



10 DOWNING STREET

PRIME MINISTER

1. Herewith the original memorandum dated 31st July from the Chief Whip together with a letter for you to sign addressed to Edward du Cann.
2. In case you wanted to refer to the existing Procedure for the Selection of the Leader, I attach a copy.

Ian Gow

9th August 1979

Can we just check
previous correspondence
to ensure that we have
not been told the Executive's
views on Ems. M.P.'s +
Party leadership; Edward du Cann
previously T.H.T.

du Cann MP.

9th August 1979

You had a word with Michael Jopling about the election for the Leadership of the Party.

I understand that you have suggested that the election should take place on Thursday 1st November, and that date is perfectly acceptable to me.

You also mentioned to Michael the possibility of altering the existing Procedure for the Selection of the Leader, so that Conservative Members of the European Parliament might be consulted in the way that is provided for other elements in the Party outside the House of Commons in Rules 6-9.

If such a change meets with the approval of the Executive of the 1922 Committee, I would be glad to write formally to Peter Thorneycroft, asking whether he agrees.

I am sending a copy of this letter to Michael Jopling.

The Rt Hon Edward du Cann MP

cc Chief Whip.

PRIME MINISTER 1



Government Chief Whip
12 Downing Street, London SW1

Are you content to agree to
1 November?

And what do you think of
the suggestion that MEPs
should be consulted?

MJS

PRIME MINISTER

1. Edward du Cann has approached me and reminded me that you have to be re-elected as Leader of the Party. He would be grateful if you would suggest a date to him, so that this formality can be got out of the way. Under the rules the election has to be not later than six months after the assembly of a new Parliament, and nominations close at noon on a Thursday five days before the ballot if one is necessary. As the six month deadline is 9th November, Thursday, 1st November, would, I believe, be the most convenient date for close of nominations. Will you let Edward know if you agree to this date?

Done

2. Edward also suggests that you might like to consider whether the rules should be changed so that Members of the European Parliament are consulted in a similar way to that which the National Union is consulted. This, of course, would only arise when a ballot is necessary.

31st July 1979.

Can - would you draft a letter (for me to sign) to Edward du Cann

① Nearly done - suggest open his address

② Proposed it is the wish of the 22 Executive that M. S.P. should be consulted. Same way as the party in the ballot crisis I can agree formally to Peter Thorneycroft to see what he thinks. I will write to see whether he agrees.

PROCEDURE FOR THE SELECTION OF THE LEADER OF THE
CONSERVATIVE PARTY

Timing of Elections and General Responsibilities

1. If the position of Leader of the Party is vacant, an election shall be held as early as possible.
2. Otherwise there shall be an election in the House of Commons beginning within 28 days of the opening of each new session of Parliament, except that in the case of a new Parliament the election shall be held not earlier than 3 months nor later than 6 months from the date of assembly of that Parliament. The actual date will be determined by the Leader of the Party in consultation with the Chairman of the 1922 Committee.
3. The Chairman of the 1922 Committee will be responsible for the conduct of all ballots and will settle all matters in relation thereto.

Nominations and List of Candidates

4. Candidates will be proposed and seconded in writing by Members of the House of Commons in receipt of the Conservative Whip. The Chairman of the 1922 Committee and scrutineers designated by him will be available to receive nominations. Each candidate will indicate on the nomination paper that he is prepared to accept nomination, and no candidate will accept more than one nomination. The names of the proposer and seconder will not be published and will remain confidential to the scrutineers. Nominations will close by noon on a Thursday five days before the date of the First Ballot.
5. If only one valid nomination is received, the Chairman of the 1922 Committee shall declare this person elected. If more than one valid nomination is received, the Chairman of the 1922 Committee and his scrutineers will publish a list of the valid nominations and immediately transmit a copy to the two Vice-Chairmen of the 1922 Committee, the Chief Whip in the House of Commons, the Chairman of the National Union, the Chairman of the Executive of the National Union, the President of the Scottish Conservative and Unionist Association, the Chairman and Deputy Chairman of the Party, the Chairman of the Party in Scotland, the Leader of the Party in the House of Lords and the Chief Whip in the House of Lords.

Procedure for Consultation with Members of the Party
outside the House of Commons

6. During the period between the close of nominations and the date of the First Ballot, it shall be the responsibility of the constituency associations, represented by Conservative Members of Parliament, to inform the Member of their views regarding the candidates.
7. Similarly, the Leader of the Party in the House of Lords and the Chief Whip in the House of Lords will make such arrangements as appropriate to obtain the views of Peers in receipt of the Conservative Whip.
8. In order that all sections of the Party shall be consulted, Area Chairmen of the National Union will obtain the opinions of constituency associations, through their Chairmen, and report their findings to the Chairman of the National Union and the Chairman of the Executive of the National Union. In Scotland the Area Chairmen will similarly consult and report to the President of the Scottish Conservative and Unionist Association. They will also report to Conservative Members of Parliament within the area of their responsibility the views of constituencies not represented by a Conservative Member of Parliament.
9. The Leader of the Party in the House of Lords, the Chief Whip in the House of Lords, the Chairman of the National Union and the Chairman of the Executive of the National Union, together with the President of the Scottish Conservative and Unionist Association, will on the Monday attend a meeting of the Executive of the 1922 Committee for the purpose of conveying to them the collective views of the Peers in receipt of the Conservative Whip, the National Union and the Scottish Conservative and Unionist Association respectively.

First Ballot

10. The First Ballot will be held on the Tuesday immediately following. For this ballot the scrutineers will prepare a ballot paper listing the names of the candidates and give a copy for the purpose of balloting to each Member of the House of Commons in receipt of the Conservative Whip.
11. For the first ballot each voter will indicate one choice from the candidates listed.
12. Where any Member is unavoidably absent from the House on that day, through sickness or by being abroad, the scrutineers will make arrangements to receive their votes.
13. The ballot will be secret and neither the names of those who have voted for a particular candidate nor the names of those who have abstained from voting shall be disclosed by the scrutineers.

...../14. If, as a result

14. If, as a result of this ballot, one candidate both (i) receives an overall majority of the votes of those entitled to vote and (ii) receives 15 per cent more of the votes of those entitled to vote than any other candidate, he will be elected.

15. The scrutineers will announce the number of votes received by each candidate, and if no candidate satisfies these conditions a second ballot will be held.

Second Ballot

16. The Second Ballot will be held on the following Tuesday. Nominations made for the First Ballot will be void. New nominations will be submitted by the Thursday, under the same procedure and with the same arrangements for consultation as described in paragraphs 4-9 for the First Ballot, both for the original candidates if required and for any other candidates.

17. The voting procedure for the second ballot will be the same as for the first save that paragraph 14 shall not apply. If, as a result of this second ballot, one candidate receives an overall majority of the votes of those entitled to vote, that candidate will be elected.

Third Ballot

18. If no candidate receives an overall majority, the three candidates receiving the highest number of votes at the second ballot will be placed on a ballot paper for a third and final ballot on the Thursday following.

19. For the final ballot each voter must indicate two preferences amongst the three candidates by placing the figure '1' opposite the name of his preferred candidate and the figure '2' opposite the name of his second choice.

20. The scrutineers will proceed to add the number of first preference votes received by each candidate, eliminate the candidate with the lowest number of first preference votes and redistribute the votes of those giving him as their first preference amongst the two remaining candidates in accordance with their second preference. The result of this final count will be an overall majority of the votes cast for one candidate, and he will be elected.

Party Meeting

21. The candidate thus elected by the Party in the House of Commons will be presented for confirmation as Party Leader to a Party meeting constituted as follows:

...../ - Members of the

- Members of the House of Commons in receipt of the Conservative Whip
- Members of the House of Lords in receipt of the Conservative Whip
- Adopted Parliamentary Candidates
- Members of the Executive Committee of the National Union not already included in the above categories.