

EXPLANATORY MEMORANDUM TO
THE GREATER LONDON AUTHORITY ELECTIONS (ELECTION ADDRESSES)
(AMENDMENT) ORDER) 2008

2008 No. 507

1. This explanatory memorandum has been prepared by the Ministry of Justice and is laid before Parliament by Command of Her Majesty.

2. Description

2.1 This Order makes minor changes to the Greater London Authority (Election Addresses) Order 2003 (S.I. 2003/1907).

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None

4. Legislative Background

4.1 The next Greater London Authority polls will take place on Thursday, 1st May 2008 in accordance with section 3(2) of the Greater London Authority Act 1999 (“the 1999 Act”). This Order, together with:

- the Greater London Authority Elections Rules 2007, which were laid on the 18th December 2007 and will come into force (subject to annulment under the negative resolution procedure) on the 14th January 2008; and
- the Greater London Authority (Relevant Registration Officers) Order 2007, which is not a statutory instrument and is not subject to any parliamentary procedure, but also comes into force on the 14th January 2008,

form a package of secondary legislation needed for the effective running of the Greater London Authority elections from 2008 onwards.

4.2 Section 17A(3) of the 1999 Act, allows the Secretary of State to make provision enabling candidates at ordinary elections for the Mayor of London or the London Assembly to prepare an election booklet and for that booklet to be distributed in a prescribed manner.

4.3 That power was exercised in the Greater London Authority (Election Addresses) Order 2003 (S.I. 2003/1907) (“the 2003 Order”). That Order makes provision for the free delivery of election addresses, prepared by candidates at an ordinary election for the Mayor of London, and collated in an election booklet and delivered to electors in the Greater London area. The 2003 Order also made other miscellaneous provisions concerning the addresses and election booklet, including provision for deciding the order of the election addresses in the booklet, the candidates’ contribution towards the cost of printing, and free delivery using a universal service provider.

5. Extent

5.1 This Order applies to England.

6. European Convention on Human Rights

6.1 The Parliamentary Under Secretary of State, Bridget Prentice, MP has made the following statement regarding Human Rights:

“In my view the provisions of the Greater London Authority Elections (Election Addresses) (Amendment) Order 2008 are compatible with the Convention Rights.”

7. Policy background

7.1 Following the enactment of the Electoral Administration Act 2006 (“the 2006 Act”), and in light of feedback from the Greater London Returning Officer (“GLRO”) following the last GLA elections in June 2004, this Order has been prepared to update the 2003 Order and bring it into line with provisions in the 2006 Act.

7.2 Articles 1 and 2 of this Order make provision for the citation, commencement (the day after the Order is made), and interpretation of this Order.

7.3 The 2006 Act made provision entitling persons to apply to be registered anonymously if the inclusion of their name on the electoral register might compromise their safety. Articles 3 and 4 of this Order amend the 2003 Order to ensure that those persons who are anonymously registered, will be entitled to receive an election booklet.

7.4 The 2006 Act also made amendments to the Political Parties, Elections and Referendums Act 2000 (c. 41), which enabled two or more parties to register joint descriptions for use by candidates of those parties. The purpose of articles 5 and 6 of this Order is to permit candidates to include a joint description in their election address.

7.5 The purpose of articles 7 and 8 is to provide certainty for the candidates at GLA elections, by providing that candidates’ election addresses must be submitted by the close of nominations.

7.6 The purpose of paragraph 9 is to make it clear that the GLRO may, on request, supply the election booklet containing candidates addresses in any electronic format. The GLRO may then decide which formats he will offer to electors closer to the time that the election booklet is produced.

7.7 The Secretary of State has consulted the Mayor, the London Assembly and the Electoral Commission in preparing this Order in accordance with section 17A(6) of the 1999 Act and sections 7(1) and 7(2)(i) of the Political Parties, Elections and Referendums Act 2000. The Secretary of State has also consulted the London Branch of the Association of Electoral Administrators.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

9. Contact

9.1 Any queries about the content of this memorandum should be addressed to: Shashi Langham at the Ministry of Justice, e-mail: Shashi.Langham@justice.gsi.gov.uk tel. 0207 210 8244.