

## **ELECTIONS ACT 2022 IMPLEMENTATION**

### **Background**

On Monday 5 July 2021, the UK Government introduced the Elections Bill to the House of Commons which included changes to the administration and conduct of elections. The Bill has completed all stages through the House of Commons and House of Lords and the Act received Royal Assent on 28 April 2022. The Department for Levelling Up, Housing and Communities (DLUHC) are currently developing the policies and secondary legislation is being considered in Parliament from Summer 2022.

### **Summary of changes from the Elections Act 2022**

#### **Voter Identification (all polls):**

- Require voters to show an approved form of photo ID at polling stations before a ballot paper is issued.
- Require Electoral Registration Officers (EROs) to issue free voter identification documents to those without a valid form of photo ID.

The current list of ID that will be accepted is still subject to change in secondary legislation, however the list of documents included in the policy paper can be found on the Gov.uk website under [Annex A](#).

The Government has indicated that approximately 2% of the electorate may require photo ID. For Stroud district this translates to approximately 1,900 people, however, the figure could be higher as we cannot prevent a person who already has an acceptable form of photo ID applying for a Voter Card.

#### **Accessibility (all polls):**

- Extend and improve accessibility in polling stations to support those with a disability.
- Removing restrictions on who can accompany an elector as a 'companion' in a polling station.

#### **Postal and proxy voting (all polls):**

- Require postal voters to reapply for a postal vote every three years, replacing current rules of supplying a new signature every five years.
- Prohibit political campaigners from handling postal votes.
- Restrict the handling of postal votes, including limiting the number of postal votes an individual can hand in at a polling station.
- Further limit the number of people someone may act as proxy for to four electors (within that four, no more than two may be electors who are not Overseas or Service voters).
- Extend the secrecy of the ballot requirements, currently in force in polling stations, to postal and proxy voting.

#### **Overseas (registration and UK Parliamentary Elections only):**

- Allow all British citizens living overseas to vote in UK Parliamentary elections, regardless of when they left the UK by removing the 15 year limit on expatriates' right to vote.
- Registration entitlement extended from one year up to three years.
- Absent voting arrangements (where set up) aligned to match their registration entitlement to three years to renew both registration and absent voting arrangements together.

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**Identity Verification for absent vote applications and online application service (all polls):**

- Allow electors to apply for an absent vote online and undertake verification of the applicant's identity (this will apply for paper applications too).
- Same online service will also facilitate online applications for Voter Cards.

**EU Candidacy Rights and Voting (Local Elections and Police and Crime Commissioner polls):**

- Removal of automatic voting and candidacy rights for EU Citizens.
- EU Citizens in addition to satisfying age and residency, must either be
  - a) An EU Citizen from an EU Member State with which the UK has a voting rights agreement (Spain, Portugal, Luxembourg, Poland); or
  - b) Have retained a lawful immigration status and been resident in the UK at the Implementation Period Commencement Date.
- Any EU Citizen elected prior to the Act will continue to serve their full term. Rights of Irish citizens will not be affected.
- Cyprus and Malta citizens to retain candidacy and voting rights.

**Clarification on undue influence (all polls):**

- To include a wider range of harms, such as physical violence and damage to persons reputation or property, deception to an elector on any conduct or administration of an election or referendum and intimidation.

**First Past the Post (Combined Mayoral and Police and Crime Commissioner polls):**

- Change Mayor of London, combined authority Mayors and Police and Crime Commissioner voting system to Simple Majority Voting System (also known as First Past the Post).

**Other aspects of the Act:**

- Notional Expenditure
- Political Finance
- Intimidation – new electoral sanction
- Digital Imprints

**Next Steps**

It is expected that most aspects of the Act will be phased across the next 12 months, therefore Stroud's May 2024 Police and Crime Commissioner and Local Government Elections would be the first scheduled elections that will be delivered under the new rules of the Election Act 2022.

Whilst waiting for the secondary legislation and implementation guidance from DLHUC and Electoral Commission, we have reviewed the policy papers available and are considering and planning for implementing the new rules including producing a plan of key processes and identifying where additional resources may be needed to help facilitate the changes.

**An All Member Information Briefing** will be arranged later in the year to be able explain in more detail each of the different aspects of the Elections Act 2022 once the secondary legislation has been finalised and we have received guidance on the implementation of the changes of the act.