

28 April 2023

Hereditary peers' by-election

Following the retirement of Viscount Falkland on 21 March 2023 there is a vacancy among the excepted hereditary peers who sit in the House of Lords.

Under Standing Order 9, the vacancy will be filled by means of a by-election. Those eligible to stand are all hereditary peers whose names are on the register of hereditary peers wishing to stand for election as members of the House of Lords, maintained by the Clerk of the Parliaments. All those on this register are being asked to indicate by 5pm on Monday 15 May whether they wish to be a candidate in this by-election. The list of candidates will be published on Monday 22 May.

Viscount Falkland was one of the 15 hereditary peers elected by the whole House in 1999 from among those ready to serve as Deputy Speakers. Under Standing Order 9(3), his successor will therefore be elected by the whole House¹, although there is no expectation that they will serve as a Deputy Speaker.

Viscount Falkland was originally elected as a Liberal Democrat, and, in accordance with an informal agreement between the parties and groups in the House of Lords, it is expected that his successor will sit as a Liberal Democrat member of the House.

Timetable and conduct of the by-election

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-election is in Annex I. Civica Election Services are assisting the Clerk of the Parliaments with the organisation of the by-election.

¹ All members of the House who have taken the oath of allegiance to King Charles III, or made the solemn affirmation, on or before 9 June will be eligible to vote, except those who are subject to statutory disqualification; suspended from the service of the House; or on leave of absence.

The timetable for the by-election is:

Monday 15 May	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).
Monday 22 May	List of candidates and statements issued to electors.
Monday 22 May	Ballot papers sent by Civica Election Services to those requesting a postal vote.
Monday 12 – Tuesday 13 June	Voting to take place electronically from 10am on Monday 12 June until 5pm on Tuesday 13 June. 5pm on 13 June is also the deadline for receipt of postal ballot papers.
Wednesday 14 June	Result of the by-election reported to the House.

Voting will be conducted via a secret ballot. The Alternative Vote system will be used. 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.

The result of the by-election will be announced in the House of Lords Chamber by the Clerk of the Parliaments at a convenient moment (likely to be after oral questions) on Wednesday 14 June.

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 announcement by the Clerk of the Parliaments. The result will also be published online at www.parliament.uk.

Postal ballots

Members 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 15 May by returning the form in Annex II. Members should specify the address to which the ballot paper should be posted. Ballot papers will be posted on Monday 22 May. 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 Tuesday 13 June. Postal ballot papers arriving after the deadline 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 4808/2257

SIMON BURTON
Clerk of the Parliaments

Annex I: 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

Annex II: Application for a postal vote

Hereditary peers' by-election

I wish to apply for a postal vote in this election. I have accessibility needs which mean I cannot use the online voting system or I do not have a parliamentary email address. I understand that the ballot paper will be posted on Monday 22 May 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 15 May to:

Journal Office
House of Lords
London SW1A 0PW

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

