

## Local elections in Wales

# Guidance for candidates and agents

## Part 2b of 6 – Standing as a party candidate

January 2022 (updated February 2022)

This document applies to county and county borough elections in Wales. It does not apply to community council elections. Our guidance and resources for other elections in the UK can be accessed from our website at:

<https://www.electoralcommission.org.uk/i-am-a/candidate-or-agent>

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# 2

## Essential information

This section of the document contains our guidance on standing as a party candidate at a county or county borough election.

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.

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 minimum good practice, but which are not legal or regulatory requirements.

Deadlines mentioned in this document are generic. We have published a [generic election timetable on our website](#). For any by-elections, you will be able to obtain a copy of the specific timetable for that election from the Returning Officer.

We are here to help, so please contact us 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 General Data Protection Regulation affects you.

This document does not cover local government elections in England.

You can access guidance for those elections through our website.

## Completing your nomination papers

This guidance reflects the changes introduced by:

- The Local Government and Elections (Wales) Act 2021
- The Local Elections (Principal Areas) (Wales) Rules and
- The Local Elections (Miscellaneous and Consequential Amendments) (Wales) Regulations 2022

that take effect for principal area elections held on and after the 5 May 2022.

1.1 To become nominated as a candidate at a local government election, you need to submit a completed set of nomination papers to the Returning Officer by 4pm on the 19<sup>th</sup> working day before the poll.<sup>1</sup> This deadline is set out in law and cannot be changed for any reason. The start date from which you will be able to submit nomination papers<sup>2</sup>, as well as the times and arrangements for delivery, will be set out in the notice of election published by the local Returning Officer.

1.2 There are two nomination papers that you must submit to make your nomination valid:<sup>3</sup>

- the nomination form
- a home address form

1.3 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 Wales.<sup>4</sup>

1.4 You may use either the English version, Welsh version or both versions of either the party name<sup>5</sup> or a description as long as they are registered with the Commission. Translations of party names are listed on the website under 'alternative name' and translations of descriptions are listed to the right of the description under 'translation(s)'.

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1.5 If a translation of a party name is not listed, or a translation is not recorded against a description, then a translation is not registered and cannot be used.

1.6 If the registered party name does not already include Wales / Welsh / Cymru / Cymreig<sup>6</sup> then you may choose to supplement the registered party name as given on the certificate with 'Wales / Welsh / Cymru / Cymreig.'<sup>7</sup>

1.7 'Wales / Welsh / Cymru / Cymreig.' may also be used with the registered party name, if the name forms part of a registered description, authorised by the certificate.

1.8 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](#))<sup>8</sup>. For more details on the certificate of authorisation, see paragraph **1.30**
- A written request to use one of the party's emblems<sup>9</sup> (if you would like one to appear on the ballot paper). For more information on the [emblem request form](#), see paragraph **1.38**

1.9 You can find out how you can obtain nomination papers from the local elections office. Contact details can be obtained from our website <https://www.electoralcommission.org.uk/i-am-a/voter>. Alternatively, the Commission has produced a set of [nomination papers](#) that you could use.

1.10 If you, your agent or someone you trust are unable to complete the nomination form, the Returning Officer can help by preparing the form for your signature.<sup>10</sup> You should check with the RO at the earliest opportunity what assistance may be available.

1.11 The Returning Officer may provide briefings on the importance of following the election rules and any changes to the rules since the last election. You should ask your RO if they are holding candidate briefings, where they are being held and when.

1.12 The Returning Officer may also be able to offer informal checks of your completed nomination papers before you submit them. You should find out from the Returning Officer whether they plan to offer informal checks.

1.13 Informal checks may be provided in person, remotely via email or both. If the RO is providing informal checks, you should ask them about the specific arrangements in place for doing so. For example, there may be an appointment system or a specific email address to use.

1.14 You should submit your nomination papers for an informal check as early as possible to give the Returning Officer an opportunity to check them and to give you sufficient time to submit new nomination papers should your first set contain any errors.

1.15 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.<sup>11</sup>

## The nomination form

1.16 The [nomination form](#) must be completed in English or Welsh. The form must contain:

- **Your full name.**<sup>12</sup> This means your surname followed by your 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.
- **Statement of party membership**<sup>13</sup> You must include a statement of party membership stating where you have been a member of any political party at any time in the last 12 months prior to publication of the notice of

The RO can hold your nomination paper invalid if the particulars of your nomination are not as required by law.

The RO can also reject your nomination if they conclude that it is clearly a sham, for example, if an obviously fictitious name or address are provided.

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election. For more information on Statement of party membership see paragraph **1.102**

- **Declarations:**<sup>14</sup> On the nomination paper you must complete and sign the following declarations:
  - that you are qualified on the day on which you complete your nomination paper and on the day of the election to be elected as a councillor by virtue of the fact that you are a qualifying Commonwealth citizen, a citizen of the Republic of Ireland, a relevant citizen of the Union or a qualifying foreign citizen who has attained the age of 18 years on the day of the election; and that<sup>15</sup>
  - you meet at least one of the qualifications to stand for election listed in the declaration section on the nomination paper. You must indicate which one of more of the qualifications a) – d) apply to you by ticking those that apply and putting a line through those that do not. For explanation of the qualifications see [Part 1: Can you stand for election?](#)
  - you are to the best of your knowledge and belief not disqualified from being elected as a councillor – see [Part 1: Can you stand for election for more information.](#)

- **Your signature and signature of a witness:**<sup>16</sup> You must sign your nomination paper. Your signature must be witnessed; and the witness must give their full name and full address on the home address form<sup>17</sup>. There are no restrictions on who can be a witness.

1.17 The following is optional:

- **A commonly used name**<sup>18</sup> – – if you use a name that is different in any respect from your actual name and you

You are not required to include signatures from subscribers on your nomination form.

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.

wish this to appear on the ballot paper, you need to state this on the nomination form. More details are provided in paragraph **1.94**

- **A description** – 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. You may use either the English version, Welsh version or both versions of either the party name or description as long as they are registered with us.<sup>19</sup>
- When using 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).<sup>20</sup> 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 Returning Officer by the nominations deadline, i.e. by 4pm on the 19<sup>th</sup> working day before the poll.<sup>21</sup> Further information on the certificate is provided in paragraph **1.30**
- If you want to use a registered party name that does not include Wales or Welsh or Cymru or Cymreig <sup>22</sup> then the registered party name may be supplemented with Wales or Welsh or Cymru or Cymreig in the description box on the nomination papers (including where the party name forms part of the registered description)
- If you are standing on behalf of two or more parties, you may use a joint description. The parties must both be registered with the Commission.
- The joint description can show either or both:
  - the parties’ registered names and any appropriate conjunctions and punctuation in English or

Registered party names and registered descriptions can be found on [our online register](#).

If you wish to stand as an independent candidate, see [Part 2a: Standing as an independent candidate](#) for further information.

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- the parties' registered names and any appropriate conjunctions and punctuation in Welsh.

1.18 If a party name used in the joint description does not already include the words Wales / Welsh / Cymru / Cymreig<sup>23</sup> candidates may prefix that name with 'Wales' or 'Welsh' on the English version or suffix it with 'Cymru' or Cymreig in the Welsh version, in the description box on the nomination paper. The words Wales / Welsh / Cymru / Cymreig may be used with one or all party names used in the joint description, as long as the words do not already form part of the registered party name.

1.19 It is for you to decide the order in which the party names appear in the joint description.

1.20 You will need authorisation from the Nominating Officer for each of the registered parties (or people authorised to act on their behalf).

1.21 You should take particular care when completing the descriptions field on the nomination form. If the party name or any given description does not appear on the [Commission's online register of political parties](#) as a party that can contest elections in Wales the nomination form will be rejected

## Home address form<sup>24</sup>

1.22 There is no requirement for candidates to have their home address published on the ballot paper, statement of persons nomination and notice of poll at any principal area elections held on or after 5 May 2022.

1.23 You are required to complete a home address form which must be delivered with the nomination paper by the deadline for delivery of nomination papers, which is 4pm in the nineteenth working day before the poll.

1.24 The home address form must state:

- your full name (see paragraph **1.16**)

- any commonly used names<sup>25</sup>, if these are included on your nomination form
- your home address in full
- your qualifying address, or where you have declared on your nomination form that you meet more than one qualification, your qualifying addresses
- which of the qualifications your qualifying address or addresses relates to the full name and the home address of the witness on your nomination form

Your home address:

- 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)

1.25 You may choose for your home address not to be published on the statement of persons nominated or the ballot paper.

1.26 In this case the home address form must<sup>26</sup> contain, as well as your full name and home address:

- a statement, signed by you, which states that you require your home address not to be made public
- the name of the relevant area in which your home address is situated (if your home address is in the UK)
- if you live outside the UK, the name of the country in which your home address is situated

1.27 The relevant area you provide on your home address form must be in the format described in paragraph **1.29** below. The relevant area is not the ward or the full name of the local authority.

## Meaning of qualifying address and relevant area<sup>27</sup>

1.28 Qualifying address means:

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- where you have selected option (a) on the nomination paper, the address in full where you are registered as a local government elector
- where you have selected option (b) on the nomination paper, a description and the address of that land or premises which you have occupied as owner or tenant
- where you have selected option (c) on the nomination paper, the address of your place of work
- where you have selected option (d) on the nomination paper, the address or addresses in full of where you have resided

1.29 Relevant area means:<sup>28</sup>

- **For home addresses in Wales:**
  - if the address is within a county, that county;
  - if the address is within a county borough, that county borough
- **For home addresses in England:**
  - if the address is within a district for which there is a district council, that district;
  - if the address is within a county in which there are no districts with councils, that county;
  - if the address is within a London borough, that London borough;
  - if the address is within the City of London (including the Inner and Middle Temples), the City of London; and
  - if the address is within the Isles of Scilly, the Isles of Scilly
- **For home address in Scotland:**
  - the local government area in which the address is situated
- **For home address in Northern Ireland:**
  - the local government district in which the address is situated

## The certificate of authorisation<sup>29</sup>

1.30 Political parties authorise candidates to stand for them by issuing a certificate of authorisation. This must state that the named candidate can use one of the following:<sup>30</sup>

- the party's registered name or,

- if the party has registered a name in English and a name in Welsh, either or both of those names, or
- a registered description of the party or
- in the case of a description that has been registered in both English and Welsh, either or both of those descriptions

1.31 Particular care should be taken by the Nominating Officer (or someone authorised to act on their behalf) when completing the certificate of authorisation.

1.32 You should take particular care to ensure that the party name or description you provide on the nomination form matches the party name or description authorised by the certificate or the whole nomination will be invalid.

1.33 However, If the registered party name does not already include Wales / Welsh / Cymru / Cymreig<sup>31</sup> then you may choose to supplement the registered party name as given on the certificate with 'Wales / Welsh / Cymru / Cymreig.'<sup>32</sup>

1.34 'Wales / Welsh / Cymru / Cymreig.' may also be used with the registered party name, if the name forms part of a registered description, authorised by the certificate..

1.35 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.

1.36 It is an offence to fraudulently say a person is authorised to issue a certificate of authorisation on behalf of a registered political party's nominating officer.<sup>33</sup>

1.37 If you are standing on behalf of more than one political party, you will need a certificate of authorisation from the Nominating Officer of each of the registered parties (or people authorised to act on their behalf) by the deadline for the delivery of nomination papers.

A party can register up to three emblems. You may want to check with your party (e.g. with the Nominating Officer or someone authorised to act on their behalf) which emblem to use. Make sure you request a current emblem, as registered with the Commission on the online [register of political parties](#).

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## Request to use an emblem on the ballot paper<sup>34</sup>

1.38 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.

1.39 You must<sup>35</sup> make the request for an emblem in writing and deliver it to the Returning Officer. The request must<sup>36</sup> be received by the Returning Officer by 4pm on the 19<sup>th</sup> working day before the poll. The Returning Officer will supply you with a form you can use to make this request or, alternatively, you can use the [emblem request form](#) produced by the Commission.

1.40 The request should state both the name of the political 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.

1.41 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<sup>37</sup> be made in writing and delivered to the Returning Officer by the close of nominations, i.e. 4pm on the 19<sup>th</sup> working day before the poll. The Returning Officer will supply you with a form you can use to make this request or, alternatively, you can use the [emblem request form](#) produced by the Commission. The request should state the name of the political party that has registered the emblem you wish to 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

1.42 It is your responsibility to ensure that your nomination papers are delivered in the manner set out on the notice of election and by the required deadlines.

1.43 Your nomination paper, the home address form, certificate of authorisation and emblem request form, must be delivered by 4pm on 19<sup>th</sup> working day before the poll.<sup>38</sup>

- to the place specified on the notice of election<sup>39</sup> or
- as specified in the electronic delivery statement on the notice of election<sup>40</sup>

1.44 The RO will have arrangements in place that will allow you to deliver your nomination papers electronically. An email address or an online portal will be provided specifically for the purpose of electronic delivery of nomination papers. For more information about electronic delivery of nomination papers see paragraph **1.108**

1.45 We recommend that you, your agent, or someone you trust delivers your nomination papers by hand or submits them electronically, so you can be sure they are delivered to the Returning Officer in the required way and by the required deadline.

## How must nomination papers be submitted?

1.46 The nomination paper and home address form must be delivered either:

- by hand<sup>41</sup> or
- electronically as per the arrangements set out in the electronic delivery statement provided by the RO on the notice of election.<sup>42</sup>

1.47 Where a document is delivered electronically, it may be signed electronically - this could take the form of a typed signature for example.

1.48 If a nomination paper is delivered by hand, the **original version** of each completed paper must be submitted. Nomination papers **cannot** be delivered by post.

1.49 The certificate of authorisation and the emblem request form may be submitted by hand, by post or electronically.

## When must nomination papers be submitted?

1.50 You should submit your nomination papers as early as possible to give the Returning Officer 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.

1.51 The notice of election will be published no later than 25 working days before the poll and will state the times at which nominations can be delivered<sup>43</sup> in person and the arrangements in place for nominations to be delivered electronically. <sup>44</sup>The notice of election will be published on the local authority's website.<sup>45</sup>

1.52 Delivering nomination papers by hand is usually only possible during normal office hours. The Returning Officer will confirm the exact details of when and where nomination papers can be delivered in person and the arrangements for delivery electronically on the notice of election.

1.53 You should contact the Returning Officer as soon as possible to find out what arrangements are in place for submitting nomination papers in person and for electronic delivery.. You will be able to contact the Returning Officer via your local elections office. Contact details can be obtained from our website <https://www.electoralcommission.org.uk/i-am-a/voter>.

## After you have submitted your nomination papers

1.54 If you deliver your nomination electronically, the RO should confirm its receipt. Please note that an electronic read receipt from the Returning Officer is not confirmation that the nomination papers are valid.

1.55 You will be sent a notice by the RO informing you of their decision as to whether or not your nomination is valid.

1.56 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 the 19<sup>th</sup> working

day before the poll. For more details on withdrawing, see below.

## Withdrawing<sup>46</sup>

1.57 You may withdraw as a candidate by signing and submitting a withdrawal notice. You must sign the notice in the presence of a witness who must<sup>47</sup> attest your signature.

1.58 There are no restrictions on who may submit the notice, but it must be delivered to the Returning Officer either:

- by hand to the place for the delivery of nominations papers or
- electronically as per the arrangements set out in the notice of election<sup>48</sup>

1.59 A [notice of withdrawal](#) can be obtained from the local Returning Officer or downloaded from our website.

1.60 The withdrawal notice must be submitted by the deadline for withdrawals (i.e. by 4pm on the 19<sup>th</sup> 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.

## What happens after the close of nominations?

1.61 The Returning Officer will publish a statement of persons nominated for each ward by 4pm on the 18<sup>th</sup> working day before the poll.<sup>49</sup> The statement will include:<sup>50</sup>

- 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, or if they have requested not to make their home address public, the name of the relevant area in which their home address is situated (or the country if their home address is situated outside the UK)

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- each candidate's description (if any) as given in their nomination paper
- the information contained in each candidates' statements of membership of political parties, as given in their nomination papers

## Being validly nominated in more than one ward<sup>51</sup>

1.62 If you are validly nominated in more than one ward within the same principal area, you must withdraw from all wards but one before the deadline for withdrawals (i.e. by 4pm on the 19<sup>th</sup> working day before the poll). If you do not withdraw from all but one ward, you will be deemed to have withdrawn from all of the wards.

## Inspecting other candidates' nomination forms<sup>52</sup>

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

## Inspecting the home address form<sup>53</sup>

1.64 During normal office hours from the day after the close of nominations until the day before the poll, only certain people are entitled to inspect home address forms. These people are:

- another candidate nominated as a candidate in the same electoral ward as you
- the election agent of another person standing nominated as a candidate in the same electoral ward as you (or, if the candidate is acting as their own agent, any person nominated by them)

1.65 No person is permitted to take an extract from them or make a copy of them.

## Will the election be contested or uncontested?<sup>54</sup>

1.66 After the close of nominations, the Returning Officer will establish whether or not there is a need to hold a poll in the ward. If there are more candidates than seats after the deadline for withdrawals, there will be a poll.

1.67 If, however, after the deadline for withdrawals the number of validly nominated candidates in a ward is less than or equal to the number of seats to be filled, those candidates are declared to be elected.

1.68 In this case, the Returning Officer will declare those candidates to be elected to the council not later than the sixth day before polling day and will give public notice of the names of those declared elected.

If elected at an uncontested election, candidates must still make a declaration as to their election spending.

See [Part 3: Spending and donations](#) for more details.

Further information on taking up office is included in [Part 6: After the declaration of result](#).

## Appointing your election agent and other agents

1.69 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.<sup>55</sup>

1.70 Once appointed, payments for election expenses can only be made by or through the election agent.<sup>56</sup>

1.71 You can also appoint other agents to observe the following electoral processes, which both you and your election agent are also entitled to observe:<sup>57</sup>

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

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## Who can be an election agent?

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

1.73 However, the following people are not allowed by law to be election agents:<sup>58</sup>

- the Returning Officer or a member of their staff
- a partner or clerk of the Returning Officer 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

1.74 Your party may also have specific rules about who you can appoint as an election agent.

## Appointing an election agent

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

1.76 You, or someone on your behalf, must declare in writing the name, address and office address of your election agent to the Returning Officer by 4pm on the 19<sup>th</sup> working day before the poll.<sup>59</sup> 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. The declaration may be submitted by hand, electronically or by post.

1.77 The Returning Officer may provide a declaration form, , or you could use the [election agent declaration form produced by the Commission](#). If you do not appoint someone else as your agent by the deadline, you will automatically become your own agent.<sup>60</sup>

It is helpful to also provide a contact telephone number and email address for your election agent so that the Returning Officer can easily contact them.

The local government area for a county or county borough, is the area of that county or county borough.

1.78 Your agent must have an office address to which any legal notices can be delivered and therefore must be a physical address<sup>61</sup> PO boxes or similar mailboxes cannot be used.

1.79 Your agent's office address must be:<sup>62</sup>

- within the same local government area where the election is being held, or
- within the UK Parliamentary constituency or constituencies that are partially or wholly included in the local government area, or
- within a district which adjoins the local government area, or
- within a Welsh county or county borough which adjoins the local government area, or

1.80 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.

1.81 If you act as your own election agent and you have indicated on your home address form that you want your home address to remain private, you must provide the RO with another correspondence address for publication on the notice of election agents..

1.82 Your correspondence address must be within England or Wales.<sup>63</sup>

1.83 If you fail to appoint either yourself or another person as your election agent by 4pm on the nineteenth day before the date of the poll you will be deemed to have named yourself as election agent by default and you will not be able to provide another correspondence address. Your election office address will therefore appear on the notice of election agents as either:

- your home address as provided on your home address form if that address is in England or Wales; or
- the first qualifying address you have provided alongside your qualification to stand for election

1.84 This office address must be published on the notice of election agents. This will be the case even if you have chosen

not to make your home address public on the statement of persons nominated and ballot paper.

## Revoking an election agent's appointment<sup>64</sup>

1.85 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.

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

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

## Appointing your postal voting, polling and counting agents

1.88 You may appoint other people as agents to attend postal vote openings, polling stations and the count.<sup>65</sup>

1.89 Anyone, apart from those listed in paragraph **1.73**, 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.<sup>66</sup> Both you and your election agent can also automatically act as one of those agents without the need of an official appointment.<sup>67</sup>

1.90 The number of agents who may be appointed to any particular polling station is limited to four,<sup>68</sup> or such greater number as the Returning Officer decides to allow. If more than that number are appointed, the Returning Officer 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 to attend will remain unaffected by this.

1.91 The Returning Officer 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. At the count, unless there are special circumstances, the number of counting agents allowed for each candidate will not be less than the number obtained by dividing the number of counting assistants (i.e. those staff employed on the counting) by the number of candidates.<sup>69</sup>

1.92 The request to appoint these agents must be made in writing to the Returning Officer.<sup>70</sup> It must contain the names and addresses of the people being appointed.<sup>71</sup> The Returning Officer will provide forms you can use for this, or you can find [postal voting](#), [polling](#) and [counting agent](#) appointment forms on the Commission's website.

1.93 The deadline for appointing these agents will depend on the process they are to attend. Polling and counting agents must be appointed by not later than the fifth working day before the poll.<sup>72</sup> However, appointment forms for postal voting agents only need to be submitted to the Returning Officer by the time fixed for the opening of postal votes they want to attend.<sup>73</sup> The Returning Officer will give you at least 48 hours' notice before the scheduled start of each postal vote opening session.<sup>74</sup>

1.94 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 Returning Officer.<sup>75</sup> Any new appointment in these circumstances must be made without delay.

1.95 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

1.96 If a candidate dies during the election period, see paragraph **1.113** for further information on how this will affect the election.

# Supplementary information

## Commonly used name(s)

1.97 If you commonly use forenames or surnames that are different in any respect from your actual names, you can ask for your commonly used name(s) to be used instead of your actual name. 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.

1.98 In another example, if your actual name is 'Andrew John Smith', but your commonly known as 'John Smith', you can request that the name 'John Smith' appear on the ballot paper.

1.99 You can request to use a commonly used forename, surname or both.

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

1.101 Any commonly used name(s) would then appear on:

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

1.102 The Returning Officer will disallow commonly used names that are likely to mislead or confuse electors, or are obscene or offensive.<sup>76</sup> If the name(s) are not permissible, the Returning Officer will write to you stating the reason for

rejection. In those cases, your actual name will be used instead.

1.103 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.

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

## Statement of party membership

1.105 You must include a statement of party membership on the nomination form stating whether you have been a member of any political party at any time during the period of 12 months ending with the day on which the notice of election is published - known as the relevant period.<sup>77</sup>

1.106 The statement must state whether you have been a member of any registered political party at any time during the relevant period.

1.107 Subject to paragraph **1.108** below, if you have been a member of one or more registered political parties within the relevant period, you must add each registered political party you have been a member of and the dates of membership during the relevant period. You must add the name of the registered political party even if it has ceased to exist or is no longer a political party.

1.108 You do not need to add the name of a registered political party of which you are a member – and have been for the relevant period– if the description on the nomination paper would lead people to associate you with that party and if you have not been a member of any other registered political party in the relevant period.

1.109 It is an offence to knowingly fail to include a statement of party membership with your nomination paper.

1.110 The information provided on the statement of party membership will be included on the statement of persons nominated and will be published by the Returning Officer.

## Submitting nominations electronically

1.111 The Returning Officer will include an electronic delivery statement on the notice of election.

1.112 This statement will set out the arrangements that they have put in place if you want to deliver your nomination electronically.

1.113 The arrangements provided by the RO will be:

- An email address<sup>78</sup> that you can send your nomination papers to or
- A service which you can use to submit your nomination papers online<sup>79</sup> or
- Both of the options listed above.<sup>80</sup>

1.114 If you choose to deliver your nomination papers by email, you should ensure that you use the email address specified for that purpose as provided in the electronic delivery statement. It is your responsibility to ensure that the RO receives your nomination forms in the correct way by the required deadlines.

1.115 Delivery of your nomination to an email address not specified for that purpose will result in your nomination paper being considered not delivered as required. As far as is possible, you should aim to attach all the forms required for your nomination to the RO to one email.

## Death of a candidate

1.113 If the Returning Officer 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.<sup>81</sup>

1.114 The Returning Officer 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.<sup>82</sup>

1.115 Should a fellow candidate die during the campaign, the Returning Officer will provide you with further guidance.

1.116 If an already elected candidate dies after the declaration of the result, a by- election would be needed to fill the vacancy.

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- <sup>1</sup>Rule 1, Sch.1 Principal Areas Rules  
<sup>2</sup> Rule 3, Sch.1 Principal Areas Rules  
<sup>3</sup> Rule 5(6), Sch.1 Principal Areas Rules  
<sup>4</sup> s.22 Political Parties, Elections & Referendums Act 2000  
<sup>5</sup> Rule 6(3) Local elections (Principal Area) (Wales) Rules 2021  
<sup>6</sup> Rule 7(2) Local elections (Principal Area) (Wales) Rules  
<sup>7</sup> Rule 7(2) Local elections (Principal Area) (Wales) Rules 2021  
<sup>8</sup> Rule 6(3)(c)Sch 1, Principal area Rules 2021  
<sup>9</sup> Rule 22(6) Sch.1 Principal Areas Rules 2021  
<sup>10</sup> Rule 4(b) Sch.1 Principal Areas Rules 2021  
<sup>11</sup> Section65A Representation of the People Act 1983  
<sup>12</sup> Rule 5 (3)(a) Principal area Wales rules 2021  
<sup>13</sup> Rule 8, Sch.1 Principal Areas Rules 2021  
<sup>14</sup> Rule 5(3)(d) Sch.1, Communities Rules 2021 and Section 79, Local Government Act 1972 (as amended)  
<sup>15</sup> s.79 of the Local Government Act 1972  
<sup>16</sup> Rule 5(5), Sch.1 Principal Areas Rules  
<sup>17</sup> Rule 9(5)(a) & (b) Sch.1, Principal Areas Rules  
<sup>18</sup> Rule 5(4) Local elections (Principal Area) (Wales) Rules 2021  
<sup>19</sup> Rule 6(3)(b) Local elections (Principal Area) (Wales) Rules 2021  
<sup>20</sup> Rule 6(3)(c) Sch 1 Local elections (Principal Area) Wales 2021  
<sup>21</sup> Rule 6(3)(c) Sch 1 Local elections (Principal Area) Wales 2021  
<sup>22</sup> Rule 7(2)(b) Sch 1 Local elections (Communities) (Wales) Rules 2021 OR Rule 7(3)?  
<sup>23</sup> Rule 7(2) Local elections (Principal Area) (Wales) Rules 2021and Local elections (Communities) Wales 2021  
<sup>24</sup> Rule 9, Sch.1 Principal Areas Rules 2021  
<sup>25</sup> Rule 9(4) Sch.1 Principal Areas Rules 2021  
<sup>26</sup> Rule 9, Sch.1 Principal Areas Rules 2021  
<sup>27</sup> Rule 9(3), Sch.1 Principal Areas Rules 2021  
<sup>28</sup> Rule 9(8), Sch.1 Principal Areas Rules 2021  
<sup>29</sup> s.22 PPERA 2000  
<sup>30</sup> Rule 6(3)(b)(i) and (ii) Sch.1 Principal Areas Rules 2021  
<sup>31</sup> Rule 7(2) Local elections (Principal Area) (Wales) Rules 2021and Local elections (Communities) Wales 2021

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- <sup>32</sup> Rule 7(2) Local elections (Principal Area) (Wales) Rules 2021 and Local elections (Communities) Wales 2021
- <sup>33</sup> Rule 6(8) Sch.1 Principal Areas Rules 2021
- <sup>34</sup> Rule 22, Sch.1 Principal Areas Rules 2021
- <sup>35</sup> Rule 22(7), Sch.1 Principal Areas Rules 2021
- <sup>36</sup> Rule 22(7), Sch.1 Principal Areas Rules 2021
- <sup>37</sup> Rule 22(7), Sch.1 Principal Areas Rules 2021
- <sup>38</sup> Rule 3(2)(d) Sch.1 Principal Areas Rules 2021
- <sup>39</sup> Rule 3(2)(e) Sch.1 Principal Areas Rules 2021
- <sup>40</sup> Rule 3(5) Sch.1 Principal Areas Rules 2021
- <sup>41</sup> Rule 5 (2) (a) Local elections (Principal Area) (Wales) Rules 2021
- <sup>42</sup> Rule 5 (2) (b) Local elections (Principal Area) (Wales) Rules 2021
- <sup>43</sup> Rule 3(5) and (6) Local elections (Principal Area) (Wales) Rules 2021
- <sup>44</sup> Rule 3(5) and (6) Local elections (Principal Area) (Wales) Rules 2021
- <sup>45</sup> Section 5(6) Local elections (Principal Area) (Wales) Rules 2021
- <sup>46</sup> Rule 12, Sch.1 Local elections (Principal area) Wales Rules 2021
- <sup>47</sup> Rule 12(2) Sch.1 Local elections (Principal area) Wales Rules 2021
- <sup>48</sup> Rule 1(1), Sch.1, Local elections (Principal area) Wales Rules 2021
- <sup>49</sup> Rule 1(1), Local elections (Principal area) Wales Rules 2021
- <sup>50</sup> Rule 13 Local elections (Principal area) Wales Rules 2021
- <sup>51</sup> Rule 11, Sch.1 Principal Areas Rules 2021
- <sup>52</sup> Rule 17, Sch.1 Principal Areas Rules 2021
- <sup>53</sup> Rule 18 Sch1 Principal Areas Rules 2021
- <sup>54</sup> Rule 20, Sch.1, Principal Areas Rules 2021
- <sup>55</sup> Section 70 RPA 1983
- <sup>56</sup> Section 73 RPA 1983
- <sup>57</sup> Rule 33, Sch.1 Principal Areas Rules
- <sup>58</sup> Section 99 RPA 1983
- <sup>59</sup> Section 67(1) of the RPA 1983
- <sup>60</sup> Section 70 RPA 1983
- <sup>61</sup> Section 70 RPA 1983
- <sup>62</sup> Section 69 RPA 1983
- <sup>63</sup> Section 69 (1B) RPA 1983
- <sup>64</sup> Section 67(4) of the RPA 1983
- <sup>65</sup> Rule 33, Sch.1 Principal Areas Rules 2021
- <sup>66</sup> Rule 33(2), Sch.1 Principal Areas Rules 2021

- <sup>67</sup> Rule 34, Sch.1 Principal Areas Rules 2021.
- <sup>68</sup> Rule 33(3) Sch.1 Principal Areas Rules 2021
- <sup>69</sup> Rule 33(5) Sch.1 Principal Areas Rules 2021
- <sup>70</sup> Rule 33, Sch.1 Principal Areas Rules 2021
- <sup>71</sup> Rule 33 (8) Sch.1 Principal Areas Rules 2021
- <sup>72</sup> Rule 33(8), Sch.1 Principal Areas Rules 2021
- <sup>73</sup> Regulation 80 Representation of the People Regulations (England and Wales) 2001
- <sup>74</sup> Regulation 80 Representation of the People Regulations (England and Wales) 2001
- <sup>75</sup> Rule 33(9), Sch.1 Principal Area Rules 2021
- <sup>76</sup> Rule 14(2), Sch.1 Principal Areas Rules 2021
- <sup>77</sup> Rule 5(3)(c), Sch.1 Local elections (Principal area) (Wales) Rules 2021
- <sup>78</sup> Rule 3(6) (a) Local elections (Principal area) Wales 2021
- <sup>79</sup> Rule 3(6) (b) Local elections (Principal area) Wales 2021
- <sup>80</sup> Rule 3(6) (c) Local elections (Principal area) Wales 2021
- <sup>81</sup> Rule 67, Sch.1 Principal Areas Rules 2021
- <sup>82</sup> Section 39 RPA 1983