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Local government election

Candidate check list

This check list is designed to assist candidates standing in a local government election¹ in England or Wales in preparing to submit their nomination, and should be read alongside the Electoral Commission's *Guidance for candidates and agents*.

Task	Tick
Nomination paper	
Add your full name – surname in the first box and all other names in the second	
Optional - Use the common name(s) boxes 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 description shown on the Electoral Commission's website and supported by a certificate of authorisation from that party; others can use 'Independent' (and/or 'Annibynnol' in Wales) or leave this blank	
Add the full home address of the candidate	
Subscribers – all ten subscribers must sign and have their name printed. Use your copy of the electoral register to make sure the elector number is accurate	
Candidate's consent	
You must meet at least one of the listed qualifications. Complete the details for all the qualifications that you meet in the space provided in full.	
Date of birth	
Sign and date the document in the presence of another person	
Get the other person to complete and sign the witness section	
Certificate of authorisation (party candidates only)	
Candidate's full name	
Check certificate allows the registered party name or description used on nomination paper to be used (or allows any to be chosen)	
Issued by the party Nominating Officer (or someone that they have authorised to issue it on their behalf)	
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	
Request to come from the candidate	
Appoint an election agent	
Give name, home and office address of the appointed election agent	
The appointed agent to sign the form showing their acceptance	

¹ Except parish, community or mayoral elections. The Electoral Commission produce separate guidance for these elections including nomination forms.

Office Use only	Date received	Time received	Initials	No.

1a	Local government election	Nomination paper
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*ELECTION OF COUNCILLORS / A COUNCILLOR for the	
1	*electoral division/ward of the
*county/district/London borough/county borough of *Delete whichever is inappropriate	2
Date of election:	

We, the undersigned, being local government electors for the said *electoral division/ward 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 (see note 5)	
Home address in full	

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

We, the undersigned, being local government electors for the said *electoral division/ward, do hereby assent to the foregoing nomination

1				
2				
3				
4				
5				
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8				

¹ Insert name of electoral division/ward. ² Insert name of county/district/London borough/county borough. Deliver to the **Returning Officer** no later than 12 noon on the last day to deliver nominations.

Notes

1. The attention of candidates and electors is drawn to the rules for completing nomination papers and other provisions relating to nomination papers contained in the election rules in Schedule 2 to the Local Elections (Principal Areas) (England and Wales) 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 which 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. The description, if any, can only be:
 - (a) one certified as an authorised or registered description as mentioned in Rule 5 of the election rules, or
 - (b) the word 'Independent'.
6. 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 electoral area in the same *county/district/London borough/county borough.
7. 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.
8. However, a person who has an anonymous entry in the register of local government electors cannot nominate a candidate for election.

Office Use only	Date rec'd	Time rec'd	Initials	No.

1b

Local government 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:		*electoral division/ ward	
of the *county/district/London borough/county borough 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 *county/district or London borough/county borough 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 that area (<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 *county/district/London borough/county borough at (<i>give address of place of work and, where appropriate, name of employer</i>):			or
*d. I have during the whole of those 12 months resided in that area at (<i>give address in full</i>):			
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 Section 80 of the Local Government Act 1972, or any decision made under Section 79 of the Local Government Act 2000 (copies of which are printed overleaf) and I do not hold a politically restricted post, within the meaning of Part I of the Local Government and Housing Act 1989, under a local authority, within the meaning of that Part.			
Candidate's date of birth:		Candidate's signature:	
		Date of consent:	
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 parliamentary polling district in which they is registered). *Delete whichever is inappropriate.

A candidate who is qualified by more than one qualification may complete any of those that may apply.

Local Government Act 1972: Disqualifications for election and holding office as a member of local authority

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 or deputy chairman 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 interim order;
- (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 a member of the relevant council under Part III of the Representation of the People Act 1983, and in this paragraph “the relevant council” means the council of the county or district in which is comprised the area for which charter trustees are established by any statutory instrument made under Part II of the Local Government Act 1992.

(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, 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 surcharge or conviction.

Exception to provisions of section 80

- 81 (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: Decisions of case tribunals

- 79 (1) A 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 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 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 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 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 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 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 must be suspended or partially suspended by the relevant authority concerned for the period, and in the way, which the tribunal has decided.
- (9) A relevant authority must comply with any notice given to its standards committee under subsection (8).
- (10) Where a 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 –
 - (i) to the Standards Board for England, where the relevant authority concerned is in England,
 - (ii) to the Public Services Ombudsman for Wales, where the relevant authority concerned is in 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 in the same country (that is to say, England or Wales) –
- (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 references in subsections (4)(a) and (8)(c) to the relevant authority concerned are to be treated as references 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 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 case tribunal under this section.
- (15) Where a 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.

	Date rec'd	Time rec'd	Initials	No.
Office Use only				

2

Local government 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 registered joint description to be used.)

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

In the relevant section below, the candidate may be allowed to use any registered description or the name of the party as registered with the Electoral Commission. Party names and registered descriptions are listed on the Electoral Commission website (www.electoralcommission.org.uk). The candidate may also be allowed to use 'any registered description or the party name as registered with the Electoral Commission'.

Details of candidate to be authorised and the allowed description/party name			
Ward/division name:		Date of election:	
I hereby certify that			
The candidate (name in full):			
Is authorised to stand for:	Political party registered with the Electoral Commission		
The candidate may include the following registered description/party name in their nomination paper:			
Note: It is an offence to make a false declaration. Maximum penalty one year imprisonment.			
Signature of party's registered Nominating Officer (or person authorised by the registered Nominating Officer):			
Date:			

This form must be delivered with the nomination paper for candidates standing on behalf of a political party to the Returning Officer by no later than the close of nominations.

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Local government election

Request for a party emblem

This form is for a candidate of a political party who is subject to a certificate of authorisation and who wishes to have a party emblem printed on the ballot paper next to their name.

This form must be signed by the candidate.

Candidate's request for use of an emblem	
Ward/division 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 Electoral Commission 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 the close of nominations.

	Date rec'd	Time rec'd	Initials	No.
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4	Local government election	Notification of election agent
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Ward/division name	Date of election
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Candidate's notification of their election agent

I, (Candidate name in full):	
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Hereby declare that the name and home address of my election agent is

Agent's name:	
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Agent's home address (in full):	
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The office address of my election agent to which all claims, notices, legal process and other documents may be sent is:

Agent's office address in full:	
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Candidate's signature (or of person on behalf of candidate):	
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Date:	
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Confirmation of acceptance by election agent

I [agent named above] confirm my acceptance as the election agent for the above named candidate. I understand that I must carry out my duties according to law. I understand there are penalties if I fail to fulfil my duties according to law.

Agent's signature	
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Date	
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Agent's other details in case of query (Optional – will not be published)

Home telephone:	
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Work telephone:	
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Mobile telephone:	
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Email address:	
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Return to the **Returning Officer** by no later than the time for withdrawal of nominations.