
Who can vote?

Who is entitled to vote at UK Parliamentary elections? Does it follow that if you pay taxes you can vote, and if you don't you can't? What about citizens of other countries, for example the Commonwealth, Ireland or the European Union? Is anyone disqualified? This factsheet addresses these and other frequently asked questions.

Background

Only individuals whose names appear on the electoral register are entitled to vote. To vote in UK Parliamentary elections a person must also:

- be 18 years of age or over on polling day
- be a British citizen, a Commonwealth citizen or a citizen of the Irish Republic who is resident in the UK
- not be subject to any legal incapacity to vote

At a general election, the following cannot vote:

- anyone under 18 years old
- members of the House of Lords, who they can vote at elections to local authorities, devolved legislatures and the European Parliament
- EU citizens resident in the UK (who can vote at local government, devolved legislature and European Parliamentary elections)
- citizens of any country apart from the UK, Irish Republic and Commonwealth countries
- convicted persons detained in pursuance of their sentences (though remand prisoners,

unconvicted prisoners and civil prisoners can vote if they are on the electoral register)

- anyone found guilty within the previous five years of corrupt or illegal practices in connection with an election

Minimum voting age

The general election in 1970 was the first in which 18-year-olds were entitled to vote, under provisions contained in the Representation of the People Act (RPA) 1969. A number of organisations have argued that the minimum age should be reduced to 16, reflecting the fact that young people acquire other key rights and duties at this age.

Irish and Commonwealth citizens

The position of Irish and Commonwealth citizens in the UK is due to the traditionally close ties that exist between our countries.

The RPA 1918 provided that only British subjects could register as electors. However, the term 'British subject' included any person who, at that time, owed allegiance to the Crown, regardless of the Crown territory in which they were born. This included Commonwealth citizens.

The status of Irish citizens is laid down in the Ireland Act 1949, which declares that citizens of the Republic of Ireland are not to be treated as aliens. That position is reciprocal in that people born in the UK are not treated as aliens in the Republic. Since 1985 British citizens resident in the Republic have been entitled to vote in elections to the Irish Parliament.

Why can EU citizens vote in some UK elections?

Why can't others?

The Treaty on European Union signed at Maastricht in 1993 contained provisions to extend voting rights to all EU citizens in their Member State of residence. Citizens of other EU countries resident here have been eligible to register to vote at European Parliamentary and local government elections since 1994 and 1996 respectively. However, the Treaty contains no provisions to extend voting rights in national Parliamentary elections to those EU citizens resident in another part of the Union. The legislation that subsequently established devolved elected legislatures in Scotland, Wales and Northern Ireland also effectively extended voting rights to EU citizens in elections to those bodies. People of other nationalities are not eligible to vote in this country even if they are UK taxpayers and long-term residents.

Overseas electors

Overseas electors (i.e. eligible British citizens living abroad) were first enfranchised by the RPA 1985, which gave the right to vote at Parliamentary and European Parliamentary elections to expatriates for up to five years after they left the country. The qualifying period is now 15 years.

Voting by people who are homeless

Homeless people, or others who have no permanent address, can register, and thus vote, by making a declaration of local connection to their local electoral registration office.

Patients in mental hospitals

Patients resident in mental hospitals may now register to vote, unless they have been detained under certain sections of the Mental Health Act 1983 or are convicted offenders.

Prisoners

Prisoners on remand are now able to register by declaration of local connection. Convicted prisoners are prohibited by law from voting at elections. The European Court of Human Rights has found that restricting prisoners' right to vote in this way breaches the European Convention on Human Rights. However, the present government has confirmed that convicted prisoners will not be given the right to vote.

Literacy problems

There is no literacy qualification for voting. Anyone who is illiterate can ask the Presiding Officer at the polling station to mark their ballot paper for them, or take a companion to assist them.

Publications

Debate on entitlement to vote at 16, Daily Hansard Summary (December 2001).
www.parliament.the-stationery-office.co.uk/pa/cm/cmhansrd.htm

The Electoral Commission, *Election 2005: The Official Results* (2005).

The Electoral Commission, *Factsheets: Electoral registration in Great Britain and Electoral registration in Northern Ireland* (2006)

To find your local electoral registration office visit
www.aboutmyvote.co.uk

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