

The
Electoral
Commission

Media Handbook

Police and Crime Commissioner and Police,
Fire and Crime Commissioner elections in
England and Wales

Thursday 6 May 2021

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Websites

www.gov.uk/register-to-vote

The public can visit this website in order to register to vote. It is quick and easy to use. Since its launch in June 2014, millions of applications to register to vote have been submitted. Wherever possible, please refer to this site in media coverage about the election to ensure members of the public know where to register.

www.electoralcommission.org.uk

The Electoral Commission website has a dedicated section for journalists featuring its press releases and statements. It has information on donations made to political parties and campaigners and has a guidance section with information for candidates and those administering the election.

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Logistics

What elections are taking place?

Police and Crime Commissioner elections are taking place in 39 police force areas covering England and Wales (excluding London, Manchester and West Yorkshire, where this role is carried out by an elected Mayor).

- The Police and Crime Commissioner is elected to be the voice of the people and hold the police to account. They are responsible for the totality of policing and aim to cut crime and deliver an effective and efficient police service within their force area.
- The Police, Fire and Crime Commissioner is also responsible for fire and rescue governance, including delivering an efficient fire and rescue service, as well as setting fire and rescue objectives for the area.

These elections are taking place alongside local government, local authority mayoral and combined authority mayor elections in England. The handbook for the local government elections can be accessed [on our website](#).

In Wales, these elections are taking place alongside Senedd elections. The handbook for the Senedd elections can be accessed [on our website](#).

Roles and responsibilities at the poll

Each police area has a Police Area Returning Officer (PARO) who has overall responsibility for the election of the Police and Crime Commissioner (PCC), or in the relevant area, the election of the Police, Fire and Crime Commissioner (PFCC).

The PARO is responsible for:

- the nomination process
- calculating and declaring the result of the election
- liaising with and coordinating the work of Local Returning Officers in their police area
- giving directions to Local Returning Officers relating to the discharge of their functions at the election

Where the poll at a PCC (or PFCC) election is combined with the poll at local government elections in England, the local Returning Officer (LRO) will be responsible for the conduct of the poll for the local government election and that part of the PCC (or PFCC) election that is included within their local authority area.

Where the poll at the PCC (or PFCC) election is not combined with any other poll, the Local Returning Officer (LRO) will be responsible for the conduct of the poll for the PCC election in their voting area.

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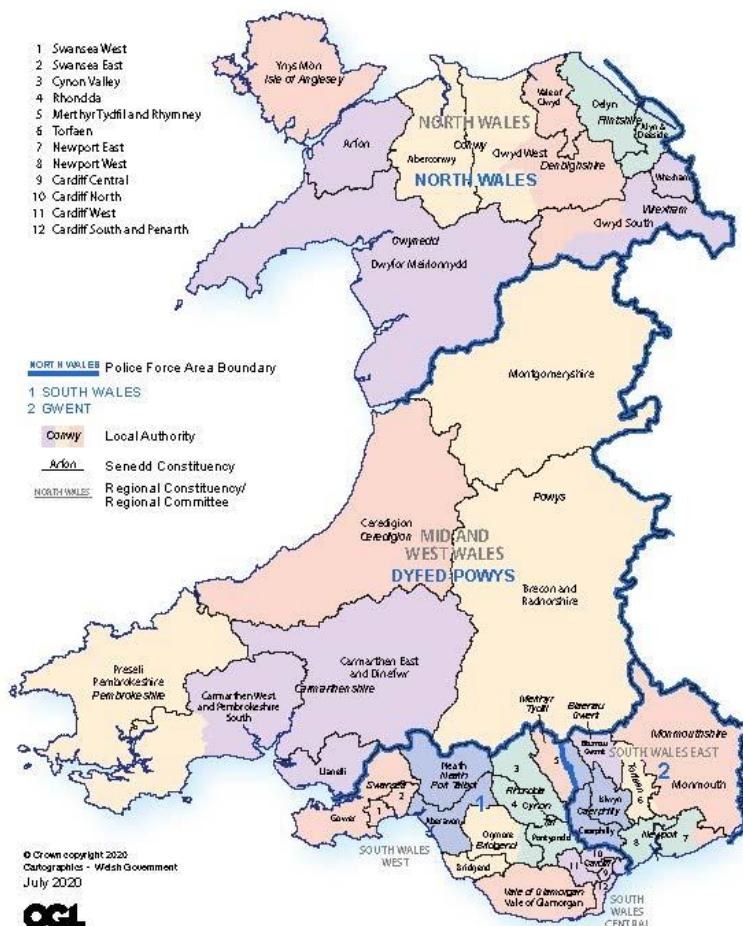
In Wales, the PCC elections will be combined with the Senedd elections. The Senedd is made up of 60 Members of the Senedd (MSs) who are elected by the people of Wales to represent them. 40 MSs represent Wales' constituencies and 20 MSs represent five regions: North Wales, Mid and West Wales, South Wales West, South Wales East, and South Wales Central.

At a Police and Crime Commissioner election, an LRO is appointed for each voting area within the police area. In Wales, the voting area will be defined as the Senedd constituency area and the Constituency Returning Officer (CRO) will also be the LRO. The CRO is responsible for all aspects of the administration of the constituency election and elements of the regional election that fall within the constituency area for the Senedd and PCC election.

The LRO for the Police and Crime Commissioner election is the person who acts as Returning Officer for local elections in that area and is normally senior officer of the local authority. Where a constituency contains more than one local authority area, the CRO will be designated by Welsh Ministers.

WALES

POLICE FORCE AREAS, LOCAL AUTHORITIES & SENEDD CONSTITUENCIES



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Electoral Registration Officers (EROs)

Electoral Registration Officers (or EROs) are responsible for the preparation and maintenance of the electoral registers and list of absent voters within their area. They must ensure that the electoral registers are as accurate and complete as possible.

Presiding Officers

Presiding Officers are appointed by relevant Returning Officers to run polling stations. Duties include organising the layout of the polling station, supervising poll clerks, issuing ballot papers, assisting voters, accounting for all ballot papers and ensuring that ballot boxes are transported securely to the count venue.

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The Electoral Commission is the independent body which oversees elections and regulates political finance in the UK. We work to promote public confidence in the democratic process and ensure its integrity. Our role in elections is to:

- produce guidance for ROs and EROs, set performance standards and report on how electoral administrators perform against these standards
- produce guidance for candidates standing for election and their agents
- produce guidance for parties that are campaigning at the election
- produce guidance for non-party campaigners that are campaigning at the election
- register political parties and non-party campaigners
- raise public awareness of the elections and how to take part in them
- report on the conduct of the elections
- publish details of where political parties get their money from and how they spend it

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Police and Crime Commissioner election timetable

Event	Date (deadline if not midnight)
Publication of notice of election	Not later than Monday 29 March
Deadline for delivery of nomination papers	4pm on Thursday 8 April
Deadline for withdrawing nominations	4pm on Thursday 8 April
Deadline for the notification of appointment of election agent	4pm on Thursday 8 April
Making objections to nomination papers	Between 10am and 12 noon on Thursday 8 April objections can be made to all delivered nominations Between 12 noon and 5pm on Thursday 8 April objections can only be made to nominations delivered after 4pm on Wednesday 7 April
Publication of statement of persons nominated	Not later than 4pm on Friday 9 April
Deadline to apply to register to vote	Monday 19 April
Deadline to apply to vote by post, postal proxy applications, and for changes to existing postal or proxy votes	5pm on Tuesday 20 April
Deadline for new proxy vote applications	5pm on Tuesday 27 April
Publication of notice of poll	Not later than Tuesday 27 April
Polling day	7am to 10pm on Thursday 6 May
Deadline to apply for a replacement for spoilt or lost postal votes	5pm on Thursday 6 May

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Event

Date (deadline if not midnight)

Deadline for emergency proxy
applications

5pm on Thursday 6 May

Candidates

Becoming a candidate at a Police and Crime Commissioner election in England and Wales

Who can become a candidate?

Anyone who wants to become a candidate at a PCC (or PFCC) election in England and Wales must be:

- at least 18 years old on the day of the candidate's nomination
- a British or qualifying Commonwealth citizen, or a citizen of a European Union country
- registered as a local government elector in a local council area that is within the police area in which they wish to stand, both at the time of the nomination and on polling day

Are there any rules barring a candidate from standing?

[Part 1 of the Electoral Commission's guidance for candidates](#) contains information on what disqualifies someone from standing to be a PCC (or PFCC) candidate in May's elections, and includes the following.

- Nomination as a candidate at a combined authority mayoral election on the same day where the mayor would exercise the functions of a PCC (or PFCC) in relation to that area, for example, in Manchester.
- Conviction for an imprisonable offence. This disqualification applies even if the candidate was not imprisoned for that offence, or the conviction has been spent.
- Direct or indirect employment by the police.

When does someone become a candidate?

For a person to be nominated as a candidate at a Police and Crime Commissioner election, they need to submit a completed set of nomination papers to the place fixed by the Police Area Returning Officer (PARO) by 4pm on Thursday 8 April 2021.

A person wishing to become a candidate at a PCC (or PFCC) election needs to submit:

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- the nomination form
- the home address form
- the consent to nomination

Alongside this, they need to:

- lodge a deposit of £5,000 with the PARO by 4pm on Thursday 8 April 2021, returnable if the candidate receives more than 5% of the total number of valid first preference votes cast in the police area

The UK government has laid legislation to reduce the number of subscribers that are required by each candidate for the Police and Crime Commissioner elections in England. Candidates at these elections will also need signatures of the required number of registered electors from the police area. The UK government has [published a table outlining how many subscribers are required for each police area](#), which candidates should consult.

The earliest date a person can officially become a candidate is the last date for publication of the notice of election, which will be Monday 29 March 2021. If a person's intention to stand has not been announced by this date, they will officially become a candidate on the earlier of:

- the date their intention to stand is announced, or
- the date when they are nominated

This must be prior to the close of nominations, which is 4pm on Thursday 8 April 2021.

What happens after the close of nominations?

The PARO will publish a statement of persons nominated for the police area by 4pm on Friday 9 April 2021.

After the close of nominations, the PARO will establish whether or not there is a need to hold a poll. If there is one candidate standing after the close of nominations, there will not be an election in that area and the candidate will be declared a Police and Crime Commissioner.

If there is more than one validly nominated candidate standing in the police area after the deadline for withdrawals, a poll will be held.

If there are two candidates standing, the Police and Crime Commissioner will be elected under first-past-the-post. If there are more than two candidates, the Police and Crime Commissioner will be elected under the supplementary vote system (more information on voting system is available on page 17).

Campaigning at the election

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When can candidates start campaigning?

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

Election spending limits apply from the day after a person officially becomes a candidate.

What can candidates say about one another during the campaign?

As at all elections, it is illegal to make a false statement about the personal character of a candidate in order to influence the result of the election. Rules about defamation also apply to election materials.

The police may investigate allegations of the specific electoral offence of making a false statement. Defamation issues are a matter for the civil courts.

As with all elections, the Electoral Commission does not have a regulatory role in relation to the content of campaign material or what candidates say about each other, though we encourage all campaigners to undertake their vital role responsibly and to support campaign transparency.

Are there any electoral rules regarding campaign materials?

By law, candidates, parties and non-party campaigners must use 'imprints' on all their printed campaign material. An imprint includes the name and address of the printer and promoter (the person who authorised the material to be printed). It must be included on all printed material such as posters, placards and leaflets. This is so that electors can be clear about the source of the campaign material. It is an offence not to include an imprint on printed election material.

Though it is not a legal requirement, the Electoral Commission recommends that candidates, parties and non-party campaigners wherever possible, place an imprint on their digital materials (e.g. websites, emails and social media platforms). Voters need to know who is targeting them with political messages online and we have called for the law to be changed.

In October 2020, the Government launched a consultation on the introduction of digital imprints. This would deliver an important increase in transparency for voters.

Can candidates see the electoral register?

Once someone becomes a candidate, they are entitled to receive, free of charge, a copy of the full electoral register and the lists of people voting by post or proxy (the absent voters' lists) for the whole of the police area that they are contesting.

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Candidates may only use the full electoral register to help them complete their nomination form, to campaign and to check that donations they receive come from a permissible source.

Candidates must not release any details that appear in the electoral register only (and not on the open register which is available for general sale).

Spending limits and rules on accepting donations

Regulated Period

What is the regulated period for the May elections?

The regulated period for the 2021 Police and Crime Commissioner elections in England and Wales begins the day after someone officially becomes a candidate and ends on polling day, 6 May 2021.

The earliest date someone can officially become a candidate is the last date for publication of the notice of election, which is Monday 29 March 2021, and can be no later than the close of nominations (4pm Thursday 8 April 2021).

Spending

What are the spending limits?

During the regulated period, candidates must spend no more than the prescribed spending limit, this is a maximum amount based on the police area in which the candidate is standing.

The limits for each area can be found in the [Commission's Guidance on spending and donations for Police and Crime Commissioner elections in England and Wales](#).

What activities count towards the spending limit?

Candidate spending includes the costs of:

- advertising of any kind, such as posters, newspaper adverts, websites or social media. This does not include spending on preparing and publishing the official election address that candidates can place on the Cabinet Office website

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- unsolicited material sent to voters, such as letters, leaflets or emails that are not sent in response to specific queries
- transport costs, such as hire cars or public transport for the candidate or candidate's campaigners
- public meetings
- staff costs, such as an agent's salary, or staff seconded to a candidate
- accommodation, such as a campaign office
- administrative costs, including telephone bills, stationery, photocopying and the use of databases

Activities that do not count include:

- payment of the election deposit
- anything (except adverts) appearing in a newspaper or on a licensed broadcast channel
- facilities the candidate is entitled to use as a candidate, such as a public room for a meeting
- volunteer time including time spent by staff that the candidate does not pay them for
- costs that are reasonably attributed to the candidate's disability
- use of someone's main residence, provided free of charge
- use of someone's personal car or other means of transport acquired principally for that person's personal use and provided free of charge
- use of someone's computer or printer equipment acquired principally for that person's personal use and provided free of charge

Who is responsible for candidate spending?

It is the responsibility of the candidate's agent (or the candidate, if they act as their own agent) to fully and accurately report spending. Both the candidate and the agent should ensure they understand the rules and that all spending is properly authorised, recorded and reported. Both the candidate and the agent must make a declaration that their reporting is accurate, making this statement falsely is an offence.

Local campaigning

Organisations or individuals, who are not standing as candidates at the elections, but are campaigning for or against a candidate in the police area are known as local non-party campaigners.

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They can spend up to a certain amount in each police area during the regulated period on campaigning for or against the candidate. Each police area has its own spending limit, which can be found in our guidance on [spending and donations in these elections](#).

Donations

What counts as a donation?

A donation is money, goods, property or services which are given towards a candidate's spending, without charge or on non-commercial terms, and have a value of over £50. This includes:

- a gift of money or other property propriety
- someone paying an invoice for candidate spending that would otherwise be paid by the candidate
- sponsorship of an event or publication

Anything with a value of £50 or less does not count as a donation.

Who can make donations to candidates?

Candidates must ensure that any donation worth more than £50 is only accepted if it is from a permissible source. This applies to cash donations and donations in kind.

Donations that are not from a permissible source must be returned to the donor within 30 days. After that, the donation may be forfeited.

Permissible donors in the UK are defined as:

- an individual on a UK electoral register, including overseas electors
- a GB registered political party
- a UK registered company which is incorporated in the UK and carries on business in the UK
- a UK registered trade union
- a UK registered building society
- a UK registered limited liability partnership that carries on business in the UK
- a UK registered friendly society
- a UK based unincorporated association that carries on business or other activity wholly or mainly in the UK and has its main office in the UK

Candidates can also raise donations from crowdfunding websites towards their campaign. The candidate must know who the money comes from so that they can carry out the

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permissibility checks, and ensure that there are measures in place to return donations that are from impermissible sources.

To what extent can political parties fund their candidates?

Many political parties run a local 'fighting fund' for their candidate. If the fund is managed and controlled by the party and not the candidate, then donations to the fund are usually treated as having been made to the party and the agent does not need to report them as donations to the candidate, unless the donations are specially made towards the candidate's election campaign.

However, candidates will need to report donations from the party that are made for the purpose of meeting their campaign spending.

Reporting

How do candidates report their regulated spending?

Details of the candidate's spending and donations must be reported to the PARO together with declarations from the agent and candidate confirming the return is complete and correct no later than 70 days after the election result is declared.

If no spending is incurred, a nil return must be submitted by the candidate (or their agent).

Voters

Registering to vote

Who can vote in the PCC (or PFCC) elections on 6 May?

A person can vote in the 6 May 2021 elections if they are registered to vote.

A person can register to vote if they are:

- aged 18 or over on polling day
- a British citizen
- an Irish, EU or qualifying Commonwealth citizen

What is the registration deadline?

The deadline to apply to register is midnight Monday 19 April 2021.

What is the deadline for applying to vote by post or by proxy?

The deadline for applying for a postal vote is 5pm, Tuesday 20 April 2021.

The deadline for applying for a proxy vote, except in an emergency, is 5pm, Tuesday 27 April 2021.

The deadline for applying for a proxy vote as a result of an emergency is 5pm, Thursday 6 May 2021.

How can someone register to vote?

Voters can go online to apply to register at www.gov.uk/register-to-vote. People can still apply by completing a paper registration form if they prefer. They can contact their local electoral registration office for forms or download them on the [UK Government's website](#).

The voting process

The Electoral Commission has produced a [media handbook](#) with further information on how the voting process will take place against the backdrop of the Covid-19 pandemic. Information in that handbook supplements the information here.

When will polling stations be open?

All polling stations open at 7am and close at 10pm.

What happens if someone is in a queue to enter a polling station at 10pm?

Any voter who arrives at their polling station before 10pm and is in a queue waiting to vote at 10pm **will be able to vote**.

What voting system is used in the PCC (or PFCC) elections?

In PCC (or PFCC) elections with three or more candidates, the Supplementary Vote system is used, where voters can cast a first and second preference vote for the PCC or PFCC.

If only two candidates stand in an area, the first-past-the-post system is used.

Voting in person

Registered voters can visit their local **polling station** between 7am and 10pm on Thursday 6 May to cast their votes. Voters should arrive in plenty of time to avoid missing out on having their say.

- Before polling day, voters will be sent a poll card which includes details of where their polling station is
- Voters can only vote at the polling station specified on this card
- Polling station staff will be on hand to explain the ballot paper(s) and how to vote

Voters do not need to take their poll card with them to the polling station but doing so will speed up the process

Voting by post

If voters do not wish to, or are unable to, go to a polling station, they may apply for a postal vote. Voters may apply for a postal vote for a specific election, a specific period of

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time, or for all elections. To vote by post, registered electors need to apply for a postal vote before 5pm, Tuesday 20 April 2021.

- Postal ballot papers will be sent directly to voters about a week before polling day
- Voters should complete their ballot papers and send them back straight away, so they arrive before 10pm on Thursday 6 May
- Votes arriving after 10pm on Thursday 6 May will not be counted. The only exception is if a person is in a queue at a polling station at 10pm for the purpose of returning a completed postal ballot
- If voters don't leave enough time to post their vote, they may take it by hand to a polling station in their voting area from 7am to 10pm on polling day
- Voters must also remember to complete the postal voting statement – with their signature and date of birth or their vote will not be counted

Voting by proxy

Voters can register for a 'proxy vote'. This means they ask someone they trust to vote on their behalf for the candidate they wish to vote for. They need to complete and sign a form and return it to their local electoral registration office by 5pm, Tuesday 27 April 2021.

What provisions are made to make voting accessible to voters with disabilities?

It is a legal requirement to provide a tactile voting device at every polling station. This allows someone who is blind or partially sighted to mark the ballot paper themselves, once the details on the ballot paper have been read out either by their companion or the Presiding Officer. In addition, a large print version of the ballot paper must be displayed inside the polling station for the assistance of voters who are partially sighted. Enlarged hand-held copies, marked as 'sample', must also be available to anyone who requires them.

The Commission works closely with the Accessibility of Elections Group, run by the Cabinet Office, to consider how voting can be made more accessible. [The Commission has responded to a UK Government Call for Evidence with recommendations on how elections can be made more accessible.](#)

The Commission provides [guidance to polling station staff](#), to help them make sure that polling stations are accessible to everyone. This information is available for staff who are running the local government elections.

The count and declaration of results

The Electoral Commission has produced a [media handbook](#) with further information on how the count process will take place against the backdrop of the Covid-19 pandemic. Information in that handbook supplements the information here.

Who is responsible for the count?

The local Returning Officer has overall responsibility for the counting of the votes at their respective election. This includes ensuring Presiding Officers transport ballot boxes from polling stations to the count venue in a secure and timely manner; and that those recruited to count ballot papers have been well trained in how to carry out their duties.

How will I know when the results will be declared in different areas?

The relevant local authority will be able to provide projected count times.

How are the votes counted and the results announced?

There are four stages to the count process.

1. **Receipt of ballot boxes:** postal ballot boxes and ballot boxes from the polling stations arrive at the count venue
2. **Verification**
 - Staff count the postal ballot papers and verify that the number of ballot papers in postal ballot boxes matches the numbers recorded by the relevant local Returning Officer.
 - Staff also count the ballot papers from each polling station. They verify that the number of ballot papers matches the number of papers issued, as recorded on the Presiding Officer's ballot paper accounts.
 - The local Returning Officer produces a statement showing how many ballot papers have been received against how many ballot papers were expected.
3. **Counting of the votes**
 - Staff sort ballot papers by candidate
 - Staff then count the number of votes cast for each candidate
 - The relevant local Returning Officer will share the provisional result with candidates and their agents. At this point, a candidate or their agent can ask for

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a recount of the votes. The local Returning Officer can refuse the request if they think it's unreasonable.

- In PCC (or PFCC) elections with three or more candidates, the Supplementary Vote system is used, where voters can cast a first and second preference vote for the PCC or PFCC.
 - At the first count, only first preference votes are counted. At the end, the LRO informs the PARO of the local totals. The PARO will then collate the totals for the whole of the police area. If a candidate obtains more than 50% of the total number of valid first preference votes across the whole of the police area, they will be declared elected. If no candidate obtains more than 50%, the top two candidates (or more if there is a tie) remain in the contest while the rest are eliminated
 - In preparation for the second count, the LRO will need to sort the ballot papers into:
 - ballot papers on which a first preference vote was given to one of the candidates remaining in the contest – these **are not counted again** at the second count
 - ballot papers rejected at the first count
 - all other ballot papers containing a valid first preference vote
 - The LRO will then count all of the ballot papers containing valid second preference votes for the continuing candidates
 - Further details on the counting of the votes for a PCC and PFCC election can be found in [the Commission's guidance for Returning Officers](#)
4. **Declaration of the result:** the PARO will collate the totals for the second count for the whole of the police area, and add these to the total number of first preference votes each of those candidates received. The candidate with the highest total number of votes will be declared elected and the PARO will inform the LRO of the results.

How does the opening of postal votes fit into this process?

It's likely that several postal vote opening sessions will take place before polling day, as well as on polling day itself.

The local Returning Officer must give candidates at least 48 hours' notice of when and where the sessions will take place. At each opening session, the local Returning Officer will decide whether or not the date of birth and signatures provided by electors on their postal voting statements match the signature and date of birth previously provided and

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held on record. If the local Returning Officer is not satisfied that they match, the vote is rejected.

Candidates can observe the process or appoint a postal voting agent to do so. Ballot papers are handled 'face down' at postal vote opening sessions. Anyone attending an opening session must not attempt to look at identifying marks or numbers on ballot papers, disclose how any particular ballot paper has been marked or pass on any such information gained from the session.

All valid ballot papers are placed into ballot boxes and stored securely before being delivered to the count venue for counting after the close of poll.

Can the result be challenged after it has been announced?

The outcome of a PCC (or PFCC) election can be challenged through an election petition, which can only be issued by:

- someone claiming to have been a candidate at the election
- at least four electors (not anonymously registered electors) who had a right to vote at the election

A petition at a PCC (or PFCC) election must normally be presented within 21 calendar days after the day on which the election was held. Further time may be allowed in certain circumstances.

Electoral fraud

The Representation of the People Act 1983 specifies a number of criminal offences relating to electoral fraud. The relevant police force for the area in which the election is taking place would investigate any allegations that an offence may have taken place.

Every police force has designated a single point of contact officer (known as a SPOC) to lead on election-related crime, who will give advice to local police officers. Anyone making an allegation should be prepared to give the police a statement and substantiate their concerns. People can also choose to contact Crimestoppers anonymously on 0800 555 111.

Anyone, including candidates, politicians and members of the public, who has evidence of electoral fraud taking place should report it to the police immediately, using the 111 non-emergency number, unless there is a crime in progress.

What are the criminal offences that relate to electoral fraud?

Offences include:

- **Personation** – It is an offence to vote as someone else (whether that person is living, dead or fictitious), either by post or at a polling station, in person or as a proxy.
- **Undue influence / intimidation** – A person is guilty of undue influence if they attempt to influence someone's vote by:
 - using or threatening force, violence or restraint
 - inflicting or threatening injury, damage, loss or harm
 - impeding or preventing someone from freely exercising their right to vote – even where the attempt is unsuccessful
- **Bribery** – A person is guilty of bribery if they directly or indirectly offer any reward (financial or otherwise) in order to induce any voter to vote or refrain from voting.
- **Treating** – A person is guilty of treating if either before, during, or after an election they offer food, drink or entertainment to corruptly influence any voter. Treating requires a corrupt intent - it does not apply to ordinary hospitality.
- **False statements** – 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. False statements that are not about a candidate's personal character or conduct are not illegal under electoral law, but could be considered as libel or slander. It is an offence to knowingly provide a false statement on a nomination paper.

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- **Multiple voting and proxy voting offences** – There are various offences regarding multiple voting and proxy voting, including voting (whether in person, by post or by proxy) when you are not allowed to and voting more than once in the same election.
- **False information in connection with registration and absent voting** – It is an offence to supply false registration information to an Electoral Registration Officer. It is also an offence to supply false information for a postal or proxy vote.