

The Association of Electoral Administrators

Policy Position Paper – UK bank holidays and electoral administration

1. Introduction

This paper outlines Association of Electoral Administrators (AEA) views about UK bank holidays, including those only observed in devolved nations, highlighting issues around elections and electoral registration timetables, current legislation, and practice.

2. Background

2.1 Legislation

Registration - when calculating certain registration timetable periods, days known as dies non are disregarded. Timetables “excluding dies non” as covered by legislation (Reg 8 RPR 2001¹) disregard:

- a Saturday or Sunday; and
- Christmas Eve, Christmas Day, Good Friday or a bank holiday².

If an election timetable deadline falls on a dies non, the deadline is moved forwards to the next day that is not a dies non.

Except for applications for absent votes (Reg 56 RPR 2001), dies non are only excluded for registration timetable periods that extend up to seven days. For example, for a voter registration application, there is an initial five **working** day period (i.e. five days excluding dies non) where the application is listed and open to public inspection and can be objected to by any person. However, the application must then be determined 14 **calendar** days (14 being more than seven) before the monthly notice of alteration that updates the register.

For absent votes, dies non are excluded for all timetabled application periods.

However, dies non do not apply to the annual electoral register revision date as the RPA 1983³ which sets out the timetable does not refer to them, which means where 1 December falls on a Saturday or Sunday, publication can go ahead at the weekend.

Elections –specific provisions governing timetable calculations are generally the same for all elections. Dies non disregarded for elections are:

- a Saturday or Sunday;
- Christmas Eve, Christmas Day, Good Friday or a bank holiday; and

¹ The Representation of the People (England and Wales) Regulations 2001

² [Banking and Financial Dealings Act 1971](#)

³ Representation of the People Act 1983

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- a day appointed for public thanksgiving or mourning (Rule 2 PER⁴; Rule 2 PAR 2006⁵; Rules 2 PCR 2006⁶; Rule 4 GLCR 2007⁷; Rule 4 GLLR 2007⁸; Rule 4 GLMR 2007⁹; Rule 3 PCCEO 2012¹⁰). Any day appointed for public thanksgiving or mourning is a dies non for any proceedings up to the completion of the poll. Returning officers are also not obliged to run counts on these days.

At UK Parliamentary general elections, a bank holiday in any part of the UK is a dies non day (Rule 2(1A) PER¹¹).

2.2 UK bank holidays

The table below lists all UK bank holidays for 2021. Shaded rows show dates affecting all nations.

Date: 2021	Day	Bank holiday	England	Wales	Scotland	Northern Ireland
1 Jan	Fri	New Year's Day	✓	✓	✓	✓
4 Jan	Mon	2nd January (SD*)			✓	
17 Mar	Wed	St Patrick's Day				✓
2 Apr	Fri	Good Friday	✓	✓	✓	✓
5 Apr	Mon	Easter Monday	✓	✓		✓
3 May	Mon	Early May bank holiday	✓	✓	✓	✓
31 May	Mon	Spring bank holiday	✓	✓	✓	✓
12 Jul	Mon	Battle of the Boyne (Orangemen's Day)				✓
2 Aug	Mon	Summer bank holiday			✓	
30 Aug	Mon	Summer bank holiday	✓	✓		✓
30 Nov	Tue	St Andrew's Day			✓	
27 Dec	Mon	Christmas Day (SD)	✓	✓	✓	✓
28 Dec	Tue	Boxing Day (SD)	✓	✓	✓	✓

⁴ Parliamentary Elections Rules (Schedule 1 of RPA 1983)

⁵ Local Elections (Principal Areas) Rules 2006

⁶ Local Elections (Parishes and Communities) Rules 2006

⁷ Greater London Authority Elections Rules 2007

⁸ Greater London Authority Elections Rules 2007

⁹ Greater London Authority Elections Rules 2007

¹⁰ Police and Crime Commissioner Elections Order 2012

¹¹ Parliamentary Elections Rules (Schedule 1 of RPA 1983)

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SD* = substitute day. If a bank holiday falls on a weekend, a 'substitute' weekday becomes a bank holiday, normally the following Monday.

3. Key issues

3.1 Registration

Bank holiday variations across the UK introduce an inconsistency of approach to calculating registration timetables at various points in the year.

3.2 Elections

Bank holiday variations across the UK pose a significant impact to UK Parliamentary general elections, as a bank holiday in any part of the UK is considered a dies non (Rule 2(1A) PER¹²).

This happened at the 2019 General Election, when St Andrews Day in Scotland affected the timetable for the entire UK.

3.3 UK Parliamentary general election – Thursday 12 December 2019

The St Andrew's Day bank holiday in Scotland on 2 December 2019 fell within the timetable for the 2019 General Election.

In line with legislation, the bank holiday applied to the election timetable across the UK, but not the registration timetables in England and Wales. St Andrew's Day is only excluded for registration timetables in Scotland but included for election timetables across the UK. This meant the deadline to register to vote in Scotland would have been different to the deadline in England and Wales.

This anomaly led to delays in confirming the timetable while legislation was checked. For consistency, the decision was taken to amend registration regulations in Scotland to bring them in line with those in England, Wales and Northern Ireland.

The impact of the bank holiday remained and meant the deadline to register to vote fell seven hours after the postal vote deadline rather than the usual 17 hours before.

- **5pm on Tuesday 26 November** (11 working days before poll) – deadline for receiving new postal vote and postal proxy applications, and for changes to existing postal and proxy votes.
- **Midnight on Tuesday 26 November** (usually 12 working days before poll but 11 working days before poll due to the St Andrew's day bank holiday) – deadline for receiving applications to register.

Further complications arose in areas with local government casual vacancy elections outside Scotland. The postal vote application deadline for those polls was

¹² Parliamentary Elections Rules (Schedule 1 of RPA 1983)

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Wednesday 27 November, as the St Andrew's Day bank holiday only applied to the general election timetable.

Having two registration deadlines on the same day created significant issues for administrators and confusion for citizens. Urgent processing of registration applications to issue final poll cards, and postal vote application processing, had to be administered at the same time. It also led to electors who applied for a postal vote before the deadline, but who did not register to vote until after 5pm on 26 November, not being allowed to vote by post.

In our [2019 post-election statement](#) we made the following recommendation:

We believe that legislation should be amended so that all UK bank holidays, including those only observed in devolved nations, apply to all elements of the election and electoral registration processes. This should include timetables for national polls and associated local government casual vacancy.

4. AEA policy position

- We believe legislation should be amended so all UK bank holidays, including those only observed in individual nations, consistently apply to all elements of the election and electoral registration processes. This should include timetables for all national and local polls.

5. Further information

The Association of Electoral Administrators was founded in 1987 and is the professional body representing the interests of electoral administrators in the United Kingdom. We are a non-governmental and non-partisan body with just under 2,000 members, the majority of whom are employed by local authorities to provide electoral registration and election services. Eleven regional branches of the Association cover the United Kingdom.

Further details on the legislative background connected to this policy position are available on request.

If you require any further information, please contact Angela Holden, AEA policy manager – angela.holden@aea-elections.co.uk or 07752 630497.

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