

To: Candidates for the

Election of Parish Councillors

3 May 2018

Please be aware that due to the timescales we are working to, the information in this letter simply covers a few issues felt worth highlighting at this stage.

This is **not** intended to be comprehensive or definitive guidance nor is it intended to obviate the need for candidates to refer to the Electoral Commission's guidance.

Generally speaking, the Returning Officer Melbourne Barrett and Electoral Services will be happy to help with any queries where we can, but that will not extend to campaign and expenses issues, and nor will it comprise legal advice – if such is required then it is for the candidate to obtain it as they see fit.

I am sure that you can understand this is not intended to be unhelpful, rather an attempt to clarify the proper role of the Returning Officer and protect the positions of everyone concerned.

Please read the contents of this letter carefully before completing the paperwork.

Jack Grounds

Electoral Services Manager

Basingstoke and Deane Borough Council

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NOMINATION PAPERS AND ASSOCIATED DOCUMENTS

Please find enclosed the necessary forms for submitting a nomination.

There are a number of important points which need to be made about the submission of the nomination, so please read all the information in this letter carefully before completing the various documents.

I. Attachments to this Letter

The following are attached:

- [Nomination checklist](#) – for use by candidates/agents to ensure that they have completed all the necessary steps prior to delivery of the nomination
- [Nomination paper](#)
- [Candidate's consent to nomination](#)
- [Certificate of authorisation](#)
- [Candidate request to use emblem](#)
- [Election Agent Notification form](#)
- [A form for requesting a copy of the register of electors](#)
- [A form for requesting a copy of the lists of absent voters](#)

2. Electoral Commission Guidance

The comprehensive guidance produced by the Electoral Commission for candidates is available at <https://www.electoralcommission.org.uk/i-am-a/candidate-or-agent/parish-and-community-council-elections-in-england-and-wales>

Candidates are strongly recommended to refer to the Commission's guidance throughout the election period, as necessary.

As the guidance runs to around 150 pages you may not wish to print all of it.

3. Delivery of Nomination Papers

The Notice of Election will be published on **Tuesday 27 March 2018**. Nominations may then be submitted between **10am and 4pm** on any weekday, excluding bank holidays, from **Tuesday 27 March 2018 until Friday 6 April 2018**, inclusive.

Delivery of the Nomination Paper, Consent to Nomination and assorted paperwork **MUST be by hand**, and must be by the candidate or the proposer or seconder of the nomination. Whilst the other necessary documents may be sent by post it is clearly desirable for all documentation to be delivered with the nomination.

Delivery must be to the Returning Officer, Electoral Services, Civic Offices, London Road, Basingstoke, RG21 4AH.

Whilst not obligatory, it is recommended that an appointment is made for the delivery of the nomination. Please call 01256 845467 or email electoral.services@basingstoke.gov.uk

It is also strongly recommended that you try to organise the submission of the nomination ahead of the last day if at all possible.

Additionally, draft nominations may be sent as a scanned email attachment to jack.grounds@basingstoke.gov.uk for an informal check in advance of your attendance for delivery – and this should also save time at the formal delivery.

Please copy any such email to electoral.services@basingstoke.gov.uk

4. Validity of Nomination

To be valid, a nomination must be accompanied by

- (i) the consent form, duly completed;
- (ii) a certificate authorising the party description to be used by the candidate (unless there is no description, or the description is "Independent");

All of these are referred to in the following paragraphs, and dealt with comprehensively in the Electoral Commission guidance.

5. Consent to nomination

A properly completed consent to nomination is also required for the nomination to be valid.

6. Certificate of Authorisation and Use of Party Emblem

If the Candidate wishes to use a description other than "Independent" then the certificate of authorisation is required to be submitted during the nominations period.

It is **essential** that

- (i) the person who signs the authorisation is empowered to do so by the registered nominating officer for the political party concerned;
- (ii) the description is **either** one of the descriptions registered by the party concerned **or** the name of the party as registered; and
- (iii) What is entered on the certificate matches **precisely** the registered name or description **and** the description included on the nomination paper.

There is also a form which may be used by the candidate to request the printing of a party emblem on the ballot paper.

Please be aware that

- (i) this request has to be made by the **candidate**; and
- (ii) if the party concerned has registered more than one emblem, the request must make it clear which one is to be used. The wording must match the description registered with the Electoral Commission.

Please note that the register of political parties can be accessed via <http://search.electoralcommission.org.uk/>, and that information and guidance about registering and maintaining a party is available at <http://www.electoralcommission.org.uk/i-am-a/party-or-campaigner/guidance-for-political-parties/registering-and-maintaining-a-party>.

7. Notification/Appointment of Election Agent

Candidates at parish elections do not have agents as they are their own agent. Therefore there is no form within the nomination pack to appoint an agent.

8. Uncontested elections

If the Returning Officer receives more nominations than the number of vacant seats, there will be an election on Thursday 3 May 2018. If there are fewer nominations than the number of vacancies, all validly nominated candidates will be elected and the parish will then be able to co-opt to any remaining vacancies.

9. Election Campaign and Election Expenses

More information about the the election campaign, and the question of election expenses is included in Part 3 of the Electoral Commission guidance.

We will, as soon as possible after the close of nominations, supply the necessary forms for the declaration and return of expenses. For your information, we will do this in paper form, and also by email. This is because the Electoral Commission has made a version of the returns available in Excel format, which you may find convenient to use before printing for signature and return.

If you would like to access these in the meantime, they are available to download from the resources section of part 3 of the page at <https://www.electoralcommission.org.uk/i-am-a/candidate-or-agent/parish-and-community-council-elections-in-england-and-wales> in both Excel and pdf formats.

It should be noted that it is not the role of the Returning Officer to be concerned with or to provide advice on these issues.

Should you require advice, then it may be sought from your Party (if you have one) or from the Electoral Commission.

Regarding expenses:

- the statute requires the returns and declarations to be submitted by no later than 35 calendar days after the day when the result is declared, i.e. by **no later than Friday 8 June 2018**
- It is an illegal practice to fail to submit the return and declaration or to submit a defective return, and a corrupt practice to make a false declaration. **You must submit a declaration of expenses even if no expense has been incurred or even if no election takes place.** A person found guilty of a corrupt practice is, in general, liable to imprisonment, or to a fine, or to both, and is disqualified for five years from being registered as an elector, voting or holding any elective office, and a person found guilty of an illegal practice is liable to a fine not exceeding level 5 on the standard scale (understood to be £5000) and is disqualified from being registered as an elector, voting or holding elective office for three years.

Finally, the maximum permissible expenses is based on the calculation of £740 plus 6p for each elector on the register for the ward as at the date of the publication of the notice of election. The RO will update you as to this figure.

The Commission's guidance refers to the maximum amounts and also explains what constitutes the "regulated period".

10. Electoral Commission

Contact information for the Commission is included in its guidance

In summary:

Subject	Section	Contact Details
Standing as a candidate and other electoral practice matters	Advice	Tel: 03331 031928; email: infoengland@electoralcommission.org.uk
Election Expenses	Party and Election Finance Directorate	Tel: 03331 031928; email: pef@electoralcommission.org.uk

11. Contact Information and Registration Queries

For queries as to whether individuals are included in the electoral register, please email electoral.services@basingstoke.gov.uk

Tel: 01256 845467

12. Supply of the Register of Electors

A candidate is entitled to a copy of the register of electors, and a form for the purpose of making the necessary written request is [included](#).

Please note the content of the form, and be aware that a person needs to be a candidate in order to make the request. The date someone becomes a candidate is explained in part 1 of the Electoral Commission guidance.

However, a registered political party may make a request for the register at any time, via its registered nominating officer, or by someone authorised by that person for a particular constituency.

13. Supply of Lists of Absent Voters

A candidate is entitled to copies of the lists of absent voters, and a form for the purpose of making the necessary written request is [attached](#).

Any request for the current lists (as referred to in the form) will be dealt with as soon as possible after the person becomes a candidate (as referred to above).

14. Communications

Please note that after the nominations period communications will be sent direct to the candidate. This will include information relating to the arrangements for the opening of postal ballot papers; polling day; and the count.

15. Election Timetable

Details of the main dates and times included in the election timetable are set out overleaf.

I hope that this is all clear and useful.

Election of Councillors to Basingstoke and Deane Borough Council
Timetable

Date of Election: Thursday 3 May 2018

Publication of Notice of Election	Tuesday 27 March 2018
Receipt of Nominations	4:00 pm Friday 6 April 2018
Withdrawal of Candidate	4:00 pm Friday 6 April 2018
Publication of Statements of Persons Nominated	4:00 pm Monday 9 April 2018
Last Date for Registration	Tuesday 17 April 2018
Amendments to existing Absent Vote applications and receipt of Postal Vote applications	5:00 pm Wednesday 18 April 2018
Publication of Notice of Poll	Wednesday 25 April 2018
Receipt of Proxy Vote Applications	5:00 pm Wednesday 25 April 2018
Appointment of Poll and Count Agents	Thursday 26 April 2018
First Day to Issue Replacement Lost Postal Ballot Papers	Friday 27 April 2018
Receipt of Emergency Proxy Vote Applications	5:00 pm Thursday 3 May 2018
Last Day to Issue Replacement Spoilt or Lost Postal Ballot Papers	5:00 pm Thursday 3 May 2018
Day of Poll	7:00 am to 10:00 pm Thursday 3 May 2018
Return of Election Expenses	Friday 8 June 2018

CL

Parish/community election

Candidate checklist

Task	Tick
Nomination paper (all candidates)	
Add your full name – surname in the first box and all other names in the second	
Optional - Use the commonly used name(s) box(es) if you are commonly known by a name other than your full name and want it to be used instead of your full name	
Description – Party candidates can use a party name or party description shown on the Electoral Commission’s website and supported by a certificate of authorisation from that party. Any candidate may use a description that is not likely to lead electors to associate the candidate with a registered political party or can use ‘Independent’ (and/or ‘Annibynol’ in Wales) or leave this blank. Whatever you enter in this box will appear as your description on the ballot paper	
Add the full home address of the candidate	
Subscribers – both subscribers must sign and have their name printed. Use your copy of the electoral register to make sure the elector number of both subscribers is accurate	
Method of submitting the form to the RO: in person (but not limited to yourself), by hand	
Candidate’s consent (all candidates)	
You must be a British, Commonwealth or other European Union Citizen and not require leave to enter or remain in the United Kingdom or have indefinite leave to remain. You must also be 18 years old or older on the date you sign this form.	
You must meet at least one of the listed qualifications (a, b, c or d). Complete in full the details for all the qualifications that you meet in the space provided within the relevant box(es).	
You must not sign the form if you are disqualified to stand. Make sure that you read the Electoral Commission guidance on standing for election as well as the legislation listed. If you are not sure if you are able to stand you should contact the Electoral Commission or, if necessary, take your own legal advice.	
Add your full date of birth	
Sign and date the document in the presence of another person. You must not sign the consent form earlier than one calendar month before the deadline for submitting your nomination papers	
Get the other person to complete and sign the witness section	
Method of submitting the form (which must include all pages of legislation) to the RO: in person (but not limited to yourself), by hand	
Certificate of authorisation (party candidates only)	
Ensure the certificate contains the candidate’s full name	
Check the certificate allows the registered party name or description given on the nomination paper to be used (or allows the candidate to choose to use the party name or any registered description)	
Ensure it is issued by the party Nominating Officer (or someone that they have authorised to issue it on their behalf)	
Method of submitting the form to the RO: in person (but not limited to yourself) or by post	
Request for party emblem (party candidates only)	
Write the name or description of an emblem registered by the party and published on the Electoral Commission’s website	
Ensure the request is made by the candidate	
Method of submitting the form to the RO: in person (but not limited to yourself) or by post	

Office Use only	Date received	Time received	Initials	No.

Ia	Parish/community election	Nomination paper
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*ELECTION OF PARISH / COMMUNITY COUNCILLORS for the	
1	*[ward of the] <i>if applicable</i>
*parish/community of *Delete whichever is inappropriate	2
Date of election:	

We, the undersigned, being local government electors for the said *ward/parish/community do hereby nominate the under-mentioned person as a candidate at the said election.

Candidate's Details	
Candidate's surname	Mr/Mrs/Miss/ Ms/Dr/Other
Other forenames in full	
Commonly used surname (if any)	
Commonly used forenames (if any)	
Description (if any) use no more than six words	
Home address in full	

	Signature	Print name	Electoral number	
			Polling district	Elector number
Proposer:				
Secunder				

¹ Insert name of parish or community ward (if any).

² Insert name of parish or community.

Notes

1. The attention of candidates and electors is drawn to the rules for filling up nomination papers and other provisions relating to nomination papers contained in the election rules in the Local Elections (Parishes and Communities) Rules 2006.
2. Where a candidate is commonly known by some title they may be described by their title as if it were their surname.
3. Where a candidate commonly uses a name that is different from any other name they have, the commonly used name may also appear on the nomination paper, but if it does so, the commonly used name (instead of any other name) will appear on the ballot paper.
4. But the ballot paper will show the other name if the returning officer thinks that the use of the commonly used name may
 - (a) be likely to mislead or confuse electors, or
 - (b) that the commonly used name is obscene or offensive.
5. An elector may not –
 - (a) subscribe more nomination papers than there are vacancies to be filled in the electoral area in which the election is held; or
 - (b) subscribe a nomination paper for more than one ward in a parish or community divided into wards.
6. In this form 'elector' –
 - (a) means a person whose name is registered in the register of local government electors for the electoral area in question on the last day for the publication of notice of election; and
 - (b) includes a person then shown in the register as below voting age if (but only if) it appears from the register that he will be of voting age on the day fixed for the poll.
7. However, a person who has an anonymous entry in the register of local government electors cannot nominate a candidate for election.

Ib

Parish/community election

Candidate's consent to nomination

*Delete whichever is inappropriate

Date of election:			
I (name in full):			
of (home address in full):			
hereby consent to my nomination as a candidate for election as councillor for the:		* ward [if applicable]	
of the *parish/community of:			
I declare that on the day of my nomination I am qualified and that, if there is a poll on the day of election, I will be qualified to be so elected by virtue of being on that day or those days a qualifying Commonwealth citizen, a citizen of the Republic of Ireland or a citizen of another Member State of the European Union who has attained the age of 18 years and that:			
*a. I am registered as a local government elector for the area of the *parish/community named above in respect of (<i>qualifying address in full</i>):			or
and my electoral number (<i>see Note below</i>) is:			
*b. I have during the whole of the 12 months preceding that day or those days occupied as owner or tenant the following land or other premises in the *parish/community (<i>description and address of land or premises</i>):			or
*c. my principal or only place of work during those 12 months has been in that *parish/community at (<i>give address of place of work and, where appropriate, name of employer</i>):			or
*d. I have during the whole of the last 12 months resided in that *parish/community or within 4.8 kilometres of it at (<i>give address in full</i>):			or
* For a nomination in England: I declare that to the best of my knowledge and belief I am not disqualified for being elected by reason of any disqualification set out in, or decision made under, section 80 of the Local Government Act 1972, section 78A of the Local Government Act 2000 or section 34 of the Localism Act 2011 (copies of which are printed overleaf).			
*For a nomination in Wales: I declare that to the best of my knowledge and belief I am not disqualified for being elected by reason of any disqualification set out in, or decision made under, section 80 of the Local Government Act 1972 or section 78A or 79 of the Local Government Act 2000 (copies of which are printed overleaf).			
Candidate's date of birth:		Candidate's signature:	
		Date:	
Witness: I confirm the above-mentioned candidate signed the declaration in my presence.			
Witness (name in full):			
of (address in full):			
Witness's signature:			

Notes: A person's electoral number is their number in the register to be used at the election (including the distinctive letters of the polling district in which they are registered). **A candidate who is qualified by more than one qualification may complete all of those that may apply.**

Local Government Act 1972

80. Disqualifications for election and holding office as member of local authority.

(1) Subject to the provisions of section 81 below, a person shall be disqualified for being elected or being a member of a local authority if he –

- (a) holds any paid office or employment (other than the office of chairman, vice-chairman, deputy chairman, presiding member or deputy presiding member or, in the case of a local authority which are operating executive arrangements which involve a leader and cabinet executive, the office of executive leader or member of the executive) appointments or elections to which are or may be made or confirmed by the local authority or any committee or sub-committee of the authority or by a joint committee or National Park authority on which the authority are represented or by any person holding any such office or employment; or
- (b) is the subject of a bankruptcy restrictions order or an interim bankruptcy restrictions order, or a debt relief restrictions order under Schedule 4ZB of the Insolvency Act 1986; or
- (c) [This has been removed and no longer applies]
- (d) has within five years before the day of election or since his election been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and has had passed on him a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine; or
- (e) is disqualified for being elected or for being a member of that authority under Part III of the Representation of the People Act 1983.

(2) Subject to the provisions of section 81 below, a paid officer of a local authority who is employed under the direction of –

- (a) a committee or sub-committee of the authority any member of which is appointed on the nomination of some other local authority; or
- (b) a joint board, joint authority, economic prosperity board, combined authority, joint waste authority or joint committee on which the authority are represented and any member of which is so appointed;

shall be disqualified for being elected or being a member of that other local authority.

(2AA) A paid member of staff of the Greater London Authority who is employed under the direction of a joint committee the membership of which includes –

- (a) one or more persons appointed on the nomination of the Authority acting by the Mayor, and
- (b) one or more members of one or more London borough councils appointed to the committee on the nomination of those councils,

shall be disqualified for being elected or being a member of any of those London borough councils.

(2A) Subsection (2) above shall have effect as if the reference to a joint board included a reference to a National Park authority.

(2B) For the purposes of this section a local authority shall be treated as represented on a National Park authority if it is entitled to make any appointment of a local authority

member of the National Park authority.

(3) Subsection (1)(a) shall have effect in relation to a teacher in a school maintained by the local authority who does not hold an employment falling within that provision as it has effect in relation to a teacher in such a school who holds such an employment.

(5) For the purposes of subsection (1)(d) above, the ordinary date on which the period allowed for making an appeal or application with respect to the conviction expires or, if such an appeal or application is made, the date on which the appeal or application is finally disposed of or abandoned or fails by reason of the non-prosecution thereof shall be deemed to be the date of the conviction.

81. Exception to provisions of section 80

(4) Section 80(2) and (3) above shall not operate so to disqualify –

- (a) any person by reason of his being a teacher, or otherwise employed, in a school or other educational institution maintained or assisted by a county council for being a member of a district council by reason that the district council nominates members of the education committee of the county council

Local Government Act 2000

Persons disqualified by eligible tribunals. The following is the legislation that describes how persons disqualified by certain tribunals are disqualified from standing in local government elections.

78A. Decisions of First-tier Tribunal

[(1) Deleted.]

- (2) Where the First-tier Tribunal adjudicates on any matter under this Act, it must decide whether or not any person to which that matter relates has failed to comply with the code of conduct of the relevant authority concerned.
- (3) Where the tribunal decides that a person has not failed to comply with the code of conduct of the relevant authority concerned, it must give notice to that effect to the standards committee of the relevant authority concerned.
- (4) Where the tribunal decides that a person has failed to comply with the code of conduct of the relevant authority concerned, it may—
 - (a) take in respect of him any action authorised by regulations made by the Secretary of State for the purposes of this subsection, or
 - (b) decide to take no action against him.
- (5) Regulations made under subsection (4) may in particular—
 - (a) enable the tribunal to censure the person,
 - (b) enable it to suspend, or partially suspend, the person from being a member or co-opted member of the relevant authority concerned for a limited period,

(c) enable it to disqualify the person, for a period not exceeding five years, for being or becoming (whether by election or otherwise) a member of that or any other relevant authority.

(6) The reference in subsection (5)(b) to the relevant authority concerned is to be read, in relation to a person who is no longer a member or co-opted member of the relevant authority concerned but is a member or co-opted member of another relevant authority in England, as a reference to that other relevant authority.

(7) Regulations made by the Secretary of State may require the First-tier Tribunal to give a notice to the standards committee of the relevant authority concerned where it decides that a person has failed to comply with the code of conduct of that authority and—

- (a) decides to suspend or partially suspend the person,
- (b) decides to disqualify the person,
- (c) decides to take action against the person other than suspension, partial suspension or disqualification, or
- (d) decides to take no action against him.

(8) Regulations under subsection (7) may—

- (a) prescribe the content of any notice,
- (b) provide for the effect that any notice is to have,

(c) provide for provisions of the regulations to have effect with prescribed modifications where the person concerned is no longer a member or co-opted member of the relevant authority concerned, but is a member or co-opted member of another relevant authority in England

79.— Decisions of case tribunals: Wales

Section 79 only applies to candidates standing in Wales

(A1) In this section “Welsh case tribunal” means a case tribunal drawn from the Adjudication Panel for Wales.

(1) A Welsh case tribunal which adjudicates on any matter must decide whether or not any person to which that matter relates has failed to comply with the code of conduct of the relevant authority concerned.

(2) Where a Welsh case tribunal decides that a person has not failed to comply with the code of conduct of the relevant authority concerned, it must give notice to that effect to the standards committee of the relevant authority concerned.

(3) Where a Welsh case tribunal decides that a person has failed to comply with the code of conduct of the relevant authority concerned, it must decide whether the nature of the failure is such that the person should be suspended or disqualified in accordance with subsection (4).

(4) A person may be—

- (a) suspended or partially suspended from being a member or co-opted member of the relevant authority concerned, or

- (b) disqualified for being, or becoming (whether by election or otherwise), a member of that or any other relevant authority.
- (5) Where a Welsh case tribunal makes such a decision as is mentioned in subsection (4)(a), it must decide the period for which the person should be suspended or partially suspended (which must not exceed one year or, if shorter, the remainder of the person's term of office).
- (6) Where a Welsh case tribunal makes such a decision as is mentioned in subsection (4)(b), it must decide the period for which the person should be disqualified (which must not exceed five years).
- (7) Where a Welsh case tribunal decides that a person has failed to comply with the code of conduct of the relevant authority concerned but should not be suspended or disqualified as mentioned in subsection (4), it must give notice to the standards committee of the relevant authority concerned—
- (a) stating that the person has failed to comply with that code of conduct, and
 - (b) specifying the details of that failure.
- (8) Where a Welsh case tribunal decides that a person has failed to comply with the code of conduct of the relevant authority concerned and should be suspended or partially suspended as mentioned in subsection (4)(a), it must give notice to the standards committee of the relevant authority concerned—
- (a) stating that the person has failed to comply with that code of conduct,
 - (b) specifying the details of that failure, and
 - (c) stating that the person is suspended or partially suspended for the period, and in the way, which the tribunal has decided.
- (9) The effect of a notice given to the standards committee of a relevant authority under subsection (8) is to suspend or partially suspend the person concerned as mentioned in subsection (8)(c).
- (10) Where a Welsh case tribunal decides that a person has failed to comply with the code of conduct of the relevant authority concerned and should be disqualified as mentioned in subsection (4)(b), it must give notice to the standards committee of the relevant authority concerned—
- (a) stating that the person has failed to comply with that code of conduct,
 - (b) specifying the details of that failure, and
 - (c) stating that the person is disqualified for being, or becoming (whether by election or otherwise), a member of that or any other relevant authority for the period which the tribunal has decided.
- (11) The effect of a notice given to the standards committee of a relevant authority under subsection (10) is to disqualify the person concerned as mentioned in subsection (10)(c).
- (12) A copy of any notice under this section—
- (a) must be given to the Public Services Ombudsman for Wales,
 - (b) must be given to any person who is the subject of the decision to which the notice relates, and
 - (c) must be published in one or more newspapers circulating in the area of the relevant authority concerned.

(13) Where the person concerned is no longer a member or co-opted member of the relevant authority concerned but is a member or co-opted member of another relevant authority—

- (a) a copy of any notice under subsection (2), (7) or (10) must also be given to the standards committee of that other relevant authority,
- (b) the reference in subsection (4)(a) to the relevant authority concerned is to be treated as a reference to that other relevant authority,
- (c) the duty to give notice to the standards committee of the relevant authority concerned under subsection (8) is to be treated as a duty—
 - (i) to give that notice to the standards committee of that other relevant authority, and
 - (ii) to give a copy of that notice to the standards committee of the relevant authority concerned,

(d) the reference in subsection (12)(c) to the relevant authority concerned is to be treated as including a reference to that other relevant authority.

(14) A Welsh case tribunal must take reasonable steps to inform any person who made any allegation which gave rise to the adjudication of the decision of the Welsh case tribunal under this section.

(15) Where a Welsh case tribunal decides under this section that a person has failed to comply with the code of conduct of the relevant authority concerned, that person may appeal to the High Court against that decision, or any other decision under this section which relates to him.

(16) An appeal may not be brought under subsection (15) except with the leave of the High Court.

Localism Act 2011

The Localism Act only applies to candidates standing in England

Section 34(4) describes how a person may be disqualified from standing in local government elections under this section. The remaining provisions of section 34 do not directly affect a person's entitlement to stand for election

34 Offences

(1) A person commits an offence if, without reasonable excuse, the person—

- (a) fails to comply with an obligation imposed on the person by section 30(1) or 31(2), (3) or (7),
- (b) participates in any discussion or vote in contravention of section 31(4), or
- (c) takes any steps in contravention of section 31(8).

(2) A person commits an offence if under section 30(1) or 31(2), (3) or (7) the person provides information that is false or misleading and the person—

- (a) knows that the information is false or misleading, or
- (b) is reckless as to whether the information is true and not misleading.

(3) A person who is guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(4) A court dealing with a person for an offence under this section may (in addition to any other power exercisable in the person's case) by order disqualify the person, for a period not exceeding five years, for being or becoming (by election or otherwise) a member or co-opted member of the relevant authority in question or any other relevant authority.

(5) A prosecution for an offence under this section is not to be instituted except by or on behalf of the Director of Public Prosecutions.

(6) Proceedings for an offence under this section may be brought within a period of 12 months beginning with the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings came to the prosecutor's knowledge.

(7) But no such proceedings may be brought more than three years—

(a) after the commission of the offence, or

(b) in the case of a continuous contravention, after the last date on which the offence was committed.

(8) A certificate signed by the prosecutor and stating the date on which such evidence came to the prosecutor's knowledge is conclusive evidence of that fact; and a certificate to that effect and purporting to be so signed is to be treated as being so signed unless the contrary is proved.

(9) The Local Government Act 1972 is amended as follows.

(10) In section 86(1)(b) (authority to declare vacancy where member becomes disqualified otherwise than in certain cases) after “ 2000 ” insert “ or section 34 of the Localism Act 2011 ”.

(11) In section 87(1)(ee) (date of casual vacancies)—

(a) after “2000” insert “ or section 34 of the Localism Act 2011 or ”, and

(b) after “decision” insert “ or order ”.

(12) The Greater London Authority Act 1999 is amended as follows.

(13) In each of sections 7(b) and 14(b) (Authority to declare vacancy where Assembly member or Mayor becomes disqualified otherwise than in certain cases) after sub-paragraph (i) insert—

“(ia) under section 34 of the Localism Act 2011,”.

(14) In section 9(1)(f) (date of casual vacancies)—

(a) before “or by virtue of” insert “ or section 34 of the Localism Act 2011 ”, and

(b) after “that Act” insert “ of 1998 or that section ”.

Office Use only	Date received	Time received	Initials	No.

2

Parish/community election

Certificate of authorisation

To accompany the nomination of a candidate standing on behalf of a registered political party. (Note: candidates standing on behalf of two or more parties require a certificate from each party and each must allow the same registered joint description to be used).

This certificate must be issued by the registered Nominating Officer of the party or by a person authorised to sign on their behalf.

This certificate authorises the candidate to use a specific registered description or the name of the party as registered with the Electoral Commission, or to use 'any registered description or the party name as registered with the Electoral Commission'.

This authorised party name or description can then be included by the candidate on the nomination form. It is this which will appear as their description on the ballot paper. Party names and registered descriptions are listed on the Electoral Commission's website (<http://search.electoralcommission.org.uk>).

Details of candidate to be authorised and the allowed description/party name			
[Ward]/parish/community name:		Date of election:	
The candidate (name in full):			
Name of political party:	<i>Political party registered with the Electoral Commission</i>		
I hereby certify that the candidate may include the following registered description or party name in their nomination form:			
Note: it is an offence to sign this form if you are not the party's registered nominating officer or authorised to do so by the party's registered nominating officer			
Signature of party's registered Nominating Officer (or person authorised by the registered Nominating Officer):			
Name of person signing this form:			
Date:			

This form must be delivered to the Returning Officer by no later than 4pm on the last day to deliver nominations.

Office Use only	Date received	Time received	Initials	No.

3

Parish/community election

Request for a party emblem

This person wishes to have a party emblem printed on the ballot paper next to their name.

Party emblems are listed on the Electoral Commission's website (<http://search.electoralcommission.org.uk>).

This form must be signed by the candidate.

Candidate's request for use of an emblem			
[Ward]/parish/community name:		Date of election:	
Candidate name in full:			
I request that the ballot paper shall contain, against my name, the following registered emblem (please identify which emblem if the party has registered more than one)			
Emblem to be used (Please use name or description as on the Electoral Commission's website):			
Candidate's Signature:			
Date:			

This form is only effective if delivered for a candidate standing on behalf of a political party to the Returning Officer by no later than 4pm on the last day to deliver nominations.

Candidates standing on behalf of more than one political party and using a joint description may choose one emblem from one of the parties that you are standing for. Please indicate the name of the party and the emblem name in the 'Emblem to be used' box above.

Representation of the People Regulations 2001

**REQUEST FOR A FREE COPY OF THE FULL REGISTER OF ELECTORS
(Regulation 108 – Candidates at Local Government Elections)**

Name:

Address:

PARISH / PARISH WARD AREA.....

Please tick to indicate the format in which you would like the register provided. Please note that the data will only be provided in one format

Register Type	Data (Please tick if required)	Printed (Please tick if required)
Full Register		
Monthly Updates (this would be details of electors added after the initial supply)		

I understand that it is an offence to supply a copy of the information provided, disclose any information, or make use of any such information other than for electoral purposes and is punishable by a fine not exceeding the maximum of level 5 on the standard scale set out in the Criminal Justice Act 1982, as amended (currently £5,000)

I also understand that the restrictions which would apply to the use of the full register under Regulation 108 of the Representation of the People Regulations 2001 which entitles me to that information, shall also apply. Furthermore I am aware that there are restrictions relating to the processing of the information that I am provided with.

Signed:

Dated:

Email
address

(Unless otherwise requested data will be sent by email where email address given)

Please return form to: Electoral Services, Civic Offices, London Road, Basingstoke, RG21 4AH.
or as a scanned email attachment to electoral.services@basingstoke.gov.uk

PARISH COUNCIL ELECTIONS

Request for Lists of Absent Voters

I(Print Name) being a candidate at the election for Parish/Parish Ward, hereby request the supply of the postal voters lists; list of proxies or the proxy postal voters list kept under Paragraph 5 or 7(8) of Schedule 4 to the Representation of the People Act 2000 as follows:

Please indicate the information you require

Current Version	Tick if required	Delete as necessary	Final Version	Tick if required	Delete as necessary
Postal Voters List		Data/Printed	Postal Voters List		Data/Printed
List of Proxies		Data/Printed	List of Proxies		Data/Printed
Proxy Postal Voters List		Data/Printed	Proxy Postal Voters List		Data/Printed

(NOTE: The current version is as existing, the final version is at close of period for applications)

I understand that it is an offence to supply to any person a copy of the lists, disclose information contained in them or make use of any such information otherwise than for a permitted purpose, that is:

- a) research purposes within the meaning of that term in Section 33 of the Data Protection Act 1998, or
- b) electoral purposes

I also understand that the restrictions which would apply to the use of the full register under whichever regulation 103, 105, 106 or 108 of the Representation of the People Regulations 2001 entitles me to that information, shall also apply. Furthermore I am aware that there are restrictions relating to the processing of the information that I am provided with.

SignedDate.....

Address.....

.....

Email.....

(Unless otherwise requested data will be sent by email where email address given)

Please return form to: Electoral Services, Electoral Services, Civic Offices, London Road, Basingstoke, RG21 4AH. or as a scanned email attachment to electoral.services@basingstoke.gov.uk