

Return of candidate spending for National Assembly for Wales Elections: Explanatory notes

Who this form is for:

This form is for candidates and their agents contesting the National Assembly for Wales Elections in May 2016. It must be completed by the candidate's agent, or the candidate if you are acting as your own agent.

This form is for recording the details of campaign spending on items and services that are used during the regulated period, and the donations you have received towards that spending.

The regulated period for candidates at the National Assembly for Wales elections begins **on the day after** the date you officially become a candidate and ends on polling day, 5 May 2016.

The earliest date you can officially become a candidate is the day that the National Assembly for Wales is dissolved, which is expected to be 6 April 2016.

You will become a candidate on this date if you or others have already announced your intention to stand. If your intention to stand has not been announced by the day of the dissolution of the Assembly, you will officially become a candidate on the earlier of the date you or another person announce your intention to stand, or the date when you are nominated.

More information about when you officially become a candidate is available in our [guidance for candidates and agents](#)

Before completing the form, you should read our guidance for candidates and agents which is available on our website:

<http://www.electoralcommission.org.uk/i-am-a/candidate-or-agent/national-assembly-for-wales-elections>

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Explanatory notes

Candidate identification mark (all forms)

As there are a number of forms that must be completed, it is important that the full set of documents in your return can be identified as yours.

In order to do this, please add an identification mark to the spending return form, the candidate's declaration and the agent's declaration.

You can choose anything as your identification mark. Many candidates use their initials with a combination of numbers or letters that reference the election or electoral area.

Whatever you choose, it is important to remember to use the **same** identification mark on all of the forms in your return.

Main form: Section 1 – Details of candidate and election

You must provide the details requested in this section.

Your spending limit will depend on what type of candidate you are.

The table below explains how to calculate the spending limits for the different types of candidates:

Type of candidate	Fixed amount	plus variable amounts
Constituency candidates	£8,700	6p per registered elector in a borough constituency, or 9p per registered elector in a county constituency
Independent regional candidates	N/A	The total of the maximum limit for each constituency in the region contested

If you are standing as a dual candidate in both a constituency and a region, you may need to complete separate spending returns for each campaign. More information is available in our [guidance](#).

The number of registered electors in a particular constituency is based on the electoral register as it stands on the last date for publication of the notice of election. Your local elections office will be able to provide elector numbers and tell you whether your constituency is a borough or county constituency.

You can find contact details for your local elections office on the [about my vote website](#).

Main form: Section 2 – Details of election agent

If you have appointed an election agent, you must provide the details requested in this section. You must also indicate the date on which the agent was appointed. If you are a candidate acting as your own agent, please place a mark in the relevant box.

Main form: Section 3a and 3b – Summary of spending and the worksheets for spending categories

There are separate worksheets for each category of spending. More detailed information about the spending categories is available in our [guidance for candidates and agents](#).

You must provide a statement of each item of campaign spending on the relevant worksheets for each spending category.

If you have no spending to report for a particular category, you do not need to complete the worksheet, but you must enter 0 (zero) for the relevant category of spending in the summary table in Section 3b of the main form.

If you are completing the Microsoft Excel version of this form, you can insert as many rows as you require on each worksheet to record each item of campaign spending.

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How to complete the spending category worksheets

For every item of spending on every worksheet you complete, you must provide the following information:

- An item number for each payment. The first payment reported should be '1' and the items should be numbered consecutively. Item numbers should be unique because they are used to cross-reference with other sections of the form and supporting invoices/receipts.
- Confirmation of whether an invoice or receipt has been submitted. You must provide invoices or receipts for each item of spending with a value of more than £20 (except for notional spending). You should include the relevant item number on each invoice or receipt.
- Details of the item or service used, which should include the name and address of the supplier where this not on an invoice submitted with the return.
- The name of the person who made the payment, for example, the election agent.
- The dates on which the expense in relation to the item was incurred, the invoice or receipt was received and the date on which the invoice was paid.
- The value of the item of campaign spending, including notional spending with a value of more than £50
- The amount paid for the item, if different from its value
- Confirmation of whether the item is an unpaid or disputed claim. You will need to provide additional information about items that are unpaid or disputed.

You can find out more about notional spending in our [guidance for candidates and agents](#)

Other Authorised Spending Worksheet

Under Article 46 of the National Assembly for Wales (Representation of the People) Order 2007, individuals and organisations may incur spending of up to £500 if you are a constituency candidate or £1,000 if you are an independent regional candidate to promote your candidacy (or criticise other candidates). The election agent must authorise any spending above these amounts in writing and report the details using this worksheet. Any spending above these amounts which is authorised by the election agent will count towards the candidate spending limit.

Each item of campaign spending that the election agent has authorised and reported in this section of the form must also be reported on the relevant spending category worksheet, and included in the summary of spending tables in sections 3a and 3b.

Unpaid claims

Use the unpaid claims worksheet to report the details of claims that remain unpaid on the day you submit your return. Please ensure that you use the same item number to cross-reference the two entries in the different worksheets. You must include the details of the court to which you have applied, or will apply to make a late payment, and the date on which you made the application.

Disputed claims

Use the disputed claims worksheet to report the details of claims that are disputed. Please ensure you use the same item number to cross-reference the two entries in the different worksheets. You must provide information about the nature of the dispute and any action that you are taking.

When you have completed all the relevant worksheets, complete the tables in Section 3a and 3b on the main form.

The totals for election spending in section 3a 'Types of payment' and 3b 'Categories of spending' should be the same. If your totals are not the same, you have made a mistake in your calculations. You should check the information you have entered and your calculations.

Unpaid claims are invoices that are not received by the agent within 21 days of the result of the election.

Disputed claims are invoices that are not paid by the agent within 28 days of the election result

More information about dealing with unpaid claims is available in our [guidance for candidates and agents](#)

If you are granted a court order to pay an unpaid or disputed claim, you must report the details to the Returning Officer within 7 days of the claim being paid. You must include a copy of the court order with your return.

Main form: Section 4 – Personal expenses

Personal expenses are the reasonable travel and living expenses of the candidate for the purpose of campaigning in the election. Personal expenses do not count against the candidate's limit and they should not duplicate anything already declared as election spending under section 3.

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Use the personal expenses worksheet to provide the requested details about the candidate's personal expenses. When you have completed the worksheet, enter the total amount of personal expenses in Section 4 of the main form.

Main form: Section 5 – Donations and the worksheets for permissible and impermissible donations

Completing the Permissible Donations worksheet:

Use the 'Permissible Donations' worksheet to report the details of any donations from permissible sources you have accepted towards campaign spending on items or services used during the regulated period, with a value of more than £50. For each donation accepted by or on behalf of the candidate, you must provide the following details:

- the full name of the donor
- the address of the donor
- the company registration number for donations from companies
- the date you received the donation
- the date that you accepted the donation
- the nature of the donation if non-cash, for example free office space
- the amount (for a cash donation) or value (for a non-cash donation)

Completing the Impermissible Donations worksheet:

Use the Impermissible Donations worksheet to report the details of any donations towards campaign spending on items or services used during the regulated period you have decided not to accept. For each unidentifiable or impermissible donation received by or on behalf of the candidate, you must provide the following details:

- the name of the donor, unless this is not known, in which case please enter 'unknown'

You can also accept donations from types of trusts, bequests and Gibraltar sources. The rules on these donations are complex, so please get in touch with us if you need more information about how to deal with these donations

- the donor's address, but if you do not know this then enter 'unknown'
- the date the donation was received
- the amount or value of the donation
- the nature of the donation (e.g. cash, non-cash or services)
- the date and manner in which you dealt with the donation

Submitting your return

Print each worksheet that you have completed and the main form. The return must be submitted to the relevant Returning Officer by the election agent within 35 calendar days of the election result being declared. For results declared on 5 May 2016, this will be **9 June 2016** and for results declared on 6 May 2016, the **10 June 2016**.

The forms must be accompanied by a declaration signed by the agent to verify the return.

Within seven working days of submitting the spending return, a declaration signed by the candidate must also be submitted the relevant Returning Officer.

If the candidate is outside the UK when the declaration is due, the deadline is extended to 14 days after they come back.

If you are acting as your own agent, you must complete the candidate's declaration and submit it within 7 working days of submitting your return.

Important

If the 35 day period ends on a weekend or bank holiday, the deadline is extended until the next working day.

If you are a party list candidate, your party will submit the spending return but you must make a declaration confirming that to your knowledge, the return is complete and correct. You can find the declaration [here](#) and more information about the party spending return requirements in our [guidance](#).

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Where can I get further advice?

You can find more information in the guidance documents we have suggested in this document, or you can view our full range of guidance and up-to-date resources on our website.

You can also contact us on the phone number or email address below. We are here to help, so please get in touch.

Call us on:

Wales: 0333 103 1928

infowales@electoralcommission.org.uk

Visit us at www.electoralcommission.org.uk

We welcome feedback on our guidance – just email us at:
pef@electoralcommission.org.uk

