

## Early election <sup>[1]</sup>



### **When is the next election due?** <sup>[2]</sup>

Under the 2011 [Fixed-term Parliaments Act](#) <sup>[3]</sup> (FTPA) elections are due to be held every five years and so the official date for the next election is scheduled to be held on 5 May 2022.

### **How could an early election be called?** <sup>[4]</sup>

The ability to call for the dissolution of Parliament and an election used to be a Royal Prerogative power that was exercised on the advice of the Prime Minister. However, the introduction of the FTPA removed the Prime Minister's ability to call an election at a time of their choosing. Triggering an early election now requires a vote in Parliament.

Under the FTPA, there are two ways in which an early election can be called: if the Government tables a Commons vote for a new election or a vote of no confidence in the Government.

### **How could the Government get an early election?** <sup>[5]</sup>

Under the FTPA, if the Government tabled a motion for an early election it requires at least two-thirds of all MPs in the Commons (434 MPs) to vote in favour. Prime Minister Theresa May used this mechanism on 19 April 2017 to trigger the election on 8 June 2017.

The 2017 General Election was the first time that the FTPA has been used and it seemed to work as it should, requiring cross-party support for an early election. Theresa May's sudden announcement after the 2017 Easter break shows that snap elections are still a feature in UK politics.

### **Could Parliament force an early election?** <sup>[6]</sup>

The second route to an early election is more complicated. If there is a [vote of no confidence](#) <sup>[7]</sup> in the Government tabled by the Official Opposition, this starts the process for an early election.

If a motion [worded in a specific way](#) <sup>[8]</sup> is tabled, the Government is under pressure to hold a vote the next day. If the Government lost the vote, it starts a 14-day period in which either a second vote is won that says the House has confidence in the Government. Otherwise an election is triggered.

The FTPA provision has never been tried, so this would be new territory. [It is not at all clear what the 14-day period is meant to achieve](#) <sup>[9]</sup>. It could be the same government trying to pass a second vote, having been defeated in the first. It could be a new Conservative Prime Minister attempting a second vote. In theory, it could allow for a government to be formed by the Opposition and attempt to pass a confidence vote, but that would require the incumbent Prime Minister to resign.

In any scenario, a majority of MPs would need to provide their support for the Government in the second vote of confidence. Alternatively, the Government and MPs could allow the 14-day period to pass and allow the election to be called. Or they could try and take the initiative and pass a two-thirds motion and have a positive vote for an election.

Once an election is triggered, the Prime Minister advises the Queen on the date of the election.

### **Why is this process controversial?** <sup>[10]</sup>

There are concerns that the FTPA allows a weak government to remain in office. Previously, more ambiguously worded motions of no confidence or censure could lead to a government resigning in favour of a new government, without an election being needed. It was previously considered a possible loss of confidence if a government could not pass a budget or a Queen's Speech. There are concerns that other motions of confidence do not now have the same weight.

## **Is it possible to call an election outside of the FTPA?** <sup>[11]</sup>

Although the government can no longer resign and table a dissolution motion to call an early election, there is still one way they can get round the two-thirds majority needed under the FTPA.

The government could table a short bill which sets aside the provisions of the FTPA to allow an election on a specific date. This bill would only require a simple majority to pass – although it would also need to pass the Lords and would be open to amendment. In 2017, Theresa May explored this option <sup>[12]</sup> when she called a snap election – although the Commons ended up giving her the majority she needed under the FTPA.

### **Update date:**

Tuesday, September 3, 2019

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[3] <http://researchbriefings.parliament.uk/ResearchBriefing/Summary/SN06111>

[4] <http://twitter.com/intent/tweet?text=How%20could%20an%20early%20election%20be%20called%3F>

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[7] <https://www.instituteforgovernment.org.uk/blog/queen-speech-and-fixed-term-parliaments-act>

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