



Electoral Administration Act 2006

2006 CHAPTER 22

PART 5

STANDING FOR ELECTION

17 Minimum age

- (1) A person is disqualified for membership of the House of Commons if, on the day on which he is nominated as a candidate, he has not attained the age of 18.
- (2) Subject to an order made by the House of Commons under section 6(2) of the House of Commons Disqualification Act 1975 (c. 24) as applied by subsection (3), if a person disqualified by subsection (1) for membership of that House is elected as a member of that House his election is void.
- (3) Sections 6(2) to (4) and 7 of that Act apply in the case of a person disqualified by subsection (1) as they apply in the case of a person disqualified by that Act, and references in those sections to a person disqualified by that Act must be construed as including references to a person disqualified by subsection (1).
- (4) In section 79(1) of the Local Government Act 1972 (c. 70) (qualifications for election and holding office as a member of a local authority) for “twenty-one” substitute “eighteen”.
- (5) In section 20(3) of the Greater London Authority Act 1999 (c. 29) (minimum age for election as Mayor or Assembly member) for “21” substitute “18”.
- (6) In section 3(1) of the Local Government Act (Northern Ireland) 1972 (C. 9) (qualifications for election and holding office as a councillor) for “twenty-one” substitute “eighteen”.
- (7) The following enactments (which disqualify a person who has not attained the age of 21 for election as a Member of Parliament), so far as not previously repealed, cease to have effect—
 - (a) section 7 of the Parliamentary Elections Act 1695 (c. 25);
 - (b) the Election Act 1707 (cap. 8);

Changes to legislation: There are currently no known outstanding effects for the Electoral Administration Act 2006, Part 5. (See end of Document for details)

- (c) section 74 of the Parliamentary Elections (Ireland) Act 1823 (c. 55).
- (8) In section 6 of the Union with Scotland Act 1706 (c. 11) the words “It is always hereby expressly provided and declared that none shall be capable to elect or be elected for any of the said estates but such as are twenty one years complete” do not apply for the purpose of fixing the minimum age at which a person may be elected as a member of the House of Commons.

Commencement Information

- II** S. 17 wholly in force at 7.2.2007; s. 17 not in force at Royal Assent see s. 77; s. 17 in force for E.W.S. at 1.1.2007 by S.I. 2006/3412, art. 3, Sch. 1 para. 14 (d) (subject to transitional provisions in Sch. 2); s. 17 in force for N.I. at 7.2.2007 by S.I. 2007/230, art. 2

18 Certain Commonwealth citizens

- (1) In section 3 of the Act of Settlement (1700 c. 2), the words from “That after the said limitation shall take effect” to “in trust for him.” (which impose certain disqualifications) do not apply (so far as they relate to membership of the House of Commons) to a person who is—
- a qualifying Commonwealth citizen, or
 - a citizen of the Republic of Ireland.
- (2) For the purposes of subsection (1), a person is a qualifying Commonwealth citizen if he is a Commonwealth citizen who either—
- is not a person who requires leave under the Immigration Act 1971 (c. 77) to enter or remain in the United Kingdom, or
 - is such a person but for the time being has (or is, by virtue of any enactment, to be treated as having) indefinite leave to remain within the meaning of that Act.
- (3) But a person is not a qualifying Commonwealth citizen by virtue of subsection (2)
- if he does not require leave to enter or remain in the United Kingdom by virtue only of section 8 of the Immigration Act 1971 (exceptions to requirement for leave in special cases).
- (4) Subject to an order made by the House of Commons under section 6(2) of the House of Commons Disqualification Act 1975 (c. 24) as applied by subsection (5)—
- if a person disqualified for membership of that House by virtue of section 3 of the Act of Settlement (1700 c. 2) as modified by this section is elected as a member of that House his election is void;
 - if a person being a member of that House becomes so disqualified for membership his seat is vacated.
- (5) Sections 6(2) to (4) and 7 of the House of Commons Disqualification Act 1975 apply in the case of a person disqualified as mentioned in subsection (4) as they apply in the case of a person disqualified by that Act, and references in those sections to a person disqualified by that Act must be construed as including references to a person disqualified as mentioned in subsection (4).
- (6) Part 3 of Schedule 1 (which contains further amendments relating to standing for election) has effect.

Changes to legislation: There are currently no known outstanding effects for the Electoral Administration Act 2006, Part 5. (See end of Document for details)

- (7) In Schedule 7 to the British Nationality Act 1981 (c. 61), the entry relating to the Act of Settlement is omitted.

Commencement Information

- I2** S. 18 wholly in force at 1.7.2008; s. 18 not in force at Royal Assent see s. 77; s. 18 in force for E.W.S. at 1.1.2007 by S.I. 2006/3412, art. 3, Sch. 1 para. 14(e) (subject to Sch. 2); s. 18 in force for N.I. at 1.7.2008 by S.I. 2008/1316, arts. 2(2), 4(b)

19 Nomination procedures

- (1) Schedule 1 to the 1983 Act (parliamentary elections rules) is amended as follows.
- (2) In rule 1 (timetable), in the entry in the second column in respect of “Publication of statement of persons nominated”, for the words from “at the close of” to the end substitute “—
- (a) if no objections to nomination papers are made, at the close of the time for doing so, or
 - (b) if any such objections are made, not before they are disposed of but not later than 24 hours after the last time for delivery of nomination papers.”
- (3) In rule 5 (notice of election), after paragraph (1) insert—
- “(1A) The notice of election must also state the arrangements which apply for the payment of the deposit required by rule 9 below to be made by means of the electronic transfer of funds.”
- (4) In rule 6 (nomination of candidates), in paragraph (3)(a)—
- (a) the words “(of not more than 6 words in length)” are omitted;
 - (b) after “rule 6A(1)” insert “ or (1B) ”.
- (5) In rule 9 (deposit), in paragraph (2)(c) after “manner” insert “ (including by means of a debit or credit card or the electronic transfer of funds) ”.
- (6) In rule 12 (validity of nomination papers), in paragraph (3) for the words from “as soon as practicable” to the end substitute “—
- (a) as soon as practicable after it is made, and
 - (b) in any event, before the end of the period of 24 hours starting with the close of the period for delivery of nomination papers set out in the Table in rule 1.”
- (7) In that rule, in paragraph (3A) for the words from “as soon as practicable” to the end substitute “—
- (a) as soon as practicable after delivery of the nomination paper, and
 - (b) in any event, before the end of the period of 24 hours starting with the close of the period for delivery of nomination papers set out in the Table in rule 1.”
- (8) After rule 14 insert—

Changes to legislation: There are currently no known outstanding effects for the Electoral Administration Act 2006, Part 5. (See end of Document for details)

14A “Correction of minor errors

- (1) A returning officer may, if he thinks fit, at any time before the publication under rule 14 above of the statement of persons nominated, correct minor errors in a nomination paper.
- (2) Errors which may be corrected include—
 - (a) errors as to a person's electoral number;
 - (b) obvious errors of spelling in relation to the details of a candidate.
- (3) Anything done by a returning officer in pursuance of this rule must not be questioned in any proceedings other than proceedings on an election petition.
- (4) A returning officer must have regard to any guidance issued by the Electoral Commission for the purposes of this rule.”

Commencement Information

I3 S. 19 wholly in force at 1.7.2008; s. 19 not in force at Royal Assent see s. 77; s. 19 in force for E.W.S. at 1.1.2007 by S.I. 2006/3412, art. 3, Sch. 1 para. 14(f) (subject to Sch. 2); s. 19 in force for N.I. at 1.7.2008 by S.I. 2008/1316, arts. 2(2), 4(c)

Changes to legislation:

There are currently no known outstanding effects for the Electoral Administration Act 2006, Part 5.