



## Election of the Speaker of the House of Lords

### Introduction

This notice sets out the arrangements for the election of a Lord Speaker, pursuant to Standing Order 19.

The present Lord Speaker, Baroness Hayman, announced on 9 May 2011 that she would not be seeking re-election.

The Code of Conduct for this election is given at Annex 1 to this notice; a description of the electoral process, and of the role of the Lord Speaker, is given at Annex 2. A candidature form is also attached to this notice.

### Timetable

By 5 pm Thursday 23 June	Candidatures to be registered. In accordance with SO 19(2), each candidate will require a proposer and a seconder.
Monday 27 June	List of candidates published and sent to all Members of the House, together with a statement of each candidate's Parliamentary service, their entry in the Register of Lords' Interests, and election addresses of up to 75 words.
Wednesday 29 June	Ballot papers sent to those requesting a postal vote, to be returned to the Clerk of the Parliaments no later than 5 pm on Wednesday 13 July.
Wednesday 13 July	Voting will take place in the Queen's Robing Room from 10 am to 8 pm.
Monday 18 July	The Clerk of the Parliaments will 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 Speaker will be notified. The full election results (first-preference votes cast for each candidate, and the position after each transfer of votes) will subsequently be made available.
Thursday 1 September	The new Lord Speaker will formally take office.
Monday 5 September	The new Lord Speaker will sit on the Woolsack for the first time at the start of business.

### Candidatures

All Members of the House who have taken the Oath are eligible to be candidates, with the exception of those who are

- subject to statutory disqualification;
- suspended from the service of the House; or
- on Leave of Absence.

Candidates are to be proposed and seconded by two other Members of the House who are eligible to stand. The enclosed candidature form must be returned to the Clerk of the Parliaments' office by 5 pm on Thursday 23 June. That will also be the deadline for withdrawing candidatures previously submitted.

The Clerk of the Parliaments will then circulate the list of candidates, along with a statement of each candidate's parliamentary service, covering length of service, membership of select committees, and experience as an office-holder in either House, and their entry in the Register of Lords' Interests. In addition candidates may submit, by 5 pm on 23 June, an election address of up to 75 words for publication with the list.

The Hansard Society plans to organise a "hustings" event in respect of this election on Tuesday 28 June at 5 pm in the Queen's Robing Room. This will be modelled on the similar event organised by the Hansard Society in June 2009 for the election of the Speaker of the House of Commons. For further information candidates are invited to contact the Chief Executive of the Hansard Society, Fiona Booth (email: [F.Booth@hansard.lse.ac.uk](mailto:F.Booth@hansard.lse.ac.uk)).

### **Eligibility to vote**

All Members of the House who have taken the Oath are eligible to be vote, with the exception of those who are

- subject to statutory disqualification;
- suspended from the service of the House; or
- on Leave of Absence.

Members who wish to terminate their Leave of Absence in time to enable them to vote should inform the Clerk of the Parliaments not later than 5 pm on Monday 13 June.

Voting will take place on Wednesday 13 July from 10 am to 8 pm in the Queen's Robing Room.

### **Postal votes**

Members wishing to vote but unable to attend the House on 13 July should inform the Clerk of the Parliaments, using the attached form, by **5 pm on Tuesday 28 June**, and will be given a postal vote. Ballot papers will be posted on Wednesday 29 June to those whose applications have been received by 28 June. Late applications will be accepted until Friday 1 July.

Members requesting a postal vote should inform the Clerk of the Parliaments of the address to which the ballot paper should be sent. If no address is supplied, the ballot paper will be sent to the House of Lords. The ballot paper may be returned by post (a prepaid addressed envelope will be provided) or returned to the Clerk of the Parliaments' office by hand.

**All those receiving postal votes must return their completed ballot paper to the Clerk of the Parliaments' Office by 5 pm on Wednesday 13 July. 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 candidate or 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 vote.

Ballot papers will be invalidated if:

- Any number is used more than once, or
- In the opinion of the Returning Officer (the Clerk of the Parliaments) the ballot paper is illegible or ambiguous.

Electoral Reform 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 the same as that adopted for the election of Lord Speaker in 2006, is set out in Annex 1.

## **The role of the Speaker of the House of Lords**

A summary of the role of the Speaker of the House of Lords is given at Annex 2.

DAVID BEAMISH  
*Clerk of the Parliaments*



## **Annex I: Code of Conduct**

1. Ballot papers 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. Candidates may not solicit votes near the room where the election is taking place.
5. 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 Privileges and Conduct. 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.
6. 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 description of the role of the Lord Speaker contained in the *Companion to the Standing Orders* (2010 edition) is given below. A list of the Lord Speaker's statutory functions is given at the end of this notice.

### *Role of the Lord Speaker*

1.35. The primary role of the Lord Speaker is to preside over proceedings in the Chamber, including Committees of the whole House.<sup>1</sup> She takes the oath first at the opening of a new Parliament; her role in the ceremonies accompanying oath-taking, the State Opening of Parliament, and royal commissions, are described in the appendices.<sup>2</sup> The Lord Speaker seeks the leave of the House for any necessary absence of a full sitting day or more.

1.36. The Lord Speaker has no power to act in the House without the consent of the House. She 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 his feet. The Speaker's function is to assist, and not to rule. The House does not recognise points of order.

1.37. Any advice or assistance given by the Lord Speaker is subject to the view of the House as a whole.<sup>3</sup> 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 6.34 and 4.60).

1.38. Outside the Chamber, the Lord Speaker chairs the House Committee, which oversees the administration of the House (see paragraph 11.65). She 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.<sup>4</sup>

1.39. The Lord Speaker may, after consultation with the Government, recall the House whenever it stands adjourned.<sup>5</sup>

1.40. 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.<sup>6</sup> 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.<sup>7</sup>

### Length of appointment

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

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<sup>1</sup> SO 62.

<sup>2</sup> Appendices C–G.

<sup>3</sup> Procedure 3rd Rpt 2005–06.

<sup>4</sup> Report of the Select Committee on the Speakership of the House of Lords, HL Paper 92, 2005–06.

<sup>5</sup> SO 17(1). See also paragraph 2.22.

<sup>6</sup> Privileges 2nd Rpt 2009–10.

<sup>7</sup> Procedure 4th Rpt 2005–06.

## **Salary and expenses**

The Lord Speaker's annual salary will be £101,038. In addition the Lord Speaker will be entitled to a Lords' office-holder's allowance. For Lords' office-holders whose main home is outside Greater London the allowance is currently £36,366; those whose main home is within Greater London can claim the reduced rate of £3,760. The allowance is paid monthly along with salary.

A former Minister or MP in receipt of a Parliamentary pension would not receive that pension while holding office. It is expected that other public service pensions would not be affected, but prospective candidates should consult their pension provider.

The Lord Speaker will be able to recover the same expenses as other office-holders, namely:

- Secretarial expenses incurred in respect of Parliamentary duties (subject to an annual limit of £5,930 per annum);
- Travelling expenses from home to the House of Lords;
- Travel expenses for journeys undertaken by their spouse or civil partner (and named dependent children) between their registered address and Westminster (subject to a maximum of 15 return journeys per calendar year).

## **Political activity and outside interests**

Paragraph 1.44 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, 3, 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 Rpt, 2009–10)

## **Accommodation and support**

The Lord Speaker occupies an office on the Principal Floor, and is supported by a Private Secretary, two Assistant Private Secretaries and a Diary Secretary. The Reading Clerk occupies an office close to the Lord Speaker's and manages the private office.

## **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 other 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 confers 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 Exchequer and Audit Departments Act 1957, the giving of authority for an authorised officer to perform functions of the Comptroller and Auditor General;
- under the Ministerial and other Salaries Act 1975, the power to determine who is the Leader of the Opposition in the House;
- 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.



## Election of the Speaker of the House of Lords

### CANDIDATURE FORM

I wish to be a candidate in this election.

Signature: \_\_\_\_\_

Title (please print): \_\_\_\_\_

### Proposer

Signature: \_\_\_\_\_

Title (please print): \_\_\_\_\_

### Secunder

Signature: \_\_\_\_\_

Title (please print): \_\_\_\_\_

Please return this form to arrive by 5 pm on Thursday 23 June 2011 to:

The Clerk of the Parliaments, House of Lords, London SW1A 0PW

Candidates are invited to submit an election address of up to 75 words, and a factual statement of their Parliamentary service, for circulation with the list of candidates. These need not be submitted at the same time as the candidature form but must be received in the Clerk of the Parliaments' office by 5 pm on Thursday 23 June. Candidature forms and statements received after the deadline will not be accepted.



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## **APPLICATION FOR POSTAL VOTE**

I wish to apply for a postal vote in this election.

I understand that the ballot paper will be posted on 29 June 2011, and that it will be sent to me at the House of Lords, unless I provide an alternative address in the box below.

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 5 pm on Tuesday 28 June 2011 to:  
The Clerk of the Parliaments, House of Lords, London SW1A 0PW