



The
Electoral
Commission

UK Parliamentary general election – Northern Ireland

Guidance for candidates and agents

Part 4 of 6 – The campaign

April 2017 (Updated August 2021)

This document applies to a UK Parliamentary general election in Northern Ireland. Further resources and forms are available from the Electoral Office for Northern Ireland (EONI): www.eoni.org.uk/elections/Information-for-candidates-and-agents

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.

2

Contents

The campaign	3
Campaigning dos and don'ts	4
When can you start campaigning?.....	4
When does a person officially become a candidate?	4
During the campaign, you may.....	4
During the campaign, you should.....	5
During the campaign, you must not.....	5
Use of the electoral register.....	6
Applying for a copy of the electoral register and absent voters' lists	6
Freepost	7
Campaign publicity dos and don'ts	8
Using imprints	8
Polling day dos and don'ts	9
List of offences.....	10
Bribery	10
Treating	10
Undue influence.....	11
Personation.....	11
False statements	11
False registration information and false postal/proxy voting information	12
False application to vote by post or by proxy	12
Multiple voting and proxy voting offences	12
Breaches of the secrecy of the ballot.....	12
Campaign publicity material.....	12
Public Order (Northern Ireland) Order 1987	12
Reporting allegations of electoral fraud.....	13
What if you have made a mistake?	13

The campaign

This section of the document contains our guidance on campaigning at a UK Parliamentary general election in Northern Ireland.

In this document, we use 'you' to refer to the candidate. 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.

Deadlines mentioned in this document are generic. If a UKPGE is called, please refer to the [EONI website](#) for a date specific timetable.

The EONI and the Commission are here to help if you have any questions. See our [Overview document](#) for contact details.

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

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

4

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 Election spending limits apply ahead of a UK Parliamentary election. For more information on election spending, please see [Part 3 - Spending and donations](#).

When does a person officially become a candidate?

1.3 The earliest you can officially become a candidate is on the date the UK Parliament is dissolved, i.e. on the 25th working day before the poll.

1.4 You will officially become a candidate on this day if on or before this date you have already declared yourself a candidate at the election (or another person has declared that you are a candidate).

1.5 If after this date you or others declare that you will be a candidate at the election, you will become a candidate on the date such a declaration is made, or on the date that you submit your nomination papers, whichever is the earlier.

1.6 Once you have officially become a candidate, you are entitled to a copy of the register of electors. You are also entitled to a copy of the absent voters list.

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 election is 12 working days before the poll. You can find out more about who can register at www.eoni.org.uk/Register-To-Vote/Registration-FAQs.
- Help voters with information about postal and proxy voting – you can find information at www.eoni.org.uk/Vote/Voting-by-post-or-proxy. The

deadline for applying for a postal or a proxy vote for the election is 5pm on the 14th working day before the poll . After this date a person can only apply to vote by post or proxy for the election on the grounds of unforeseen circumstances relating to health or if they are appointed to work at the election either by the Chief Electoral Officer or as a constable. In this case they may apply up to 5pm on the 6th working day before the poll.

During the campaign, you should...

- Avoid situations where the honesty or integrity of your supporters 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 issue and opening sessions, polling stations and the count. Deadlines are set out in our guidance documents [Part 2a – Standing as an independent candidate](#) and [Part 2b – Standing as a party candidate](#)
- 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.

1.7 More information on election offences and how to report these can be found paragraphs **1.38** to **1.58**).

1.8 If either you or your agent have made a mistake and have acted in contravention of the rules, you can apply for relief from the consequences of having made a mistake. See paragraph **1.59** for more information.

6

Use of the electoral register

1.9 Once you officially become a candidate as explained in paragraphs **1.3** to **1.5**, you are entitled to receive a free copy of the full electoral register. You are also entitled to the lists of people voting by post or proxy ('the absent voters' lists').

1.10 The version you will receive will be the current one at the time of your application. You can also request the list of electors who registered close to the registration deadline when it is published five working days before the poll.

1.11 The full electoral register contains people's personal data and so their use is very carefully controlled.

1.12 You can use the register for the constituency you are standing in to:

- complete your nomination form
- help you campaign

1.13 You can use the whole of the register to check that any donations you receive are permissible.

1.14 You must not release any details from, **or give a copy of**, the full register to any person other than for the purposes set out above.

1.15 If you have supplied a copy of the register or absent voters' lists to campaign workers, they must also comply with the requirements above.

1.16 You must ensure that you keep the electoral register secure and list of absent voter secure. Once you no longer need the register and lists of absent voters for any electoral purpose, you should securely destroy any copies supplied to you as a candidate in accordance with the Information Commissioner's [guidelines](#).

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

1.17 To assist you with applying for a copy of the electoral register and absent voters' lists EONI will provide a form which may be used to request these . A copy of this form can be downloaded from the [EONI website](#).

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

Any person found breaching the restrictions on use of the electoral register could face a fine of up to £5,000.

1.18 The register and absent voters' lists will be available for collection from Area Electoral Offices. EONI's policy is that they must be collected in person as they contain sensitive personal data.

1.19 The register will be supplied in electronic format (a comma separated values (CSV) file) unless you specifically request a paper copy. CSV files can be read using a number of applications including Microsoft Excel, Access and Word, and may be used to create mailing labels or merged letters. Instructions on how to create labels from a CSV file are available on the [EONI website](#).

1.20 In the event that you do not complete the nomination process the Chief Electoral Officer will ask you to return the register / absent voters' list.

Freepost

1.21 If you are shown as standing nominated in the statement of persons nominated you will be entitled to free postage on an election address to electors in the constituency. The postal communication must only contain matters relating to the election.

1.22 Before the publication of the statement of persons nominated, if you declare yourself to be a candidate you are entitled to exercise this right, but only if you give such security as is required by Royal Mail for the payment of postage in case you are not shown on the statement as standing nominated.

1.23 You may have postage paid on either:

- one unaddressed election communication of up to 60 grams to every postal address, or
- one election communication of up to 60 grams addressed to each elector

1.24 If you are considering exercising this right, you should contact Royal Mail to make arrangements. Royal Mail's terms and conditions must be complied with.

1.25 We strongly advise that you consult Royal Mail's guidance on candidate mailings at www.royalmail.com/candidatemail.

8

Campaign publicity dos and don'ts

1.26 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 **1.29** below for more information.
- Comply with planning rules relating to advertising hoardings and large banners – you should ask the Planning Office at your local council for advice.
- Make sure that outdoor posters are removed promptly after the election – you must do this within two weeks of the close of the poll.

1.27 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.

1.28 You must not:

- Produce material that looks like the poll cards sent to voters by the Chief Electoral Officer.
- Pay people to display your adverts (unless they display adverts as part of their normal business).

Using imprints

What is an imprint?

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

1.30 Our guide to [Candidate imprints](#) explains the rules you must follow if you are a candidate in this type of election.

Polling day dos and don'ts

1.31 You should:

- Make sure that any polling agents working for you follow any guidance issued by the Chief Electoral Officer.
- Make sure that any agents who are attending polling stations, postal vote issue and opening sessions or the count understand the rules about the secrecy of the ballot. For more information, see the secrecy requirements for the poll, postal voting and the count on [the EONI website](#).
- Comply with requests by polling station staff or the Returning Officer about campaigning near polling stations.

1.32 You must not:

- Campaign near polling stations 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). All political parties have agreed to the Code of Conduct for Canvassers in the vicinity of the polling station. Copies of the code are available from the [EONI website](#). You should ensure that a copy of the code is provided to all of your canvassers.
- 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 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.

10

Maintaining the integrity of the election

1.33 As a candidate, you will be one of the key public faces of the election, and your conduct will be scrutinised in detail by your opponents, the media and voters. Voters should be able to trust that you will comply with the law and maintain the integrity of the election process.

1.34 The person who acts as your election agent is responsible for your campaign and, in particular, is legally responsible for its financial management.

1.35 You should also make sure that your supporters fully understand the law and know what they need to do to ensure that voters can participate freely in this election. The police can only investigate allegations of electoral fraud where there is evidence to show that an offence has taken place, so you should always be able to substantiate any claims or allegations when you refer them to the police. You should also consider the impact on public trust and confidence of making false or unsubstantiated allegations about the conduct of other campaigners.

List of offences

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

Bribery

1.37 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

1.38 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.

Neither the Commission nor the EONI regulate any of these offences.

For details of how to report any allegations of electoral malpractice see paragraph **1.55**.

Undue influence

1.39 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.

1.40 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.

1.41 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

1.42 The offence of personation includes 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 that is 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

1.43 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.

1.44 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.

1.45 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

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

12

False registration information and false postal/proxy voting information

1.47 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

1.48 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

1.49 There are various offences regarding multiple voting and proxy voting, including voting in person or by post as an elector or proxy knowing that you are subject to a legal incapacity to vote and inducing or procuring another to commit the offence.

Breaches of the secrecy of the ballot

1.50 Everyone involved in the election process or attending certain proceedings must maintain the secrecy of the ballot. A copy of the official secrecy requirements will be given to everyone who attends the opening of postal votes or the counting of ballot papers and to polling agents. It will also be published on the EONI website www.eoni.org.uk/Elections/Information-for-candidates-and-agents.

Campaign publicity material

1.51 Certain offences relate specifically to election campaign publicity material. Printed election campaign publicity material must contain an imprint, not resemble a poll card and not contain a false statement of fact as to the personal character or conduct of a candidate.

Neither the Commission nor the EONI 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.

Public Order (Northern Ireland) Order 1987

1.52 Under the Public Order (Northern Ireland) Order 1987, it is an offence to publish or distribute written material which is threatening, abusive or insulting with the intention of stirring up hatred or arousing fear, or which is likely to do so. 'Fear' and

'hatred' under the Order mean fear or hatred of a group of persons in Northern Ireland defined by reference to religious belief, colour, race, nationality (including citizenship) or ethnic or national origin.

Reporting allegations of electoral fraud

1.53 If you are concerned that electoral fraud may have been committed, contact the Chief Electoral Officer.

1.54 They may be able to explain whether or not electoral fraud has been committed. They can also provide you with the details of the police contact at the PSNI so that you can report the allegation yourself.

1.55 If you have evidence that an electoral offence has been committed you should contact the PSNI **immediately**. You should be prepared to give them a statement and substantiate your allegation.

1.56 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?

1.57 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.

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

14

- 1.59 For more information, contact:
The Clerk of the Crown
Royal Courts of Justice
Chichester Street
Belfast
BT1 3JF
Tel: 030 0200 7812
Email: adminoffice@courtsni.gov.uk