Nomination Pack
Bath & North East Somerset Council Elections

This nomination pack is for use by candidates who are standing at Bath & North East Somerset Council Election on Thursday 2 May 2019

Candidates must print off the forms in this pack and submit the original signed version of each completed paper. Documents without original signatures cannot be accepted.

Nomination papers must be delivered to the Returning Officer, Brunswick Room, Guildhall, High Street, Bath, BA1 5AW, from Tuesday 19 March 2019 to Wednesday 3 April 2019, between 10am and 4pm. **The deadline to submit nominations is 4pm on Wednesday 3 April 2019**.

The following forms must be delivered by hand:
1a Nomination paper
1b Home address form
1c Candidate's consent to nomination

The following forms can be delivered by hand or by post:
2 Certificate of authorisation
3 Request for a party emblem
4 Notification of election agent
5 Request for electoral register
6 Request for absent voters' list

General Data Protection Regulation (GDPR)
Data protection legislation applies to the processing of all personal data. Please contact the Information Commissioner's Office for further information about how the legislation affects you.
When collecting subscriber information, you should point out what the information will be used for, and how personal data will be processed and kept secure. The lawful basis to collect the information in these forms is that it is necessary for the performance of a task carried out in the public interest and exercise of official authority as set out in the Representation of the People Act 1983 and associated regulations.
You should also explain that the information will be shared with the Returning Officer. For further information on data protection and data processing you should refer to the Returning Officer's privacy notice on www.bathnes.gov.uk/council-privacy-notice.

CL	B&NES Council Election	Candidate checklist

This checklist is designed to assist candidates standing in a Bath & North East Somerset Council Election in preparing to submit their nomination, and should be read alongside the Electoral Commission Guidance (www.electoralcommission.org.uk).

Task	Tick
Nomination paper ALL CANDIDATES	
Add the name of the ward where you are standing.	
Add your full name: surname in the first box and all other names in the second.	
Optional: use the commonly used name(s) box(es) if you commonly use a name which is different from any other name you currently have. Your commonly used name will be printed on the ballot paper instead of your other name(s).	
Description: if you are standing on behalf of a political party you can use the party name or party description registered with the Electoral Commission and supported by a certificate of authorisation from that party. If you are standing as an independent candidate, you may leave this box blank, or you may use the word “Independent”. Whatever you enter in this box will appear as your description on the ballot paper and on the statement of persons nominated.	
Subscribers: all ten subscribers must sign the form and have their name printed. Their electoral number can be found on the electoral register. Please explain to your subscribers what the information will be used for and that the information will be shared with the Returning Officer.	
The nomination paper must be submitted to the Returning Officer in person (but not limited to yourself or your agent) by hand, and must be accompanied by the home address form. It cannot be submitted by post, fax, email or other electronic means.	
Home address form ALL CANDIDATES	
Add the name of the ward.	
Add your full names.	
Add your home address in full.	
Add your qualifying address, or qualifying addresses.	
Indicate which of the qualifications you’ve declared on your consent to nomination the address or addresses relate.	
Add the full names and home address in full of the person attesting your home address form (which must be the same person who signs your consent to nomination form).	
Optional: if you do not want to have your home address printed on the ballot paper, complete Part 2 of the form, giving the name of the relevant area or, where outside the UK, the country in which your home address is situated, and sign the form.	
The home address form must be submitted to the Returning Officer in person (but not limited to yourself or your agent) by hand, and must be accompanied by the nomination paper. It cannot be submitted by post, fax, email or other electronic means.	
Candidate’s consent to nomination ALL CANDIDATES	
You must be a British, Commonwealth or 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). Please delete on the form any of the qualifications which do not apply.	
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 qualified to stand you should contact the Electoral Commission or, if necessary, take your own independent legal advice.	
Add your date of birth.	
Sign and date the document in the presence of another person (who must be the same	

person as the attesting person on your home address form). You must not sign the consent to nomination form earlier than one calendar month before the deadline for submitting the nomination papers.		
The person witnessing your consent to nomination must sign the form and provide their name in full.		
The consent to nomination form (which must include all pages of legislation) must be submitted to the Returning Officer in person (but not limited to yourself or your agent) by hand. It cannot be submitted by post, fax, email or other electronic means.		
Certificate of authorisation	**PARTY CANDIDATES ONLY**	
Add the name of the ward.		
The certificate must contain the candidate's full names.		
Add the name of the political party as registered with the Electoral Commission.		
The certificate must allow the use of the registered party name or registered description given on the nomination paper (or allows the candidate to choose to use the party name or any registered description).		
The certificate of authorisation must be issued by the party Nominating Officer (or someone that they have authorised to issue it on their behalf). It must be the original document signed by that person.		
The certificate of authorisation form must be submitted to the Returning Officer either in person (but not limited to yourself or your agent) or by post. It cannot be submitted by fax, email or other electronic means.		
Request for party emblem	**PARTY CANDIDATES ONLY**	
Add the name of the ward.		
Add the name of the political party.		
Add the name or description of the party emblem registered by the party and published on the Electoral Commission's website.		
The request must be signed by the candidate and dated.		
The request for the party emblem form must be submitted to the Returning Officer either in person (but not limited to yourself or your agent) or by post. It cannot be submitted by fax, email or other electronic means.		
Notification of election agent	**ALL CANDIDATES**	
Add the name of the ward.		
Add your full names.		
Add the name, home address and office address of your election agent.		
Sign and date the form.		
The agent must also sign and date the form.		
Please provide your agent's contact details (which will be used for communications with the Returning Officer's staff).		
The notification of election agent form must be submitted to the Returning Officer either in person (but not limited to yourself or your agent) or by post. It cannot be submitted by fax, email or other electronic means.		

Office Use Only	Date delivered	Time delivered	Initials

1a	B&NES Council Election	Nomination paper

ELECTION OF COUNCILLORS for the	
Ward	*Insert name of ward*
District	Bath & North East Somerset Council
Date of election	Thursday 2 May 2019

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

Candidate's details	
Candidate's surname	
Other forenames in full	
Commonly used surname (if any)	
Commonly used forenames (if any)	
Description (if any) Use no more than six words (see note 5)	

Mr/Mrs/Miss/Ms/Dr/Other*

**Delete whichever is inappropriate*

	Signature	Print Name	Electoral Number	
			Polling District	Number
Proposer				
Seconder				
We, the undersigned, being local government electors for the said ward, do hereby assent to the foregoing nomination.				
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				

This form must be delivered by hand to the Returning Officer, Guildhall, Bath, no later than 4pm on Wednesday 3 April 2019.

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 elections rules in Schedule 2 to the Local Elections (Principal Areas) 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 which is different from any other name they currently 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. The description, if any, can only be

(a) one certified as an authorised or registered description as mentioned in Rule 5 of the election rules, or

(b) the word “Independent”

6. 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 electoral area in the same district.

7. 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.

8. However, a person who has an anonymous entry in the register of local government electors cannot nominate a candidate for election.

Office Use Only	Date delivered	Time delivered	Initials

1b	B&NES Council Election	Home address form

ELECTION OF COUNCILLORS for the	
Ward	*Insert name of ward*
District	Bath & North East Somerset Council
Date of election	Thursday 2 May 2019

You must complete Part 1.
Only complete Part 2 (overleaf) if you do not wish your home address to be made public.

Part 1	**To be completed by all candidates**			
Candidate's full names				
Candidate's home address in full				
Qualifying address or, qualifying addresses, if you declare on your consent to nomination that you meet more than one qualification.				
Which of the qualifications on your consent to nomination does your qualifying address(es) relate to? **Delete whichever is inappropriate*	(a)*	(b)*	(c)*	(d)*
Attesting person's full names[1]				
Attesting person's home address in full				

[1] The attesting person must be the same person who signs your consent to nomination as a witness.

This form must be delivered by hand to the Returning Officer, Guildhall, Bath, no later than 4pm on Wednesday 3 April 2019.

Part 2	To be completed only if you do not wish your home address to be made public
If you request that your home address is not to be made public then **your address will not appear** on the statement of persons nominated nor the ballot paper. If you choose not to make your home address public, the name of the relevant area in which your home address is situated (or country, if outside the UK) will appear on the statement of persons nominated and the ballot paper.	
Statement	I require my home address not to be made public.
The relevant area my home address is situated in	*Insert name of relevant area*[2]
or	
My home address is situated outside the UK, in	*Insert name of country*
Candidate's signature	
Date	

[2] The name of the "relevant area" in which your home address is situated (if your home address is in the UK):

- **in relation to a home address 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;
  - if the address is within the Isles of Scilly, the Isles of Scilly

- **in relation to a home address in Wales:**
  - if the address is within a county, that county;
  - if the address is within a county borough, that county borough

- **in relation to a home address in Scotland:**
  - the local government area in which the address is situated

- **in relation to a home address in Northern Ireland:**
  - the local government district in which the address is situated

This form must be delivered by hand to the Returning Officer, Guildhall, Bath, no later than 4pm on Wednesday 3 April 2019.

Office Use Only	Date delivered	Time delivered	Initials

1c	B&NES Council Election	Candidate's consent to nomination

Date of election	Thursday 2 May 2019
I *(name in full)*	
hereby consent to my nomination as a candidate for election as councillor for the	
Ward	*Insert name of ward*
District	Bath & North East Somerset Council
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 a 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 district named above; or
(b)*	I have during the whole of the 12 months preceding that day, or those days, occupied as owner or tenant land or other premises in the area named above; or
(c)*	my principal or only place of work during those 12 months has been in the district named above; or
(d)*	I have during the whole of those 12 months resided in the area named above.
**Delete whichever is inappropriate*	
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 34 of the Localism Act 2011 (copies of which are printed overleaf), and I do not hold a politically restricted post, within the meaning of Part 1 of the Local Government and Housing Act 1989, under a local authority, within the meaning of that Part.	
Date of birth	
Signature	
Date of consent	
Signed in my presence	
Signature of witness	
Name of witness in full	

Notes

A candidate who is qualified by more than one qualification may complete any of those which may apply.

This form must be delivered by hand to the Returning Officer, Guildhall, Bath, no later than 4pm on Wednesday 3 April 2019.

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 date 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.

Localism Act 2011

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".

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2	B&NES Council Election	Certificate of authorisation

To accompany the nomination of a candidate standing on behalf of a registered political party. Please note that 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 the exact party name as registered with the Electoral Commission, or one of the party's descriptions as registered with the Electoral Commission, or authorises the candidate to choose either the registered party name or one of the party's registered descriptions.

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

Details of candidate to be authorised and the allowed description/party name	
Ward	*Insert name of ward*
District	Bath & North East Somerset Council
Date of election	Thursday 2 May 2019
Candidate's full names	
Name of political party	*Insert name of 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	*Insert registered description or party name*
Signature of party's registered Nominating Officer (or person authorised by the registered Nominating Officer)	
Name of person signing this form	
Date	
It is an offence to sign this form if you are not the party's registered Nominating Officer or authorised to do so by the party's registered Nominating Officer.	

This form must be delivered by hand or by post to the Returning Officer, Guildhall, Bath, no later than 4pm on Wednesday 3 April 2019.

Office Use Only	Date delivered	Time delivered	Initials

3	B&NES 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.

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 they are standing for. Please indicate the name of the party and the emblem name.

Party emblems are listed on the Electoral Commission website:
(http://search.electoralcommission.org.uk).

Candidate's request for use of an emblem	
Ward	*Insert name of ward*
District	Bath & North East Somerset Council
Date of election	Thursday 2 May 2019
Candidate's full names	
Name of political party	*Insert name of political party registered with the Electoral Commission*
I request that the ballot paper shall contain, against my name, the following registered emblem	*Insert name or description of emblem as on Electoral Commission's website*
Candidate's signature	
Date	

This form must be delivered by hand or by post to the Returning Officer, Guildhall, Bath, no later than 4pm on Wednesday 3 April 2019.

Office Use Only	Date received	Date processed	Initials

4	B&NES Election	Notification of election agent

Candidate's notification of their election agent	
Ward	*Insert name of ward*
District	Bath & North East Somerset Council
Date of election	Thursday 2 May 2019
I (candidate's full names)	
hereby declare that the name and address of my election agent are:	
Agent's name	
Agent's home address in full	
The office address of my election agent to which all claims, notices, legal process and other documents may be sent is:	
Agent's office address in full	
Candidate's signature	
Date	
Confirmation of acceptance by election agent	
I (agent's name)	
hereby confirm my acceptance of appointment as the election agent for the candidate named above. I understand that I must carry out my duties according to law. I understand that there are penalties if I fail to fulfil my duties according to law.	
Agent's signature	
Date	

Agent's other details in case of query (will not be published)	
Home telephone	
Mobile telephone	
Email address	

This form must be delivered by hand or by post to the Returning Officer, Guildhall, Bath, no later than 4pm on Wednesday 3 April 2019.

Office Use Only	Date received	Date processed	Initials

5	B&NES Election	Request for electoral register

Ward	*Insert name of ward*
District	Bath & North East Somerset Council
Date of election	Thursday 2 May 2019

I declare that I am a candidate at Bath & North East Somerset Council Election on Thursday 2 May 2019. I will use my copy of the electoral register for electoral purposes and checking the validity of donations only. I will allow others who are assisting me in my campaign to use my copy of the electoral register, but for the same purposes only. I understand that any use other than for electoral or donation checking purposes is illegal and is punishable by an unlimited fine.

My request is for the register as at the last date for notice of election and any revisions or notices of amendment while I am a candidate.

Candidate's signature	
Candidate's full names	
Date	

Register format and delivery details		
Paper format		*Please provide home address for delivery*
Data format (csv file)		*Please provide email address*
Data format (pdf file)		*Please provide email address*

Contact details (in case of query)	
Home telephone	
Mobile telephone	
Email address	

Please note that the electoral register can only be supplied when you officially become a candidate.

Office Use Only	Date received	Date processed	Initials

6	B&NES Election	Request for absent voters' list

Ward	*Insert name of ward*
District	Bath & North East Somerset Council
Date of election	Thursday 2 May 2019
I (candidate's full names)	

I declare that I am a candidate at Bath & North East Somerset Council Election on Thursday 2 May 2019. I will use my copy of the absent voters' list for electoral purposes. I will allow others who are assisting me in my campaign to use my copy of the absent voters' list, but for the same purposes only. I understand that any use other than for electoral purposes is illegal and is punishable by an unlimited fine.

My request is for the absent voters' list as at the last date for notice of election and any further additions while I am a candidate.

Candidate's signature	
Candidate's full names	
Date	

Absent voters' list format and delivery details		
Paper format		*Please provide home address for delivery*
Data format (csv file)		*Please provide email address*
Data format (pdf file)		*Please provide email address*

Contact details (in case of query)	
Home telephone	
Mobile telephone	
Email address	

Please note that the absent voters' list can only be supplied when you officially become a candidate.