

# Part B – Action before the poll

## Contents

- 1 Timetable
- 2 Register of electors
  - Legal requirements
  - Register to be used for nominations
  - Amending the electoral register – clerical errors
  - Polling station registers
  - Access and supply
- 3 Guidance for candidates and agents
  - Briefings
  - Nomination pack
  - Access needs for candidates
- 4 Nomination process
  - Publication of the notice of election
  - The register of political parties
  - Qualifications for candidature
  - Preparing a form for signature
  - Forms that may be used for nomination
  - Delivery of nomination papers
  - Informal checks
  - Form of nomination
  - False statements in nomination papers
  - Deposit
  - Correction of minor errors
  - Decision as to validity of nomination papers
  - Objections to nomination papers
  - Withdrawal of a candidate
  - Storage of the nomination papers
  - Statement of persons nominated
  - Uncontested elections
- 5 Appointment of election, polling and counting agents
  - Appointment of election agents
  - Appointment of polling and counting agents

- 6 Death of a candidate
  - Death of an independent candidate
  - Death of a party candidate
  - Death of the Speaker
  
- 7 Production and distribution of poll cards
  - Production
  - Distribution
  
- 8 Production and allocation of ballot papers
  - Ballot paper security
  - Form of ballot paper
  - Allocation of ballot papers
  - Corresponding number list
  
- 9 Polling notices and equipment
  - Notice of poll
  - Notice of situation of polling stations
  - Polling station equipment, notices and supplies

# 1 Timetable

1.1 The timetable for a UK Parliamentary general election is set out in the UK Parliamentary election rules.<sup>1</sup> The election timetable is calculated by excluding *dies non*, which are Saturdays, Sundays, Christmas Eve, Christmas Day, Good Friday, any other bank holiday, any day of official mourning or thanksgiving and certain days after the death of the monarch (see below).<sup>2</sup> Throughout this guidance, references to ‘working’ days appear where the time period in question is calculated by excluding *dies non*. Any references to ‘calendar’ days appear where the time period is calculated by counting all days, including weekend days and bank holidays.

1.2 When calculating the election timetable for a general election to the UK Parliament, it is important to remember that a bank holiday anywhere in the UK will affect the election timetable everywhere in the UK. Consequently, (Acting) Returning Officers in England and Wales must incorporate Scotland-only and Northern Ireland-only bank holidays into their timetables, just as (Acting) Returning Officers in Scotland, for example, must include bank holidays that only apply to England and Wales or Northern Ireland into theirs.<sup>3</sup>

1.3 The Representation of the People Act 1985 provides for the ‘freezing’ of the electoral timetable for 14 calendar days if the monarch dies in the period between the proclamation and polling day.<sup>4</sup> This would have the effect of treating the proclamation as being made 14 calendar days after the actual date on which it was made and treating the writ as having been received 14 calendar days after the actual date on which it was received. The election timetable could also be extended by the addition of days for public mourning, and each such day would extend the timetable by a day. It should be noted that while the 14-day delay would come into play automatically on the announcement of the death of the monarch, any day(s) of mourning would have to be formally proclaimed.



The UK Parliamentary election timetable cannot be amended for any other reason.

---

<sup>1</sup> Rule 1, PER.

<sup>2</sup> Please note: Maundy Thursday is no longer a *dies non* (Section 20, EAA).

<sup>3</sup> Rule 2(2), PER.

<sup>4</sup> Section 20, RPA 1985.

**Table 1: Timetable for a UK Parliamentary general election**

<b>Event</b>	<b>Number of working days before poll (deadline if not 12 midnight)</b>
Issue of writ/proclamation	17 days
Receipt of writ	17 or 16 days
Notice of election to be published	Published as soon as practicable after receipt of writ and not later than receipt of writ + 2 days (by 4pm)
First delivery of nomination papers	The next day after the publication of notice of election (from 10am)
Deadline for delivery of nomination papers	11 days (4pm)
Deadline for withdrawals of nomination	11 days (4pm)
Deadline for requests for a new postal vote or to change or cancel an existing postal vote or proxy arrangement	11 days (5pm)
Last day to submit a registration application form to be included on the register of electors in order to be able to vote at the election	11 days
Deadline for new applications to vote by proxy (not postal proxy), except for medical emergencies	6 days (5pm)
Publish election notice of alteration to the register	5 days
Polling day	0 (7am to 10pm)
Last day to issue replacements for spoilt or lost postal ballot papers	Polling day (5pm)
Last day for new applications to vote by proxy on grounds of a medical emergency	Polling day (5pm)
Last day to make alterations to the register to correct a clerical error or to implement a court (registration appeal) decision	Polling day (9pm)

## 2 Register of electors

### Legal requirements

2.1 The Electoral Registration Officer will supply the (Acting) Returning Officer with the register that is required for the different aspects of the election, including the version for use at nominations and the version for polling day. The different versions are explained below.

2.2 The register of electors that is used on polling day is the version as it stands on the fifth working day before the poll. No specific 'election register' is published; rather, the register for use at the election is compiled from the last published version of the register and includes any amendments made to the last published register, with the final amendment being made by the notice of alteration published by the Electoral Registration Officer on the fifth working day before the poll.

2.3 Amendments can be made after this point but only to correct a clerical error or to implement the decision of a court (registration appeal). The latest time that a determination can be made to amend the register for these reasons is 9pm on polling day.

2.4 Individuals may submit applications to register up until the eleventh working day before the poll.<sup>5</sup> It is important to explain the deadline to candidates and agents during pre-election briefings.

2.5 A person will be entitled to vote at an election if their registration **has taken effect** by or on the fifth working day before polling day. The deadline for individuals to apply to be registered will be 11 working days prior to polling day.



Anonymous registration applications may be added to the register in time for the election if determined by the Electoral Registration Officer before the publication of the notice of alteration to the register on the fifth working day before the poll, as there is no objection process for anonymous registrants.

Guidance for Electoral Registration Officers on processing anonymous registration applications can be found in Part F, 'Special category electors', of the Commission's manual *Managing electoral registration in Great Britain*.

### Register to be used for nominations

2.6 Nomination papers must include an indication of support for the candidate from registered electors in the constituency; this is fulfilled by no less than 10 such registered electors subscribing to the nomination by signing the nomination paper. Each elector may only subscribe one candidate's nomination. The electoral register is used to check whether those people who

<sup>5</sup> Section 13B, RPA 1983, as inserted by Section 15, EAA.

subscribe a nomination form are registered electors, as the rules require that the nomination paper must also give the elector number of each person subscribing it.<sup>6</sup>

2.7 The version of the register that is to be used to check nominations is the one that is in force on the last day for publication of the notice of election.<sup>7</sup> This is not the version for use on polling day but is instead the version as at the second day after the writ is received. A person who is shown on the register as being under 18 years old at the time of nomination can only subscribe a nomination paper if they will be 18 years old on or before polling day.<sup>8</sup>

2.8 It is important that the correct version of the register is used in checking that the subscribers are valid. Both a hard copy of the correct register and the electoral management system should be used to minimise the risk of missing a subscriber who has subscribed a second paper. When using the hard copy of the register, it should be physically marked when nominations are formally submitted.



Full details of dealing with and determining nomination papers are described below in Section 4, 'Nomination process'.

## Amending the electoral register – clerical errors



The determination of clerical errors is a decision of the Electoral Registration Officer. The (Acting) Returning Officer should, however, agree with the Electoral Registration Officer a method for communicating clerical error determinations made on polling day.

2.9 The register to be used on polling day may be amended by the Electoral Registration Officer:

- to rectify any clerical error, or
- to implement a court (registration appeal) decision

where the Electoral Registration Officer has made a determination by 9pm on polling day.<sup>9</sup>

2.10 No other changes may be made to the electoral register for any reason.

<sup>6</sup> Rule 7(3), PER.

<sup>7</sup> Rule 7(6)(a), PER.

<sup>8</sup> Rule 7(6)(b), PER.

<sup>9</sup> Section 13B, RPA 1983 and Regulation 36, RPR 2001.



For further consideration of clerical errors, see Part D, 'The poll', Section 3, 'The register of electors' and the Electoral Commission's guidance for Electoral Registration Officers, *Managing electoral registration in Great Britain*, Part D, 'Monthly alterations to the register', Section 4, 'Notice of alteration'.

## Polling station registers

2.11 Polling station registers can be printed once the election notice of alteration has been published, i.e. five working days before polling day. However, procedures will need to be put in place to cope with any necessary amendments to the polling station registers should either clerical errors be identified or court decisions (registration appeals) notified after the registers have been printed.

2.12 Whether such determinations are made before polling day or on polling day itself, the (Acting) Returning Officer should agree with the Electoral Registration Officer a method for communicating the relevant information to Presiding Officers.



Further details on communicating amendments made to the register on polling day can be found in Part D, 'The poll', Section 3, 'The register of electors'.

2.13 To assist with the amendment of registers the (Acting) Returning Officer should attach an additional sheet to the polling station registers to record any amendments. Either the (Acting) Returning Officer or the Presiding Officer can then add to this sheet all register amendments made and notified by the Electoral Registration Officer after the fifth day before polling day as a result of clerical errors and court decisions on registration appeals. Electoral Registration Officers should liaise with their suppliers to check whether their software systems can produce registers with such a back page appended, otherwise they should produce one themselves.

2.14 A revised register should not be published as standard practice in advance of an election. The Electoral Registration Officer will send the (Acting) Returning Officer a copy of the register as amended by any notice of alteration published since the last revised register including the last notice, published on the fifth working day before the poll.

2.15 Each Presiding Officer should be provided with the appropriate register of electors for their polling station. They should also be made aware of the various categories of electors shown on the register. (Acting) Returning Officers should ensure that polling station staff are adequately trained on which electors are entitled to vote in a UK Parliamentary general election. The Electoral Commission's *Handbook for polling station staff* provides a guide to all the register markers. The categories and associated markers are also included in the Commission's *A quick guide for polling station staff*.

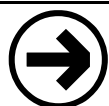


### Combination

Where the poll at a UK Parliamentary general election is combined with the poll at another election (such as a local government election) the franchise for the two polls will be different. It is essential that polling station staff are instructed to pay particular attention to the identifying letters printed next to electors' names. *Managing electoral registration in Great Britain: guidance for Electoral Registration Officers*, Part B, 'Entitlement to register' provides further information on who is entitled to vote at particular elections. All of the Commission's polling station handbooks and quick guides also contain a guide to the register markers.

## Access and supply

2.16 Certain persons are entitled to be supplied with the full electoral register free of charge and in electronic format, unless a request is received in advance of supply for the register to be provided as a printed copy. Details are set out below.<sup>10</sup>



Detailed information on access and supply of the electoral register to candidates and others can be found in Part H, 'Access and supply' of the Commission's guidance, *Managing electoral registration in Great Britain*.

## Supply of register to candidates

2.17 A candidate at a UK Parliamentary general election can request a copy of the full register for whole or part of the constituency as falls within the registration area of the Electoral Registration Officer.<sup>11</sup>

2.18 The meaning of the term candidate for this purpose is given in legislation.<sup>12</sup> At a UK Parliamentary general election a person will be entitled to a copy of the full register on the day that they, or others:

- declare themselves to be a candidate, or
- submit their nomination papers
- 

whichever is the **earlier**.

2.19 However, the **earliest** that a person may become a candidate for the purposes of obtaining the register is the date of the **dissolution of Parliament**. If a person is declared to be a candidate before the date of the dissolution they become a candidate on the date of the dissolution.

2.20 Candidates must make a written request for the register.<sup>13</sup> The Electoral Registration Officer should produce a form for candidates to sign in order for

<sup>10</sup> Regulation 102, RPR 2001; Regulation 101, RPR (Scotland) 2001.

<sup>11</sup> Regulation 108, RPR 2001; Regulation 107, RPR (Scotland) 2001.

<sup>12</sup> Section 118A(3)(a) and (b), RPA 1983.

<sup>13</sup> Regulation 102(2), RPR 2001.

them to obtain the register. This form should provide information regarding the correct use of the data and should also allow the candidate the option of requesting either a paper or data copy of the register.

2.21 As soon as the written request is received and that person is or has become a candidate as defined above, they must be supplied with a copy of the register as soon as is practicable so that they can use the register to assist them with completing their nomination paper, as well as for campaigning.

2.22 The (Acting) Returning Officer must not withhold the register until a candidate submits a nomination paper. No deposit or payment can be required in order for a register to be supplied.

### Supply of the register to registered political parties

2.23 A registered political party can request a copy of the full register at any time throughout the year.<sup>14</sup> Their right to receive a copy of the register is not dependent on when elections occur or where they have a history of standing.

### Inspection of the register

2.24 A copy of the full register must be made available for inspection, under supervision, at the office of the Electoral Registration Officer and any other place, if any, suitable for inspection in the registration area.<sup>15</sup> Any person who inspects the register may only make handwritten notes to record any part of it and these notes must not be used for marketing purposes. The handwritten notes can be used for electoral purposes. All those inspecting the register should be made aware of the restrictions before being given access to the register.

---

<sup>14</sup> Regulation 106, RPR 2001; Regulation 105, RPR (Scotland) 2001.

<sup>15</sup> Regulation 43, RPR 2001.

## 3 Guidance for candidates and agents

### Briefings

3.1 The (Acting) Returning Officer should hold briefings for candidates and their agents, if known, once the election has been announced to provide information about matters including the nominations process, the election timetable, the polling, postal voting and counting arrangements and any specific local issues. Briefings could be provided on an individual basis to all interested persons, or could be provided to a group or groups of candidates and agents. The (Acting) Returning Officer may choose to hold a further briefing session after the close of nominations once the list of candidates has been confirmed to cover in more detail things such as the arrangement for the opening of postal votes and the count.

3.2 It is important that the (Acting) Returning Officer provide briefings to all who have expressed an interest in standing for election and the briefings should allow for the fact that there may be people who have little or no knowledge of election rules and procedure or who have not involved themselves in elections for some time.



In order to meet performance standard 7 – communication of information for candidates and agents, (Acting) Returning Officers will need to be able to demonstrate that they have provided information to candidates and agents through briefing sessions and written guidance on the nominations process, as well as on the postal vote opening and count processes.

3.3 All briefing sessions should highlight the importance of following the election rules. In particular, (Acting) Returning Officers should provide a briefing on the nomination process including deadlines, submission rules, use of common names, the options when completing the home address form, the use of party names and registered descriptions, and the methods for delivering the £500 deposit. The (Acting) Returning Officer should also outline any security arrangements that have been put in place in consultation with the police.<sup>16</sup>

3.4 The (Acting) Returning Officer should cover the fact that rules on candidate campaigning, including the maximum spending limit and the requirement to add an imprint to certain material, must be followed. Candidates should be advised to read the Electoral Commission's guidance on the issues.

3.5 The Commission has produced a guide for candidates and agents at a UK Parliamentary general election, and this should be supplied to all candidates and interested persons and parties.

---

<sup>16</sup> Section 17, EAA.



The Commission's *Guidance for candidates and agents* can be found on the Commission's website at [www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/uk-parliamentary-elections](http://www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/uk-parliamentary-elections). Hard copies will also be available to order from our distributor.

3.6 There is a Code of conduct for political parties, candidates and canvassers on the handling of postal vote applications and postal ballot papers. This is available in the Commission's *Guidance for candidates and agents* and online from the Commission's website at [www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/integrity-guidance/electoral-events](http://www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/integrity-guidance/electoral-events), and should be drawn to the candidates' attention.

3.7 Arrangements for the opening of postal votes and the count could be covered at a further briefing session after the close of nominations when all the candidates are known, especially if there are candidates or agents who did not attend pre-nomination briefings.

## Nomination pack

3.8 The (Acting) Returning Officer should prepare a nomination pack for any person who expresses an interest in standing for election to the UK Parliament, and should also make this available to any person who attends at the address for the delivery of nominations and asks for one.

3.9 The nomination pack should contain:

- nomination paper
- home address form
- consent to nomination
- form for candidate to give notice of appointment of an agent
- certificate of authorisation for an eligible person to allow the candidate to stand on behalf of a registered political party
- form for the candidate of a political party to request an emblem
- a copy of the Commission's *Guidance for candidates and agents*
- a print out of or a website link to the Commission's guidance on candidate election spending
- details of how the deposit should be paid, including full details of acceptable methods of payment
- details of how to obtain the electoral register, the list of overseas electors, and the absent voters lists, including contact details of the Electoral Registration Officer(s) in the constituency
- any other relevant information



The Commission's guidance for candidates and agents and on election spending can be found at: [www.electoralcommission.org.uk/guidance/those-we-regulate/candidates-and-agents](http://www.electoralcommission.org.uk/guidance/those-we-regulate/candidates-and-agents). Hard copies will also be available to order from our distributor.

The Commission has produced template nomination papers which are available at: [www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/uk-parliamentary-elections](http://www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/uk-parliamentary-elections).

## Access needs for candidates

3.10 (Acting) Returning Officers should bear in mind that candidates and agents may have specific access needs for the election, and so may need any guidance produced in a large-print or other format, such as Braille or audio, or in a language other than English. Nomination papers can only be produced in English or, in Wales, in English or Welsh.

## 4 Nomination process

### Publication of the notice of election

4.1 The publication of the notice of election triggers the start of the nomination period, but nomination papers cannot be accepted until the day following the publication of the notice of election. For a UK Parliamentary general election, the notice of election has to be published by not later than 4pm on the second day after the day the writ is received.<sup>17</sup> The notice of election may be published on the same day that the writ is received and should be published as soon as practicable to allow the maximum time for nominations.



#### **Definition of 'publish'**

Publish means, as a minimum, posting in a conspicuous place within the constituency (e.g. local authority offices, noticeboards, libraries and other public buildings). The (Acting) Returning Officer should also use other means, including the local authority's website, to facilitate easier access to the notices for any interested persons, including disabled people. A link should also be made from the front page of the local authority's website to those pages containing information on the election process.

This definition of publish applies to all the notices that are produced at the election, including:

- the notice of election
- the statement of persons nominated (including notice of poll and situation of polling stations)
- the notice of agents
- the notice of the result

All notices published by the (Acting) Returning Officer should contain an imprint.

4.2 The notice of election is a statutory notice and while there is no prescribed format it must include the following information:<sup>18</sup>

- the place and times at which nomination papers can be delivered, and that nomination papers may be obtained at that place and those times
- the date of the poll if the election is contested
- the arrangements by which the payment of the deposit may be made by electronic transfer of funds (it should also state that cash and banker's draft are also acceptable)
- the date by which applications for absent votes (including emergency proxies) must reach the Electoral Registration Officer in order to be effective for the election

---

<sup>17</sup> Rule 1, PER.

<sup>18</sup> Rule 5, PER.

4.3 When giving an address for the delivery of nomination papers, an exact address, including any room number, should be given. This will avoid any doubt for any nominations brought in close to the deadline.

## The register of political parties



For up-to-date information about political parties, registered descriptions and registered emblems, (Acting) Returning Officers should check the register of political parties on the Electoral Commission's website at:  
<http://registers.electoralcommission.org.uk/regulatory-issues/regpoliticalparties.cfm>.

4.4 Even if the registered party is well known, it is vital to check the register for the exact party name, emblems and descriptions registered with the Commission by that party for this particular election.

4.5 Under PPERA the deletion or amendment of any registered descriptions may take effect up to and including the day before the date of publication of the notice of election (note: this is **not** the last day that the publication of the notice of election is possible but the **actual** day of publication) for any particular election. After that point, any changes or deletions to any of the party descriptions do not apply for that election.<sup>19</sup> Political parties may alter their other registered details, including the party name and emblems, and add any new description if they previously had registered less than 12 at any time until the close of nominations.

4.6 Further guidance on how changes made to the register of political parties throughout the election period will appear on the Commission's website, will be provided once a UK Parliamentary general election is called.



### **How descriptions and party names are used**

When a candidate is standing on behalf of a registered political party they can use either the party name or one of the party's registered descriptions.

A certificate of authorisation from the party must allow the candidate to use either a specific description or the party name, or can allow the candidate to choose a registered description or the party name.

The (Acting) Returning Officer must check that the description or the party name on the nomination paper is registered by taking reference of the Commission's register of political parties contained on our website.

The chosen party name or description must be stated on the statement of persons nominated and must be printed on the ballot papers.

<sup>19</sup> Section 30(6A), PPERA.

Full details of when descriptions and party names can be used and how they are applied are given from Paragraph 4.73.



If the (Acting) Returning Officer has any queries about the registration of political parties, they should contact their local Commission devolved or English regional office.

## Qualifications for candidature

4.7 Candidates may approach the (Acting) Returning Officer to seek advice about their eligibility to stand for election to the UK Parliament or to enquire about any possible disqualifications which may affect their candidature.

4.8 Matters of eligibility or disqualification are for the candidate only and not for the (Acting) Returning Officer. The candidate should be directed to the Commission's *Guidance for candidates and agents*. Should they have any further concerns, the candidate/agent should be advised to seek their own independent legal advice.

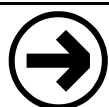
## Preparing a form for signature

4.9 (Acting) Returning Officers are required to prepare a nomination paper for signature if an elector requests it.<sup>20</sup>

## Forms that may be used for nomination

4.10 Candidates may use whatever set of forms that they wish for their nomination as long as the papers used contain all of the required information and the signatures required by law.

4.11 Candidates do not have to use a nomination form, home address form or consent to nomination form that has been provided by the (Acting) Returning Officer.<sup>21</sup>



The Commission has produced a set of forms that (Acting) Returning Officers can use. These can be found at [www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/uk-parliamentary-elections](http://www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/uk-parliamentary-elections).

## Delivery of nomination papers

4.12 Nomination papers must be delivered to the location specified and at the times and dates specified on the notice of election.

4.13 There should be clear signage from the entrance of the building to the room set aside for delivery. This route, or an appropriately sign-posted alternative, should be fully accessible.

<sup>20</sup> Rule 7(4)(b), PER.

<sup>21</sup> Rule 6, PER.

4.14 The (Acting) Returning Officer, or an appointed Deputy, must be present at the place for nominations for the entire period that nominations are open (i.e. 10am to 4pm on the relevant days) and during the period for objections.<sup>22</sup>

4.15 Only the (Acting) Returning Officer and their staff should deal with nominations. Local authority staff, such as reception staff, should be given details of what to do if a person tries to deliver a nomination paper to them, for example making it clear that they should not handle nomination papers and should not offer to deliver them but should direct them to the (Acting) Returning Officer.

### Times when nomination papers may be delivered

4.16 Nomination papers must be delivered between the hours of 10am and 4pm. The first day that nomination papers may be delivered is the day after the publication of the notice of election; this date should be specified in the notice of election.

4.17 The deadline for delivery of nomination papers, including all other documents required to be delivered by the close of nominations, is 4pm, 11 working days before the poll. This deadline **cannot** be extended for any reason whatsoever.

4.18 Delivery is determined as having taken place when the nomination papers are physically handed to the (Acting) Returning Officer or an appointed Deputy at the place mentioned in the notice of election.

4.19 No appointment is required to deliver a nomination paper, but the (Acting) Returning Officer may consider establishing an appointment system to enable them to offer 'informal checks' of nomination papers prior to them being formally submitted. Further consideration is given to the issue of informal checks under 'Informal checks' below.

4.20 On receipt, the (Acting) Returning Officer or their staff should endorse the documents with the date and time of delivery.

### Who may deliver the nomination papers?

4.21 Nomination papers may only be delivered by the following people:

- the candidate
- the candidate's election agent (the notice of appointment of agent may be delivered at the same time as the nomination paper)
- the proposer or seconder as shown on the nomination paper<sup>23</sup>

4.22 Nomination papers must be delivered in person, by one of the people listed above. If they are delivered by anyone else, or it cannot be determined who has delivered the nomination papers, they should not be accepted.

---

<sup>22</sup> Rule 10, PER.

<sup>23</sup> Rule 6(1), PER.

4.23 There is no provision to post, fax or use other electronic means of delivery, and so any nominations received this way should not be accepted. The only exception to this occurs when a candidate is overseas, in which case their **consent to nomination** may be sent electronically (further information on this can be found in 'Candidate's consent to nomination', below).

4.24 A candidate is deemed to be validly nominated only if the (Acting) Returning Officer has, before 4pm on the deadline for delivery of nomination papers, received the deposit of £500 and the following completed forms:

- a nomination paper
- a home address form
- a consent to nomination
- a certificate of authorisation from a party if the candidate is standing for a political party

4.25 The candidate will remain validly nominated unless and until the (Acting) Returning Officer determines that their nomination is invalid or if they withdraw by the deadline for withdrawals.

4.26 The (Acting) Returning Officer should accept at face value that a person delivering a nomination paper is who they claim to be. There is no provision for the (Acting) Returning Officer to require that the person delivering the nomination papers shows identification.

### Attendance at the delivery of nomination papers

4.27 Only certain people have the right to attend the delivery of nomination papers other than the (Acting) Returning Officer and their staff.

4.28 The people listed below are not restricted to being present for just the nomination of their own candidate but can inspect and object to any nomination or any delivered nomination papers from the point at which their own candidate's nomination papers are delivered until their own candidate's nomination is ruled invalid, they withdraw their nomination, or the nomination deadline has passed, whichever is the earlier.<sup>24</sup>

4.29 The eligible people are:<sup>25</sup>

- a candidate
- an election agent
- a person named by a candidate who is acting as their own agent to attend instead of an election agent
- a proposer or seconder

4.30 In the event that more than one nomination paper is submitted for a candidate, only the proposer and seconder from the one that is selected as the 'selected nomination paper' is entitled to attend the delivery of nomination

---

<sup>24</sup> Rule 11(3), PER.

<sup>25</sup> Rule 11(1), PER.

papers (see 'Multiple nomination papers' below).<sup>26</sup> If no such selection has been made by the candidate, then the entitlement will be automatically conferred onto the proposer and seconder of the first-delivered nomination paper.<sup>27</sup>

4.31 Additionally, there are further people who are entitled to attend the nomination of candidates but they may not object to any of the nominations. These people are:<sup>28</sup>

- one person appointed by each of the candidates to attend and not already entitled to attend
- Commission representatives<sup>29</sup>

4.32 No other person is allowed to attend the delivery of nomination papers.<sup>30</sup> Nomination papers are not open to public inspection; they are only open to inspection by the people mentioned in this section.

## Informal checks

4.33 The (Acting) Returning Officer should offer all candidates and agents the facility of informally checking their nomination papers before they are formally submitted. This may help to uncover any errors in completing the nomination forms. There is no requirement to provide an informal check, but all candidates and agents should be given an equal opportunity to book an informal check where this service is provided. Informal checks are designed to assist the candidate and agent to participate in the electoral process so that, if possible, errors made by candidates and agents do not deny electors the opportunity to vote for that candidate.

4.34 It should be noted that informal checks are a requirement for meeting performance standard 7 – communication of information to candidates and agents.

4.35 When conducting an informal check it should be made clear that the nomination papers are being looked at informally. Those who may not formally deliver nomination papers may still bring them in and be present at the **informal** check but cannot formally deliver them or view any other nomination.

4.36 The (Acting) Returning Officer should make it clear that they cannot be held responsible if they fail to identify an error or omission during the informal check – the correct completion of the nomination forms remains the responsibility of the candidates and agents.

4.37 It should be clear when the nomination papers are being submitted formally. At this point the (Acting) Returning Officer should endorse the paper with the date and time of delivery and after this point there must be no

---

<sup>26</sup> Rule 11(2), PER.

<sup>27</sup> Rule 11(2)(b), PER.

<sup>28</sup> Rule 11(1), PER.

<sup>29</sup> While Commission representatives are entitled to attend, accredited observers are not.

<sup>30</sup> Rule 11(1), PER.

alteration, deletion or addition to the paperwork other than by the (Acting) Returning Officer in the exercising of their power to correct minor errors.

4.38 When conducting informal checks, the (Acting) Returning Officer should:

- check to see that every item that is required to be completed has been completed.
- check that the description for a candidate (one that is not 'Independent' or 'Annibynnol') matches the name or registered description on the Commission's website and that it is authorised by the certificate of authorisation.
- check to see if the subscribers listed have already subscribed a nomination paper which has been **formally** submitted. If they have, the (Acting) Returning Officer should advise that the nomination paper would be invalid if formally delivered.
- where more than one nomination paper is being delivered, ask which one will be the selected nomination paper and if they would like the subscribers for up to two more nomination papers to be published on the statement of persons nominated.
- go through the acceptable methods for submitting the deposit and explain how it will be returned if it is not forfeited.
- remind the person delivering the paper that it would be a criminal offence for a false statement to be made in the nomination papers..
- as long as there are no apparent issues with the nomination paper and if the person is one of the people authorised to formally deliver nomination papers, they should be offered the opportunity to formally submit the nomination papers.

4.39 If the nomination papers are formally delivered the (Acting) Returning Officer should endorse them with the time and date of delivery.

4.40 The (Acting) Returning Officer should state that they cannot give any oral or written indication that a nomination paper is valid until the statement of persons nominated is published but that if the nomination paper is ruled invalid they will attempt to contact the candidate and agent by all possible means.

## Form of nomination

### Nomination paper

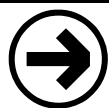
4.41 Each candidate must be nominated on a separate nomination paper in the form prescribed in the appendix to the election rules or in a form to the same effect.<sup>31</sup> The forms have been changed by legislation<sup>32</sup> since the last UK Parliamentary general election and so all forms previously produced by the (Acting) Returning Officer should be reviewed. The Commission has produced

---

<sup>31</sup> Rule 6(1)(c), PER.

<sup>32</sup> Section 24, PPEA.

a set of nomination papers. (Acting) Returning Officers should use the forms as a template for their own forms.



The Commission's set of nomination papers can be found at [www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/uk-parliamentary-elections](http://www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/uk-parliamentary-elections).

## Details on papers for nomination

### Candidate's names

4.42 The candidate's full names must be listed, with their surname given first followed by all of their other names in full. In addition, where a candidate commonly uses a different surname or forename, they may request that instead of their full names, their commonly used name(s) are used on the statement of persons nominated, the notice of poll and the ballot paper.<sup>33</sup>

4.43 The Commission's *Guidance for candidates and agents* advises candidates on how to fill in the nomination paper and explains how the different combinations of commonly used name boxes completed or left blank would affect how their name appears on the ballot paper.

4.44 A number of worked examples of various combinations, while not comprehensive, are set out in the Table 1 below.

**Table 1: Candidate's names options**

Candidate's actual surname	Candidate's other names in full	Commonly used forename(s)	Commonly used surname	Name to go on statement of persons nominated and notice of poll	Name to go on ballot papers
Elector	Ann	Elsie	Voter	Voter, Elsie	VOTER Elsie Voter
Elector	Ann	[Blank]	Voter	Voter, Ann	VOTER Ann Voter
Elector	Ann	Elsie	[Blank]	Elector, Elsie	ELECTOR Elsie Elector
Elector	Ann	None to be used	Superstar	Superstar	SUPERSTAR

4.45 Should a candidate require a single name only (e.g. Superstar) then this should be clearly indicated on the form – with the unused 'commonly used surname' and 'commonly used forename(s)' boxes marked as above or crossed through. If either the 'commonly used forename(s)' or 'commonly

<sup>33</sup> Rule 6(2A), PER.

used surname' box is left blank, then the candidate's actual forename or surname, depending on which commonly used name box has been left blank, will go on the statement of persons nominated, the notice of poll and, ultimately, on the ballot paper.

4.46 Where the (Acting) Returning Officer thinks that the use of any commonly used name may be likely to mislead or confuse electors, or is obscene or offensive, they are not required to show that name on the statement of persons nominated. In such a case, the candidate's full names must be used on the statement of persons nominated, the notice of poll and the ballot paper, and the (Acting) Returning Officer must write to the candidate setting out the reasons for refusing to allow the use of the commonly used name.

4.47 Any decision to refuse the use of the commonly used name does not invalidate the nomination; the effect is that the candidate's full name will appear on the statement of persons nominated, the notice of poll and the ballot paper. This fact should be made clear to candidates and agents, particularly if a commonly used name is actually rejected.

4.48 The nomination form contains no space for prefixes or suffixes. Therefore, while inclusion of any prefix or suffix as part of the actual name would not invalidate the nomination paper, they should not be transferred to the statement of persons nominated. The (Acting) Returning Officer should act as if the prefixes or suffixes were not on the nomination paper and not add them to the statement of persons nominated when that is being produced.

4.49 The (Acting) Returning Officer should send a note to the candidate and agent in such cases and explain that these prefixes or suffixes will not appear on the statement of persons nominated or the ballot paper but that their nomination as a candidate has not been affected.

4.50 However, this does not apply if a potential candidate has included a prefix, such as Dr or Sir, in the commonly used forename(s) box. In this case, the prefix should be carried forward to the statement of persons nominated and the ballot paper. A commonly used name that includes a prefix may only be rejected if the (Acting) Returning Officer thinks that it is likely to mislead or confuse electors, or is obscene or offensive.

4.51 A person who is known by their title may use this instead of their surname. For example, a candidate who has the actual name of Jo Smith, but who has the hereditary title of Baroness Purple may use the name Jo Purple as if it were their actual name.<sup>34</sup> In this case the name Jo Purple may be used by the candidate as their actual name without the need to fill in the commonly used names boxes.

4.52 Occasionally, a potential candidate may submit a nomination paper with a frivolous or unlikely sounding name that they claim to be their full name. The (Acting) Returning Officer should take any such nomination paper at face

---

<sup>34</sup> Note 2, Form of nomination paper, Appendix of Forms, PER.

value, however unusual the name, as it may well be the candidate's actual name. Even if an (Acting) Returning Officer has personal knowledge that the name on the nomination paper is not the candidate's real name, they have no powers to reject it on this basis.

4.53 The determination as to the suitability of commonly used names does not take place until after the close of nominations. Therefore no indication should be given as to the likelihood of a commonly used name being accepted before that time.

4.54 Acceptance of a nomination as valid is shown by publication of the statement of persons nominated. The (Acting) Returning Officer should not send any letters or notices to any candidate or agent stating that their nomination is valid, including whether their commonly used name has been accepted. This is not the same as for local government elections, where a notice of validity must be sent.

4.55 The use of commonly used names applies only to the statement of persons nominated, the notice of poll and the ballot papers. The candidate's actual name must appear on any documents that are required to show the candidate's name, such as the imprint and candidate's expense returns, and the actual name should be used at the declaration of result. If, however, a candidate made use of the commonly used name rule, their commonly used name should be used alongside their actual name at the declaration of result.

### **Candidate's home address**

4.56 The nomination paper provided by the (Acting) Returning Officer should not contain a space for the address of the candidate.<sup>35</sup> The candidate's full home address must instead be provided on a separate home address form.<sup>36</sup>

4.57 A nomination paper is not invalid if it additionally contains the home address of the candidate (i.e. when the candidate does not use a current form or creates a form themselves). However, a home address form must also be delivered as well as the nomination paper for the nomination to be valid.<sup>37</sup>

### **Subscribers**

4.58 Each candidate standing in an election must be proposed and seconded by electors from the constituency; in addition, eight other electors from the constituency must assent to the nomination.

4.59 The people who can subscribe a nomination paper are those who are UK Parliamentary electors, who are on the register on the last day for publication of the notice of election and who will be 18 years of age or over (i.e. of voting age) on polling day.<sup>38</sup> That register is definitive for the nomination process. If an elector is later removed from the register before the election (or indeed even before the nomination is delivered) or dies before the election, their signature remains valid and the nomination is not affected.

---

<sup>35</sup> Paragraph 8, Schedule 6, PPEA.

<sup>36</sup> Rule 6(4), PER.

<sup>37</sup> Rule 6(4), PER.

<sup>38</sup> Rule 7, PER.

4.60 Each subscriber must sign the nomination paper in the appropriate place and their elector number must be included in the space provided alongside their signature,<sup>39</sup> including the polling district identifying letters.

4.61 A person must not subscribe more than one nomination paper. If they do, their signature will only be valid on the first paper to be delivered to the (Acting) Returning Officer even if this was not the first paper that they signed.<sup>40</sup> The (Acting) Returning Officer should have a robust system of ensuring that no elector subscribes to more nomination papers than they are entitled to. Such methods include the marking of a copy of the register or using the electoral management software system.

4.62 If a candidate dies or withdraws their nomination paper, the subscribers may subscribe another nomination paper.

4.63 There is no requirement for a subscriber to print their name on a UK Parliamentary nomination paper even if the form supplied for use asks for this to be completed. While having a printed name facilitates the checking of subscribers, the absence of a printed name does not affect the validity of the subscriber. The form must, however, be signed by each subscriber.<sup>41</sup>

4.64 The (Acting) Returning Officer should accept that the signature made on the nomination paper is that of the person listed on the register under the relevant elector number, even if the signature suggests another name. The (Acting) Returning Officer may draw the attention of the person delivering the paper to the issue if they are concerned but must take the elector number and the fact that it is signed at face value.

4.65 Only the first 10 subscribers on any nomination paper can be considered. If more than 10 subscribers are included, the eleventh and any subsequent names must not be considered at all. If one of the first 10 subscribers is invalid, irrespective of whether more than 10 subscribers have been added to the nomination paper, it must be held invalid.

4.66 Occasionally a mistake is made with the subscribers on a nomination paper, and one or more of the names are crossed out on the form. If the signature and the elector number for a subscriber are clearly crossed out, then they should be ignored by the (Acting) Returning Officer and treated as if they did not appear at all. Such crossings out should not be done by the (Acting) Returning Officer. Any crossings out should be clear and, ideally, initialled. A new name, signature and elector number must be added to replace the entry that has been crossed out. If the person was a proposer or seconder, then the new proposer or seconder must be indicated.

4.67 No candidate should be told that they are validly nominated until the publication of the statement of persons nominated.

---

<sup>39</sup> Rule 7(3), PER.

<sup>40</sup> Rule 7(5), PER.

<sup>41</sup> Rule 7(1), PER.



Signatures on nomination papers, once given, cannot be withdrawn by subscribers. If a subscriber writes to or otherwise contacts the (Acting) Returning Officer to say that they wish to withdraw their subscription, the (Acting) Returning Officer must refuse the request and the subscription remains valid.

### **Candidate's description**

4.68 The legislation is very precise about candidates' descriptions.<sup>42</sup> A candidate can choose not to have a description, or any candidate can be described as 'Independent' if they wish. In Wales, the candidate can use either 'Independent' or 'Annibynol', or both words. However, if a candidate wishes to use any other description, the one included on the nomination paper must comply with the rules set out below.

4.69 If a candidate wishes to have a description other than 'Independent' or 'Annibynol' in Wales, that description must be authorised by a registered political party.<sup>43</sup> When submitting their nomination paper, they must also submit a certificate of authorisation from that party's Nominating Officer (or a person appointed by them to act on their behalf). The certificate must have been delivered before the deadline for the delivery of nomination papers.

4.70 Registered political parties may register up to 12 descriptions with the Commission.<sup>44</sup> Where they do, any description provided on a nomination paper must either match exactly one of the descriptions registered with the Commission or be the exact name of the registered political party. Where a registered political party has chosen not to register any descriptions, only the exact party name as registered with the Commission can be used.

4.71 The (Acting) Returning Officer should check who the Nominating Officer is by reference to the Commission's register of political parties. However, as long as the person who has signed the certificate claims that they have the authorisation of the registered Nominating Officer, the certificate should be taken at face value.

4.72 The certificate authorising the candidate must also describe the description that can be used by the candidate. The certificate can either state that the candidate may use a particular registered description or the registered party name, or state that the candidate may use any description registered by the party or the party name. If a particular description or the registered party name is given as the only option on the certificate of authorisation, that must match the description on the nomination paper or the whole nomination paper is invalid.

4.73 If the description on the certificate of authorisation matches the nomination paper or the certificate allows the candidate to choose the description, the (Acting) Returning Officer should consult the Commission's register of political parties and any descriptions registered under Section 28A

---

<sup>42</sup> Rules 6(3) and 6A, PER.

<sup>43</sup> Rule 6A, PER.

<sup>44</sup> Section 28A, PPERA.

of PPERA, which can be found on the Commission's website. The description given on the nomination paper must exactly match that given on the register of political parties as either the name of the party or one of that party's registered descriptions. If it does not match, the whole nomination paper is invalid.

4.74 In Wales, a candidate may use either the English version, Welsh version or both versions of either the party name or a description as long as they are registered with the Commission. Translations of the party name are listed on the website under 'other name' and translations of descriptions are listed to the right of the description under 'translation(s)'. If the party has not registered the translation so that it appears on the Commission's website, then a translation of any party name or description cannot be used.

4.75 If a candidate stands as representing two parties, e.g. the Labour Party and the Co-Operative party, an authorising certificate setting out the joint description is required from the Nominating Officer of **both** parties. In this example, both the Labour Party and the Co-Operative Party must issue certificates that state, for example, a description of 'Labour and Co-operative Party Candidate', and that joint description must be registered with the Commission. Joint descriptions are listed on a separate part of the register, to the bottom of the registration page for the relevant party, and (Acting) Returning Officers should refer to this when checking nominations.<sup>45</sup>



A description for the nomination paper may be **either** the party name **or** one of the registered descriptions as long as the rules for the description, as stated in this section, are followed.

#### **Example**

'The Purple Party', a registered party, has registered only one description 'The Purple Party Candidate'.

The Nominating Officer of the party, or someone authorised by them to act on their behalf, must sign a certificate of authorisation that allows the candidate to stand on behalf of The Purple Party.

The (Acting) Returning Officer should check who the Nominating Officer is by reference to the Commission's register of political parties. However, as long as the person who has signed the certificate claims that they have the authorisation of the registered Nominating Officer, the certificate should be taken on face value.

The certificate of authorisation must state that the candidate can:

- use 'The Purple Party'
- use 'The Purple Party Candidate', or
- choose the party name or any description registered with the Commission

<sup>45</sup> Section 28B, PPERA, inserted by Section 49, EAA 2006.

4.76 The Commission's website often displays the registered party name in a search-friendly manner, e.g. 'Electoral Commission Party [The]'. The actual party name in such cases is 'The Electoral Commission Party'.

4.77 If during an informal check it appears that the nomination paper bears the description in the form shown on the website, e.g. 'Electoral Commission Party [The]', then the candidate/agent should be advised to amend the description of the party to the correct form, in this case 'The Electoral Commission Party', before the papers are formally lodged with the (Acting) Returning Officer.

4.78 If the certificate of authorisation accompanying the nomination paper also follows the format shown on the website, e.g. 'Electoral Commission Party [The]', the (Acting) Returning Officer need not amend it, but should read it as 'The Electoral Commission Party'.

4.79 Alternatively, the (Acting) Returning Officer may consider using the power to correct minor errors<sup>46</sup> to amend the nomination paper so that it matches the registered party description or name. Again, there would be no need to amend the accompanying certificate. (Acting) Returning Officers should exercise care in using this power. Further information on the (Acting) Returning Officer's power to correct minor errors is provided below.



The decisions the (Acting) Returning Officer has to make with regard to a candidate using a description other than 'Independent' and/or 'Annibynnol' are:

- Is the candidate certified to stand for a registered political party by a certificate signed by the Nominating Officer or someone authorised by the Nominating Officer to sign the certificate?
- Is the proposed description or party name on the nomination paper authorised by the certificate of authorisation or does the certificate allow the candidate to choose any description and/or the party name registered by the party with the Commission?
- Is the description on the nomination paper exactly the same as that registered with the Commission or exactly the same as the party name registered with the Commission, as found on the Commission's website ([www.electoralcommission.org.uk](http://www.electoralcommission.org.uk))?

4.80 A Nominating Officer may stand as a candidate. If this happens, the candidate, as Nominating Officer, may authorise their own description. A person authorised by the Nominating Officer to sign a party certificate may also be a candidate and sign a certificate for their own nomination.

---

<sup>46</sup> Rule 14A, PER.



The description requirements and options are different for the current Speaker of the House of Commons.

The current Speaker may use the description 'The Speaker seeking re-election'. Any candidate who uses this description does not need to support the use of the description with any documentary evidence or a certificate of authorisation.

A candidate who uses such a description cannot request a party emblem and no emblem of any kind should be printed on the ballot paper.

While the Speaker may use the description 'The Speaker seeking re-election', there is no requirement for them to do so and they could follow the process described above for using an alternative description.

### **Request for a party emblem**

4.81 If requested, the candidate of a registered party can choose to have a registered emblem of the party they are representing displayed on the ballot paper.<sup>47</sup> To qualify, a candidate must have used a description other than 'Independent' and/or 'Annibynnol'. The candidate, not the election agent or the Nominating Officer, must make the request in writing not later than the deadline for nominations. If the party has more than one registered emblem, the request must specify which one they want to use. If the candidate fails to specify one, the (Acting) Returning Officer must choose one of that party's registered emblems.

4.82 The candidate may provide a high-resolution copy of the emblem for use in the printing of ballot papers, or may request that the (Acting) Returning Officer downloads the emblem from the Commission's website. The (Acting) Returning Officer should ensure that whatever copy is used is in the same form as the registered emblem.

### **Multiple nomination papers**

4.83 There is no limit to the number of nomination papers that may be delivered for the same candidate. If a candidate is validly nominated by more than one paper, the candidate should choose which one of the valid nomination papers should be used for the details to be added to the statement of persons nominated and the ballot papers. If the candidate cannot or does not do this then the (Acting) Returning Officer must choose one of them.<sup>48</sup>

4.84 If more than one nomination paper is delivered and one of the nomination papers is invalid, that paper is excluded from the papers that can be chosen by the candidate or the (Acting) Returning Officer. As long as at least one nomination paper is valid, the candidate can be validly nominated.

---

<sup>47</sup> Rule 19(2A) and (2B), PER.

<sup>48</sup> Rule 14(4), PER.

4.85 The chosen nomination paper is the 'selected nomination paper' and it is from that paper that the details that will appear on the statement of persons nominated will be taken.

4.86 The candidate may also request, at a contested election, for the proposers, seconders and other subscribers for up to two more valid nomination papers to be added to the statement of persons nominated. The statement should therefore have space for the names of 10, 20 or 30 subscribers to be added.

4.87 When an elector subscribes any delivered nomination paper, even if it is not the selected nomination paper, they are prevented from signing another nomination paper and any later delivered nomination bearing their signature as a subscriber is invalid.

### Home address form

4.88 Candidates at UK Parliamentary general elections no longer provide their home address on the nomination paper. Instead, they are required to complete a separate form which they must submit with the other required nomination papers. This separate 'home address form' gives the candidate the option of having their full address omitted from the statement of persons nominated and the ballot paper.<sup>49</sup>

4.89 The home address form must state the home address of the candidate. Failure to submit the candidate's address on a separate home address form means that the nomination is invalid.

4.90 A candidate may, if they choose, sign a statement on the home address form stating that they require their home address not to be published. This statement must be signed by the candidate.

4.91 If the candidate chooses not to have their home address appear on the statement of persons nominated and the ballot paper, the constituency in which the candidate's home address is situated or, if they live outside the UK, the country in which they live must be printed instead.

4.92 If a candidate does sign a statement requiring their home address not to be published, they must also state the name of the UK Parliamentary constituency in which they live or, if they live outside the UK, the country in which their home address is, so that this can be published instead.<sup>50</sup>



The home address form must, therefore, contain:

- candidate's full name
- candidate's home address in full<sup>51</sup>

<sup>49</sup> Rule 6(4), PER.

<sup>50</sup> Rule 6(4) and (5), PER.

<sup>51</sup> Rule 6(4), PER.

If these are the only sections completed on the form, then the candidate's full home address must be published on the statement of persons nominated and on the ballot paper.

If the candidate chooses to keep their home address from being published, they must complete the rest of the form. In this case the home address form will contain, as well as the full name and home address:

- a statement, signed by the candidate, which states that they require their home address not to be made public
- the UK Parliamentary constituency or non-UK country in which their home address is situated<sup>52</sup>

The Commission has produced a home address form as part of its set of nomination papers which (Acting) Returning Officers can use. Nomination papers can be downloaded from the Commission's website at <http://www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/uk-parliamentary-elections>.

4.93 The home address form is available for inspection along with the other nomination papers to the people mentioned in the section 'Attendance at the delivery of nomination papers'.<sup>53</sup> The (Acting) Returning Officer should make it clear to persons inspecting a home address form that asks for the candidate's home address not to be published that the information on the home address form should only be used by the person inspecting to:

- object to the nomination paper
- launch an election petition
- make a complaint to the police that a person has made a false statement

and that any other use may be in breach of the Data Protection Act 1998 and make a person using the information for any other purpose liable to criminal prosecution.

4.94 If more than one validly nominated candidate, at the close of nominations, has asked for their home address not to be published, the (Acting) Returning Officer must consider if two or more of them have the same or so similar a name as to cause confusion. If this is the case, the (Acting) Returning Officer must add details from their home address or the nomination paper as appropriate to reduce the likelihood of confusion.<sup>54</sup>

4.95 Before making a decision on which details should be included, the (Acting) Returning Officer should consult the candidate(s) affected, if it is practicable to do so.<sup>55</sup> The (Acting) Returning Officer must then give notice in

---

<sup>52</sup> Rule 6(5), PER.

<sup>53</sup> Rule 11(3), PER.

<sup>54</sup> Rule 14(4A), PER.

<sup>55</sup> Rule 14(4B), PER.

writing to the candidates informing them of the additional information that will be published.<sup>56</sup>

## Nominations in other languages

4.96 In England and Scotland, nominations may only be submitted in English. In Wales, nominations may be submitted in English or Welsh.

4.97 Although other election documentation may be translated into other formats including languages other than English (and, in Wales, Welsh), nomination papers and ballot papers may only be produced in English and, in Wales, in Welsh.<sup>57</sup>

## Candidate's consent to nomination

4.98 A candidate is not validly nominated unless their consent form is also submitted by the time of the close of nominations.

4.99 The consent must be signed and dated by the candidate and the date must be on or within one month before the last day for delivery of nomination papers.

4.100 The consent has to be witnessed by any other person. The witness must witness the candidate signing the consent and then sign it as a witness. They should be encouraged to provide their name and address on the consent, however, there is no legal requirement for them to do so. The only requirement is for the witness to 'attest' it.<sup>58</sup>

4.101 The consent must be delivered at the place and within the time for the delivery of nomination papers.<sup>59</sup>

4.102 A candidate is guilty of a corrupt practice if they make a false statement in their consent to nomination as to their date of birth or their qualification and lack of disqualification for being elected<sup>60</sup> see 'False statements in nomination papers' below.

4.103 The requirement to give a written consent is waived if the (Acting) Returning Officer is satisfied that the candidate is outside the UK and, due to this absence, it is not reasonably practicable to provide it in writing.<sup>61</sup>

4.104 In such cases, it is permissible for candidates to consent by telegram, or similar means such as email, fax or a scanned document sent electronically. In these cases the consent is deemed to have been made in writing on the date it is sent. Such electronic consent to nomination does not need to be attested.

---

<sup>56</sup> Rule 14(4C), PER.

<sup>57</sup> Section 199B(3), RPA 1983.

<sup>58</sup> Rule 8(1)(b), PER.

<sup>59</sup> Rule 8, PER.

<sup>60</sup> Section 65A, RPA 1983.

<sup>61</sup> Rule 8(2), PER.

4.105 The consent, given in writing, or given by the means described above from outside the UK, must contain the following:<sup>62</sup>

- the candidate's date of birth
- a statement that they are aware of the provisions of the House of Commons Disqualification Act 1975
- a statement that to the best of their knowledge they are not disqualified from being a Member of the House of Commons
- a statement that they are not a candidate at an election for any other UK Parliamentary constituency with the same polling day.

## False statements in nomination papers

4.106 It is an offence for any person to knowingly include false information in a nomination paper.<sup>63</sup> An (Acting) Returning Officer cannot investigate any statement given in a nomination paper, home address form, consent to nomination or certificate of authorisation. They should, however, highlight the need for accurate statements to be given and the consequences of a breach of those provisions.

4.107 The maximum penalty for a false statement on a nomination paper is a fine or one year's imprisonment.

## Deposit

4.108 In order to be validly nominated a candidate must also deposit £500 with the (Acting) Returning Officer.<sup>64</sup> This sum must be paid by the close of nominations.

4.109 Payment must be accepted where it is made by legal tender or a banker's draft from a drawer (bank/building society) which carries on business as a banker in the UK.<sup>65</sup>

4.110 The (Acting) Returning Officer also has a discretionary power to accept alternative forms of payment, including payment by credit or debit card or the electronic transfer of funds.<sup>66</sup>

4.111 Modern banking systems allow for the transmission of funds very quickly. The (Acting) Returning Officer should allow such bank transfers into their account. These payments can, however, only be made with the consent of the (Acting) Returning Officer but pre-authorisation should be given if the candidate meets certain basic requirements decided by the (Acting) Returning Officer.

---

<sup>62</sup> Rule 8(3), PER.

<sup>63</sup> Section 65A, RPA 1983.

<sup>64</sup> Rule 9, PER.

<sup>65</sup> Rule 9(2)(a) and (b), PER.

<sup>66</sup> Rule 9(2)(c), PER.

4.112 The requirements for bank transfers may include asking the person making the payment to include a particular reference on the transaction. This must be accompanied by the person making the payment giving their name and address to the (Acting) Returning Officer if not already given as an agent or sub-agent. Most such bank transfers allow a label to be attached and this should contain the payer's name and/or a reference number given by the (Acting) Returning Officer.

4.113 The (Acting) Returning Officer should consider how they will ensure that such payments have indeed reached their account. Any bank transfer payment of the deposit must appear in the (Acting) Returning Officer's account before the close of nominations. The (Acting) Returning Officer should consider how payments can be authenticated, for example through internet access to their account or the printing of a hard copy of their account transactions. If payments do not show at the close of nominations, the (Acting) Returning Officer should deem that the deposit has not been delivered correctly.

4.114 Payment by credit or debit card should also be considered. Again, the (Acting) Returning Officer may decide to allow this method only if particular conditions are met, such as the giving of the name and address of the payer, the transaction taking place by a particular time and authorisation by the credit card merchant being received.

4.115 Credit and debit card transactions normally attract a fee for the payee, which in this instance will be the (Acting) Returning Officer. As the (Acting) Returning Officer requires to be in receipt of the full £500 the person making the payment should be required to pay an additional fee to ensure that the full deposit is received by the (Acting) Returning Officer. Different methods of payment may attract different fees and the (Acting) Returning Officer should inform the payer of the total payment required for each type of payment as part of their consent to receiving a payment made in this way.

4.116 Payments of the deposit may be made by a combination of any method either required to be accepted by the (Acting) Returning Officer or by which they have consented to receive payment. For example, if a payment by banker's draft has a mistake and less than the £500 is stated on the document, the balance may be made up by another method.

4.117 Any candidate who withdraws from the election before the withdrawal deadline must have their deposit returned. If a candidate dies their deposit should also be returned as soon as practicable after the (Acting) Returning Officer has received satisfactory proof of the candidate's death.

## Correction of minor errors

4.118 The (Acting) Returning Officer is permitted to correct minor errors made on nomination papers, including the home address form. (Acting) Returning Officers may correct errors in relation to a person's elector number and

obvious errors of spelling of a candidate's details, at any time before publication of the statement of persons nominated.<sup>67</sup>

4.119 For example, where an elector number has been entered incorrectly, the (Acting) Returning Officer may amend it if they are satisfied that an error has been made. However, where the elector number has been omitted altogether, this does not amount to an error, and the nomination paper should be rejected on the basis that the number has simply not been supplied and the particulars are not as required by law. Dealing with the 'obvious' errors of spelling may be more difficult, as what is obvious to one person may not be so to another. Care should be taken in exercising this power.



While the (Acting) Returning Officer should accept nominations at face value it should be noted that where a home address (or a constituency or country name as appropriate) is not absolutely correct, the nomination would not be open to successful challenge as long as the address can be commonly understood.<sup>68</sup>

## Decision as to validity of nomination papers

4.120 When making a decision as to the validity of a nomination paper, the (Acting) Returning Officer should disregard any personal knowledge they may have of any candidate and should not undertake any investigation or research into any candidate. The (Acting) Returning Officer should adjudicate the nomination on the basis of the information provided on the nomination papers.

4.121 There is case law that states that the (Acting) Returning Officer's duty does not go beyond seeing that the form is 'correct on its face'.<sup>69</sup> The (Acting) Returning Officer cannot be expected to embark on an enquiry as to where every candidate lives<sup>70</sup> or to be in a position to know whether the name given by a candidate is their real name or the name by which they are commonly known.

4.122 If all the necessary documentation and the required deposit are not delivered by the deadline then the nomination has not been made and so cannot be ruled to be valid or invalid. Only once all of the documentation and the deposit have been delivered can the (Acting) Returning Officer rule the nomination valid or invalid.

4.123 For example, if a nomination paper is delivered without the deposit the (Acting) Returning Officer must not rule it to be invalid. Even if the deadline for delivery passes without a valid deposit being delivered there is no need to rule the nomination to be invalid as in this instance the nomination is deemed not to have been delivered at all.<sup>71</sup>

---

<sup>67</sup> Rule 14A, PER.

<sup>68</sup> Section 50, RPA 1983.

<sup>69</sup> *Pritchard v Mayor of Bangor*, 13 App Cases at pp 252, 257.

<sup>70</sup> *R v Election court, ex parte Sheppard* [1975] 2 All ER 723.

<sup>71</sup> Rule 12(1), PER.

4.124 Once a nomination paper has been accepted, no changes can be made to it by the candidate. If a candidate later decides that they want to make changes, for example to the description, the only way that this can be done is by withdrawing their candidature (see 'Withdrawal of candidate' below) and then submitting a new nomination paper within the statutory deadlines.

## Making the decision

4.125 Once a nomination paper has been formally delivered, the (Acting) Returning Officer should make a decision on the validity of it as soon as practicable. However, decisions on accepting requests for commonly used names and requests for not publishing home addresses of candidates should not be formally made until after the deadline for receipt of nominations.

4.126 The only grounds the (Acting) Returning Officer has for adjudicating a nomination paper to be invalid are:<sup>72</sup>

- that the particulars of the candidate or the persons subscribing the paper are not as required by law
- that the paper is not subscribed as required
- that the person is disqualified by reason of the RPA1981

4.127 The 'particulars of the candidate' extend to their description. Therefore, a nomination paper should be held as invalid if the description used has not been given in accordance with the rules.<sup>73</sup>

4.128 The (Acting) Returning Officer should print a copy of the Commission's webpage showing the descriptions and party name at the time of determination of the nomination of any candidate standing on behalf of a political party. To check that the nomination paper contains a valid party name or description visit <http://registers.electoralcommission.org.uk/regulatory-issues/regpoliticalparties.cfm>.

4.129 The (Acting) Returning Officer should carefully check the details of all subscribers, both to identify minor errors that they can amend in accordance with their power and to discover if any subscriber has already subscribed a nomination paper (whether adjudicated valid or invalid). Once an elector has subscribed one nomination paper, their signature on any subsequent nomination paper becomes inoperable<sup>74</sup> which would render the subsequent papers 'not subscribed as required' and, therefore, invalid.

4.130 Where a nomination paper has been subscribed by more than the required number of subscribers, the signatures up to the required number (proposer, seconder and eight assentors) should be the ones taken into account, i.e. the proposer, the seconder and the first eight assentors. Any additional signatures should be disregarded even if a subscriber appearing

---

<sup>72</sup> Rule 12(2), PER.

<sup>73</sup> R v Balabanoff [2002] EWHC 670 (Admin).

<sup>74</sup> Rule 7(5), PER.

within the required number is found not to be eligible.<sup>75</sup> In such cases, the nomination paper must be rejected and the candidate must submit a new nomination paper within the deadline with a new proposer, new seconder and eight new assentors.

4.131 Where a candidate wishes to use a commonly used name, the (Acting) Returning Officer is not required to publish that name on the statement of persons nominated, the notice of poll and the ballot paper if they think that its use may be likely to mislead or confuse electors, or it is considered obscene or offensive.<sup>76</sup> In such instances, only the use of the commonly used name is invalidated, not the nomination paper.

## Communication of decision on validity of nomination papers

4.132 If a nomination is ruled invalid it is important to contact the candidate and agent as soon as possible so that they may have the opportunity to submit another set of nomination papers before the close of nominations.

4.133 If a nomination is adjudicated as invalid the (Acting) Returning Officer must state that fact on the nomination paper, write the reasons for rejection and sign it.<sup>77</sup>

## Result of decisions

4.134 Once the (Acting) Returning Officer has made a decision that a nomination paper is valid, it cannot be challenged during the election, although it may be challenged by way of an election petition after the election.<sup>78</sup>

## Objections to nomination papers

4.135 The only people who are entitled to object to a nomination paper are:

- a candidate who is validly nominated
- an election agent of a candidate who is validly nominated
- the proposer or seconder of any candidate who is validly nominated

4.136 The time during which objections can be made to a particular nomination varies depending on when the nomination paper in question is delivered. For any nomination delivered before the last day for nominations, any objection has to be made between 10am and 12 noon on the last day for the delivery of nominations. For any nomination delivered on the last day for nominations, any objection has to be made by 5pm on that day, except for any objection to the sufficiency or nature of the particulars of the candidate (e.g.

---

<sup>75</sup> Rule 7(2), PER.

<sup>76</sup> Rule 14(2B), PER.

<sup>77</sup> Rule 12(4), PER.

<sup>78</sup> Rules 12(5) and (6), PER.

the name, description, home address or date of birth) which must be made immediately after the paper is delivered.<sup>79</sup>

4.137 If an objection is made, the (Acting) Returning Officer must resolve this objection.<sup>80</sup> The determination of an objection must be based only on the available grounds that a nomination paper may be held invalid.<sup>81</sup> The (Acting) Returning Officer should not undertake any investigation or hear any representations in support of or challenging any fact or statement given on the nomination paper.

4.138 The (Acting) Returning Officer should limit the objection process to re-examining the nomination papers, home address forms, consents to nomination and other forms required for nomination. Only if the (Acting) Returning Officer had made an error in determining the nomination papers can the objection be successful. Where the objection is upheld, the nomination will be held to be invalid.

### Candidates alleged to be in prison

4.139 Under the RPA 1981, a person is disqualified from standing for election to the UK Parliament if they have been found guilty of an offence and have been given an indefinite sentence or a sentence of more than one year anywhere in the world and they are still serving that sentence in a prison within the UK, the Channel Islands and the Isle of Man<sup>82</sup> or the Republic of Ireland.<sup>83</sup>

4.140 The process for publishing the statement of persons nominated is altered if it appears to the (Acting) Returning Officer that a candidate might be disqualified under the RPA 1981. In this case, the (Acting) Returning Officer must publish a 'draft statement of persons nominated' that will contain those who at that point stand nominated, but will exclude the details of the subscribers. The draft statement must also state that any candidate may be subject to an objection from 10am until 4pm on the day after the close of nominations.<sup>84</sup> A final statement of persons nominated must be published at 4pm on that day.<sup>85</sup>

### Withdrawal of a candidate

4.141 It is possible for a validly nominated candidate to withdraw their candidature. For this to be effective, the candidate must deliver to the (Acting)

---

<sup>79</sup> Rule 1, PER.

<sup>80</sup> Rule 12(3), PER.

<sup>81</sup> Rule 12, PER.

<sup>82</sup> 'British Islands' as defined by Schedule 1, Interpretation Act 1978.

<sup>83</sup> Section 1, RPA 1981.

<sup>84</sup> Rule 15, PER.

<sup>85</sup> Rule 1, PER.

Returning Officer a signed notice, attested by one witness,<sup>86</sup> by the time of the close of nominations.<sup>87</sup>

4.142 If the candidate is not in the UK, a withdrawal will be effective if a notice of withdrawal, signed by the proposer and accompanied by a written declaration that the candidate is abroad, is delivered to the (Acting) Returning Officer by the close of nominations. If the candidate was nominated by more than one nomination paper, each proposer must give the notice. If any of the proposers are outside the UK they do not need to sign the notice, but the notice must include a statement that the remaining proposers are outside the UK.<sup>88</sup>

4.143 If a candidate has not withdrawn by the deadline, their name must go forward onto the statement of persons nominated and the ballot paper even if they subsequently change their mind and wish to withdraw.

## Storage of the nomination papers

4.144 The (Acting) Returning Officer must keep the nomination papers securely and allow inspection by the persons listed in 'Attendance at the delivery of nomination papers' above until the deadline for making objections to the nomination papers.

4.145 After that point the nomination papers should remain securely stored by the (Acting) Returning Officer for one year after the election, except for the home address form, which must be destroyed after 21 days.



For further guidance on the storage of all election documents and who may access them after the election see Part F, 'After the declaration of the result', section 1 'Retention, storage and inspection of election documents'.

## Statement of persons nominated

4.146 The (Acting) Returning Officer must publish a statement of persons nominated by no later than 5pm on the last day for the delivery of nomination papers if there are no objections.<sup>89</sup> If there are objections, it must be published by 4pm on the day after the last day for nominations.

4.147 The statement of persons nominated must show the:

- name
- address / constituency name / non-UK country
- description (if any)
- names of the subscribers

---

<sup>86</sup> Rule 13 (1), PER.

<sup>87</sup> Rule 1, PER.

<sup>88</sup> Rule 13, (2), PER.

<sup>89</sup> Rule 1, PER.

4.148 of all candidates who have been validly nominated and those who no longer stand nominated (i.e. invalid and withdrawn candidates, if any), including the reason why they no longer stand nominated.

4.149 The names of the candidates on the statement must be listed in alphabetical order of their surname and this is how they will appear on the ballot paper.<sup>90</sup> Where there are two or more candidates with the same surname, the alphabetical order of the other names will decide which candidate is listed first. If a person has requested the use of a commonly used name on their nomination paper, then the commonly used name must be shown on the statement, instead of the actual name.<sup>91</sup> It is important to note that where a commonly used surname is accepted, a candidate's alphabetical position on the statement of persons nominated and on the ballot paper must be made by reference to their commonly used surname.

4.150 If the (Acting) Returning Officer has rejected the use of any commonly used name as they think it is likely to mislead or confuse electors, or is obscene or offensive, the actual name should be published on the statement of persons nominated instead of the commonly used name.

4.151 When a request for a home address not to be published is accepted, the UK Parliamentary constituency or non-UK country must be listed instead of the home address of the candidate. As discussed in the 'Home address form' section above, the (Acting) Returning Officer will have to make a decision on publishing further address details if two or more candidates with the same or similar names request that their home address is not published.

4.152 The correct format when a home address is not published is to add the words 'address in the' before the constituency and add brackets around the words, for example: (address in the Votetown Constituency). Additional information about the candidate as given on the nomination papers should be added if the (Acting) Returning Officer makes a decision that this is necessary (see 'Home address' section above).

4.153 The statement of persons nominated must also include the notice of poll if the election is contested. If the election is uncontested, the statement of persons nominated must contain a statement of the successfully elected candidate.



Guidance on the method of publication of the statement of persons nominated is given from paragraph 4.1 above in 'Publication of the notice of election'.

4.154 The (Acting) Returning Officer must send to the Commission a copy of the statement of persons nominated. This should be sent to the relevant devolved or English regional office. A copy of any certificate of authorisation

---

<sup>90</sup> Rule 14(3) PER.

<sup>91</sup> Rule 14(2A), PER.

used to certify a party candidate must also be sent to the Commission.<sup>92</sup>  
Please send copies (i.e. photocopy, not the original) to:

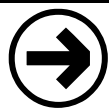
Party and Election Finance  
The Electoral Commission  
Trevelyan House  
Great Peter Street  
London SW1P 2HW.

4.155 Alternatively a scanned copy of these documents can be sent to  
[pef@electoralcommission.org.uk](mailto:pef@electoralcommission.org.uk).

## Uncontested elections

4.156 If only one valid nomination is received, or all valid nominations are properly withdrawn by the deadline except one, the election is uncontested. If the election is uncontested, the (Acting) Returning Officer must, as soon as practicable, publish the statement of persons nominated. This must include a statement declaring the one validly nominated candidate to be elected.<sup>93</sup>

4.157 The writ should then be returned with the details of the successful candidate. No poll is necessary.



See Part E, 'Verification and count', Section 7, 'Declaration of result and return of the writ' for more details on completing and returning the writ.

---

<sup>92</sup> Rule 14 (5), PER.

<sup>93</sup> Rule 50(2), PER.

## 5 Appointment of election, polling and counting agents

### Appointment of election agents

5.1 Each candidate must have an election agent,<sup>94</sup> and notice of the appointment must be delivered to the (Acting) Returning Officer by the latest time for delivery of notices of withdrawals (i.e. close of nominations).<sup>95</sup> It is possible for a candidate to appoint themselves as the election agent<sup>96</sup> and, if no agent is appointed by the above time, the candidate is deemed to be their own election agent.<sup>97</sup> This is also the case if a candidate revokes their agent's appointment, or the agent dies, and a replacement is not appointed.

5.2 The candidate may revoke their appointment as their own agent at any time, irrespective of whether they became an agent by default by not appointing one or because they had given written notice of their own appointment to the (Acting) Returning Officer.

5.3 The role of the election agent is important because it is only the election agent who can authorise expenditure on behalf of the candidate. Additionally, they have, along with the candidate, a duty to ensure that the candidate's election campaign is undertaken in accordance with the law; if they suspect that supporters of the candidate, over whom they have some measure of control, are committing unlawful or illegal practices, they must take active steps to stop it from happening.

5.4 The election agent must have an office, and the notice of appointment must set out the office address to which, in the words of the legislation, 'all claims, notices (legal process and other) documents may be sent'.<sup>98</sup> This office has to be either:<sup>99</sup>

- within the constituency, or
- within an adjoining constituency, or
- in Wales, it may be within a Welsh county borough which is part of, or adjoins, the constituency, or
- in London, it may be within a London borough which is part of, or adjoins, the constituency

5.5 The election agent's office address will often be the same as their home address, but it might also be that of the local political party office or an office especially set up for the election.

---

<sup>94</sup> Section 67(1), RPA 1983.

<sup>95</sup> Section 67(1), RPA 1983.

<sup>96</sup> Section 67(2), RPA 1983.

<sup>97</sup> Section 70, RPA 1983.

<sup>98</sup> Section 69(1), RPA 1983.

<sup>99</sup> Section 69(2), RPA 1983.

5.6 Where a candidate acts as their own election agent by virtue of not having appointed anybody else, the office address is deemed to be the address given on the statement of persons nominated, i.e. the one provided on the home address form. If that address is outside the relevant qualifying area (see bullet points above), the office address is deemed to be the address of the person named in the statement as proposer.<sup>100</sup>

5.7 If a candidate has requested to withhold their home address details on the home address form but becomes an election agent by default, the (Acting) Returning Officer must publish their home address even though the candidate has requested to keep it private.<sup>101</sup> The only exception to this rule is if the candidate's address falls outside the relevant qualifying area. In that case, the address is deemed to be the address of the person named in the statement as proposer.<sup>102</sup>

5.8 If the candidate gives written notification of their appointment as their own election agent to the (Acting) Returning Officer they must give an office address within the qualifying area (see bullet points above).<sup>103</sup>

5.9 Upon notification of an election agent's name and address, the (Acting) Returning Officer has to publish a notice setting out the details as soon as possible.<sup>104</sup> The notice should be updated if any agent's appointment is revoked, or the agent dies, and the new agent's details published on the revised version.

5.10 It is possible for election agents for those candidates standing in county constituencies to appoint a sub-agent for a particular part of the constituency.<sup>105</sup> This must be done by the second day before the poll and the sub-agent must have an office address which must be in the area in which they are operating.<sup>106</sup> The election agent must give written notice stating the home address and office address of the sub-agent and the area in which the sub-agent may act. There cannot be more than one sub-agent in any part of the constituency, i.e. there can be more than one sub-agent but their areas cannot overlap.

## Appointment of polling and counting agents

5.11 Candidates may appoint polling agents to attend at polling stations for the purpose of detecting personation, and counting agents to attend the counting of votes.<sup>107</sup>

5.12 There is no limit on the number of polling agents that a candidate can appoint at a UK Parliamentary general election although only one polling

---

<sup>100</sup> Section 70(4), RPA 1983.

<sup>101</sup> Section 70(4)(a) and (6), RPA 1983.

<sup>102</sup> Section 70(4), RPA 1983.

<sup>103</sup> Section 70(4), RPA 1983.

<sup>104</sup> Section 67(6), RPA 1983.

<sup>105</sup> Section 68(1), RPA 1983.

<sup>106</sup> Section 68(3), RPA 1983.

<sup>107</sup> Rule 30, PER.

agent for a particular candidate can be present in a particular polling station at any given time.<sup>108</sup>

5.13 The number of counting agents that a candidate may appoint is subject to a limit set by the (Acting) Returning Officer. However, the number set must be the same in the case of each candidate and must not, except in exceptional circumstances, be fewer than the number obtained by dividing the number of counting assistants employed on the counting by the number of candidates.<sup>109</sup> For example, if there are 50 counting assistants and five candidates then the number of counting agents may be limited to 10 for each candidate in addition to the candidate, their guest and the election agent. When determining the maximum number of counting agents, (Acting) Returning Officers should consider any health and safety implications, including fire regulations for the count venue.

5.14 Notices of the appointment of both polling and counting agents with their names and addresses must be given in writing to the (Acting) Returning Officer by not later than the second working day before the poll.<sup>110</sup>

5.15 Polling and counting agents are subject to the requirements of secrecy and have to be given, in writing, a copy of the relevant legislative provisions.<sup>111</sup>

5.16 If a polling or counting agent dies or becomes incapable of acting, the person who appointed them may appoint another agent in their place. Notice in writing of the appointment must be given to the (Acting) Returning Officer.<sup>112</sup>

---

<sup>108</sup> Rule 32(2), PER.

<sup>109</sup> Rule 30, PER.

<sup>110</sup> Rule 30(3), PER.

<sup>111</sup> Rule 31, PER.

<sup>112</sup> Rule 30(4), PER.

## 6 Death of a candidate

6.1 The effect of the death of a candidate on a UK Parliamentary election depends on whether or not the candidate was standing on behalf of a registered political party.

### Death of an independent candidate

6.2 If an independent candidate (i.e. a candidate using the description 'Independent' or 'Annibynnol', or a candidate who uses no description) dies, the election will continue as normal.<sup>113</sup>

6.3 If the independent candidate who died did not receive the most votes at the original poll, the candidate who did is declared the winner and the election is not affected.

6.4 If the deceased candidate receives the most votes, they are not elected and the election will be re-run. No new nominations will be required: all of the existing candidates will remain nominated for the new election and retention or return of the deposit is determined by the re-run election result. No new nominations are allowed for the re-run election although candidates may withdraw.

6.5 If the candidate who died came joint first with the same number of votes as any other candidate, the other candidate will be declared the winner.

6.6 In all circumstances, the deposit of the deceased candidate must be returned.<sup>114</sup>

### Death of a party candidate



It is the time at which proof of the death is notified to the (Acting) Returning Officer that is the relevant factor, not the actual time of death.

6.7 If the (Acting) Returning Officer receives proof and is satisfied that a candidate standing on behalf of a registered political party has died before the declaration of the result, the election must be stopped immediately.<sup>115</sup> If the poll is underway or the counting is being undertaken, the poll is abandoned. The election will need to be re-run.

6.8 Any person who was validly nominated for the first election, except the candidate who has died, will remain validly nominated unless they withdraw by the deadline. Retention or return of the deposit is determined by the re-run election result.

---

<sup>113</sup> Rules 60 to 62, PER

<sup>114</sup> Rule 60(3), PER.

<sup>115</sup> Rule 63, PER.

6.9 No new nominations are allowed for the re-run election except that the party whose candidate has died may nominate a candidate to replace them. A new set of nomination papers is required for this candidate. The subscribers for the deceased candidate are not prevented from subscribing the party's new candidate. That party must submit a new certificate of authorisation to allow the nomination of a candidate of their choice to stand.

6.10 Any candidate may withdraw from the rescheduled poll by the deadline for withdrawals for the new election. A party wishing to put forward a candidate to replace their candidate who has died must do so by the close of nominations based on the new timetable.

## Death of the speaker of the House of Commons

6.11 If the (Acting) Returning Officer receives proof and is satisfied before the result is announced that a candidate who was the Speaker of the House of Commons seeking re-election has died, then the election must be stopped immediately.<sup>116</sup> If the poll is underway or the counting is being undertaken then the poll is abandoned. The election will be re-run.

6.12 Any person who was validly nominated for the first election, except the candidate who has died, will remain validly nominated unless they withdraw by the deadline.

6.13 Anyone can choose to stand at the new election. There is no restriction on who may submit new nominations either as an independent candidate or as a candidate standing on behalf of a registered political party.

6.14 Any person who was validly nominated for the first election, except the candidate who has died, remain validly nominated unless they withdraw by the deadline.

6.15 There is no restriction on who may submit new nominations for the new election, either as an independent candidate or as a candidate from a registered political party.

## New election

6.16 The timetable for any new election should be prepared as if the writ was received seven days after the proof of the death was received by the (Acting) Returning Officer. This is for calculation purposes; the writ will not necessarily be resent. The new polling day must be between 15 to 19 working days after the (Acting) Returning Officer has received proof of the candidate's death.<sup>117</sup>

---

<sup>116</sup> Rule 64, PER.

<sup>117</sup> Rules 61, 63, 64 PER.

## 7 Production and distribution of poll cards

7.1 The (Acting) Returning Officer is required to send poll cards as soon as practicable after the publication of the notice of election.<sup>118</sup>

7.2 (Acting) Returning Officers are required to send poll cards to all registered electors except overseas electors. This includes polling station voters, postal voters, proxies and postal proxies.

### Production

7.3 Poll cards are required to be in the format prescribed in the legislation<sup>119</sup> or a form to the like effect and must contain the following information:

- the name of the constituency
- the elector's name, qualifying address and number on the register
- the date and hours of the poll
- in the case of an elector who does not have a postal vote, the location of the elector's polling station
- in the case of a postal or proxy postal voter, confirmation that the elector will receive their ballot paper by post, with an indication as to when they are likely to be sent out, and information on how the elector may arrange to cancel the postal vote
- in the case of a proxy or proxy postal voter, the proxy's name and address in addition to the details of the elector for whom the proxy is voting<sup>120</sup>
- such other information as the (Acting) Returning Officer thinks appropriate – different information may be provided to different electors or different descriptions of electors

7.4 In the case of an elector with an anonymous entry, the poll card must be sent in a covering envelope. It should be made clear on the poll card that the anonymous elector or their proxy **must** have their poll card to vote at a polling station. The name and address of the anonymous elector must not be shown on the poll card.

7.5 When producing poll cards, (Acting) Returning Officers should:

- Produce them in clear, large print.
- Include a helpline number and an internet and email address that people can use if they have any enquiries.
- Consider including details of postal and proxy voting on the poll card, giving the closing date for applications.
- Consider including maps showing the location of the polling station. If the location or access arrangements have changed, it is particularly

---

<sup>118</sup> Rule 28, PER.

<sup>119</sup> Schedule 2, RPR 2001.

<sup>120</sup> Appendix of forms, RPR 2001.

important to draw this to the attention of electors. Any map included should not be so small that electors have difficulty reading it.

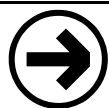
- The full postcode of the polling station should be included so that those electors using satellite navigation or searching an online map can easily find the correct place.
- Consider including any access details on poll cards, taking into account the size of the poll card to be used. For example, inform electors about relevant accessibility information, such as that a temporary ramp is available if necessary, that there are low-level booths, and that large-print ballot papers and tactile voting templates are available. If the poll card is too small to permit the addition of this information, the (Acting) Returning Officer could consider alternative ways of disseminating this additional information.

## Distribution

7.6 Poll cards can be distributed by hand or by post, the method being determined by the (Acting) Returning Officer as most appropriate for the particular area concerned. If poll cards are to be delivered by a postal service provider, a written statement should be given to the service provider with each batch of poll cards, showing the number of cards and the polling districts to which they relate. Proof of posting should be obtained and, if possible, tracking of deliveries undertaken in order to assist with responding to any queries regarding possible non-delivery.

## 8 Production and allocation of ballot papers

8.1 Once the nomination process has been completed and the statement of persons nominated has been published, ballot papers can be printed.



(Acting) Returning Officers will need to consider at the planning stage whether or not they will be outsourcing the production of ballot papers and, as part of the decision-making process, should consult the Electoral Commission's guidance on working with external partners in *Essentials of effective election management: planning for a UK Parliamentary general election*.

8.2 The Commission strongly advises that checks are made of both the proof and final versions of the ballot papers to ensure that no errors have been made. Even though the production of ballot papers has to be undertaken to a tight timescale, it is essential that the (Acting) Returning Officer schedules and takes time to proofread ballot papers.



The (Acting) Returning Officer can outsource some of their procedures, such as production of ballot papers, but their personal responsibility for delivering the election cannot be delegated.

8.3 No batch of ballot papers should be either issued at a postal vote issue or supplied to a polling station unless it has been checked by at least one staff member against the statement of persons nominated and the certificates requesting the use of emblems to ensure that:

- Every candidate is included on the ballot paper.
- Every detail on the ballot paper is spelt correctly.
- Every emblem that has been validly requested has been included.
- All party descriptions and all emblems have been printed by the correct candidate.
- Where there is more than one constituency, the correct ballot papers are being issued to the relevant postal voters or polling station as appropriate.

### Ballot paper security

8.4 It should be noted that the official mark can be printed when the ballot papers are created and does not need to be added at the point of issue. Where this is the case such ballot papers are effectively 'live' as soon as they have been printed. Additional security arrangements should therefore be put in place to prevent unauthorised access to or use of the papers during the production process, while they are in the possession of the printer, and throughout delivery to and storage by the (Acting) Returning Officer.

## Form of ballot paper

8.5 The form of the ballot paper is prescribed in the legislation and these instructions<sup>121</sup> have to be followed precisely.

8.6 Ballot papers for postal voters and for polling station use must be the same in form (except that the official mark may be different if desired).

8.7 An appropriate security mark must be added to the ballot paper – the '**official mark**' – and the following should be noted:<sup>122</sup>

- The mark must be distinctive and does not have to be a perforation added at the time of issue of the ballot paper, although stamping instruments may still be used to create a perforating official mark.
- It could be a printed emblem or mark or a special printing device such as a watermark.
- The official mark can be the same for all ballot papers at an election or different official marks can be used for different purposes at the same election, for example one for postal votes and another for polling station ballot papers.
- The official mark cannot be re-used for seven years for election to the same constituency.
- The official mark should be capable of being seen on the front of the ballot paper so that it can be seen at the count without having to turn the ballot paper over.

## Back of ballot paper

8.8 The following information must be included on the ballot paper reverse in the following format:<sup>123</sup>

No. [ballot paper number]  
Election for the Votetown Constituency  
on Day Month 20XX

8.9 In addition, the following must **both** be printed on the **back** of the ballot paper:<sup>124</sup>

- a ballot paper number that follows the letters 'No.' (see above)
- other unique identifying mark

8.10 The unique identifying mark can be letters and numbers and could be a repeat of the ballot paper number with the addition of a prefix or a suffix. Also, a unique identifying mark can be, but does not have to be, a barcode. It is **not** the same as an official mark.

---

<sup>121</sup> Rule 19 and Appendix of Forms, PER.

<sup>122</sup> Rule 20, PER.

<sup>123</sup> Form of back of ballot paper, Appendix of forms, PER.

<sup>124</sup> Rule 19(2)(c), PER.



The ballot paper number should:

- be unique for each ballot paper at the election
- run consecutively but does not have to start at '1'
- be printed on the back of the ballot paper

The unique identifying mark:

- should be unique for each ballot paper at the election
- can be reused at the next election
- should be printed on the back of the ballot paper

The official mark:

- can be any mark that the (Acting) Returning Officer considers to provide appropriate security
- can be the same for all ballot papers at an election or different marks may be used for different purposes at the same election
- cannot be re-used for seven years in the constituency
- should be visible on the front of the ballot paper

8.11 Decisions on what to use as the official mark and unique identifying mark should be made at an early stage in the planning process, to enable decisions to be reached and preparations made with printers as appropriate.

8.12 Due to the use of a corresponding number list in connection with the issue and receipt of postal ballot papers and the issue of ballot papers at polling stations, ballot papers need not have a printed counterfoil attached. (Acting) Returning Officers will therefore need to consider with their print suppliers how best to produce the ballot papers for use at polling stations. Options might include producing counterfoil-less books that are securely glued at the seam or having the books produced with narrow, blank counterfoils that are discarded after use.

### Printing of candidate details

8.13 Candidates should be listed as in the statement of persons nominated. The surname of each candidate should be printed by itself in large capital letters, with the other details printed in ordinary type, i.e. in normal sentence structure. The **exception** is if two or more candidates share the same surname. In this case, the candidates' other names should be printed in small capital letters.

8.14 The address details of the candidate, as shown on the statement of persons nominated, should be printed below that. Where a UK Parliamentary constituency or country is shown instead of a full address because the candidate has requested to keep their home address details private, it must

be in the format: (address in the Votetown Constituency), or, for a non-UK country: (address in Ballotland).

8.15 Under the address details the description (if any), as stated in the statement of persons nominated, must be printed.

8.16 If a candidate standing on behalf of a political party has requested it, the requested emblem of the party they represent must be included next to their name. Where a registered emblem is to be printed against a candidate's name, it must not exceed two centimetres square. If the candidate supplies a copy of the emblem, the (Acting) Returning Officer should ensure that the copy provided is a precise copy of the registered emblem.

8.17 The whole space between the top and bottom of the ballot paper should be divided equally horizontally, i.e. each space for the candidates' details must be equal and another space of the same size must be provided for the instruction at the top of the ballot paper. It is also recommended that the maximum possible font sizes. The same font size should be used for all candidates. The directions as to printing are very precise and should be followed carefully to ensure full compliance with the legal requirements.<sup>125</sup>

8.18 The colour of the ballot papers is not prescribed and is for the (Acting) Returning Officer to determine; however, whatever colour and paper thickness is chosen, the (Acting) Returning Officer should liaise with the printer at an early stage in the planning process to ensure that there will be enough stock of paper to print ballot papers at short notice. Tendered ballot papers must, however, be a different colour from the ordinary ballot papers.<sup>126</sup>

## Allocation of ballot papers

8.19 The (Acting) Returning Officer must provide each polling station with such number of ballot papers as they consider necessary.<sup>127</sup> Careful consideration needs to be given to the number that will be required; the number of postal voters should be removed from the calculation.

8.20 When allocating ballot papers, it is important that the numbers given to each Presiding Officer run consecutively in order to avoid any problems with completing the corresponding number list or ballot paper accounts.

8.21 Presiding Officers should also be advised to check the numbering of the ballot papers allocated to them in order to ensure that there are no printing, numbering or distribution errors.

8.22 Tendered ballot papers must also be supplied to Presiding Officers. They must be a different colour from the ordinary ballot papers<sup>128</sup> and should be placed in an envelope with instructions stating that the envelope should only be opened and the ballot papers issued in prescribed circumstances, along

---

<sup>125</sup> Appendix of forms, PER.

<sup>126</sup> Rule 40(2)(a), PER.

<sup>127</sup> Rule 29(1), PER.

<sup>128</sup> Rule 40(2), PER.

with brief details of those circumstances. This can help to avoid tendered ballot papers being issued in error. This message should be reinforced at briefing or training sessions for polling station staff.

8.23 When deciding on the number of tendered ballot papers to be supplied to polling stations, (Acting) Returning Officers should bear in mind that tendered ballot papers can be issued in the following circumstances and where the prescribed questions have been answered satisfactorily:

- An elector or proxy has been marked on the register or any amendment notice, or on the list of proxies, as having already voted.
- An elector or proxy who is shown on both the register of electors and the postal or proxy postal voters list as having been issued with a postal ballot paper claims never to have applied for a postal vote.
- After 5pm, an elector or proxy who is shown on both the register of electors and the postal or proxy postal voters list as having been issued with a postal ballot paper and claims to have lost or not received their postal vote.

## Corresponding number lists

8.24 (Acting) Returning Officers will need to consider how the corresponding number lists will be produced, since, for each ballot paper printed, the ballot paper number and unique identifying mark must be recorded. The corresponding number lists are prescribed documents.<sup>129</sup> There are two corresponding number lists: L1 and L2.

8.25 Form L1 will contain the number of every ballot paper produced for the election and the corresponding unique identifying mark for that ballot paper. It is also used for the issue of postal votes and so has a column for the addition of the elector number for those ballot papers issued at the postal vote issue.

8.26 Form L2 is for use in polling stations and only contains the ballot paper number and a column to add the elector numbers of voters to whom the ballot papers are issued. This polling station corresponding number list will be produced to match the ballot papers that are issued to each polling station. Although these forms can be 'adapted so far as circumstances require', with particular reference to the corresponding number list to be used in the polling station, the (Acting) Returning Officer should note that this does not allow the corresponding number list to be produced in elector number order. It must be produced in ballot paper order.



### **Combination**

Combined polls require a combined corresponding number list to be used at polling stations.<sup>130</sup> If the issue of postal votes has been combined, then a combined corresponding number list will also have to be used at the issue of postal votes.

<sup>129</sup> Regulation 63A and Appendix of Forms, forms L1 and L2, RPR 2001.

<sup>130</sup> Appendix of Forms, forms M1 and M2, RPR 2001.

## 9 Polling notices and equipment

### Notice of poll

9.1 If there are more candidates than vacancies and there is to be a contest, the (Acting) Returning Officer must publish a notice of poll combined with the statement of persons nominated, stating the day and hours fixed for the poll.<sup>131</sup>

### Notice of situation of polling stations

9.2 The (Acting) Returning Officer is required to give public notice of the situation of each polling station and the description of voters entitled to vote there.<sup>132</sup> This means indicating the elector numbers of electors entitled to vote at each polling station. This notice may be combined with the notice of poll and therefore also with the statement of persons nominated.

9.3 When determining the polling stations that will be used at the election the (Acting) Returning Officer should consult the list of polling places held by the local authority. The polling station should be within the polling place for that area. There should also be consideration of any comments made during the last review of any accessibility issues and how they can be addressed for this election.

9.4 All election agents should be given copies of the notice of poll and the notice of situation of polling stations as soon as practicable.<sup>133</sup>

9.5 Public notice is defined as posting the notice in some conspicuous place or places in the constituency.<sup>134</sup> Notice may also be given in any other manner that the (Acting) Returning Officer thinks appropriate. All appropriate communication channels should be used, which should include using the council's website where possible in order to ensure that the information reaches the widest possible audience.

### Polling station equipment, notices and supplies

9.6 The (Acting) Returning Officer is required to supply each polling station with materials to enable voters to mark the ballot papers.<sup>135</sup> The legislation does not specify any particular means, but pencils probably remain the most convenient. It is sensible to ensure both that the quality of the ballot papers is conducive to pencil and that the pencils are suitable for making a clear, bold mark.

---

<sup>131</sup> Rule 23, PER.

<sup>132</sup> Rule 23, PER.

<sup>133</sup> Rule 23, PER.

<sup>134</sup> Section 200(1), RPA 1983.

<sup>135</sup> Rule 29, PER.



A checklist of items that the (Acting) Returning Officer must provide to each polling station is contained in Part D, 'The poll', Appendix, 'Resources'.