

Referendum on the parliamentary voting system: September 2010 campaigner update

The Government has proposed a referendum on the UK parliamentary voting system on 5 May 2011.

Parliament is considering the Bill enabling the referendum. The Bill also sets out how the referendum would be run, and makes changes to the rules that campaigners must follow.

We will publish initial guidance for campaigners by the end of October 2010, and final guidance when the rules are confirmed.

We understand that campaigners may want to start planning before this, so this series of updates will highlight key points that may be helpful.

About this update

This update is based on the Parliamentary Voting System and Constituencies Bill as introduced to Parliament (the Bill).

Parliament may amend the Bill, so some of the information may change. We will highlight any changes in future updates.

We will publish updates at key stages in the parliamentary process. You can sign up to receive these updates by calling 020 7271 0616 or emailing pef@electoralcommission.org.uk.

This first update covers:

- A summary of our role at the referendum
- Basic information about the proposed referendum
- Being a registered campaigner
- Key points on how campaigning will be regulated
- Where you can find more information

Our role at referendums

We will be responsible for:

- commenting on the wording of the referendum question
- registering campaigners
- designating lead campaign groups
- giving grants to lead campaign groups
- regulating campaign finances
- raising awareness of the referendum and how to take part
- the conduct of the poll
- the announcement of the result

You can find out more about our role and administration of the referendum, at www.electoralcommission.org.uk.

Basic information

What is the question?

The question proposed in the Bill is:

‘Do you want the United Kingdom to adopt the “alternative vote” system instead of the current “first past the post” system for electing Members of Parliament to the House of Commons?’

We are currently assessing this wording for intelligibility. We will publish our findings in early October.

You can find out more about how we assess referendum questions and read our report when we publish it on our website at www.electoralcommission.org.uk.

Who can vote?

- Anyone who can vote at a UK general election, and
- Members of the House of Lords who can vote at local or European parliamentary elections.

When will the campaign period start?

The campaign period will begin when the Bill receives Royal Assent and will end on 5 May 2011.

During this period, campaign spending, donations and loans will be regulated.

When Royal Assent is given, we will publish the date on our website and send an update to campaigners who have signed up to our mailing list.

Who can campaign?

Anyone can spend up to £10,000 on activity during the campaign period.

If you want to spend more than this, you must register with us.

Only certain mainly UK-based individuals and organisations can register.

You must register separately as a referendum campaigner even if you are already registered with us as a political party or a third party campaigner.

We will open the register when the campaign period begins.

Public bodies

There are separate restrictions on referendum publicity produced by the Government, local authorities and most organisations mainly funded from public resources.

These apply for the last 28 days of the campaign period.

Being a registered campaigner

If you register as a campaigner you will have the following benefits:

- a spending limit above £10,000
- access to the electoral register to help your campaign
- attendance at the counting of the votes

You must also comply with controls on spending, donations and loans.

These controls differ from those for previous referendums, and those for political parties and non-party campaigners at elections, so you should read this update and our guidance carefully.

Lead campaign groups

Once you have registered, you can apply to us to be designated as the lead campaign group for one side of the debate.

The benefits for lead campaigners are:

- a higher spending limit than other registered campaigners
- supply information to be distributed to electors free of charge
- referendum campaign broadcasts
- free use of certain public rooms
- a grant from us, The Electoral Commission

The designation process

You must apply within 28 days of Royal Assent. We will then have 14 days to make a decision.

We must make sure that the lead campaign groups adequately represent those campaigning for each outcome.

We must designate a lead campaign group for both sides of the debate, or not at all.

If there is more than one suitable application for an outcome, we must choose the group that best represents those campaigning for that outcome.

Because of this, when applying for designation, you may want to consider forming an umbrella organisation with other groups who are campaigning for the same outcome.

There will be more information on the designation process in our initial guidance.

If you would like more information before this is published in October, please call us on 020 7271 0616 or email us at

pef@electoralcommission.org.uk.

Key points on campaign finance and spending

Registered campaigners must comply with rules on spending, donations and loans and submit returns to us after the referendum.

Donations and loans

'Donations' include money, gifts in kind and goods or services at non-commercial rates.

'Loans' include credit facilities, such as an overdraft or credit card, guarantees and securities.

Who can you accept donations and loans from?

Generally, you must only accept donations or loans that are

- worth more than £500, and
- given for your regulated campaign spending (whenever received)

if they come from certain mainly UK-based sources.

However, as the controls on loans are being introduced by the Bill, this will not apply to loans taken out before Royal Assent.

Political parties can only donate to a designated lead campaign group.

The rules do not cover fundraising activity not related to campaign spending.

Handling donations

You have 30 days from receiving a donation to make sure that you can accept it. You must check loans before you enter into them.

You must record the value and source of donations and loans that are worth more than £500.

After the referendum, you must report all donations and loans which add up to more than £7,500 from the same source to us.

This includes loans you entered into before Royal Assent, even though you do not have to check the source.

The spending limits

Most registered campaigners can spend up to £500,000 during the campaign period.

Political parties which received more than 5% of the vote at the 2010 UK general election have a higher limit if they register with us to campaign at the referendum.

Each party's limit depends on the percentage of the vote they received and will be between £500,000 and £5 million.

Lead campaign groups can spend up to £5 million.

What do the spending limits cover?

These cover most campaigning activity aimed at promoting a particular outcome at the referendum, including:

- advertising
- unsolicited communications with voters
- events

Mailings to members and supporters of your organisation can count as campaign spending. This is a key difference from the rules for political party and non-party campaign spending.

Our initial guidance will explain what is included in detail.

Can campaigners work together?

Campaigners can work together if they wish to do so.

However, any spending will count towards the limits for each campaigner involved. This is to stop people getting around the spending limits by co-ordinating several campaigns at the same time.

For example, if you and another campaigner each spend £50,000 on a joint advertising campaign, you must each record the total of £100,000 against your limit.

The rules are different if you are, or are working with, a designated lead campaign group.

Then, all the costs count towards the lead campaign group's spending limit. No costs count towards the individual campaigner's spending limit.

This is to help to enable lead campaign groups to represent those campaigning for the outcome effectively and efficiently. It only applies after the lead campaign group is designated.

What we mean by 'working together'

'Working together' means spending money as a result of a plan or arrangement between one or more campaigners.

In our view, you are not working together if:

- you have informal discussions with other campaigners, but do not discuss your plans with them in any detail
- you speak at an event organised by another campaigner, but do not participate in any other way
- you do not consult other campaigners about what you should say in your campaign or how you should organise it

In our view, you will be very likely to be working together if:

- you have joint advertising campaigns, leaflets or events
- you co-ordinate your activity with another campaigner – for example, if you agree that you should each cover particular areas, arguments or voters
- another campaigner can approve or has significant influence over your leaflets, websites, telephone scripts or other campaign materials

If you are not sure whether or not you will be regarded as working together with other campaigners, please call or email us for advice.

Where you can find more information

For advice and guidance

We are always happy to give prospective campaigners advice on how to comply with the rules.

Please contact us on 020 7271 0616, www.electoralcommission.org.uk or pef@electoralcommission.org.uk, or at:

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The Electoral Commission
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You can also contact:

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Join our update list

You can sign up to receive these updates by calling 020 7271 0616 or emailing

pef@electoralcommission.org.uk.

For other information about the referendum

On our website, www.electoralcommission.org.uk, you can find:

- more information about our role in referendums
- our key principles for running referendums
- our approach to assessing referendum questions
- our findings on the referendum question (to be published early October 2010)
- briefings on the Bill explaining our position on provisions where appropriate