

20 September 2022

By-elections to replace five hereditary peers – revised arrangements

On 8 September a Notice was issued setting out the arrangements for by-elections to replace five hereditary peers. Following the death of Her late Majesty Queen Elizabeth II, the timetable for the by-elections has been pushed back: this Notice sets out the arrangements and revised timetable for the by-elections. Any candidatures or applications for postal ballots which have already been received remain valid and do not need to be resubmitted.

Following the retirements of Viscount Ullswater, Lord Colwyn, the Earl of Listowel and Lord Astor of Hever on 20, 21 and 22 July 2022, and the death of the Earl of Home on 22 August there are five vacancies among the excepted hereditary peers who sit in the House of Lords. Under Standing Order 9, the vacancies will be filled by means of by-elections.

The replacements for Viscount Ullswater and Lord Colwyn will be elected in one whole House ballot. The replacements for Lord Astor of Hever and the Earl of Home will be elected in a ballot of the excepted Conservative hereditary peers. The replacement for the Earl of Listowel will be elected in a ballot of the excepted Crossbench hereditary peers. This notice sets out the timetable for these three by-elections.

Only members of the House who have taken the oath of allegiance to King Charles III or made the solemn affirmation by the rise of the House on Thursday 13 October will be eligible to vote in these by-elections. Provision will be made for members to take the oath of allegiance in the week of 10 October.

Whole House hereditary peer by-election (Conservative)

Viscount Ullswater and Lord Colwyn were two of the 15 hereditary peers elected by the whole House from among those ready to serve as Deputy Speakers or in any other office. Therefore, under Standing Order 9(3), their two successors will be elected by the whole House.¹ In 1999 the Procedure Committee recommended that any peer elected at a by-election in this category should not be expected to serve as a Deputy Speaker. Under the terms of an informal agreement amongst the parties and groups in the House of Lords, it is expected that these vacancies will be filled by two hereditary peers who will sit as Conservative members of the House.

Conservative hereditary peer by-election

Lord Astor of Hever and the Earl of Home were two of the 42 hereditary peers elected by the Conservative hereditary peers. Under Standing Order 9(2), the voters in this by-election will be the

¹ All members of the House who have taken the oath on or before 13 October are eligible to vote, except those who are: subject to statutory disqualification; suspended from the service of the House; or on leave of absence.



excepted hereditary peers belonging to the Conservative group², of whom there are currently 43³ eligible to vote. A list is in Annex 1.

Crossbench hereditary peer by-election

The Earl of Listowel was one of the 28 hereditary peers elected by the Crossbench hereditary peers. Therefore, under Standing Order 9(2)(i)(d), the voters in this by-election will be the excepted hereditary peers belonging to the Crossbench group⁴, of whom there are currently 34⁵ eligible to vote. A list is in Annex 2.

Conduct of the by-elections

Candidates will be invited, but not required, to submit statements in support of their candidature. Such statements, which will not exceed 75 words, will be circulated by the House Administration to all electors.

The Code of Conduct for the by-elections is in Annex 3. Civica Election Services are assisting the Clerk of the Parliaments with the organisation of the by-elections.

Timetable for the by-election to replace Viscount Ullswater and Lord Colwyn (Whole House by-election)

Monday 26 September, 5pm	Deadline for candidate registration and deadline for members to register for a postal vote (only members with accessibility requirements or members without a parliamentary email address may request a postal vote).
Thursday 29 September	List of candidates and statements issued to electors. Ballot papers sent by Civica Election Services to those requesting a postal vote.
Monday 17 October — Tuesday 18 October	Voting to take place electronically from 10am on Monday 17 October to 5pm on Tuesday 18 October. 5pm on 18 October is also the deadline for receipt of postal ballot papers. ⁶
Wednesday 19 October	Result of the by-election reported to the House.

Timetable for the by-election to replace the Earl of Listowel (Crossbench group)

² All peers in this group who have taken the oath on or before 13 October are eligible to vote, except those who are: subject to statutory disqualification; suspended from the service of the House; or on leave of absence.

³ This figure comprises 36 hereditary peers elected by Conservative hereditary peers who currently are in the Conservative group; and seven hereditary peers elected by the whole House who currently are in the Conservative group.

⁴ All peers in this group who have taken the oath on or before 13 October are eligible to vote, except those who are: subject to statutory disqualification; suspended from the service of the House; or on leave of absence.

⁵ This figure comprises 29 hereditary peers elected by parties and groups who currently are in the Crossbench group; four hereditary peers elected by the whole House who currently are in the Crossbench group; and the Duke of Norfolk (the Earl Marshal).

⁶ This by-election will be held over two days due to the larger electorate of the whole House.



election)

Monday 26 September, 5pm	Deadline for candidate registration and deadline for members to register for a postal vote (only members with accessibility requirements or members without a parliamentary email address may request a postal vote).
Friday 30 September	List of candidates and statements issued to electors. Ballot papers sent by Civica Election Services to those requesting a postal vote.
Wednesday 19 October	Voting to take place electronically from 10am – 5pm. 5pm is also the deadline for receipt of ballot papers.
Thursday 20 October	Result of the by-election reported to the House.

Timetable for the by-election to replace Lord Astor of Hever and the Earl of Home (Conservative group election)

Monday 26 September, 5pm	Deadline for candidate registration and deadline for members to register for a postal vote (only members with accessibility requirements or members without a parliamentary email address may request a postal vote).
Friday 30 September	List of candidates and statements issued to electors. Ballot papers sent by Civica Election Services to those requesting a postal vote.
Thursday 20 October	Voting to take place electronically from 10am – 5pm. 5pm is also the deadline for receipt of ballot papers.
Friday 21 October	Result of the by-election reported to the House.



Voting system

The three by-elections will be conducted via a secret ballot.

The by-election to replace Viscount Ullswater and Lord Colwyn and the by-election to replace Lord Astor of Hever and the Earl of Home will each have a separate digital ‘ballot paper’ to elect two peers. These two by-elections will be held using the Single Transferable Vote system. Voters will place the name of the candidate they most strongly support at the top of the ballot paper, then place their next most favoured candidate below, and so on. Voters may cast as many or as few votes as they wish. To be elected a successful candidate must achieve the number of votes required for election. The number of votes required for election at each stage is calculated by dividing the total number of valid votes by one more than the number to be elected. Even though two candidates are being elected, the electronic ballot paper should be marked with only one “1”, one “2”, etc.

The by-election to replace the Earl of Listowel will be held using the Alternative Vote system. Voters will place the name of the candidate they most strongly support at the top of the digital ballot paper, then place their next most favoured candidate below, and so on. Voters may cast as many or as few votes as they wish. To be elected, the successful candidate must receive at least as many votes as all the other candidates put together. In the event of this not happening after first preference votes have been allocated, the votes of the candidates receiving the lowest number of first preference votes will be shared out according to the second preference marked on them. This will be repeated until one candidate has at least half of the total valid votes.

Candidates are permitted to put their name forward to stand in all the by-elections and can be listed as candidates for all by-elections. However, candidates elected in the Whole House by-election taking place on 17 and 18 October will not be able to stand in either the Crossbench by-election on 19 October or the Conservative by-election on 20 October. In the event that either individual elected in the Whole House by-election is listed as a candidate for either the Crossbench or Conservative by-elections, any votes cast for this candidate will be disregarded.

Results

The results of the Whole-House by-election to replace Viscount Ullswater and Lord Colwyn will be announced on Wednesday 19 October. The results of the Crossbench election to replace the Earl of Listowel will be announced on Thursday 20 October. The results of the Conservative by-election to replace Lord Astor of Hever and the Earl of Home will be announced on Friday 21 October.

The results of all elections will be announced in the House of Lords chamber by the Clerk of the Parliaments. This will happen at a convenient moment during business, likely to be after oral questions on Wednesday 19 and Thursday 20 October and immediately after prayers on Friday 21 October.

The full results, including the number of first preference votes cast for each candidate and the position after each transfer of votes, will be available in the Printed Paper Office soon after the respective announcement by the Clerk of the Parliaments. The results will also be published online at www.parliament.uk.

Postal ballots

Members who have taken the oath of allegiance to King Charles III, but who have accessibility needs which mean they cannot use the online voting system or who do not have a parliamentary email address, may request a postal vote. Such requests for postal votes must be received by 5pm



on Monday 26 September for all three by-elections by returning the form below.

Members should specify the address to which the ballot paper should be posted. Ballot papers will be posted on Friday 29 September (for the Whole House by-election), and Thursday 30 September for the Crossbench by-election and the Conservative by-election. The ballot papers for postal votes will be sent by Civica Election Services. The ballot papers must be returned by post to Civica Election Services (a prepaid addressed envelope will be provided). Postal votes must be returned to Civica Election Services by:

- 5pm on Tuesday 18 October for the by-election to replace Viscount Ullswater and Lord Colwyn.
- 5pm on Wednesday 19 October for the by-election to replace the Earl of Listowel.
- 5pm on Thursday 20 October for the by-election to replace Lord Astor of Hever and the Earl of Home.

Postal ballot papers arriving after the deadlines will not be counted.

Data sharing

Electors should note that their name, parliamentary email address and, if they wish to request a postal ballot, their postal address will be shared with Civica Election Services for the purposes of the administration of the by-election. The lawful basis for processing this information is Article 6(1)(e) of the UK General Data Protection Regulation, as supplemented by the Data Protection Act 2018.

Enquiries

Enquiries may be addressed as follows:

- By e-mail: hlbyelections@parliament.uk
- By telephone: 0207 219 4808/8016

SIMON BURTON
Clerk of the Parliaments





Annex 1: Excepted Conservative hereditary peers as at 20 September 2022

Elected by a party or group and sitting as Conservative peers

Altrincham, L.	Howe, E.
Arran, E.	Leicester, E.
Ashton of Hyde, L.	Lindsay, E.
Astor, V.	Liverpool, E.
Attlee, E.	Lucas, L.
Bethell, L.	Mancroft, L.
Bridgeman, V.	Montrose, D.
Caithness, E.	Moynihan, L.
Camrose, V.	Northbrook, L.
Cathcart, E.	Remnant, L.
Courtown, E.	Sandhurst, L.
Crathorne, L.	Shrewsbury, E.
De Mauley, L.	Strathcarron, L.
Dundee, E.	Strathclyde, L.
Fairfax of Cameron, L.	Trefgarne, L.
Glenarthur, L.	Trenchard, V.
Goschen, V.	Wrottesley, L.
Henley, L.	Younger of Leckie, V.

Elected by the whole House and sitting as Conservative peers

Borwick, L.
Brougham and Vaux, L.
Colgrain, L.
Eccles, V.
Geddes, L.
Harlech, L.
Reay, L.

Annex 2: Excepted Crossbench hereditary peers as at 20 September 2022

Elected by a party or group and sitting as Crossbench peers

Aberdare, L.	Palmer, L.
Brookeborough, V.	Peel, E.
Carrington, L.	Ravensdale, L.
Clancarty, E.	Rosslyn, E.
Cork and Orrery, E.	Russell of Liverpool, L.
Craigavon, V.	St John of Bletso, L.
Cromwell, L.	Sandwich, E.
Devon, E.	Somerset, D.
Erroll, E.	Stair, E.
Freyberg, L.	Thurlow, L.
Greenway, L.	Trevethin and Oaksey, L.
Hylton, L.	Vaux of Harrowden, L.
Kinnoull, E.	Waverley, V.
Lytton, E.	Wellington, D.
Mountevans, L.	



Elected by the whole House and sitting as Crossbench peers

Colville of Culross, V.
Falkland, V.
Londesborough, L.
Oxford and Asquith, E.

Other excepted Crossbench hereditary peers

Norfolk, D.

Annex 3: Code of Conduct

1. Voting instructions will not indicate any qualification or reason why a candidate should be elected.
2. Candidates may not offer hospitality, entertainment or financial inducements to electors intended to influence their votes or likely to have that effect.
3. Candidates may not engage in any activity intended or likely to discredit other candidates in the election.
4. If the Clerk of the Parliaments suspects, on reasonable grounds, that some material irregularity or improper conduct may have occurred in the electoral process, he may refer the matter to the Committee for Procedure and Privileges. The committee may, if it thinks fit, recommend the disqualification of a successful candidate if their election appears to have been influenced by material irregularity or improper conduct.
5. In this code of conduct, “candidate” includes an agent or supporter acting on behalf of the candidate



By-elections to replace four hereditary peers

APPLICATION FOR POSTAL VOTE

I wish to apply for a postal vote in this election. I have accessibility needs which mean I cannot use the online voting portal or I do not have a parliamentary email address.

I understand that the ballot paper will be posted on Thursday 29 September (for the Whole House by-election) and/or Friday 30 September (for the Crossbench and Conservative by-elections) to the address I have provided in the box below.

Electors should note that their name, parliamentary email address and the postal address provided below will be shared with Civica Election Services for the purposes of the administration of the by-election. The lawful basis for processing this information is Article 6(1)(e) of the UK General Data Protection Regulation, as supplemented by the Data Protection Act 2018.

I would like the ballot paper to be sent to me at the following address:

Signature: _____

Title (please print): _____

Please return this form to arrive by 5pm on Monday 26 September to:

Journal Office
House of Lords
London SW1A 0PW

Or scan and email it to: hbyelections@parliament.uk



