

**You must print off the forms in this pack before submitting them.**

**The following papers must be delivered by hand (doesn't have to be by the candidate themselves):**

1a: Nomination paper

1b: Candidate's consent to nomination

**The following papers can be delivered by hand or by post:**

2: Certificate of authorisation

3: Request for a party emblem

The notice of election published by the Returning Officer will specify the times and exact location to which nomination papers must be delivered.

Ensure that where signatures are required, you submit the **original signed version** of each completed paper. Documents without original signatures cannot be accepted.

# PARISH/TOWN COUNCIL ELECTIONS

## Parish of Charvil

Thursday 5 May 2016

### CANDIDATE CONTACT DETAILS FORM

SHOULD YOU REQUIRE ANY FURTHER INFORMATION THEN PLEASE CONTACT THE ELECTORAL SERVICES OFFICE ON: 0118 974 6522/6523.

IN CASE THE ELECTORAL SERVICES OFFICE NEED TO CONTACT YOU DURING THE ELECTION PERIOD WOULD YOU PLEASE FILL IN THE FOLLOWING INFORMATION AND RETURN IT WITH YOUR NOMINATION PAPERS:-

CANDIDATE'S NAME	
DAYTIME PHONE NO.	
HOME PHONE NO.	
MOBILE NO.	
EMAIL	

OTHER CONTACT NAME (if applicable)	
DAYTIME PHONE NO.	
HOME PHONE NO.	
MOBILE NO.	
EMAIL	

[Return this form with your nomination papers]

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## Parish election

## Candidate checklist

This checklist is designed to assist candidates standing in a parish/ community council election in England or Wales in preparing to submit their nomination, and should be read alongside the Electoral Commission's [Guidance for candidates and agents](#).

Task	Tick
<b>Nomination paper (all candidates)</b>	
Add your full name – <b>surname</b> in the first box and <b>all other names</b> in the second	
Optional - Use the commonly used name(s) box(es) if you are commonly known by a name other than your full name and want it to be used instead of your full name	
Description – Party candidates can use a <b>party name or party description</b> shown on the Electoral Commission's website and supported by a certificate of authorisation from that party. Any candidate may use a <b>description that is not likely to lead electors to associate the candidate with a registered political party</b> or can use 'Independent' (and/or 'Annibynnal' in Wales) or <b>leave this blank</b> . Whatever you enter in this box will appear as your description on the ballot paper	
Add the full home address of the candidate	
Subscribers – both subscribers must sign and have their name printed. Use your copy of the electoral register to make sure the elector number of both subscribers is accurate	
Method of submitting the form to the RO: in person (but not limited to yourself), by hand	
<b>Candidate's consent (all candidates)</b>	
You must be a British, Commonwealth or other European Union Citizen and not require leave to enter or remain in the United Kingdom or have indefinite leave to remain. You must also be 18 years old or older on the date you sign this form.	
You must meet at least one of the listed qualifications (a, b, c or d). Complete in full the details for all the qualifications that you meet in the space provided within the relevant box(es).	
You must not sign the form if you are disqualified to stand. Make sure that you read the Electoral Commission guidance on standing for election as well as the legislation listed. If you are not sure if you are able to stand you should contact the Electoral Commission or, if necessary, take your own legal advice.	
Add your full date of birth	
Sign and date the document in the presence of another person	
Get the other person to complete and sign the witness section	
Method of submitting the form (which must include all pages of legislation) to the RO: in person (but not limited to yourself), by hand	
<b>Certificate of authorisation (party candidates only)</b>	
Ensure the certificate contains the candidate's full name	
Check the certificate allows the registered party name or description given on the nomination paper to be used (or allows the candidate to choose to use the party name or any registered description)	
Ensure it is issued by the party Nominating Officer (or someone that they have authorised to issue it on their behalf)	
Method of submitting the form to the RO: in person (but not limited to yourself) or by post	

<sup>1</sup> This is not to be used for mayoral or principal area elections. Separate [forms and guidance are available](#).

Request for party emblem (party candidates only)	
Write the name or description of an emblem registered by the party and published on the Electoral Commission's website	
Ensure the request is made by the candidate	
Method of submitting the form to the RO: in person (but not limited to yourself) or by post	

Office Use only	Date received	Time received	Initials	No.

<b>1a</b>	<b>Parish election</b>	<b>Nomination paper</b>
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*ELECTION OF PARISH /TOWN COUNCILLORS for the	
<b>1</b>	*[ward of the] <i>if applicable</i>
*parish of <small>*Delete whichever is inappropriate</small>	2 Charvil
Date of election:	Thursday, 5 May 2016

We, the undersigned, being local government electors for the said \*ward/parish/community do hereby nominate the under-mentioned person as a candidate at the said election.

Candidate's details	
Candidate's surname	Mr/Mrs/Miss/ Ms/Dr/Other
Other forenames in full	
Commonly used surname (if any)	
Commonly used forenames (if any)	
Description (if any) <small>use no more than six words</small>	
Home address in full	

	Signature	Print name	Electoral number	
			Polling district	Elector number
Proposer:				
Seconder				

<sup>1</sup> Insert name of parish or community ward (if any).

<sup>2</sup> Insert name of parish or community.



## Notes

1. The attention of candidates and electors is drawn to the rules for filling up nomination papers and other provisions relating to nomination papers contained in the election rules in the Local Elections (Parishes and Communities) Rules 2006.
2. Where a candidate is commonly known by some title they may be described by their title as if it were their surname.
3. Where a candidate commonly uses a name that is different from any other name they have, the commonly used name may also appear on the nomination paper, but if it does so, the commonly used name (instead of any other name) will appear on the ballot paper.
4. But the ballot paper will show the other name if the returning officer thinks that the use of the commonly used name may
  - (a) be likely to mislead or confuse electors, or
  - (b) that the commonly used name is obscene or offensive.
5. An elector may not –
  - (a) subscribe more nomination papers than there are vacancies to be filled in the electoral area in which the election is held; or
  - (b) subscribe a nomination paper for more than one ward in a parish or community divided into wards.
6. In this form 'elector' –
  - (a) means a person whose name is registered in the register of local government electors for the electoral area in question on the last day for the publication of notice of election; and
  - (b) includes a person then shown in the register as below voting age if (but only if) it appears from the register that he will be of voting age on the day fixed for the poll.
7. However, a person who has an anonymous entry in the register of local government electors cannot nominate a candidate for election.

1b

**Parish election**

**Candidate's consent to nomination**

\*Delete whichever is inappropriate

Date of election:	Thursday, 5 May 2016		
I (name in full):			
of (home address in full):			
hereby consent to my nomination as a candidate for election as councillor for the:			* ward [if applicable]
of the *parish/community of:	Charvil		

I declare that on the day of my nomination I am qualified and that, if there is a poll on the day of election, I will be qualified to be so elected by virtue of being on that day or those days a qualifying Commonwealth citizen, a citizen of the Republic of Ireland or a citizen of another Member State of the European Union who has attained the age of 18 years and that:

*a. I am registered as a local government elector for the area of the *parish/community named above in respect of ( <i>qualifying address in full</i> ):	or
and my electoral number ( <i>see Note below</i> ) is:	
*b. I have during the whole of the 12 months preceding that day or those days occupied as owner or tenant the following land or other premises in the *parish/community ( <i>description and address of land or premises</i> ):	or
*c. my principal or only place of work during those 12 months has been in that *parish/community at ( <i>give address of place of work and, where appropriate, name of employer</i> ):	or
*d. I have during the whole of the last 12 months resided in that *parish/community or within 4.8 kilometres of it at ( <i>give address in full</i> ):	or

\* For a nomination in England: I declare that to the best of my knowledge and belief I am not disqualified for being elected by reason of any disqualification set out in, or decision made under, section 80 of the Local Government Act 1972, section 78A of the Local Government Act 2000 or section 34 of the Localism Act 2011 (copies of which are printed overleaf).

\*For a nomination in Wales: I declare that to the best of my knowledge and belief I am not disqualified for being elected by reason of any disqualification set out in, or decision made under, section 80 of the Local Government Act 1972 or section 78A or 79 of the Local Government Act 2000 (copies of which are printed overleaf).

Candidate's date of birth:	Candidate's signature:	Date:

Witness: I confirm the above-mentioned candidate signed the declaration in my presence.

Witness (name in full):	
of (address in full):	
Witness's signature:	

**Notes:** A person's electoral number is their number in the register to be used at the election (including the distinctive letters of the polling district in which they are registered). **A candidate who is qualified by more than one qualification may complete all of those that may apply.**

## Local Government Act 1972

### 80. Disqualifications for election and holding office as member of local authority.

(1) Subject to the provisions of section 81 below, a person shall be disqualified for being elected or being a member of a local authority if he –

- (a) holds any paid office or employment (other than the office of chairman, vice-chairman, deputy chairman, presiding member or deputy presiding member or, in the case of a local authority which are operating executive arrangements which involve a leader and cabinet executive, the office of executive leader or member of the executive) appointments or elections to which are or may be made or confirmed by the local authority or any committee or sub-committee of the authority or by a joint committee or National Park authority on which the authority are represented or by any person holding any such office or employment; or
- (b) is the subject of a bankruptcy restrictions order or an interim bankruptcy restrictions order, or a debt relief restrictions order under Schedule 4ZB of the Insolvency Act 1986; or
- (c) [This has been removed and no longer applies]
- (d) has within five years before the day of election or since his election been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and has had passed on him a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine; or
- (e) is disqualified for being elected or for being a member of that authority under Part III of the Representation of the People Act 1983.

(2) Subject to the provisions of section 81 below, a paid officer of a local authority who is employed under the direction of –

- (a) a committee or sub-committee of the authority any member of which is appointed on the nomination of some other local authority; or
- (b) a joint board, joint authority, economic prosperity board, combined authority, joint waste authority or joint committee on which the authority are represented and any member of which is so appointed;

shall be disqualified for being elected or being a member of that other local authority.

(2AA) A paid member of staff of the Greater London Authority who is employed under the direction of a joint committee the membership of which includes –

- (a) one or more persons appointed on the nomination of the Authority acting by the Mayor, and
- (b) one or more members of one or more London borough councils appointed to the committee on the nomination of those councils,

shall be disqualified for being elected or being a member of any of those London borough councils.

(2A) Subsection (2) above shall have effect as if the reference to a joint board included a reference to a National Park authority.

(2B) For the purposes of this section a local authority shall be treated as represented on a National Park authority if it is entitled to make any appointment

of a local authority member of the National Park authority.

(3) Subsection (1)(a) shall have effect in relation to a teacher in a school maintained by the local authority who does not hold an employment falling within that provision as it has effect in relation to a teacher in such a school who holds such an employment.

(5) For the purposes of subsection (1)(d) above, the ordinary date on which the period allowed for making an appeal or application with respect to the conviction expires or, if such an appeal or application is made, the date on which the appeal or application is finally disposed of or abandoned or fails by reason of the non-prosecution thereof shall be deemed to be the date of the conviction.

#### **81. Exception to provisions of section 80**

(4) Section 80(2) and (3) above shall not operate so to disqualify –

- (a) any person by reason of his being a teacher, or otherwise employed, in a school or other educational institution maintained or assisted by a county council for being a member of a district council by reason that the district council nominates members of the education committee of the county council

### **Local Government Act 2000**

Persons disqualified by eligible tribunals. The following is the legislation that describes how persons disqualified by certain tribunals are disqualified from standing in local government elections.

#### **78A. Decisions of First-tier Tribunal**

[(1) Deleted.]

(2) Where the First-tier Tribunal adjudicates on any matter under this Act, it must decide whether or not any person to which that matter relates has failed to comply with the code of conduct of the relevant authority concerned.

(3) Where the tribunal decides that a person has not failed to comply with the code of conduct of the relevant authority concerned, it must give notice to that effect to the standards committee of the relevant authority concerned.

(4) Where the tribunal decides that a person has failed to comply with the code of conduct of the relevant authority concerned, it may—

- (a) take in respect of him any action authorised by regulations made by the Secretary of State for the purposes of this subsection, or
- (b) decide to take no action against him.

(5) Regulations made under subsection (4) may in particular—

- (a) enable the tribunal to censure the person,
- (b) enable it to suspend, or partially suspend, the person from being a member or co-opted member of the relevant authority concerned for a limited period,

(c) enable it to disqualify the person, for a period not exceeding five years, for being or becoming (whether by election or otherwise) a member of that or any other relevant authority.

(6) The reference in subsection (5)(b) to the relevant authority concerned is to be read, in relation to a person who is no longer a member or co-opted member of the relevant authority concerned but is a member or co-opted member of another relevant authority in England, as a reference to that other relevant authority.

(7) Regulations made by the Secretary of State may require the First-tier Tribunal to give a notice to the standards committee of the relevant authority concerned where it decides that a person has failed to comply with the code of conduct of that authority and—

- (a) decides to suspend or partially suspend the person,
- (b) decides to disqualify the person,
- (c) decides to take action against the person other than suspension, partial suspension or disqualification, or
- (d) decides to take no action against him.

(8) Regulations under subsection (7) may—

- (a) prescribe the content of any notice,
- (b) provide for the effect that any notice is to have,

(c) provide for provisions of the regulations to have effect with prescribed modifications where the person concerned is no longer a member or co-opted member of the relevant authority concerned, but is a member or co-opted member of another relevant authority in England

## **79.— Decisions of case tribunals: Wales**

Section 79 only applies to candidates standing in Wales

(A1) In this section “Welsh case tribunal” means a case tribunal drawn from the Adjudication Panel for Wales.

(1) A Welsh case tribunal which adjudicates on any matter must decide whether or not any person to which that matter relates has failed to comply with the code of conduct of the relevant authority concerned.

(2) Where a Welsh case tribunal decides that a person has not failed to comply with the code of conduct of the relevant authority concerned, it must give notice to that effect to the standards committee of the relevant authority concerned.

(3) Where a Welsh case tribunal decides that a person has failed to comply with the code of conduct of the relevant authority concerned, it must decide whether the nature of the failure is such that the person should be suspended or disqualified in accordance with subsection (4).

(4) A person may be—

- (a) suspended or partially suspended from being a member or co-opted member of the relevant authority concerned, or

- (b) disqualified for being, or becoming (whether by election or otherwise), a member of that or any other relevant authority.
- (5) Where a Welsh case tribunal makes such a decision as is mentioned in subsection (4)(a), it must decide the period for which the person should be suspended or partially suspended (which must not exceed one year or, if shorter, the remainder of the person's term of office).
- (6) Where a Welsh case tribunal makes such a decision as is mentioned in subsection (4)(b), it must decide the period for which the person should be disqualified (which must not exceed five years).
- (7) Where a Welsh case tribunal decides that a person has failed to comply with the code of conduct of the relevant authority concerned but should not be suspended or disqualified as mentioned in subsection (4), it must give notice to the standards committee of the relevant authority concerned—
  - (a) stating that the person has failed to comply with that code of conduct, and
  - (b) specifying the details of that failure.
- (8) Where a Welsh case tribunal decides that a person has failed to comply with the code of conduct of the relevant authority concerned and should be suspended or partially suspended as mentioned in subsection (4)(a), it must give notice to the standards committee of the relevant authority concerned—
  - (a) stating that the person has failed to comply with that code of conduct,
  - (b) specifying the details of that failure, and
  - (c) stating that the person is suspended or partially suspended for the period, and in the way, which the tribunal has decided.
- (9) The effect of a notice given to the standards committee of a relevant authority under subsection (8) is to suspend or partially suspend the person concerned as mentioned in subsection (8)(c).
- (10) Where a Welsh case tribunal decides that a person has failed to comply with the code of conduct of the relevant authority concerned and should be disqualified as mentioned in subsection (4)(b), it must give notice to the standards committee of the relevant authority concerned—
  - (a) stating that the person has failed to comply with that code of conduct,
  - (b) specifying the details of that failure, and
  - (c) stating that the person is disqualified for being, or becoming (whether by election or otherwise), a member of that or any other relevant authority for the period which the tribunal has decided.
- (11) The effect of a notice given to the standards committee of a relevant authority under subsection (10) is to disqualify the person concerned as mentioned in subsection (10)(c).
- (12) A copy of any notice under this section—
  - (a) must be given to the Public Services Ombudsman for Wales,
  - (b) must be given to any person who is the subject of the decision to which the notice relates, and
  - (c) must be published in one or more newspapers circulating in the area of the relevant authority concerned.

(13) Where the person concerned is no longer a member or co-opted member of the relevant authority concerned but is a member or co-opted member of another relevant authority—

- (a) a copy of any notice under subsection (2), (7) or (10) must also be given to the standards committee of that other relevant authority,
- (b) the reference in subsection (4)(a) to the relevant authority concerned is to be treated as a reference to that other relevant authority,
- (c) the duty to give notice to the standards committee of the relevant authority concerned under subsection (8) is to be treated as a duty—
  - (i) to give that notice to the standards committee of that other relevant authority, and
  - (ii) to give a copy of that notice to the standards committee of the relevant authority concerned,

(d) the reference in subsection (12)(c) to the relevant authority concerned is to be treated as including a reference to that other relevant authority.

(14) A Welsh case tribunal must take reasonable steps to inform any person who made any allegation which gave rise to the adjudication of the decision of the Welsh case tribunal under this section.

(15) Where a Welsh case tribunal decides under this section that a person has failed to comply with the code of conduct of the relevant authority concerned, that person may appeal to the High Court against that decision, or any other decision under this section which relates to him.

(16) An appeal may not be brought under subsection (15) except with the leave of the High Court.

## Localism Act 2011

The Localism Act only applies to candidates standing in England

*Section 34(4) describes how a person may be disqualified from standing in local government elections under this section. The remaining provisions of section 34 do not directly affect a person's entitlement to stand for election*

### 34 Offences

(1) A person commits an offence if, without reasonable excuse, the person—

- (a) fails to comply with an obligation imposed on the person by section 30(1) or 31(2), (3) or (7),
- (b) participates in any discussion or vote in contravention of section 31(4), or
- (c) takes any steps in contravention of section 31(8).

(2) A person commits an offence if under section 30(1) or 31(2), (3) or (7) the person provides information that is false or misleading and the person—

- (a) knows that the information is false or misleading, or
- (b) is reckless as to whether the information is true and not misleading.

(3) A person who is guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(4) A court dealing with a person for an offence under this section may (in addition to any other power exercisable in the person's case) by order disqualify the person, for a period not exceeding five years, for being or becoming (by election or otherwise) a member or co-opted member of the relevant authority in question or any other relevant authority.

(5) A prosecution for an offence under this section is not to be instituted except by or on behalf of the Director of Public Prosecutions.

(6) Proceedings for an offence under this section may be brought within a period of 12 months beginning with the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings came to the prosecutor's knowledge.

(7) But no such proceedings may be brought more than three years—

(a) after the commission of the offence, or

(b) in the case of a continuous contravention, after the last date on which the offence was committed.

(8) A certificate signed by the prosecutor and stating the date on which such evidence came to the prosecutor's knowledge is conclusive evidence of that fact; and a certificate to that effect and purporting to be so signed is to be treated as being so signed unless the contrary is proved.

(9) The Local Government Act 1972 is amended as follows.

(10) In section 86(1)(b) (authority to declare vacancy where member becomes disqualified otherwise than in certain cases) after “ 2000 ” insert “ or section 34 of the Localism Act 2011 ”.

(11) In section 87(1)(ee) (date of casual vacancies)—

(a) after “2000” insert “ or section 34 of the Localism Act 2011 or ”, and

(b) after “decision” insert “ or order ”.

(12) The Greater London Authority Act 1999 is amended as follows.

(13) In each of sections 7(b) and 14(b) (Authority to declare vacancy where Assembly member or Mayor becomes disqualified otherwise than in certain cases) after sub-paragraph (i) insert—

“(ia) under section 34 of the Localism Act 2011,”.

(14) In section 9(1)(f) (date of casual vacancies)—

(a) before “or by virtue of” insert “ or section 34 of the Localism Act 2011 ”, and

(b) after “that Act” insert “ of 1998 or that section ”.

Office Use only	Date received	Time received	Initials	No.

2

**Parish election****Certificate of authorisation**

To accompany the nomination of a candidate standing on behalf of a registered political party. (Note: candidates standing on behalf of two or more parties require a certificate from each party and each must allow the same registered joint description to be used).

This certificate must be issued by the registered Nominating Officer of the party or by a person authorised to sign on their behalf.

This certificate authorises the candidate to use a specific registered description or the name of the party as registered with the Electoral Commission, or to use 'any registered description or the party name as registered with the Electoral Commission'.

This authorised party name or description can then be included by the candidate on the nomination form. It is this which will appear as their description on the ballot paper. Party names and registered descriptions are listed on the Electoral Commission's website ([www.electoralcommission.org.uk](http://www.electoralcommission.org.uk)).

Details of candidate to be authorised and the allowed description/party name			
[Ward]/parish/community name:	<b>Parish of Charvil</b>	Date of election:	Thursday, 5 May 2016
The candidate (name in full):			
Name of political party:	Political party registered with the Electoral Commission		
I hereby certify that the candidate may include the following registered description or party name in their nomination form:			
Note: It is an offence to make a false declaration.			
Signature of party's registered Nominating Officer (or person authorised by the registered Nominating Officer):			
Name of person signing this form:			
Date:			

This form must be delivered to the Returning Officer by no later than 4pm on the last day to deliver nominations.

Office Use only	Date received	Time received	Initials	No.

3

**Parish election**

**Request for a party emblem**

This form is for a candidate of a political party who is subject to a certificate of authorisation and who wishes to have a party emblem printed on the ballot paper next to their name.

**This form must be signed by the candidate.**

Candidate's request for use of an emblem			
[Ward]/parish/community name:	<b>Parish of Charvil</b>	Date of election:	Thursday, 5 May 2016
Candidate name in full:			
I request that the ballot paper shall contain, against my name, the following registered emblem (please identify which emblem if the party has registered more than one)			
Emblem to be used (Please use name or description as on Electoral Commission website):			
Candidate's Signature:			
Date:			

This form is only effective if delivered for a candidate standing on behalf of a political party to the Returning Officer by no later than 4pm on the last day to deliver nominations.

Candidates standing on behalf of more than one political party and using a joint description may choose one emblem from one of the parties that you are standing for. Please indicate the name of the party and the emblem name in the 'Emblem to be used' box above.

# Declaration by candidate as to election expenses

## Parish Elections

To be completed by candidate to accompany the return of election expenses

**Electoral Area** Parish of Charvil

**Date of Election** Thursday, 5 May 2016

**Full name of candidate** \_\_\_\_\_

### Declaration by candidate

I declare as follows:

1. The amount paid by me or on my behalf for my election expenses at the above election was £ \_\_\_\_\_
2. To the best of my knowledge and belief no other election expenses have been paid or incurred by me or by any other person or organisation in connection with my candidature.
3. To the best of my knowledge and belief the accompanying return of election expenses is complete and correct as required by law.
4. I understand that the law does not allow any election expenses not mentioned in the return to be defrayed except in pursuance of a court order.

**Signature of candidate** \_\_\_\_\_

**Date** \_\_\_\_\_

# Return of Election Expenses

To be completed by the candidate and returned within 28 days after the day of the election

Electoral Area	Parish of Charvil
Date of Election	Thursday 5 May 2016
Name of Candidate	_____
1.	I am the person named above as Candidate in this election.
2.	I hereby make the following return of my election expenses.
<b>Signature of Candidate</b>	_____ <b>Date</b> _____

## Part one: Summary of expenses

Category	Amount	
	£	pp
A. Candidate's personal expenses (i.e. travel and subsistence)		
B. Paid to individuals for services rendered (sub-agents, clerks, messengers, etc)		
C. Paid for election offices:		
C1. Hire of rooms		
C2. Office costs (use of computers, etc)		
D. Paid for public meetings:		
D1. Hire of rooms		
D2. Paid to public speakers		
E. Paid for materials to electors:		
E1. Design and printing costs		
E2. Distribution costs (e.g. postage)		
F. Paid for advertising:		
F1. Posters/banners/billboards		
F2. Publicity materials (e.g. loudspeakers, rosettes)		
G. Paid for stationery costs		
H. Paid for communication costs (phone, fax, internet, etc)		
I. Miscellaneous Items		

Total notional expenditure		
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Total unpaid claims		
---------------------	--	--

Total election expenses		
-------------------------	--	--



## B. Unpaid claims

In addition to the payments listed above, I am aware of the following unpaid claims:

Item/Service	Date invoice received	Action taken or to be taken	Amount	
			£	pp
<b>Total unpaid claims</b>				

## C. Declaration of value of notional expenditure over £50

Please note: You may have few, if any, payments to report under this section. If you are unsure as to the type of expenditure that should be recorded in this section please refer to the accompanying guidance notes

I hereby declare that the following individual amount(s) of expenditure incurred under s.90C of the RPA'83 and listed below at Part 2C of this return represents the full and true value as calculated in accordance with that section.

Signed ..... Date .....

Item	Date(s) or Period Expenditure Incurred	Commercial Cost of Item	Actual Cost Paid	Value of Notional Expenditure
<b>Total notional expenditure</b>				

# Candidate's Election Expenses Return

## Parish Elections

Thursday 5 May 2016

### Submission of election expenses return and declaration

All candidates contesting parish and community level elections are subject to controls on their election expenses<sup>2</sup> and are required to submit a return of election expenses to the proper officer of the authority within **28 days** after the day of the election. This return must be accompanied by a declaration by the candidate as to their election expenses.

### General guidance

The following notes provide general guidance on election expenses. Guidance on completing an election expenses return can be found on pages 4-5.

#### **Date a person becomes a candidate**

For the purposes of the law relating to local authority elections, a candidate is a person having been nominated, or having been declared by himself or by others to be a candidate at an election.

A person will become a candidate either:

- on the last day for publication of the notice of election if they have been declared<sup>3</sup> to be a candidate on or before that date;
- or otherwise, on the date on which they are declared to be a candidate (i.e. the person has not been declared as a candidate before the last day for notice of the election).

The date on which a person becomes a candidate is important for the accurate calculation of incurred expenditure as discussed below.

#### **Meaning of election expenses**

Election expenses are any expenses incurred on goods, services, property, or facilities used for the purpose of a candidate's election after the date on which that person becomes a candidate (see above). Included within this definition are expenses incurred in relation to the prejudicing of another candidate's electoral prospects.

Therefore in considering whether something should be defined as an election expense one should firstly consider the date **when** the person became a candidate for election, and secondly whether the expenditure was incurred in respect of property, goods, facilities or services that were used for the purposes of the candidate's election **after** that date.

For example if a person were to order and print leaflets in relation to their election campaign prior to becoming a candidate then distribute them in the week after they became a candidate then they would be an election expense, and must count toward his election expenses limit (and be included in his election expenses return). If however the leaflets had been distributed in the month before the person had become a candidate they would not then constitute an election expense.

#### *Common types of expenditure*

Election expenses are often incurred on items such as payments to individuals for services rendered during the election (e.g. campaign/office staff); expenses relating to election offices and campaign costs (e.g. room hire and use of computers); the printing and distribution of election materials for electors; advertising and publicity; expenses incurred in relation to various types of communications (e.g. telephone, fax, internet); and other miscellaneous items.

Please note that the following items are excluded from the above definition of election expenditure and therefore do not constitute election expenses:

<sup>2</sup> Schedule 4 of the Representation of the People Act 1983

<sup>3</sup> Being declared as a candidate means by yourself or by others

- the publication of anything (other than an advertisement) in a newspaper or periodical, a broadcast by the BBC or SPC, or a programme included in any service by a licensed independent TV or radio operator;
- the provision of facilities provided in connection with rights conferred on the candidate under the RPA (e.g. the use of school rooms for meetings), excluding costs such as those incurred in preparing or restoring the room, or repairing any damage caused;
- the provision by an individual of his own services which he provides voluntarily in his own time and free of charge.

### *Notional expenditure*

Notional expenditure is incurred when any goods, services, property or facilities are transferred or provided to the candidate or any of his agents for free, or at a discount of more than 10% of ordinary commercial value, for the purpose of the candidate's election.

#### **Examples:**

1. Leaflets that would normally cost £200 to print are provided at a 30% discount; as such the candidate incurs £140 actual expenditure (as would be recorded in Part 2A of the return) and £60 notional expenditure
2. A candidate receives free stationary supplies from a firm. The commercial value of these supplies is £100. In this instance the candidate's actual expenditure is nil, and his notional expenditure is £100.

The value of notional expenditure is therefore the difference between the normal commercial cost of an item and the amount the candidate actually paid for the item.

### *Estimations of value*

In a number of instances expenditure will be incurred on items or services that were originally bought for purposes other than the election but which are subsequently used for that purpose. An example of this could be the use of a printer ink cartridge that was originally bought when a printer was being used for private or business purposes but then came to be used to print large quantities of material for a candidate's election. In such cases an estimation must be made as to the proportion of expenditure incurred on that item used in promotion of the candidate's election, and this estimated value must be included within a candidate's return as election expenditure.

Unfortunately there is no specific formula applicable to all instances where a calculation needs to be made, and it should be noted that it is a reasonable estimate rather than an exact calculation that is required. In the case of the proportion of value of an ink cartridge, factors such as the original purchase price of the cartridge, how long the cartridge lasted for, and the amount of material the cartridge was used to produce for the purposes of the election compared to for other purposes, should be considered in making your estimation.

### *Items used at previous elections*

Where items, such as rosettes, are bought and used for the purpose of a candidate's election and then reused by, or on behalf of, the same candidate at future elections, the total cost of the item should be reported within the candidate's election expenses return for the election at which the item/s were first used. As the full value of the item has been accounted for and declared within that return it does not need to be included in any future election expenses returns.

It is advisable to retain any relevant receipts or invoices along with a copy of the election expenses return on which the incurred expenditure has been declared, in case any proof of declaration is needed in the future.

### **Limits on expenditure**

A candidate at a parish or community election is allowed to incur expenditure up to a limit of £242 plus 4.7p for every entry in the register of electors on the last date for publication of notice of an election (you are advised to obtain written confirmation of this figure).

#### **Example:**

No. of electorate on register at date of notice of election: 2371  
 Calculation of maximum expenses limit:  $242 + (2371 \times 0.047)$   
 Maximum expenses limit for a candidate: £353.44

### *Limits for joint candidates*

Maximum limits for expenditure are reduced in the case of joint candidates. Where there are two joint candidates the limit for each candidate is reduced by a quarter, and where there are three or more joint candidates the limit for each is reduced by a third. Candidates are to be considered joint candidates when they employ or use the services of the same clerks or messengers<sup>4</sup>, hire or use the same committee rooms at an election, or publish joint addresses, circulars or notices at elections.

**Example:**

No. of electorate on register at date of notice of election: 2371

Calculation of maximum expenses limit:  $242 + (2371 \times 0.047)$

Maximum expenses limit for a candidate: £353.44

**Expenses limit for joint candidates:**

- 2 candidates (25% reduction): £265.08 per candidate

- 3 candidates (33.3% reduction): £235.63 per candidate

### **Time for sending in and paying claims**

Any claim against any person in respect of election expenses incurred by or on behalf of a candidate that is not sent in to the candidate within **14 days** of the day after the election must not be paid. Further, all election expenses must be paid within **21 days** of the day after the election; otherwise they must not be paid.

On application by either a creditor or a candidate a court order may be granted allowing any claim sent in and any payment made to be paid after the time limits detailed above.

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<sup>4</sup> This does not include the accidental, casual or trivial use of the same clerks or messengers.

## Completion of the return and declaration

### Declaration

- A candidate's election expenses return must be accompanied by a declaration as to election expenses.
- This declaration should be submitted in the format prescribed under the Local Election (Parish & Communities) Rules 1986, or a form to like effect<sup>5</sup>.

### Election expenses return

#### *Part One: Summary of expenses*

- Here you should provide a summary of all expenditure incurred by the candidate or any of the candidate's agents in order to provide the **total figure for the candidate's election expenditure**.
- Against each expenditure heading (A to I) a sub-total of all payments made relating to that type of expenditure should be entered. (Do not include notional expenditure or unpaid claims within these sub-totals)

If no expenditure has been incurred under that category of expenditure please enter nil in the appropriate box.

Do not enter any totals in the shaded boxes.

Under Part 2 Section A below each sub-total should then be supported by a breakdown of all payments and their particulars.

- The total value of unpaid claims (as reported in Part 2b) and notional expenditure (as reported in Part 2c) should be entered in the appropriate boxes.
- The total amount of election expenditure should then be provided in the appropriate box.

#### *Part Two: Payments*

##### **A. Election expenses**

- This section should provide a breakdown of all payments making up the subtotals entered under categories A to I of part one of the return.
- For each payment details should be provided in regard to:
  - the item of expenditure,
  - the amount of expenditure,
  - the name and address of the supplier,
  - the date of the invoice, and the date the invoice was paid.
- For all payments of £10 or more an accompanying invoice or receipt must be submitted.

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<sup>5</sup> A form of return is provided for use by The Electoral Commission and can be found at [www.electoralcommission.org.uk](http://www.electoralcommission.org.uk)

**Example:**

In part one of the return under the expenditure category E1 (Design and Printing Costs) a total of £156.50 is recorded. Under expenditure category G (Stationery Costs) £4.45 is recorded. Details of the payments making up these sub-totals would then be provided under Part 2a and copies of the relevant invoices would be also be provided:

Item and Supplier Details (including the category of expenditure the item falls under (A-I))	Date		Amount	Invoice no. (if attached)
	Invoice Received	Invoice Paid		
E1. Printing of A4 leaflets ABC Print Ltd, 10 High Street, Anytown	30/04/03	13/05/03	£89.00	1
E1. Printing of A5 leaflets Fisher Printing, 25 The Avenue, Big Town	10/05/03	13/05/03	£67.50	2
G. Envelopes Smiths Stationery, 13 North Road, Midtown	13/04/03	13/04/03	£4.45	N/A

**B. Unpaid claims**

Under this section details of any unpaid claims should be supplied. For each claim details should be provided of:

- the item,
- the date the invoice was received,
- the amount,
- the action taken or to be taken in regard of the claim.

**Example:**

The candidate received a claim for payment in regard of costs incurred on paper for printing leaflets after the 14-day deadline. The candidate intends to apply for a court order granting leave to pay the claim. This would be reported under Part 2b as follows:

Item: Printer paper

Date invoice received: 20/05/03

Amount: £12.50

Action taken or to be taken: Candidate applying for court order to pay claim.

**C. Declaration of value on notional expenditure over £50**

In this section details of all items of notional expenditure **over £50** should be declared. Notional sums under £50 do not need to be included on the return and do not count toward a candidate's election expenses limit.

For every item of notional expenditure incurred details should be provided of:

- The item or service provided,
- The normal commercial cost of the item/service,
- The actual cost paid by the candidate or any of his agents (as recorded under Part 2a of the return),
- The value of notional expenditure,
- The period in which the expenditure was incurred.

**Example:**

A candidate purchased stationery products for the purposes of their election at a discount of 50%. The expenditure would be reported under Part 2C of the return as follows:

Item: Stationery products

Commercial cost of item: £120

Actual cost paid by candidate: £60

Value of notional expenditure: £60

Date(s) or Period in which expenditure incurred: 23/04/03

If you have any further queries or concerns relating to candidate's election expenses, additional guidance may be obtained from:

The Registrations and Compliance Directorate

The Electoral Commission

Trevelyan House

30 Great Peter Street

London, SW1P 2HW

Tel: 020 7271 0500

Email: [r&c@electoralcommission.org.uk](mailto:r&c@electoralcommission.org.uk)

Website: [www.electoralcommission.org.uk](http://www.electoralcommission.org.uk)