drafted until the options for reorganisation were known. This would be set by Order and the Commission would have the opportunity at the time to comment.
- 10.2 PG referred to the possibility of substantial changes to local authority boundaries, including those of existing unitary councils. The original response from the Commission had been based on the assumption that there would be no changes to unitary councils. There was serious concern that, under these circumstances, the wording of the second question would not be intelligible to voters in unitary areas.

- 10.3 **The Commissioners agreed that DS should draft a response for circulation and comment.**

**11. Matters for information**

- 11.1 The Commissioners received the following items for information:

- Directors quarterly reports for the period January to March 2003
- Devolved Offices quarterly report
- Schedule of meetings and events

- 11.2 RC advised the Commissioners of the proposed arrangements with the Hansard Society for fringe meetings at the three main party conferences. The view of the meeting was that the topic of state funding could be usefully raised at these events. AH would send an electronic copy of the conference diary tot Commissioners.