



YOUR LONDON. YOUR VOTE

The
Electoral
Commission

Greater London Authority
(GLA) elections

Guidance for candidates and agents

Part 6 of 6 – After the
declaration of results

This document applies to Greater London Authority elections (Mayor of London and London Assembly) only. It does not apply to district, borough, county borough, unitary authority, other mayoral or parish/community council elections. Our full suite of guidance and resources, including guidance for those elections can be found on our website at:

www.electoralcommission.org.uk/guidance/resources-for-those-we-regulate/candidates-and-agents/

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Essential information

This section of the document contains our guidance on what happens after the results at a Greater London Authority election have been announced. Supplementary information, which may only be relevant to some candidates, is provided at the back of this document. You can also view this supplementary guidance by clicking on the links within this document or by clicking on the chapter heading on the contents page.

We are here to help, so please contact London Elects or the Commission's London office if you have any questions. See our [Overview document](#) for contact details.

In this document we use 'must' to refer to a specific legal requirement and 'should' for recommended practice. For further information on the terminology used in this guidance, see our [Overview document](#). Deadlines mentioned in this document are generic. For deadlines relating to the 3 May 2012 scheduled GLA elections, please see our [election timetable](#).

Return of deposit

1.1 On the next working day following the day on which the results of the election are declared, deposits will be returned to those candidates or registered political parties who poll a certain proportion of the valid votes cast:

- Mayoral candidates must obtain more than 5% of the valid first preferences cast across London

- Constituency candidates must obtain more than 5% of the valid votes cast in the constituency
- London Member candidates/Parties must obtain more than 2.5% of the valid votes cast across London

1.2 The deposits of candidates or registered parties who do not poll enough of the votes will be forfeited to the Greater London Returning Officer.

Declaration of acceptance of office

1.3 If elected, your appointment as the London Mayor or Assembly Member will become effective on the second day after the day on which the last of the successful candidates at an ordinary election is declared returned. However, you may not act as London Mayor or Assembly Member (this includes attending and voting at meetings) until you have made the declaration of acceptance of office and delivered it to the Proper Officer of the GLA.

1.4 The declaration must be made within two months from the day of election. If you fail to submit your declaration by this deadline, the seat will be declared vacant and a by-election will be held to fill the vacancy, unless you are a London Member elected on in which case the next person on the party list is deemed to be elected.

Election petitions

1.5 The outcome of a Greater London Authority election can be challenged through an election petition. For further details on challenging an election, see paragraph 1.8.

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What happens to the election paperwork after the result is announced?

1.6 All election documents are retained by the relevant Electoral Registration Officer and most are available for public inspection. Please note that ballot papers are not open to public inspection. If you wish to inspect election documents, see paragraph 1.14 for further information.

Submitting your election spending returns

1.7 The election agent of every candidate or party list will need to prepare and submit to the relevant Returning Officer an election spending return after the election. In addition, candidates and their election agent will need to sign a declaration stating that the return is complete and correct to the best of their knowledge and belief. Detailed guidance on completing and submitting spending returns is contained in [Part 3: Spending and donations](#).

Supplementary information

Lodging an election petition

1.8 Only certain people can lodge an election petition, and only under specific circumstances.

1.9 An election petition can be presented by:

- someone claiming to have been a candidate at the election, or
- at least four electors who had a right to vote at the election (note that they need not have voted)

1.10 The allowable grounds for a petition are that:

- the successful candidate was disqualified at the time of the election
- the successful candidate was not duly elected
- the election was invalidated by corrupt or illegal practices
- the election was invalidated because of general corruption or the employment of a corrupt canvasser/agent

1.11 Normally, a petition must be presented within 21 calendar days after the date of the election. However, if the petition complains of corrupt or illegal practices involving the payment of money or other reward, or an illegal practice relating to election spending, further time may be allowed.

1.12 For any questions relating to election petitions, including to confirm the deadlines for lodging an election petition, you should contact the Election Petitions Office:

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The Election Petitions Office
Room E13/E15
Royal Courts of Justice
Strand
London WC2A 2LL

Phone: 0207 073 4752 or 020 7947 7529
Email: stuart.pycock@hmcts.x.gsi.gov.uk

1.13 There are costs attached to an election petition. If you are considering lodging an election petition, we strongly recommend that you take independent legal advice.

Inspection and supply of election-related documents

1.14 Documents available for supply and inspection can be provided by the relevant Electoral Registration Officers, except for the election spending returns, which are kept by the relevant Returning Officer.

1.15 Each Electoral Registration Officer at the 32 London boroughs and the City of London will keep those documents that are relevant to their area. Contact details for Electoral Registration Officers can be found on the Commission's About My Vote website www.aboutmyvote.co.uk. Contact details for the Constituency and Greater London Returning Officer can be found in the [Overview document](#).

Inspection and supply of the marked registers and absent voters' lists

1.16 The marked electoral registers and absent voters' lists show who has been issued with ballot papers, who has returned their postal ballot papers, and who has had their proxy vote cast on their behalf.

1.17 You can inspect or obtain copies of the marked register of electors and absent voters' lists after the election if you make a request in writing to the Electoral Registration Officer. Note that

you can only use the information obtained from these documents for research or electoral purposes.

1.18 The request for inspection must specify:

- which documents are requested
- the purposes for which the information in any document will be used
- where the request is to inspect the marked register or lists, any reason why inspecting the full register or unmarked lists would not be sufficient to achieve that purpose
- who will inspect the documents
- the date on which they wish to inspect the documents, and
- whether they would prefer to inspect the documents in a printed or data form

1.19 Inspection is under supervision and will be free of charge. You won't be able to take copies, but may make handwritten notes.

1.20 The request for supply must specify:

- which of the marked register or lists (or the relevant part of the register or lists) are requested
- whether a printed copy of the records or lists is requested or a copy in data form
- the purposes for which the marked register or lists will be used and why the supply or purchase of a copy of the full register or unmarked lists would not be sufficient to achieve that purpose

1.21 The requested document will be supplied for a fee of £10 plus £2 for printed and £1 for data versions per 1,000 entries.

1.22 Note that after 12 months these documents will be destroyed, unless a court order directs otherwise.

Inspection of other election documents

1.23 You can inspect other election documents, but you will not be allowed to make any notes or copies of these documents. The only documents that cannot be inspected are:

- the ballot papers
- the corresponding number lists
- the certificates allowing polling station staff to vote at the polling station they are working at

1.24 After 12 months all of the election documents will be destroyed, unless a court order directs otherwise.

Election spending returns

1.25 Spending returns can be inspected by any person after they have been submitted. Copies can also be made for a fee of 20p per side. The Constituency Returning Officer will retain the returns for constituency candidates. Spending Returns for Mayoral candidates and London-wide Members are retained by the Greater London Returning Officer.

1.26 Spending returns are kept for two years. You can request to have them returned to you or your election agent at the end of this period. If you or your agent does not want them back, they will be destroyed.