

## An early General Election?

25 October 2019

The Government confirmed at the close of the Queen's Speech on Thursday 24 October that it had tabled a motion under the Fixed-Term Parliaments Act (2011) calling for a General Election. The motion will appear on the order paper for Monday 28 October, on which date MPs will vote to accept or reject it. Prime Minister Boris Johnson [confirmed](#) that, if the motion was successful, Parliament would dissolve on 6 November ahead of polling day to be held on 12 December, giving MPs a further nine calendar days in which to debate and pass the Withdrawal Agreement Bill.

### The Fixed-Term Parliaments Act

The FTPA governs the process of parliamentary elections. It codifies the dissolution of Parliament and determination of polling days. Under the Act, an election can take place by one of three ways:

- Automatically, five years after the previous polling day
- A motion "That there shall be an early parliamentary General Election." This requires a two-third majority of all seats in the House (including vacant seats) and is unamendable
- A vote of no confidence in the form "That this House has no confidence in Her Majesty's Government." If a further motion in the form "That this House has confidence in Her Majesty's Government" is not passed within 14 calendar days, an early General Election is to take place

Alternatively, unless the FTPA is abolished (by a simple majority), the terms of the Act can be circumvented by the passing of a Bill which provides for an early General Election "notwithstanding" the terms of the FTPA. As a Bill it would be open to amendment and would therefore be an undesirable process from the Government's perspective, as it would in turn allow MPs to derail its Brexit agenda.

### Labour's votes are crucial

For the motion to succeed on Monday, the Government will require a two-thirds majority, or 434 MPs. The Conservative Party has 288 seats, meaning that the Government requires a further 146 votes. The success of the motion will depend on the Labour Party, who currently hold 245 seats. Without them, the total seats of all other opposition parties total 109 (minus Sinn Fein's 7).

It is uncertain whether Labour will support the motion. Despite widespread speculation, confirmation from the party is as yet unforthcoming. Following the statement from Leader of the House Jacob Rees Mogg announcing the Government's tabling of the motion, Shadow Leader of the House Valerie Vaz responded that Labour would support it "once no-deal is ruled out." Labour leader Jeremy Corbyn [reaffirmed](#) this position in an interview with Sky News, saying: "Take no-deal off the table and we absolutely support an election." Speaking on BBC Radio Four's Today programme, Shadow Home Secretary Diane Abbott [said](#) that while Labour was "up for an election," their support is dependent on an "explicit commitment" to rule out a no-deal Brexit. The pressure within Labour to reject an early election comes both from the party's poor polling and the preference among some MPs to hold a second referendum before the party next takes power (many advocates of which voted against an election when last presented with the motion in September).

There will be some Labour MPs who will back an early election. For example, John Mann, Caroline Flint and Gloria De Piero have all indicated that they would support the motion. However, as it stands, the motion will fall unless Labour whips in favour of it. As two-thirds of all seats are required for it to pass, rather than a simple majority, a policy of abstention would result in the threshold not being met.

## The EU

An extension until 31 January 2020, in accordance with the Benn Act, is widely expected to be granted by the EU. This would rule out a no-deal Brexit on 31 October, in turn providing time to hold either a General Election or second referendum.

However, the full decision, which is reached unanimously by heads of state in the European Council, is not expected until as late as Monday 28 October. A short extension would change the dynamic in Parliament, potentially encouraging the Government to reprioritise and continue with progressing the Withdrawal Agreement Bill.

### If it passes?

If the motion passes, Parliament will not dissolve immediately. Until it does, time will be made to debate and pass the Withdrawal Agreement Bill before dissolution on 6 November.

In that instance, polling day will be held on 12 December. The election can be held no earlier than that date as, in accordance with the FTPA, 25 working days must pass between dissolution and polling day.

It would be [logistically difficult](#) to hold an election any later as the infrastructure required (school buildings, community centres, village halls) will be harder to obtain over the Christmas season.

### If it doesn't?

If the motion falls, without a sea-change in opinion among opposition parties the Prime Minister will be denied an election this year. In which case, the Prime Minister has implied that Parliament would enter a state of "paralysis" until an election is held. [Writing](#) to Labour leader Jeremy Corbyn, he said:

"Parliament has... voted repeatedly for delay... I am extremely sceptical this habit will change and many will doubt that this Parliament will do anything other than waste more time and then, in January, ask for yet another delay... If businesses assume that this Parliament will stay, paralysed, refusing to take responsibility for month after month into 2020, it will cause misery for millions."

There will be little point in progressing with crucial Brexit legislation if the Government cannot secure a majority for it in Parliament. It would be, in other words, a "zombie Parliament," incapable of fulfilling its legislative role.

## The Budget

Whether the motion succeeds or not, it is highly likely that the Budget due on 6 November will not be delivered. If the election was granted, there would be little time to debate the contents of the Budget, particularly as the few remaining hours of that day would almost certainly be used entirely to debate the Withdrawal agreement Bill.

The Budget was always conditional on leaving the EU with a deal. If the motion falls, the Government will likely refuse to attempt progressing any further with crucial legislation including the Withdrawal Agreement Bill, making the delivery of the Budget on the Government's own terms redundant.

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