



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

February 2021

This document applies to the 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: <https://www.electoralcommission.org.uk/i-am-a/candidate-or-agent>

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Essential information

1.1 This section of the document contains our guidance on what happens after the results at the Greater London Authority elections 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 team if you have any questions.

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

In this document we use 'you' to refer to all candidates standing at the Greater London Authority election. Where our guidance only applies to a particular type of candidate, this will be specifically stated.

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 use the term 'Greater London' to cover the whole of the 32 London boroughs and the City of London.

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

Revised data protection legislation applies to the processing of all personal data.

Please contact the [Information Commissioner's Office](#) for further information about how the General Data Protection Regulation affects you.

Declaration of acceptance of office

1.2 If elected, your term of office as the London Mayor or as an Assembly Member will become effective on the second calendar 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 as an Assembly Member (which 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 Greater London Authority.

1.3 The declaration must be made within two months from the day of election. If you do not 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-wide Assembly Member who was elected on a party list, in which case the next person on the party list would be deemed to be elected.

1.4 The Greater London Authority will write to candidates in April 2016 with guidance on the declarations process and requirements.

Return of deposit

Mayoral election

1.5 Those mayoral candidates who have polled more than 5% of the total number of valid votes polled cast in the Mayoral election across the whole of London will have their deposit returned by the Greater London Returning Officer by the next working day following the declaration of result.

1.6 Those candidates who have polled equal to or less than 5% of the total number of valid votes cast in the Mayoral election across the whole of London will lose their deposit.

Constituency Assembly Member election

1.7 Those constituency Assembly Member candidates who have polled more than 5% of the total number of valid votes polled in the constituency will have their deposit returned by the Constituency Returning Officer by the next working day following the declaration of result.

1.8 Those candidates who have polled equal to or less than 5% of the total number of valid votes cast in the constituency will lose their deposit.

London-wide Assembly Member election

1.9 The deposit made by or on behalf of any individual candidate or registered party list that has polled more than 2.5% of the total number of valid votes cast in the London-wide Assembly Member election across the whole of London will have their deposit returned by the Greater London Returning Officer by the next working day following the declaration of result.

1.10 Those individual candidates and registered parties that have polled equal to or less than 2.5% of the total number of valid votes cast in the London-wide Assembly Member election across the whole of London will lose their deposit.

Election petitions

1.11 The outcome of a Greater London Authority election can be challenged through an election petition. For further details on challenging an election, see paragraph **1.17**.

What happens to the election paperwork after the results are announced?

1.12 After the results are declared, all election documents are securely held by the relevant Electoral Registration Officer for a period of 12 months.

1.13 Most documents 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 **1.23** for further information.

Submitting your election spending returns

1.14 If you stood for election as London Mayor, within 70 calendar days of the election result being declared your election agent will need to prepare and submit an election spending return to the Greater London Returning Officer.

1.15 If you stood for election as a constituency Assembly Member, within 35 calendar days of the election result being declared your election agent will need to prepare and submit an election spending return to the Constituency Returning Officer.

1.16 If you stood for election as a London-wide Assembly Member, within 70 calendar days of the election result being declared your election agent will need to prepare and submit an election spending return to the Greater London Returning Officer.

1.17 More information on what must be included in the return is contained in [Part 3 - Spending and donations](#). We have also produced forms which you can use to complete your return. These forms – and accompanying detailed notes explaining

how to complete and submit your return – can be found under Part 3 [on our website](#).

Supplementary information

Lodging an election petition

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

1.19 A Greater London Authority election petition can be presented by:

- a person 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)

1.20 The allowable grounds for a petition are that the:

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

1.21 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.

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

The Election Petitions Office
Room E113
Royal Courts of Justice
Strand
London
WC2A 2LL
Email: Election_Petitions@hmcts.gsi.gov.uk
Phone: 0207 947 6877

1.23 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

1.24 Documents available for supply and inspection can be provided by the relevant Electoral Registration Officer (i.e. the Electoral Registration Officer for the Constituency Returning Officer's Borough), except for the election spending returns, which are kept by the relevant Returning Officer.

1.25 Contact details for Electoral Registration Officers can be found on the Commission's About My Vote website <https://www.electoralcommission.org.uk/i-am-a/voter>. Contact details for Constituency Returning Officers and the Greater London Returning Officer can be found in the [Overview document](#).

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

1.26 The marked electoral registers and lists of absent voters show who has been issued with a ballot paper, who has returned their postal ballot paper, and who has had a proxy vote cast on their behalf.

1.27 You can inspect or obtain copies of the marked register of electors and lists of absent voters after the election if you make a request in writing to the relevant Electoral Registration

Officer. If you stood as a constituency Assembly Member candidate, you can inspect or obtain copies of the marked registers and lists of absent voters across the constituency. You can have access to the marked registers and list of absent voters across the whole of London if you:

- stood in the Mayoral election
- were an individual candidate not standing on behalf of a political party at the London-wide Assembly Member election
- were a candidate on a party list at the London-wide Assembly Member election who has been elected.

1.28 You should be aware that you can only use the information obtained from these documents for research or electoral purposes.

1.29 To inspect or obtain copies of the marked registers and lists of absent voters you must make a request in writing to the relevant Electoral Registration Officer.

1.30 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
- whether they would prefer to inspect the documents in a printed or data form

1.31 Inspection is under supervision and will be free of charge. You will not be able to take copies, but may make handwritten notes.

1.32 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

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

1.34 After 12 months these documents will be destroyed, unless a court order directs otherwise.

Inspection of other election documents

1.35 You can inspect other election documents, but you will not be allowed to make any notes or take 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
- nomination forms and consent to nomination forms

1.36 After 12 months all of the election documents, with the exception of election spending returns, will be destroyed, unless a court order directs otherwise.

Inspection of election spending returns

1.37 Spending returns and declarations can be inspected by any person after they have been submitted. Copies can also be made for a fee of 20p per side per page.

1.38 The Constituency Returning Officer will hold the returns for the constituency election.

From 24 hours after the close of nominations until the day before the poll, nomination forms and consents to nomination are open to inspection during normal office hours, and any member of the public can take a copy of them. Nomination papers cannot be inspected by anybody else at any time.

1.39 The Greater London Returning Officer will hold the returns for the Mayoral election and for the London-wide member election.

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