



YOUR LONDON. YOUR VOTE

The  
Electoral  
Commission

Greater London Authority  
(GLA) election

# Guidance for candidates and agents

Part 2b of 6 – Standing as a  
Constituency Member  
candidate

December 2015

This document applies to the May 2016 Constituency Member election to the London Assembly only. It does not apply to the London-wide Assembly Member election or the Mayor of London election. 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/](http://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 standing as a Constituency Assembly Member candidate in the May 2016 elections to the London Assembly.

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 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 standing as a candidate. 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 candidates standing at the Constituency Assembly Member election. Where our guidance only applies to one type of candidate (for example, a party candidate) this will be specifically stated.

We use 'must' to refer to a specific legal requirement. We use 'should' for items we consider to be minimum good practice, but which are not legal or regulatory requirements. For further information on the terminology used in this guidance, see our [Overview document](#).

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.

## Completing your nomination papers

1.1 To become nominated as a Constituency Member candidate at the elections to the London Assembly, you need to submit a completed set of nomination papers to the place fixed by the relevant Constituency Returning Officer (CRO) with a deposit of £1,000 by 4pm on 31 March 2016 (i.e. by 4pm on the twenty-fourth working day before the poll). This deadline is set out in law and cannot be changed for any reason.

1.2 The start date from which you will be able to submit nomination papers, as well as the times and place for delivery, will be set out in the official notice of election published by the CRO.

1.3 There are two nomination papers that you must submit for your nomination to be valid:

- the nomination form
- your consent to nomination

1.4 To stand on behalf of a registered political party, the party must be registered on the Commission's register of political parties at <http://search.electoralcommission.org.uk> and be listed as allowed to field candidates in England. You will also need to submit the following:

- A certificate authorising you to use the party name or a registered description on the ballot paper (known as the certificate of authorisation). For more details on the certificate of authorisation, see paragraph **1.13**.
- A written request to use one of the party's emblems (if you would like one to appear on the ballot paper). For more information on the emblem request form, see paragraph **1.16**.

1.5 You can obtain nomination papers from the CRO for the constituency in which you wish to stand. You can obtain contact details for CROs from [London Elects](#).

The last day for publishing the notice of election is 21 March 2016 (i.e. thirty working days before the poll).

1.6 If you, your agent or someone you trust are unable to complete the nomination form, the CRO can help by preparing the form for your signature.

1.7 Note that any information you provide on your nomination papers must be true to the best of your knowledge. It is an offence to provide a false statement on your nomination papers. Providing a false statement could invalidate your election, and is also punishable by an unlimited fine and/or imprisonment.

## The nomination form

1.8 The nomination form must be completed in English. The form must contain:

- **Your full name.** This means your surname and other names in full. Using initials only could lead to your nomination paper being rejected. Also, do not use prefixes such as Mr, Mrs, Dr or Cllr as part of your name. The same applies to suffixes. However, if you have a title, you can use this as your full name. For example, if your actual name is Joseph Smith but your hereditary title is Joseph Avon, you can use the name Joseph Avon as your full name.
- **Your full home address**, which:
  - must be completed in full
  - must not contain abbreviations
  - must be your current home address
  - must not be a business address (unless you run a business from your home)

Unless you are relying on the qualification of having lived in the Greater London area for the whole of the last 12 months or being registered as an elector for the Greater London area, your home address does not need to be in the Greater London area.

1.9 The following are optional:

- **A commonly used name.** If you commonly use a name that is different from any forename(s) or surname that you

have and you wish this to appear on the ballot paper, you need to state this on the nomination form. See paragraph **1.77** for further details.

- **A description** You can ask for one of the following descriptions to appear on the ballot paper:
  - **Independent candidates.** If you want the word ‘Independent’ to appear on the ballot paper underneath your name, you need to state this on the nomination form. No other descriptions are allowed for candidates who are not standing on behalf of a registered political party. Alternatively, you may choose not to have a description at all by leaving this part of the form blank.
  - **Party candidates.** You can ask for either the party’s name as registered with the Commission or one of the party’s registered descriptions to appear on the ballot paper underneath your name.

If you want to use a party name or description, you must submit alongside your other nomination papers a certificate that shows that you are authorised to use the party’s name or description (known as a certificate of authorisation). The certificate must be issued by the registered party’s Nominating Officer (or someone authorised to act on their behalf) and be received by the CRO by 4pm on 31 March 2016 (i.e. by the nomination deadline, 4pm on the twenty-fourth working day before the poll). Further information on the certificate is provided in paragraph **1.13**.

If you are standing on behalf of two or more parties, you may use a joint description as registered with the Commission. In that case, you will need authorisation from the Nominating Officer for each of the registered parties (or people authorised to act on their behalf).

For information on how to register a political party, see [the Commission’s website](#)

Registered party names and registered descriptions can be found on the Commission’s online register of political parties: <http://search.electoralcommission.org.uk>

You should take particular care when completing the descriptions field on the nomination form. The party name or chosen description used on the nomination form must exactly match the party name/description on the [Commission's online register of political parties](#). If it does not, the whole nomination will be rejected.

You may choose not to have a description at all by leaving the description field of the form blank.

## Consent to nomination

1.10 You must also formally consent to your nomination in writing. The content of the consent to nomination form is fixed by law. On the consent to nomination form you will be asked to state that you are qualified and not disqualified from standing. You must also state your date of birth.

1.11 You must meet at least one of the qualifications to stand for election, as explained in [Part 1: Can you stand for election?](#) On the consent to nomination form you should state as many of the qualifications as apply.

1.12 You are not allowed to sign the consent form earlier than 29 February 2016 (i.e. not earlier than one calendar month before the deadline for submitting your nomination papers). Your signature must be witnessed, and the witness must sign the form and give their full name and address. There are no restrictions on who can be a witness to the consent to nomination.

## The certificate of authorisation – party candidates only

1.13 Political parties authorise candidates to stand for them by issuing a certificate of authorisation. This must state that the named candidate can stand on their behalf and allow them to use one of the following:

- the exact party name as registered with the Commission
- one of the party's registered descriptions

Registered party names and descriptions can be found on the Commission's online register of political parties:  
<http://search.electoralcommission.org.uk>

- your choice of either the registered party name or one of the registered descriptions.

1.14 Particular care should be taken by the Nominating Officer (or someone authorised to act on their behalf) when completing the certificate of authorisation. If the certificate explicitly authorises a particular party name/description and this does not match the party name/description on the nomination paper, the whole nomination will be invalid.

1.15 The certificate of authorisation must be signed by the registered Nominating Officer of the political party or by someone authorised by the Nominating Officer to act on their behalf. It must be received by the CRO by 4pm on 31 March 2016 (i.e. by the nominations deadline, 4pm on the twenty-fourth working day before the poll).

### Request to use an emblem on the ballot paper – party candidates only

1.16 If you have been authorised by a political party to use the party name or a registered description on the ballot paper, you can also request that one of the party's official emblems is printed on the ballot paper next to your name.

1.17 You must make the request for an emblem in writing and deliver it to the CRO. The request must be received by the CRO by 4pm on 31 March 2016 (i.e. by 4pm on the twenty-fourth working day before the poll). The CRO will supply you with a form you can use to make this request.

1.18 The request should state both the name of the party and the description of the emblem to be used, as listed on the [Commission's online register of political parties](#). Registered emblems cannot be varied in any way.

1.19 Candidates standing on behalf of two or more registered parties and using a joint description can use an emblem that has been registered by one of the relevant parties. The request must be made in writing and delivered to the CRO by 4pm on 31 March 2016 (i.e. by 4pm on the twenty-fourth working day before the poll). The request should state the name of the political party that has registered the emblem that you wish to

Emblems can be viewed or downloaded from the Commission's online register of political parties:  
<http://search.electoralcommission.org.uk>

use and the description of the emblem to be used, as listed on the [Commission's online register of political parties](#).

## Submitting your nomination papers

1.20 All nomination papers, including the nomination form, consent to nomination and, where relevant, the certificate of authorisation and emblem request form, must be delivered to the CRO at the place specified on the notice of election by 4pm on 31 March 2016 (i.e. by 4pm on the twenty-fourth working day before the poll).

1.21 It is your responsibility to ensure that your nomination papers are delivered in the correct manner and by the required deadlines.

### Who can deliver the nomination papers?

1.22 There are no restrictions on who may deliver your nomination papers, but we recommend that you, your agent or someone you trust does this, so you can be sure they are delivered to the CRO in time.

### How must nomination papers be submitted?

1.23 The nomination form and consent to nomination must be submitted by hand and cannot be submitted by post, fax, e-mail or other electronic means.

1.24 The certificate of authorisation and the emblem request form may be submitted by post, but may not be submitted by fax, e-mail or other electronic means.

1.25 The **original version** of each completed paper must be submitted. A certificate of authorisation which has been sent as an attachment to an e-mail to be printed out, for example, would make it a 'copy document' and not the original document.

## When must nomination papers be submitted?

1.26 You should submit your nomination papers as early as possible to give the CRO an opportunity to conduct an informal check and to give you sufficient time to submit new nomination papers should your first set contain any errors.

1.27 The CRO will confirm the exact details of when and where nomination papers can be delivered on the official notice of election. The notice of election will be published by no later than 21 March 2016 (i.e. no later than thirty working days before the poll). In most cases, the notice of election will be published on the CRO's local authority website.

1.28 Nomination papers can only be delivered from the date stated on the notice of election, on any working day during the hours stated, until 4pm on 31 March 2016 (4pm on the twenty-fourth working day before the poll).

1.29 You should contact the CRO as soon as possible to find out what arrangements are in place for submitting nomination papers.

1.30 After you have submitted your nomination papers you will be sent a notice by the CRO to let you know whether or not your nomination is valid.

1.31 If, after you have submitted your nomination papers you change your mind and no longer want to stand for election, you can withdraw, provided you do so by 4pm on 31 March 2016 (i.e. by 4pm on the twenty-fourth working day before the poll). For more details on withdrawing, see paragraphs **1.38** to **1.42**.

## The deposit

1.32 For your nomination to be valid, the sum of £1,000 must be deposited with the CRO by the deadline for the delivery of nominations, 4pm on 31 March 2016 (i.e. by 4pm on the twenty-fourth working day before the poll). The deposit can be made using:

- cash (British pounds only)
- a UK banker's draft

1.33 The CRO may also accept a deposit made by a debit or credit card or an electronic transfer. However, they may refuse to do so. If you are considering paying the deposit in one of these ways, you should discuss with the CRO at the earliest opportunity whether the payment method is acceptable.

1.34 If the CRO allows the deposit to be paid by credit or debit card, there may be a fee charged by the bank or credit card company for the transaction, in which case you will be required to pay any additional fees as well as the £1,000 deposit.

1.35 Unless the person making the deposit is your election agent and you have notified the CRO of their appointment, the person making the deposit must at the time they make it give their name and address to the CRO.

1.36 The deposit will be returned if you poll more than 5% of the valid votes cast in the constituency. Those candidates who have polled less than, or equal to, 5% of the total number of the valid votes cast will lose their deposit.

## Being validly nominated in more than one Assembly constituency

1.37 If you are validly nominated in more than one Assembly constituency, you must withdraw from all constituencies but one before the deadline for withdrawals. The deadline for withdrawals is 4pm on 31 March 2016 (i.e. 4pm on the twenty-fourth working day before the poll). If you do not withdraw from all but one constituency, you will be deemed to have withdrawn from all of the constituencies.

## Withdrawing

1.38 You may withdraw as a candidate by signing and submitting a withdrawal notice, which must be witnessed by one other person. Your witness must also sign the notice. There are no restrictions on who may submit the notice, but it must be delivered by hand.

1.39 A notice of withdrawal can be obtained from the CRO.

1.40 The withdrawal notice must be submitted to the CRO by the deadline for withdrawals, 4pm on 31 March 2016 (i.e. by 4pm on the twenty-fourth working day before the poll). After the withdrawal deadline it is not possible to withdraw from the election, and your name will appear on the ballot paper. If the election is uncontested, you will be declared elected.

1.41 If you are outside the United Kingdom, your election agent can sign the withdrawal notice, and it must be accompanied by a written declaration stating that you are absent from the United Kingdom. However, if you are nominated by more than one nomination paper, the declaration must be accompanied by a written statement signed by you authorising your agent to give this notice while you are absent from the United Kingdom.

1.42 If you withdraw as a candidate, your deposit will be returned.

## What happens after the close of nominations?

1.43 The CRO will publish a statement of persons nominated for the Constituency Member election by not later than 4pm on 4 April 2016 (i.e. by not later than 4pm on the twenty-second working day before the poll). The statement will be published on the CRO's local authority's website and will include:

- the full or commonly used names, as the case may be, of all candidates validly nominated
- the names of candidates who no longer stand nominated, if any (i.e. invalid and withdrawn candidates), with the reason why they are no longer standing
- the address of each candidate
- each candidate's description (if any)

## Inspecting other candidates' nomination papers

1.44 From 24 hours after the close of nominations until the day before the poll, nomination forms and consents to nomination that have been delivered are open to inspection during normal office hours, and any member of the public can take a copy of them.

1.45 Nomination papers cannot be inspected by anybody else at any time.

## Appointing your election agent and other agents

1.46 The election agent is the person responsible for the proper management of your election campaign and, in particular, for its financial management. You must have an election agent. If you do not appoint an agent, you will become your own agent by default.

1.47 Once appointed, payments for election expenses can only be made by or through the election agent..

1.48 You can also appoint other agents to observe the following electoral processes, which both you and your election agent are also entitled to observe:

- the opening of postal votes
- the poll
- the count

### Who can be an election agent?

1.49 There are no particular qualifications needed to be an election agent and you can be your own agent if you wish.

1.50 However, the following people are not allowed to be election agents:

For more information about candidate spending, see: [Part 3: Spending and donations](#)

- the Greater London Returning Officer (GLRO), a CRO or a member of their staff
- a partner or clerk of the GLRO, a CRO or a member of their staff
- anyone not entitled to vote at the election as a result of the report of an election court or a conviction for a corrupt or illegal practice under the Representation of the People Act 1983

1.51 If you are standing on behalf of a party, they may also have specific rules about who you can appoint as an election agent.

## Appointing an election agent

1.52 Because of the responsibilities attached to the role of an election agent you should consider carefully who you appoint and make sure that they understand their obligations. You can be your own agent if you wish.

1.53 You, or someone on your behalf, must declare in writing the name, address and office address of your election agent to the CRO by 4pm on 31 March 2016 (i.e. by 4pm on the twenty-fourth working day before the poll). The declaration should be signed by you (or the person making the declaration on your behalf) and by the agent to show their acceptance of the appointment.

1.54 The CRO will provide a declaration form you can use. If you do not appoint someone as your agent by the deadline, you will automatically become your own agent.

1.55 Your agent's office address must be:

- within Greater London, or
- within a UK parliamentary constituency that is within or adjoins Greater London

1.56 The agent's office address will often be their home address, but it could be the local party office or an office set up for the election.

1.57 The office address declared to the CRO must be an address to which any legal notices can be delivered and

It is helpful also to provide a contact telephone number and email address for your election agent so that they can be easily contacted by the CRO or the GLRO.

therefore must be a physical address; PO boxes or similar mailboxes cannot be used.

1.58 If you act as your own election agent, the office address is deemed to be the address you provided on your nomination form.

## Revoking an election agent's appointment

1.59 You can revoke the appointment of your election agent at any time, including after polling day, and a new appointment can be made in the same manner as outlined above. If you revoke your election agent's appointment and do not appoint anyone else, you will be deemed to be your own election agent.

1.60 If you are acting as your own agent you can revoke your own appointment and appoint someone else as your agent.

1.61 Once an agent has accepted their appointment, they cannot resign and must fulfil the duties required of them unless you revoke their appointment.

## Sub-agents

1.62 Your election agent may appoint sub-agents to act on their behalf in any part of the constituency, as long as those parts do not overlap. The agent can determine the parts into which they wish to sub-divide the area.

1.63 A sub-agent may do anything that the election agent is entitled to do within the area to which they are appointed.

1.64 The election agent should ensure that any sub-agent is aware of the election and spending rules, as anything done by a sub-agent will be treated as if it had been done by the election agent. For further information on election spending, see [Part 3: Spending and donations](#).

1.65 Each sub-agent must have an office to which any legal notices can be delivered and therefore must be a physical address – PO boxes or similar mailboxes cannot be used. The office of the sub-agent must be in the area within which they are appointed to act.

1.66 The election agent must notify the CRO in writing of the name and address of each sub-agent and the area within the constituency within which they have been appointed to act by 3 May 2016 (i.e. by the second working day before the poll). The CRO will provide a form you can use.

1.67 The election agent can revoke an appointment at any time and appoint someone else as a sub-agent in their place. If another sub-agent is appointed, the election agent must declare in writing the name, address, office address and area of appointment to the CRO.

## Appointing postal voting, polling and counting agents

1.68 You or your election agent may also appoint agents to attend postal vote openings, polling stations and the count.

1.69 Anyone, apart from those listed in paragraph **1.50**, can be appointed as a postal vote, polling or counting agent. The same person may be appointed as a polling, postal voting or counting agent for more than one candidate. You and your election agent can also automatically act as one of these agents without the need of an official appointment.

1.70 The number of polling agents who may attend any particular polling station is limited to four, or such greater number as the CRO decides to allow. If more than that number is appointed to attend, the CRO will draw lots to determine those people who may attend. Only one polling agent for each candidate can be present in a polling station at any time, but a polling agent can be appointed to attend multiple polling stations. Your right and your election agent's right to attend will remain unaffected by this.

1.71 The CRO will tell you the maximum number of postal voting and counting agents you can appoint. All candidates will be allowed to appoint exactly the same number.

1.72 The request to appoint these agents must be made in writing to the CRO. It must contain the names and addresses of the people being appointed. The CRO will provide the relevant forms for this.

1.73 The deadline for appointing these agents will depend on the process they are to attend. Polling and counting agents must be appointed by 27 April 2016 (i.e. by the fifth working day before the poll). However, appointment forms for postal voting agents only need to be submitted to the CRO before the time fixed for the opening of postal votes they want to attend. The CRO will give you at least 48 hours' notice before the scheduled start of each opening session.

1.74 If an agent dies or becomes incapable of acting, you may appoint another agent in their place by submitting the relevant appointment form to the relevant Returning Officer. Any new appointment in these circumstances must be made without delay.

1.75 More information on what agents can and cannot do and what they can expect to see at postal vote opening sessions, polling stations and the count, can be found in [Part 5: Your right to attend key electoral events](#).

## Death of a candidate

1.76 If a candidate dies during the election period, see paragraph **1.84** for further information on how this will affect the election.

# Supplementary information

## Commonly used name(s)

1.77 If you commonly use a different name from your actual name, you can ask for your commonly used name(s) to be used instead of your actual name. The commonly used name(s) would then appear on:

- the official statement of persons nominated and the notice of poll
- the ballot papers

1.78 You can request to use a commonly used forename, surname or both. For example, you may be known by your abbreviated name 'Andy', rather than your full first name 'Andrew'. In that case, you can write 'Andy' into the commonly used forename box on the nomination paper if you would rather that name appear on the ballot paper.

1.79 However, you cannot use your first name as a commonly used name so that only your first name and surname appear on a ballot paper, thus excluding your middle name. The legislation makes it clear that a commonly used name is one which is different from **any other** forename or surname. This means that a forename in its original format cannot be used as a commonly used name. If you wish to use a commonly used forename and/or surname then these must be different from your full name as it appears on the nomination form. For example, if your full name was 'Andrew John Smith', you could not use Andrew Smith as your commonly used name, although you would be able to use 'Andy Smith' (if 'Andy' was the name by which you are commonly known).

1.80 You may also use initials as part of your commonly used name if you are commonly known by them.

1.81 The CRO must carry forward the commonly used name(s) provided on the nomination form to the statement of persons nominated unless the CRO thinks the commonly used name is likely to mislead or confuse electors, or it is obscene or offensive. If the name is not permissible, the CRO will write to you stating the reason for rejection. In those cases, your actual name will be used instead.

1.82 If either the commonly used forename or surname box on the nomination paper is left blank, then your actual forename or surname, depending on which commonly used name box has been left blank, will be used.

1.83 It is an offence to give a false statement on your nomination papers. Therefore, if you choose to provide a commonly used name you must ensure that it is a forename or surname which you commonly use.

## Death of a candidate

1.84 If the CRO is notified of a candidate's death during the election campaign or even on polling day itself (but before the declaration of the result), the poll will be cancelled.

1.85 The CRO will in that case order a new election to fill the vacancy. The new polling day will be within 35 working days of the day fixed for the first election. Candidates already validly nominated do not have to be nominated a second time.

1.86 Should a fellow candidate die during the campaign, the CRO will provide you with further guidance.

1.87 If an already elected candidate dies after the declaration of the result, a by-election will be held to fill the vacancy.