

4 March 2021

Election of the Lord Speaker

Introduction

This notice sets out the arrangements for the election of a Lord Speaker, pursuant to Standing Order 18.

The present Lord Speaker, Lord Fowler, announced his resignation on 25 February.

Due to the coronavirus pandemic, this election will be conducted using remote means. As with the elections for the Lord Speaker in 2006, 2011 and 2016, Civica Election Services (formerly ERS) will assist the Clerk of the Parliaments with the administration of the election.

The Code of Conduct for the election is in Annex 1 to this notice. A description of the role of the Lord Speaker is in Annex 2. Details of how to register a candidature are attached to this notice, as is a form to request a postal vote.

Timetable

Friday 19 March, 12 noon	Deadline for candidatures to be registered. Each candidate requires a proposer and a seconder. Deadline for election addresses of up to 500 words and election video of up to 3 minutes length. 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].
Tuesday 23 March	List of candidates published and emailed to all members of the House, together with a statement of each candidate's parliamentary service, their entry in the Register of Lords' Interests, election addresses of up to 500 words and link to a video clip of up to 3 minutes. Full instructions on how to vote using the on-line voting system will be included.
Thursday 25 March	First virtual hustings event at 2pm.
Monday 29 March	Ballot papers sent by Civica Election Services to those requesting a postal vote.
Monday 12 April	Second virtual hustings event at 6pm. Email containing full voting instructions and link to on-line voting system sent to the parliamentary email address of each member eligible to vote.



Tuesday 13 April – Thursday 15 April	Voting to take place electronically from 10am on 13 April until 5pm on 15 April.
Thursday 15 April, 5pm	Deadline for postal votes to be returned to Civica Election Services.
Wednesday 21 April	Subject to Her Majesty The Queen’s approval being given by this date, the Clerk of the Parliaments to report the result of the election to the House at the start of business. Her Majesty The Queen’s approval of the House’s choice of Lord Speaker to be notified. Full election results available online and on the printed paper table in the Royal Gallery.
Saturday 1 May	New Lord Speaker takes office.
Monday 3 May	Bank Holiday
Tuesday 4 May	New Lord Speaker sits on the Woolsack for the first time at the start of business.

Candidatures

All members of the House who have taken the oath on or before Thursday 25 March are eligible to be candidates, except those who are:

- subject to statutory disqualification;
- suspended from the service of the House; or
- on leave of absence.

In accordance with Standing Order 18(4) candidates are to be proposed and seconded by two other members of the House who are eligible to stand. Candidates must email the Journal Office to register their candidature by noon on 19 March: holjournaloffice@parliament.uk. To prevent hoaxes, candidates must use their parliamentary email address to register their candidature. The deadline for the receipt of emails from the parliamentary email addresses of proposers and seconders confirming they are willing to support a candidature is also 19 March at 12 noon. It is also the deadline for withdrawing candidatures previously submitted.¹

Candidates are invited, but not required, to submit an election address of up to 500 words in support of their candidature. Such election addresses must be received by holjournaloffice@parliament.uk by noon on Friday 19 March. If candidates wish to record a video statement of up to 3 minutes they may do so and should contact the Journal Office who will arrange to record the video with them over Microsoft Teams. Candidates wishing to record a video should

¹ Members who have accessibility needs which mean they cannot use email or members who do not have a parliamentary email address may register their candidature or propose or second a candidate by sending a letter to that effect to the Journal Office, House of Lords, London, SW1A 0PW. These should indicate the member’s full title and be signed. The deadline for receipt of such letters is 12 noon on Friday 19 March.



contact the Journal Office at their earliest convenience before the deadline in order to provide time for recording and editing.

The Clerk of the Parliaments will then publish the list of candidates, along with their election addresses and any video links and a statement of each candidate's parliamentary service, covering length of service, membership of select committees, experience as an office-holder in either House, and their entry in the Register of Lords' Interests.

The Hansard Society plans to organise at least two "hustings" events in respect of this election using Zoom, on 25 March at 2pm and 12 April at 6pm. Recordings will be made available after the events. A Notice containing details of the hustings event will be circulated in the week commencing 15 March. For further information candidates are invited to contact Ruth Fox at the Hansard Society: ruth.fox@hansardsociety.org.uk.

Eligibility to vote

All members of the House who have taken the oath in this Parliament on or before 25 March are eligible to vote, except those who are:

- subject to statutory disqualification;
- suspended from the service of the House; or
- on leave of absence.

Voting will take place from 10am on 13 April to 5pm on 15 April using the online voting system.

Postal votes

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 **noon on Friday 19 March** by returning the form below. Members should specify the address to which the ballot paper should be posted. Ballot papers will be posted on 29 March to those whose applications have been received by 19 March.

The ballot paper for postal votes will be sent by Civica Election Services. The ballot paper 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 Thursday 15 April.
Postal ballot papers arriving after this time will not be counted.**

Voting system

The Alternative Vote system will be used. Voters place the figure 1 in the box next to the name of the candidate they most strongly support, the figure 2 against the next most favoured candidate, and so on. Voters may cast as many or as few votes as they wish. In order 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.

Civica Election Services are assisting the Returning Officer with the organisation and running of this election.



Code of conduct

The Code of Conduct for the election, which is substantially the same as for the Lord Speaker elections in 2006, 2011 and 2016 is in Annex 1.

The role of the Lord Speaker

A summary of the role of the Lord Speaker is in Annex 2.

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 and with the Hansard Society for the administration of the hustings events. 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.

ED OLLARD
Clerk of the Parliaments



Annex 1: 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 2: The role of the Lord Speaker

The role of the Lord Speaker is described in the *Companion to the Standing Orders* (2017 edition) as follows.

Role of the Lord Speaker

1.54 The primary role of the Lord Speaker is to preside over proceedings in the Chamber, including Committees of the whole House.^[51] He takes the oath first at the opening of a new Parliament; his role in the ceremonies accompanying oath-taking, the State Opening of Parliament, and royal commissions, are described in the appendices.^[52] The Lord Speaker seeks the leave of the House for any necessary absence of a full sitting day or more.

1.55 The Lord Speaker has no power to act in the House without the consent of the House. He observes the same formalities as any other member of the House, addressing the House as a whole, and not an individual member, and not intervening when a member is on their feet. The Speaker's function is to assist, and not to rule. The House does not recognise points of order.

1.56 Any advice or assistance given by the Lord Speaker is subject to the view of the House as a whole.^[53] The Lord Speaker has specific responsibilities with regard to private notice questions and the application of the *sub judice* rule; these are described below (paragraphs 6.36 and 4.63).

1.57 Outside the Chamber, the Lord Speaker chairs the House of Lords Commission, which oversees the administration of the House (see paragraph 11.66). He is a member of the Procedure Committee; has formal responsibility for the security of the Lords part of the parliamentary estate; is one of the three "keyholders" of Westminster Hall; and has a wide role representing the House at home and overseas.^[54]

1.58 The Lord Speaker may, after consultation with the government, recall the House whenever it stands adjourned.^[55]

1.59 The Lord Speaker is a salaried office-holder, and is required to lay aside outside financial interests falling into specific categories, including remunerated directorships and other employment.^[56] The Lord Speaker is also expected to lay aside any party or group affiliation on appointment, and to refrain from political activity, including voting in the House.^[57]

In addition the Lord Speaker, when sitting on the Woolsack, calls on the business on the Order Paper, Private Notice Questions (PNQs), Urgent Question (UQ) repeats and oral statements. They also appoint the members of the Lord Speaker's Advisory Panel on Works of Art.

Term of office

The Lord Speaker is elected for five years. No Lord Speaker may serve for more than two terms.

Salary and expenses

The Lord Speaker's annual salary will be £105,216. In addition the Lord Speaker will be entitled to claim a Lords' office-holder's allowance. For Lords' office-holders whose main home is outside Greater London the allowance is £36,366 per year; those whose main home is within Greater London may claim the reduced rate of £4,030 per year. The allowance is paid monthly along with salary and is taxable but does not reckon for pension purposes.

The Lord Speaker may recover the same expenses as other Lords' office-holders, namely:

- secretarial expenses incurred in respect of parliamentary duties (subject to an annual limit of £7,804);
- travelling expenses from home to the House of Lords (normally for one return journey a week);



- travel expenses for journeys undertaken by their spouse or civil partner (and named dependent children) between their registered residential address and Westminster (subject to a maximum of 15 return journeys per year).
- the office holder is expected to meet any daily commuting costs between their home and Westminster.

A former minister or MP in receipt of a parliamentary pension could have their pension fully or partially abated while holding office. For further detail prospective candidates with such pensions should contact the House of Commons Pensions Unit. It is expected that other public-service pensions would not be affected, but prospective candidates should consult their pension provider. The postholder is eligible to join the Parliamentary Contributory Pension Fund.

Political activity and outside interests

Paragraph 1.56 of the *Companion*, quoted above, summarises the following rules, agreed by the House on 16 March 2010:

“The Lord Speaker is subject to the Code of Conduct in the same way as all other members of the House and, in order to avoid any perception of conflict of interest, is also subject to additional requirements. The Lord Speaker is expected, during his or her period in office, to lay aside any financial interests falling within categories 1, 2 (other than the role of Lord Speaker itself), 6, 7 and 8, as defined in the Guide to the Code of Conduct.

Interests held by the Lord Speaker’s spouse or partner are subject to the same requirements as interests held by the spouse or partner of any other member of the House.

The Lord Speaker is also expected to lay aside any political party or group affiliation upon appointment, and to refrain from political activity, including voting in the House.” (Committee for Privileges, 2nd report, 2009–10)

Accommodation and support

The Lord Speaker occupies an office on the principal floor and is supported by a Private Secretary and a private office. The Reading Clerk occupies an office close to the Lord Speaker’s and manages the Private Secretary. The Lord Speaker’s rooms also include the River Room and a number of other rooms which used to form the Lord Chancellor’s apartment.

Dress

The Lord Speaker wears a gown when in the chamber, like that worn by clerks at the Table and QCs. Under the gown, and for official duties outside the chamber when a gown would not be suitable, the Lord Speaker wears court dress.

For state occasions and similar ceremonies outside the chamber, when parliamentary robes might be unsuitable, the Lord Speaker wears a black and gold robe (without a train).

Statutory functions

Schedule 6 to the Constitutional Reform Act 2005 conferred on the Lord Speaker the following functions (previously undertaken by the Lord Chancellor):

- under the Clerk of the Parliaments Act 1824, the power to appoint, subject to approval by the House, clerks officiating at the Table other than the Clerk of the Parliaments;
- under the Parliamentary Papers Act 1840, the role (held concurrently with the Clerk of the Parliaments) of certifying that papers have been published by order of the House;



- under the Church of England (Assembly) Powers Act 1919, the appointment of the Lords members of the Ecclesiastical Committee;
- under the Statutory Instruments Act 1946 and the Laying of Documents before Parliament (Interpretation) Act 1948, the role of receiving notifications in cases where a statutory instrument comes into operation before being laid;
- under the Consolidation of Enactments (Procedure) Act 1949, certain functions in relation to the parliamentary scrutiny of consolidation bills which incorporate “corrections and minor improvements”;
- under the Ministerial and other Salaries Act 1975, the power to determine who is the Leader of the Opposition in the House of Lords;
- under the Civil Contingencies Act 2004, the duty of recalling the House if emergency regulations are made during an adjournment ending more than five days later;
- under the Statutory Instruments Regulations 1947, the function, jointly with the Speaker of the House of Commons, of nominating the members, and establishing the quorum, of the Statutory Instruments Reference Committee;
- under the Church Commissioners Measure 1947, the role of Church Commissioner.

Under the Planning Acts, various functions relating to Westminster Hall and the Chapel of St Mary Undercroft are conferred on the Lord Speaker and exercisable jointly with the Lord Great Chamberlain and the Speaker of the House of Commons.

Under the House of Lords Reform Act 2014 the Lord Speaker issues certificates if a peer who has been introduced has not attended the House during a session lasting six months or more; and if a member of the House is convicted of a serious criminal offence.



Election of the Lord Speaker 2021

CANDIDATURE EMAIL

Members who wish to be a candidate in the 2021 Lord Speaker election should email holjournaloffice@parliament.uk by noon on Friday 19 March confirming that they wish to stand in the election. This email should contain their full title and must come from the member's parliamentary email address.

Those proposing or seconding candidates should email holjournaloffice@parliament.uk by noon on Friday 19 March stating the full title of the candidate and indicating whether they are proposing or seconding them. This email should contain the proposer or seconder's full title and must come from their parliamentary email address.

Members who have accessibility needs which mean they cannot use email or members who do not have a parliamentary email address may register their candidature or propose or second a candidate by sending a letter to that effect to the Journal Office, House of Lords, London, SW1A 0PW. These should indicate the member's full title and be signed. The deadline for receipt of such letters is noon on Friday 19 March.

Candidates are invited, but not required, to submit an election address of up to 500 words for circulation with the list of candidates. These must be received by holjournaloffice@parliament.uk by noon on Friday 19 March. If members wish to record a video statement of up to 3 minutes they may do so and should contact the Journal Office who will arrange to record the video with them over Microsoft Teams. The final deadline for videos to be submitted is noon on Friday 19 March. Candidature forms and election addresses received after the deadline will not be accepted. If submitting an election address please ensure it does not exceed 500 words.



Election of the Lord Speaker

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 Monday 29 March 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 12 noon on Friday 19 March to:

Journal Office
House of Lords
London SW1A 0PW

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

