

United Kingdom

Background	<p>Name of EMB: The Electoral Commission (UK)</p> <p>Status: Permanent</p> <p>Number of commissioners: Ten (including the chair).</p> <p>Number of full-time EMB staff: 140 approx.</p>
Establishment of the EMB	<p>Constitutional and/or legislative provisions for establishment of the EMB: The Electoral Commission was set up under the Political Parties, Elections and Referendums Act 2000 (PPERA). The commission is independent of government and political parties, and is directly accountable to the UK Parliament through a committee chaired by the speaker of the House of Commons. The commission also reports to the Scottish Parliament in respect of its functions relating to local government elections in Scotland and reported to the Scottish Parliament in relation to the referendum on independence in Scotland.</p> <p>EMB's mandate: The Electoral Commission is an independent body which reports directly to the UK Parliament. It regulates political party and election finance and sets standards for well-run elections. The EMB puts voters first by working to support a healthy democracy, where elections and referendums are based on our principles of trust, participation and no undue influence. Returning officers are responsible for the administration of elections. The commission does not run elections, but works with returning officers and their staff to ensure elections are well run. <i>EMB roles and responsibilities outline much of the work it does in order to meet the objectives of:</i></p> <ul style="list-style-type: none"> • well-run elections, referendums and electoral registration; • transparency in party and election finance, with high levels of compliance.

		<p><i>Regulator of party and election finance. Here the mandate is to:</i></p> <ul style="list-style-type: none">• regulate political party funding in the UK to ensure the integrity and transparency of party and election finance;• provide guidance for political parties and regulated donees to assist them in meeting their legal obligations to follow party funding rules;• publish political parties' annual statement of accounts on the commission website;• maintain a publicly available and searchable register of these donations made to political parties on its website;• monitor political party, candidate and non-party campaign spending at elections and referendums;• impose financial civil penalties on political parties and their accounting units if they fail to submit donation and loans returns, campaign spending return or statements of account; and• seek forfeiture of impermissible donations accepted by political parties. <p><i>Registration of political parties. Here the mandate is to:</i></p> <ul style="list-style-type: none">• register political parties, emblems and party descriptions. <p><i>Electoral registration. Here the mandate is to:</i></p> <ul style="list-style-type: none">• produce guidance and give advice on electoral registration to electoral registration officers in Great Britain;• set performance standards for electoral registration in Great Britain (electoral registration officers are required to report against these standards and the commission will make this information publicly available); and• undertake public awareness campaigns ahead of elections and throughout the year to encourage people to register to vote (the campaigns focus on audiences that research indicates are less likely to be on the electoral register, including recent home-movers, students and UK citizens living overseas).
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	<p>EMB model:</p> <p>What standards are established in the constitution or other legislation for democratic legitimacy?</p>	<p>Independent.</p> <p>The standards are set out in PPERA. The commission is accountable to the Speaker's Committee, which is chaired by the speaker of the House of Commons. The Speaker's Committee is a statutory body established under PPERA. The speaker, the Lord President of the Council, chair of the Political and Constitutional Reform Committee and the minister with responsibilities in relation to local government are ex officio members of the committee. The other five members of the committee are appointed by the speaker.</p>

		<p>Its statutory functions include:</p> <ul style="list-style-type: none"> overseeing the procedure for the selection of individuals to be put forward for appointment or re-appointment as electoral commissioners (including the chair of the commission), and for appointment as the chair of the Local Government Boundary Commission for England; and examination of the estimates and five-year plans of the Electoral Commission and the Local Government Boundary Commission for England. <p>A representative of the Speaker's Committee answers questions on behalf of the commission in parliament on a regular basis.</p>
<p>Appointment, tenure and removals</p>	<p>Provisions for the appointment of commissioners:</p> <p>Political status of commissioners:</p>	<p>Electoral commissioners, including the chair of the commission, are appointed by the Queen on a referral from the House of Commons following a recommendation from the speaker of the house.</p> <p>Four commissioners are appointed to represent political parties. Three of the nominated commissioners shall each be a person put forward by the leader of the three largest nominating parties at the time of the person's appointment.</p> <p>The represented parties are as follows:</p> <ol style="list-style-type: none"> The Conservative Party The Labour Party The Scottish National Party Smaller political parties (those parties having two or more seats in the UK Parliament and taking them up)
	<p>Chair qualifications:</p> <p>Commissioner qualifications:</p>	<p>No specific or formal qualifications, although there is a role description and person specification for both the chair and commissioners used in the recruitment process.</p> <p>No, although depending on the strengths currently represented on the board, the recruitment process may seek candidates with experience in a particular field.</p> <p>Commissioners nominated by political parties will usually have recent significant political experience in a UK-wide party.</p>

	<p>Tenure of chair and commissioners:</p> <ul style="list-style-type: none"> • Commissioners (including the chair) are appointed to serve a four-year term, which can be renewed. • Commissioners representing the three main political parties (representing the Conservative, Labour and Scottish Nationalist Parties) are also appointed on a four-year term, which can be renewed. The political parties provide the commission with a short-list of candidates for each respective political party, who are then interviewed by the Electoral Commission, the successful candidate being appointed commissioner for that political party. • The commissioner representing the 'smaller' political parties has so far been appointed for a two-year term. The smaller political parties put forward a candidate to stand as their representative commissioner, subject to the Speaker's Committee interview process. 	<ul style="list-style-type: none"> • Only the Queen can officially remove a commissioner from their post. <p>Senior staff are appointed following open competition.</p> <p>Senior staff are usually appointed on a permanent basis unless circumstances require appointment on a fixed-term basis.</p> <p>Senior staff are subject to the same dismissal procedures for all commission staff. Either the chief executive or chair/board would be involved in any decision to dismiss senior staff.</p>
<p>Funding arrangements</p>	<p>Setting and control of EMB's budget:</p>	<p>Under the Political Parties, Elections & Referendums Act 2000 (PPERA), the Electoral Commission seeks authority from parliament for its spending each financial year. The commission is directly accountable to the UK Parliament through a committee chaired by the speaker of the House of Commons.</p> <p>The commission is required to submit to the Speaker's Committee each financial year an estimate of the commission's income and expenditure (detailing how much money the commission requires and how it intends to spend it). Once approved by the Speaker's Committee, the committee lays the estimate before the House of Commons for approval.</p>

	<p>Financial autonomy:</p>	<p>The commission can reallocate the way it applies its approved funds to deliver the outcomes in its Corporate Plan (which is approved by the Speaker’s Committee) and must ensure activity is within the remit approved in the annual Supply Estimate. The Speaker’s Committee will be notified of any significant in-year plans to change the application of approved funds.</p> <p>The financial autonomy of the commission is established within PPERA.</p>
<p>Electoral system</p>	<p>Legal provisions for financial autonomy:</p> <p>Number of chambers/houses within the legislature:</p>	<p>The UK is a unitary state with a devolved system of government.</p> <p>The UK Parliament is the supreme legislative body in the United Kingdom. It is bicameral, consisting of two chambers/houses: the House of Commons and the House of Lords. The House of Commons consists of directly elected Members of Parliament (MPs) as voted for at UK Parliamentary general elections. The House of Lords is an appointed legislature and acts to review legislation initiated by the House of Commons, with the power to propose amendments.</p> <p>There is also a devolved Scottish Parliament and devolved assemblies in Northern Ireland and Wales.</p> <ul style="list-style-type: none"> • The Scottish Parliament is the national, unicameral legislature of Scotland (one chamber) • The National Assembly of Wales is the national, unicameral legislature of Wales (one chamber) • The Northern Ireland Assembly is the national, unicameral legislature of Northern Ireland (one chamber)
	<p>Voting system:</p>	<p>The voting system changes depending upon the various legislatures:</p> <ul style="list-style-type: none"> • United Kingdom Parliament – first-past-the-post (FPTP) voting system • Northern Ireland Assembly – single transferable vote (STV) • Scottish Parliament – additional member system (AMS) • National Assembly for Wales – additional member system
	<p>Amendments to electoral laws:</p>	<p>The Electoral Commission can make recommendations to the secretary of state to amend electoral laws, but it is for the UK Government and Parliament to decide on the implementation of the law.</p>
	<p>Drafting of electoral regulations:</p>	<p>The responsibility to draft electoral regulations rests with the UK Government, Parliament and the relevant devolved bodies.</p>

<p>Electoral disputes</p>	<p>Electoral dispute resolution mechanisms:</p>	<p>The commission has no role in resolving electoral disputes. In the UK the only way to challenge the outcome of an election once a candidate has been declared elected is by legal proceedings. These proceedings are referred to as 'election petitions' and can be brought by a candidate or elector in the area in which the election was held within a specified period of time after the election. Part 3 of the Representation of the People Act 1983 (RPA 1983) sets out the process for challenging UK Parliamentary and local government elections by election petition. Some relevant provisions are also set out in the Election Petition Rules 1960.</p>
<p>Other issues:</p>		
<p>Secretariat</p>	<p>Administrative autonomy: Women in senior positions:</p>	<p>Yes.</p> <ul style="list-style-type: none"> • At commissioner level, three out of ten commissioners are women (including the chair). • At Executive Team level, two out of five members of the Executive Team are women (including the chief executive and the deputy chief executive/director of finance). • At senior management level, seven out of 15 members of the Senior Leadership Group are women.
	<p>Administrative structure:</p>	<p>There are four directorates:</p> <ul style="list-style-type: none"> • Communications • Electoral Administration • Party and Election Finance • Finance and Corporate Services