

## Elections to Teignbridge District Council will take place on

# Thursday 2 May 2019

If you're interested in standing for election to Teignbridge District Council this is some basic information about standing at a District Council (Local Government) election in England. The qualifications for election and holding office as a member of a District (or Principal) Council are listed in Section 79 of the Local Government Act 1972.

### Eligibility

The basic requirements for a person to qualify to stand as a candidate are:

- they are a British or Commonwealth citizen, citizen of the Republic of Ireland or citizen of the European Union; and
- they are aged 18 years or over on the day of nomination.

A candidate must also satisfy a connection with the District Council area, as follows:

- they are registered as a local government elector within the District Council area; or
- during the whole of the 12 months preceding the date of nomination they have occupied land, or other premises within the area, as owner or tenant; or
- their principal or only place of work during those 12 months has been within the area; or
- during the whole of those 12 months they have resided within the area.

Certain people are disqualified from becoming a candidate. These include employees of the council where the election is sought, employees of connected organisations, and subjects of bankruptcy restriction orders or interim orders in England and Wales. People who have served a prison sentence of three months or more within the last five years may not stand as candidates. The disqualifications for election and holding office as a member of a local authority can be found in Section 80 of the Local Government Act 1972 – Part V (as amended).

### Nominations

If a prospective candidate meets the qualification requirements, and is not disqualified, the next thing they must do is find 10 registered local government electors, from within the district ward in which they wish to stand, to support their nomination. A prospective candidate must complete a nomination paper, which is available from the Returning Officer (the person responsible for running the election). Each nomination paper has to be signed by a *Proposer*, a *Secunder* and 8 *Subscribers*, who must all be entitled to vote for the candidate they are supporting. No candidate

may stand for election in more than one of the District's wards. Completed nomination papers must be submitted to the Returning Officer about a month before polling day. **This is non-negotiable** – the Returning Officer will advise you of the relevant dates when the nomination papers are requested.

Candidates who are representing a registered political party may use the party name or one of 12 registered descriptions, and a party emblem, on the ballot paper. This must be authorised by the registered party's Nominating Officer, or by someone else with written authorisation to act on their behalf. Candidates not standing on behalf of a party may use the description '**Independent**' or no description at all, and they can't use an emblem.

Nomination papers can be rejected if details don't meet the legal requirements, or if the nomination paper is incorrectly subscribed (e.g. a person subscribing the paper isn't registered to vote). It's a serious offence to include false information on nomination or consent papers, and a person found guilty of such an offence may face a year's imprisonment, or a fine, or both.

### **Consent**

Within one month before the deadline for delivery of nominations, candidates must submit a signed declaration consenting to their being nominated. However, in practice, the consent form is normally delivered with the nomination paper. The form of consent must be in writing, witnessed, and show the grounds on which the candidate is qualified to stand. It must also include a declaration stating that the candidate is not disqualified from standing. Candidates are advised to indicate all qualifications that apply, and to ensure that they aren't disqualified before signing the consent to nomination.

### **Agents**

Candidates may appoint an election agent to conduct the campaign on their behalf. Candidates who don't appoint an agent take responsibility themselves and are automatically deemed to be their own election agent. By law, certain people can't act as an election agent, e.g. employees of the Returning Officer. It's very important to take care when appointing an election agent, as candidates can be liable for any malpractice committed by the agent. Candidates can also appoint polling and counting agents.

### **Deposits**

Deposits are not required at District Council elections.

### **Campaign literature**

Under electoral law campaign publicity material is subject to a number of restrictions, as well as being subject to the general civil and criminal law relating to published material. All election publicity (e.g. posters, placards and bills) must carry an imprint with details of the full name and full postal address of the printer and promoter of the material. This applies to all printed material distributed for the purpose of promoting or procuring the election of a candidate.