



YOUR LONDON. YOUR VOTE

The
Electoral
Commission

Greater London Authority (GLA) elections

Guidance for candidates and agents

Part 4 of 6 – The campaign

December 2015

This document applies to the May 2016 Greater London Authority elections, covering the election of the Mayor of London and election to the London Assembly. Guidance and resources for other elections in the UK can be accessed from the Commission's 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 campaigning at the May 2016 Mayor of London and London Assembly elections.

This guidance has been developed based on the legislation as it currently stands and makes some assumptions about what further legislation will provide for, and so it may be subject to change. We will update and re-publish the guidance as appropriate once the legislation is clear.

Supplementary information, which may only be of relevance to some parties or candidates, is provided at the back of this document. You can access 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 if you have any questions about campaigning. For any questions on election spending and donations, contact the Electoral Commission.

See our [Overview document](#) for contact details.

In this document we use 'you' to refer to all types of candidates at elections to the Greater London Authority. We refer to candidates who are not included on a party list at the London-wide Assembly Member election as 'individual candidates at the London-wide Assembly election'.

We use 'must' when we refer to a specific requirement. We use 'should' for items we consider to be minimum good practice, but which are not legal or regulatory requirements.

We have included relevant deadlines throughout this document, but you can also find a separate [election timetable](#) setting out all the key dates on the Commission's website.

Campaigning dos and don'ts

When can you start campaigning?

1.1 You can start campaigning at any time. You do not have to wait until you are validly nominated to declare that you will run for election, ask people to support you or publish campaign material.

1.2 However, you should be aware that election spending limits apply ahead of the election. [Part 3 – Spending and donations](#) explains the rules.

When does a person officially become a candidate?

1.3 A person standing on a party list will officially become a candidate on the date the party list is submitted to the Greater London Returning Officer.

1.4 The earliest a person standing in the election of the Mayor of London or at the Constituency Member Assembly election can become a candidate is on 21 March 2016. The earliest a person standing as an individual candidate at the London-wide Assembly election can officially become a candidate is also on 21 March 2016. They will become a candidate on this day if on or before this date they have already declared that they are a candidate at the election (or another person has declared that they are a candidate).

1.5 After 21 March 2016, a mayoral, constituency or individual candidate at the London-wide Assembly election will become a candidate either on the date they, or others, declare that they will be a candidate at the election, or on the date their nomination papers are submitted, whichever is the earlier.

1.6 Mayoral, Constituency and individual candidates at the London-wide Assembly Member election are entitled to a copy of the register of electors and list of absent voters for the area they are contesting. The relevant register of electors can only be supplied once a person officially becomes a candidate (see paragraphs **1.11** to **1.13**).

The Equality and Human Rights Commission has published guidance for political parties and candidates about how equality and human rights law affects election campaigning. A copy of their guidance can be found here:

www.equalityhumanrights.com/electoral-guidance

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1.7 Party list candidates are not entitled to receive copies of the electoral register or list of absent voters – instead, the election agent for the party list, once the party list has been submitted to the Greater London Returning Officer (GLRO), will be entitled to a copy (see paragraphs **1.14** to **1.15**).

1.8 In addition, all candidates can use publicly funded rooms and schools for public meetings (see paragraph **1.24** below).

During the campaign, you may...

- Encourage people who are not on the electoral register to apply for registration. The deadline for registering to vote in time for the GLA elections is 18 April 2016 (i.e. twelve working days before the poll). Individuals can register online at <https://www.gov.uk/register-to-vote>. You can find out more about who can register at www.aboutmyvote.co.uk
- Help voters with information about postal and proxy voting. You can find information at www.aboutmyvote.co.uk. The deadline for applying for a postal vote for the elections is 5pm on 19 April 2016 (i.e. 5pm on the eleventh working day before the poll). The deadline for applying for a proxy vote for the elections is 5pm on 26 April 2016 (i.e. 5pm on the sixth working day before the poll), although an elector can apply for an emergency proxy if after 5pm on 26 April 2016 they have had a medical emergency or have been called away on business.

During the campaign, you should...

- If you develop your own application forms, make sure they include all the required information, or the applications will be rejected. In particular, you must make sure the signature and date of birth fields on postal and proxy application forms are in the correct format. You should use the Commission's absent voting application forms on www.aboutmyvote.co.uk as a guide. You should liaise with your Electoral Registration Officer who may be able to provide you with forms you can use.

- Make sure your supporters follow the [Code of conduct for campaigners in Great Britain](#) – this will help them to avoid situations where their honesty or integrity could be questioned.
- Make sure your supporters are courteous when dealing with other candidates and their supporters.
- Be aware of the deadlines for appointing an election agent, and agents to attend postal vote opening sessions, polling stations and the count. Deadlines are set out in our guidance documents [Part 2a: Standing as a candidate for London Mayor](#), [Part 2b: Standing as a Constituency Member candidate](#) and [Part 2c: Standing as a London-wide Member election to the London Assembly](#).
- Check our guidance on how postal vote openings, the voting process and the count will work so you know what you can expect to happen and when, see [Part 5 – Your right to attend key electoral events](#).
- Check that your systems for recording spending and donations are working. For more information on donations and election spending see [Part 3: Spending and donations](#).

During the campaign, you must not...

- Knowingly make a false statement about the personal character of another candidate.
- Pay canvassers. Canvassing means trying to persuade an elector to vote for or against a particular candidate or party.

1.9 More information on election offences and how to report them can be found in the supplementary information section at the end of this document (from paragraph **1.53**).

1.10 If either you or the election agent make a mistake and act in contravention of the rules, you can apply for relief from the consequences of having made a mistake (see paragraph **1.76** for more information).

Use of the electoral register and lists of absent voters

Access by Mayor of London candidates, Constituency Assembly Member candidates and individual candidates at the London-wide Assembly Member election

1.11 Candidates at the election of the Mayor of London, Constituency Assembly Member candidates and individual candidates at the London-wide Assembly Member election, will be entitled to receive a copy of the electoral register and lists of people voting by post or proxy ('the lists of absent voters') once they officially become a candidate as set out in paragraphs **1.3** to **1.6**.

1.12 Constituency candidates are entitled to copies covering the constituency they are standing in, while mayoral and individual candidates at the London-wide Assembly elections are entitled to copies for the whole of the Greater London Authority area.

1.13 Access to the electoral register may be helpful before a candidate **officially** becomes a candidate and is eligible to receive it. For example, one of the requirements to become a validly nominated candidate at the election of the Mayor of London is to obtain subscribers in support of the nomination (see [Part 2a: Standing as a candidate for London Mayor](#)). Candidates at the election of the Mayor of London who wish to use the register to prepare for their nomination in advance of the time they officially become a candidate, may inspect the electoral register under supervision at the relevant local authority. However, only hand written notes may be taken.

Registered political parties are entitled to receive a copy of the electoral register at any time.

Access by party lists

1.14 The election agent of a registered political party that has submitted a list of candidates for the London-wide Assembly Member election is entitled to a copy of the electoral register and lists of absent voters for the whole of Greater London. The

register and lists can only be supplied to the election agent after the party has submitted a list of candidates for the London-wide Assembly election.

1.15 Registered political parties are, however, entitled to obtain and use the electoral register and absent voters lists at any time for electoral purposes and, in the case of the register, for the checking of donations.

Restrictions on the use of the information contained in the electoral register and lists of absent voters

1.16 The electoral register and the lists of absent voters contain people's personal data and so their use is very carefully controlled.

1.17 Candidates at the election of the Mayor of London, Constituency Assembly Member candidates, individual candidates at the London-wide Assembly election, election agents and parties can use the information on the registers and lists to:

- help them campaign
- in the case of a candidate at the election of the Mayor of London, complete their nomination form
- check that donations are permissible

1.18 Details that appear only in the electoral register and do not appear in the open register which is available for general sale must not be released. Candidates, election agents and parties must not:

- use the electoral register or absent voters lists for any other purpose not listed above, or
- pass copies on to anyone outside their campaign (except for certain data processing companies)

Any person found breaching the restrictions on use of the electoral register could face an unlimited fine.

There are two registers. Why?

Using information received from the public, registration officers keep two registers – the electoral register and the open register (also known as the edited register).

The electoral register

The electoral register lists the names and addresses of everyone who is registered to vote in public elections. The register is used for electoral purposes, such as making sure only eligible people can vote. It is also used for other limited purposes specified in law, such as detecting crime (e.g. fraud), calling people for jury service, checking credit applications.

The open register

The open register is an extract of the electoral register, but is not used for elections. It can be bought by any person, company or organisation. For example, it is used by businesses and charities to confirm name and address details. Electors can request not to have their name and address included in the open register.

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1.19 If copies of the electoral register or lists of absent voters have been supplied to party list candidates and/or campaign workers, they must also comply with the requirements above.

Applying for a copy of the electoral register and the lists of absent voters

1.20 Copies of the electoral register and lists of absent voters can be obtained from the relevant Electoral Registration Officer. An Electoral Registration Officer will have been appointed for each local authority area within Greater London to maintain the electoral registers. You can find their contact details on www.aboutmyvote.co.uk.

1.21 The request must be made in writing and we have made a [register request form](#) and an [absent voters' lists request form](#) available for this purpose on the Commission's website.

1.22 The register and lists will be supplied in electronic format unless a paper copy is specifically requested.

1.23 The version of the electoral register and lists you will receive will be those that are current at the time of your application. You may also request the updates to the electoral registers and lists that are published in the lead-up to the poll, including the list of newly registered electors when it is published five working days before the poll.

Using schools and rooms for public meetings

1.24 You may want to engage with the public at public meetings, promoting your views and responding to questions from the audience.

1.25 Any candidate at the Mayor of London election, as well as any Constituency Assembly Member candidate and individual candidate at the London-wide Assembly election is entitled to use publicly funded rooms and schools for public meetings from the point they officially become a candidate as described in paragraphs **1.3** to **1.6**, until the day before polling day. A

Candidates' right to use rooms does not include hours during which a school is used for educational purposes. Equally, any prior letting of a meeting room must take precedence.

party list candidate has this right once the party's nomination form and list of candidates has been submitted.

1.26 The Electoral Registration Officer for each local authority keeps a list of the location and availability of meeting rooms in their area. They will make this list available for inspection by candidates and election agents from the day the notice of election is published. Contact details for Electoral Registration Officers can be found on www.aboutmyvote.co.uk.

1.27 Candidates at the election of the Mayor of London and all London Assembly Member candidates can use rooms throughout Greater London. Constituency Member candidates are entitled to use rooms in the constituency they are contesting (or, if they are unavailable, rooms in an adjoining constituency).

1.28 You should contact the owner of the premises to make a booking. You must give reasonable notice, which will reduce the risk of the request being refused.

1.29 There is no hire charge for using these rooms, but you must pay for any expenses incurred, such as heating, lighting and cleaning, and for any damage to the premises.

Mayoral address booklet

1.30 If you are a Mayoral candidate, you have an opportunity to tell voters about yourself and your policies in the Mayoral booklet produced by the GLRO. It is called an election address. An election address is a campaign statement that a mayoral candidate makes to the electorate to persuade electors to vote for them.

1.31 The GLRO will produce a booklet with the election addresses of all candidates who want to be included in it and who have contributed to the production cost of the booklet. The booklet will be sent to all households in London before polling day.

1.32 The fee for including an address in the booklet is £10,000. This goes towards printing and distribution costs.

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1.33 Payment must be made by one of the following:

- cash (British pounds only)¹
- a UK banker's draft made out to 'Greater London Authority'
- electronic funds transfer

1.34 For the address to be included in the booklet, payment must be received by 12noon on 31 March 2016.

1.35 There are strict guidelines on what candidates are permitted to include in their addresses. Every address must be signed off by the GLRO before it is accepted for inclusion in the booklet.

1.36 More detailed guidelines on Mayoral addresses will be issued by the GLRO and included in the nominations pack.

Campaign publicity dos and don'ts

1.37 You must:

- use imprints on all your printed campaign material and any electronic campaign material that is designed to be printed off locally (see paragraph **1.48** below for more information)
- comply with planning rules relating to advertising hoardings and large banners – you should ask the relevant local authority for advice

¹ The GLRO has requested £20 denominations or higher

- make sure that outdoor posters are removed promptly after the election – you must do this within two weeks of the election.

1.38 You should:

- include an imprint on all non-printed campaign material including websites
- consider how to make your campaign accessible to people who are visually impaired, have learning difficulties or low literacy skills, or whose first language isn't English. You may want to make contact with disability groups in your local area for advice.

1.39 You must not:

- produce material that looks like the poll cards sent to voters by Returning Officers
- pay people to display your adverts (unless they display adverts as part of their normal business)

Using imprints

What is an imprint?

1.40 An imprint should be added to all campaign material. In the case of printed material, it must be added by law to show who is responsible for its production. It helps to ensure that the campaign is transparent.

What do you need to include?

1.41 On printed material, such as leaflets and posters, you must include the name and address of:

- the printer
- the promoter
- any person on behalf of whom the material is being published (and who is not the promoter)

1.42 The promoter is the person who has authorised the material to be published. If the promoter is acting on behalf of a

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group or organisation, the group or organisation's name and address must also be included.

1.43 You can use either home or office addresses.

1.44 If you are putting an advert in a newspaper, your advert does not need to include the printer's details. However the advert must contain the name and address of the promoter and any person on behalf of whom the advert is being published. If the promoter and the person on behalf of whom the advert is being published are the same, their name and address need only be included once.

Example of an imprint

1.45 A standard imprint for independent candidates should look like this:

Printed by [printer's name and address]

Promoted by [agent's name] of [agent's address] on behalf of [candidate's name] of [candidate's address]

1.46 If the candidate is also the promoter of the material, the 'on behalf of' part of the imprint is not required.

1.47 A standard imprint for a party should look like this:

Printed by [printer's name and address]

Promoted by [agent's name] of [agent's address], on behalf of [party's name] of [party's address]

1.48 In all cases, you must make sure the imprint lists all the promoters and organisations involved.

Where do you put the imprint?

1.49 If your material is single-sided – such as a window poster – you must put the imprint on the face of the document. If it is multi-sided, you must put it on the first or last page.

You can find further examples of imprints in our [factsheet for candidates on election materials and imprints](#), as well as in our [factsheet for political parties on election materials and imprints](#)

Websites and other electronic material

1.50 You should also put an imprint on electronic material, such as websites and emails. The imprint should include the name and address of the promoter and the organisation on whose behalf it has been produced.

Polling day dos and don'ts

1.51 You should:

- make sure any tellers working for you follow the Commission's [tellers dos and don'ts](#) and any guidance issued by the Constituency Returning Officers and the GLRO
- make sure your campaigners follow the [Code of conduct for campaigners in Great Britain](#) which sets out what is, and is not, considered acceptable behaviour at polling stations and in the community
- comply with all requests by polling station staff, Constituency Returning Officers or the GLRO about campaigning near polling stations. You should, however, be allowed to put your message to voters on polling day, including in public spaces outside polling places.
- make sure any agents who are attending polling stations, postal vote opening sessions or the count understand the rules about the secrecy of the ballot

Tellers are volunteers for candidates and parties who stand outside polling stations and record the elector numbers of electors who have voted.

1.52 You must not:

- campaign near polling places in a way that could be seen by voters as aggressive or intimidating (for example, large groups of supporters carrying banners, or vehicles with loudspeakers or heavily branded with campaign material)
- breach the requirements on secrecy of the ballot. This is an essential part of any modern democracy and breaches are taken seriously. In particular, if you (or your agents) are attending postal vote opening sessions, you must not

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seek to identify and publicise how votes have been marked on individual ballot papers.

- before the close of poll, publish exit polls or any other data based on information given by people about how they voted after they have cast their vote, including a postal vote.

Supplementary information

List of offences

1.53 You should be aware of a number of electoral and non-electoral offences, and should seek your own legal advice where necessary.

Bribery

1.54 The offence of bribery includes where someone directly or indirectly gives any money or procures any office to or for any voter, in order to induce any voter to vote or not vote.

Treating

1.55 A person is guilty of treating if either before, during, or after an election they directly or indirectly give or provide any food, drink, entertainment or provision to corruptly influence any voter to vote or refrain from voting. Treating requires a corrupt intent - it does not apply to ordinary hospitality.

Undue influence

1.56 A person is guilty of undue influence if they directly or indirectly make use of or threaten to make use of force, violence or restraint, or inflict or threaten to inflict injury, damage, harm or loss upon or against any person in order to induce or compel that person to vote or refrain from voting.

1.57 A person may also be guilty of undue influence if they impede or prevent any voter from freely exercising their right to vote – even where the attempt is unsuccessful.

We do not regulate any of these offences.

For details of how to report any allegations of electoral fraud see paragraph **1.70**

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1.58 Undue influence doesn't exclusively relate to physical access to the polling station. For example, a leaflet that threatens to make use of force in order to induce a voter to vote in a particular way could also be undue influence.

Personation

1.59 Personation is where an individual votes as someone else either by post or in person at a polling station as an elector or as a proxy. This offence applies if the person being personated is living, dead or fictitious. Aiding, abetting, counselling or procuring the offence of personation is also an offence.

False statements

About a candidate's personal character or conduct

1.60 It is an offence to make or publish a false statement of fact about the personal character or conduct of a candidate in order to affect the return of a candidate at an election.

1.61 False statements that are not about another candidate's personal character or conduct are not illegal under electoral law, but could be considered as libel or slander.

1.62 It is also an illegal practice to make a false statement of a candidate's withdrawal in order to promote or procure the election of another candidate.

In nomination papers

1.63 It is an offence to knowingly provide a false statement on a nomination paper that you know to be false. For example, if you know you are disqualified from election you must not sign the consent to nomination.

False registration information and false postal/proxy voting application

1.64 It is an offence to supply false information on a registration, postal vote or proxy vote application form. False information includes a false signature.

False application to vote by post or by proxy

1.65 A person is guilty of an offence if they apply to vote by post or proxy to gain a vote to which they are not entitled or to deprive someone else of their vote.

Multiple voting and proxy voting offences

1.66 There are various offences regarding multiple voting and proxy voting, including voting by post as an elector or proxy when subject to a legal incapacity to vote and inducing or procuring another to commit the offence.

Breaches of the secrecy of the ballot

1.67 Everyone involved in the election process or attending certain proceedings must maintain the secrecy of the ballot. The relevant Returning Officer will give a copy of the official secrecy requirements to everyone who attends the opening of postal votes or the counting of ballot papers, and to polling agents.

Campaign publicity material

1.68 Certain offences relate specifically to election campaign publicity material. Printed election campaign publicity material must contain an imprint and not resemble a poll card (see paragraphs **1.40** to **1.50** for information about imprints). Campaign publicity material must also not contain a false statement as to the personal character or conduct of another candidate.

Neither the GLRO nor the Commission regulate the content of campaign material and are not able to comment on the legality of any particular electoral material beyond what is covered in this guidance.

Racial hatred

1.69 Under the Public Order Act 1986, it is an offence to publish or distribute threatening, abusive or insulting material that is intended to stir up racial hatred or which is likely to stir up racial hatred.

Reporting allegations of electoral fraud

1.70 If you are concerned that electoral fraud may have been committed, you should first speak to the Electoral Registration Officer or the relevant Returning Officer.

1.71 They may be able to explain whether or not electoral fraud has been committed, and can refer your concerns to the police if necessary. They can also provide you with the details of a police contact so that you can report the allegation yourself.

1.72 If you have evidence that an electoral offence has been committed you should contact the police **immediately**, using the 101 non-emergency number unless there is a crime in progress. There will be a dedicated Single Point of Contact Officer who will be able to provide advice to ensure that your allegations are properly investigated. You should be prepared to give them a statement and substantiate your allegation.

1.73 You can find contact details for the Electoral Registration Officer and Returning Officers on the Commission's About My Vote website www.aboutmyvote.co.uk.

1.74 The names and contact details of the Constituency Returning Officers are also available on the [London Elects](#) website and the GLRO can be contacted through London Elects.

1.75 Please note that if your allegation relates to party, election or registered campaigner finance matters, such as spending or donations, then you should follow the advice given at the following link: www.electoralcommission.org.uk/party-finance/enforcement/making-allegations.

What if you have made a mistake?

1.76 If either you or your agent has mistakenly acted in contravention of the election rules, you can apply for relief from the penalties for any offence.

1.77 You should always seek legal advice if considering applying for relief.

1.78 For more information:

- visit www.hmcourts-service.gov.uk/HMCSCourtFinder/FormFinder.do, and enter the form number LOC002
or
- contact the Election Petitions Office at the Royal Courts of Justice at:

Supreme Court Cost Office
The Election Petitions Office
Room E113
Royal Courts of Justice
Strand
London
WC2A 2LL

Email: Election_Petitions@hmcts.gsi.gov.uk

Phone: 0207 947 7529

Fax: 0870 324 0024