

Standing at a UK Parliamentary general election in Great Britain

August 2009

This factsheet provides basic information on standing as a candidate at the next UK Parliamentary general election in Great Britain.

If you are thinking of standing, you need to be clear about the qualifications and disqualifications that apply, and understand the process for becoming a validly nominated candidate.

This brief guide aims to provide an overview of the process only. It may be used as an introduction to our full guide on standing at a UK Parliamentary general election, but should not be used as a replacement.

What qualifications must I meet?

You must be at least 18 years old and be either:

- a British citizen
- a citizen of the Republic of Ireland, or
- a citizen of a Commonwealth country who does not require leave to enter or remain in the UK, or who has indefinite leave to remain in the UK.

Who is disqualified?

Certain people are disqualified from becoming a Member of the UK Parliament. For example:

- members of the police forces
- members of the armed forces
- judges
- certain convicted prisoners
- people who are the subject of a bankruptcy restrictions order in England or Wales or a debt relief restrictions order
- people who have been adjudged bankrupt in Northern Ireland
- people who have had their estate sequestrated in Scotland.

This is not a complete list of disqualifications and the full range of

disqualifications is complex. You should consult the relevant legislation¹ to ensure that none of the relevant disqualifications apply to you, and **if in doubt, seek your own legal advice.**

When can I become a candidate?

It is important to know when you become a candidate, as this will have an impact on your spending limits and it entitles you to a free copy of the electoral register.

You can become a candidate from the moment Parliament is dissolved.

At that point, you are considered to be a candidate if you, or others, have declared yourself to be one.

After that, you are considered to be a candidate when you or others declare yourself to be a candidate, or when you are validly nominated as one.

However, for your name to appear on a ballot paper you must become a 'validly nominated' candidate.

How do I become a 'validly nominated' candidate?

To become validly nominated you must submit a completed set of nomination forms together with a deposit of £500 to the (Acting) Returning Officer before the close of nominations. The (Acting) Returning Officer is the person responsible for

¹ House of Commons Disqualification Act 1975.

the administration of the election in your constituency. Your local Commission office will be able to tell you how to contact them. Phone numbers and email addresses can be found at the end of this factsheet.

Deadlines for becoming validly nominated are fixed and cannot be moved for any reason. They will be stated in a notice published by the (Acting) Returning Officer called the Notice of Election.

Forms you must submit

You must complete and submit the following forms by 4pm on the deadline day:

- a nomination paper
- a home address form²
- your consent to nomination
- authorisation to use a party description and an emblem request form (if standing on behalf of a registered party)

These and other relevant forms can be obtained from your (Acting) Returning Officer. They will also be available from the Commission's website at www.electoralcommission.org.uk.

How to complete your forms

Nomination paper

Your nomination paper will need to contain your name and must be signed by ten electors from the constituency, known as subscribers.

² This is a new form introduced by the Political Parties and Elections Act 2009, but still needs a commencement Order before it can be used. We expect commencement to happen before the next UK Parliamentary general election.

Once you become a candidate, you will be entitled to a free copy of the electoral register. The register will enable you to check that your subscribers are registered electors in the constituency. The Electoral Registration Officer(s) for your constituency will supply you with a copy on request. Contact details can be obtained from your (Acting) Returning Officer or from www.aboutmyvote.co.uk.

Descriptions and emblems

The nomination paper allows candidates to enter a description. This description will appear under your details on the ballot paper.

You may use the word 'Independent' (and/or 'Annibynol' in a constituency in Wales) or you may choose not to use a description at all and leave that part of the nomination paper and the ballot paper blank.

If you are representing a registered political party, you may use a description, but this can only be either one of the descriptions registered with the Commission or the registered name of the party. You must supply a certificate of authorisation signed by your party's Nominating Officer (or a person appointed by them to act on their behalf).

If you are standing on behalf of a party and wish to have the registered party emblem printed on the ballot paper next to your name, you must also sign and submit an emblem request form before the close of nominations.

Home address form

Your home address form must state your home address in full. If you do not want your address to be made public and to appear on the ballot paper, you must state the constituency in which your home address is situated.

Consent to nomination

You will also have to complete your consent to nomination. On this form you will be asked to give your date of birth and declare that you are both qualified and not disqualified from being elected. You will also need a witness to attest the form.

You should be aware that it is a serious offence to include false information on any of your nomination forms. Anyone found guilty of such an offence may be sentenced to imprisonment for up to a year, or face an unlimited fine, or both. The election may also be invalidated as a result.

Delivering your forms

You should check the arrangements for the delivery of nomination papers with the (Acting) Returning Officer.

Nomination papers can only be delivered between 10am and 4pm on the days stated on the Notice of Election.

The sooner you submit nomination papers, the better. This will give you time to submit a new set of forms if you have made a mistake that has invalidated your nomination.

Nomination forms can only be delivered in person and by certain people:

- yourself
- your agent

- one of the first two subscribers shown on your nomination paper, who are also known as the proposer and seconder.

Deposit

By the close of nominations you must also have deposited £500 with the (Acting) Returning Officer for your nomination to be valid.

Always check payment arrangements well in advance with your (Acting) Returning Officer.

The deposit will be returned to you if you gain more than 5% of the total valid votes cast in your constituency.

What else do I need to know?

Agents

Election agents

Every candidate must have an election agent – although you can act as your own agent if you wish.

The election agent is the person responsible in law for the proper management of your election campaign. In particular, the election agent is responsible for all the financial aspects of your election. An election could be brought into question if your agent does not perform their duties promptly and correctly.

Polling agents and count agents

You can also appoint people to observe proceedings on your behalf on polling day in polling stations and at the count, although there is no obligation to appoint any such people.

Freepost

As a validly nominated candidate you will be entitled to free postage for one election communication to electors in your constituency.

You should contact a universal service provider such as Royal Mail to make arrangements.

Royal Mail guidance on candidate mailings can be found on their website at www.royalmail.com/portal/rm/content1?catId=400109&mediaId=17900202.

Use of rooms for public meetings

As a candidate you will be entitled to use certain rooms free of charge to hold public meetings. Such meetings can be held between the day the (Acting) Returning Officer receives the legal document that requires them to hold an election (known as 'the writ') and the day before polling day.

Contact your (Acting) Returning Officer for more information.

Campaign publicity materials

Campaign publicity material is subject to a number of restrictions under electoral law, and is also subject to the general civil and criminal law relating to published material. For example, no campaign publicity material may resemble a poll card or contain a false statement about the personal character or conduct of a candidate.

All election publicity must also carry an imprint with details of the full

name and full postal address of the printer and promoter of the material.

Further information and examples will be included in our more detailed guidance for candidates and agents, which will be available to download from our website at www.electoralcommission.org.uk/guidance/candidates-agents/candidates-and-agents.

Spending limits

As a candidate, you are subject to spending limits during the regulated period ahead of the election.

The regulated period runs from the date a person becomes a candidate until the date of the poll. After the election, you will need to file an election expenses return with your (Acting) Returning Officer.

However, if the current UK Parliament is dissolved on or after 1 January 2010 then new rules will apply to your election expenses. A briefing note can be downloaded from our website at the address given below. Detailed guidance on election expenses will be published in September 2009.

Please note, money that you have spent on the election cannot be claimed back.

Further information on spending, as well as donation controls, can be found on our website at www.electoralcommission.org.uk/guidance/candidates-agents/candidates-and-agents

If you have any questions about spending at elections or would like more information, please contact us on 020 7271 0616 or pef@electoralcommission.org.uk.

Where can I get further advice on the nominations process?

We will be publishing a full guide on standing at a UK Parliamentary election, which you will be able to download from our website at www.electoralcommission.org.uk/guidance/candidates-agents/candidates-and-agents.

If you have any further questions, you should contact your (Acting) Returning Officer in the first instance. You can also contact the relevant English or devolved Commission office:

London

Tel: 020 7271 0689
london@electoralcommission.org.uk

Eastern and South East

Tel: 020 7271 0600
south@electoralcommission.org.uk

Midlands

Tel: 02476 820086
midlands@electoralcommission.org.uk

North of England

Tel: 01904 567990
north@electoralcommission.org.uk

South West

Tel: 01392 314617
southwest@electoralcommission.org.uk

Scotland

Tel: 0131 225 0200
infoscotland@electoralcommission.org.uk

Wales

Tel: 029 2034 6800
infowales@electoralcommission.org.uk