

2018 No. 1309

REPRESENTATION OF THE PEOPLE, ENGLAND

The Local Elections (Parishes and Communities) (England and Wales) (Amendment) (England) Rules 2018

<i>Made</i>	- - - -	<i>3rd December 2018</i>
<i>Laid before Parliament</i>		<i>6th December 2018</i>
<i>Coming into force</i>	- -	<i>31st December 2018</i>

The Minister for the Cabinet Office, in exercise of the powers conferred by section 36(1) and (2) of the Representation of the People Act 1983(a), makes the following Rules.

The Minister for the Cabinet Office has consulted the Electoral Commission as required by section 7(1) and (2)(d) of the Political Parties, Elections and Referendums Act 2000(b).

Citation, commencement, application and interpretation

1.—(1) These Rules may be cited as the Local Elections (Parishes and Communities) (England and Wales) (Amendment) (England) Rules 2018.

(2) These Rules come into force on 31st December 2018, but have no effect in relation to any election in respect of which the date of the poll specified in the notice of election is before 2nd May 2019.

(3) These Rules only apply in relation to an election that will take place in England.

(4) In these Rules, “2006 Rules” means the Local Elections (Parishes and Communities) (England and Wales) Rules 2006(c).

Amendment of the 2006 Rules

2.—(1) Schedule 2 to the 2006 Rules (rules for conduct of an election of councillors of a parish or community where poll is not taken together with poll at another election) is amended as follows.

(2) In rule 4 (nomination of candidates)—

- (a) in sub-paragraph (2)(a), after “names” insert “and”;
- (b) sub-paragraph (2)(b) is omitted;

(a) 1983 c. 2. The functions of the Secretary of State under the 1983 Act were made exercisable concurrently with the Lord President of the Council by the Lord President of the Council Order 2010 (S.I. 2010/837). The Lord President of the Council’s functions were transferred to the Chancellor of the Duchy of Lancaster by the Chancellor of Duchy of Lancaster Order 2015 (S.I. 2015/1376), and were subsequently transferred to the Minister for the Cabinet Office by the Transfer of Functions (Elections, Referendums, Third Sector and Information) Order 2016 (S.I. 2016/997).

(b) 2000 c. 41

(c) S.I. 2006/3305, which has been amended by S.I. 2011/562, S.I. 2014/492 and S.I. 2015/104.

(c) after paragraph (4) insert—

“(5) The nomination paper must be accompanied by a form (in this Schedule referred to as the “home address form”) which states—

- (a) the candidate’s—
 - (i) full names,
 - (ii) home address in full, and
 - (iii) qualifying address or, if the candidate declares they are qualified by more than one of the qualifications mentioned in paragraph (7), qualifying addresses;
- (b) which of the qualifications mentioned in paragraph (7) the qualifying address or qualifying addresses stated relate to;
- (c) the attesting person’s—
 - (i) full names, and
 - (ii) home address in full.

Provision in paragraph (1) above about delivery of the nomination paper applies also to the home address form.

(6) The home address form—

- (a) may contain a statement made and signed by the candidate that he requires the home address not to be made public, and
- (b) if it does so, must—
 - (i) where the candidate’s home address is in United Kingdom, state the name of the relevant area;
 - (ii) where the candidate’s home address is outside the United Kingdom, state the country in which it is situated.

(7) In this rule—

“attesting person”, in relation to a candidate, means the person who attests the candidate’s consent to nomination in accordance with rule 7(c);

“qualifying address” means—

- (a) where the candidate has selected option (a) on the Consent to Nomination form, the address in full in respect of which the candidate is so registered as a local government elector;
- (b) where the candidate has selected option (b) on the Consent to Nomination form, a description and the address of that land or premises which the candidate has occupied as owner or tenant;
- (c) where the candidate has selected option (c) on the Consent to Nomination form, the address of that place of work; and
- (d) where the candidate has selected option (d) on the Consent to Nomination form, the address or addresses in full where the candidate has so resided;

“relevant area” means—

- (a) in relation to a home address in England—
 - (i) if the address is within a district for which there is a district council, that district;
 - (ii) if the address is within a county in which there are no districts with councils, that county;
 - (iii) if the address is within a London borough, that London borough;
 - (iv) if the address is within the City of London (including the Inner and Middle Temples), the City of London; and
 - (v) if the address is within the Isles of Scilly, the Isles of Scilly;

- (b) in relation to a home address in Wales—
 - (i) if the address is within a county, that county;
 - (ii) if the address is within a county borough, that county borough;
- (c) in relation to a home address in Scotland, the local government area in which the address is situated;
- (d) in relation to a home address in Northern Ireland, the local government district in which it is situated.”

(3) In rule 7 (consent to nomination), in paragraph (b)(i), omit “, section 78A of the Local Government Act 2000”.

(4) In rule 8 (decisions as to validity of nomination papers)—

- (a) in paragraph (1), after “consent to it” insert “and the home address form”;
- (b) after sub-paragraph (2)(a) insert—
 - “(aa) the returning officer decides that the candidate’s home address form—
 - (i) does not comply with the requirements of rule 4(5); or
 - (ii) if the form contains a statement under rule 4(6)(a), does not comply with the signature requirement in that rule or the requirements of rule 4(6)(b);”;
- (c) substitute paragraph (3) with—
 - “(3) Subject to paragraph (4), the returning officer must, as soon as practicable after each nomination paper and home address form have been delivered, examine them and decide whether the candidate has been validly nominated.”
- (d) in paragraph (6) replace “nomination paper” in the second place it occurs with “home address form”.

(5) In rule 9 (publication of statement of persons nominated)—

- (a) in paragraph (2) omit “, addresses”;
- (b) after paragraph (2) insert—
 - “(2A) The statement must also show the following information contained in the home address form—
 - (a) where the statement mentioned in rule 4(6)(a) is made requiring his home address not to be made public, the information mentioned in rule 4(6)(b),
 - (b) in any other case, the address of the persons nominated.”
- (c) after paragraph (6) insert—
 - “(6A) Where—
 - (a) two or more of the names shown on the statement are the same or so similar as to be likely to cause confusion,
 - (b) each of the persons in question has made the statement mentioned in rule 4(6)(a), and
 - (c) the information mentioned in rule 4(6)(b) is the same for each of them,

the returning officer may cause any of their particulars to be shown on the statement with such amendments or additions as the officer thinks appropriate in order to reduce the likelihood of confusion.

(6B) Where it is practicable to do so before the publication of the statement, the returning officer must consult any person whose particulars are to be amended or added to under paragraph (6A).

(6C) The returning officer must give notice in writing to any person whose particulars are amended or added to under paragraph (6A).

(6D) Anything done by a returning officer in pursuance of paragraph (6A) must not be questioned in any proceedings other than proceedings on an election petition.

(6E) A returning officer must have regard to any guidance issued by the Electoral Commission for the purposes of paragraph (6A).”

(6) In rule 10 (correction of minor errors)—

(a) in paragraph (1), after “nomination paper” insert “or home address form”;

(b) after sub-paragraph (2)(b) insert—

“(c) errors as to the information mentioned in rule 4(6)(b).”

(7) After rule 11 insert—

“Inspection of home address forms

11A.—(1) During ordinary office hours on any day, other than a day specified in rule 2(1), after the latest time for delivery of nomination papers and before the date of the poll, the following persons may inspect the home address form of a candidate (“candidate A”)—

(a) a person standing nominated as a candidate (“candidate B”) in the same electoral area as candidate A;

(b) the election agent, proposer or seconder of candidate B, or

(c) where candidate B is acting as their own election agent, or has not appointed an agent, any person nominated by candidate B.

(2) Where a person has been nominated by more than one nomination paper, the reference to proposer or seconder in sub-paragraph (1)(b) is a reference to—

(a) the proposer or seconder on the nomination paper that the candidate may select, or

(b) in the absence of such a selection, to the nomination paper which was first delivered in accordance with rule 4(1).

(3) Nothing in this rule permits any person to take a copy of, or extracts from, any home address form.

(4) The returning officer must not permit a home address form to be inspected otherwise than in accordance with this rule, or for some other purpose authorised by law.”

(8) Before rule 51 insert—

“Destruction of home address forms

50A.—(1) The returning officer must destroy each candidate’s home address form—

(a) on the next day following the 35th day after the officer has returned the name of the member elected; or

(b) if an election petition questioning the election or return is presented before that day, as soon as practicable following the conclusion of proceedings on the petition or on appeal from such proceedings.

(2) For the purposes of paragraph (1), any day falling within rule 2(1) must be disregarded.”

(9) In Part 7 (appendix of forms) for the following forms substitute the corresponding forms in Schedule 1 to these Rules—

(a) Form of Nomination Paper;

(b) Form of Candidate’s Consent to Nomination;

(c) Form of front of ballot paper; and

(d) Form of back of ballot paper.

3.—(1) Schedule 3 to the 2006 Rules (rules for conduct of an election of councillors of a parish or community where poll is taken together with poll at another election) is amended as follows.

(2) In rule 4 (nomination of candidates)—

- (a) in sub-paragraph (2)(a), after “names” insert “and”;
- (b) sub-paragraph (2)(b) is omitted;
- (c) after paragraph (4) insert—

“(5) The nomination paper must be accompanied by a form (in this Schedule referred to as the “home address form”) which states—

- (a) the candidate’s—
 - (i) full names,
 - (ii) home address in full, and
 - (iii) qualifying address or, if the candidate declares they are qualified by more than one of the qualifications mentioned in paragraph (7), qualifying addresses;
- (b) which of the qualifications mentioned in paragraph (7) the qualifying address or qualifying addresses stated relate to;
- (c) the attesting person’s—
 - (i) full names, and
 - (ii) home address in full.

Provision in paragraph (1) above about delivery of the nomination paper applies also to the home address form.

(6) The home address form—

- (a) may contain a statement made and signed by the candidate that he requires the home address not to be made public, and
- (b) if it does so, must—
 - (i) where the candidate’s home address is in the United Kingdom, state the name of the relevant area;
 - (ii) where the candidate’s home address is outside the United Kingdom, state the country in which it is situated.

(7) In this rule—

“attesting person”, in relation to a candidate, means the person who attests the candidate’s consent to nomination in accordance with rule 7(c);

“qualifying address” means—

- (a) where the candidate has selected option (a) on the Consent to Nomination form, the address in full in respect of which the candidate is so registered as a local government elector;
- (b) where the candidate has selected option (b) on the Consent to Nomination form, a description and the address of that land or premises which the candidate has occupied as owner or tenant;
- (c) where the candidate has selected option (c) on the Consent to Nomination form, the address of that place of work; and
- (d) where the candidate has selected option (d) on the Consent to Nomination form, the address or addresses in full where the candidate has so resided;

“relevant area” means—

- (a) in relation to a home address in England—
 - (i) if the address is within a district for which there is a district council, that district;
 - (ii) if the address is within a county in which there are no districts with councils, that county;
 - (iii) if the address is within a London borough, that London borough;

- (iv) if the address is within the City of London (including the Inner and Middle Temples), the City of London; and
- (v) if the address is within the Isles of Scilly, the Isles of Scilly;
- (b) in relation to a home address in Wales—
 - (i) if the address is within a county, that county;
 - (ii) if the address is within a county borough, that county borough;
- (c) in relation to a home address in Scotland, the local government area in which the address is situated;
- (d) in relation to a home address in Northern Ireland, the local government district in which it is situated. ”

(3) In rule 7 (consent to nomination), in paragraph (b)(i), omit “, section 78A of the Local Government Act 2000”.

(4) In rule 8 (decisions as to validity of nomination papers)—

- (a) in paragraph (1), after “consent to it” insert “and the home address form”;
- (b) after sub-paragraph (2)(a) insert—
 - “(aa) the returning officer decides that the candidate’s home address form—
 - (i) does not comply with the requirements of rule 4(5); or
 - (ii) if the form contains a statement under rule 4(6)(a), does not comply with the signature requirement in that rule or the requirements of rule 4(6)(b); ”;
- (c) substitute paragraph (3) with—

“(3) Subject to paragraph (4), the returning officer must, as soon as practicable after each nomination paper and home address form have been delivered, examine them and decide whether the candidate has been validly nominated.”
- (d) in paragraph (6) replace “nomination paper” in the second place it occurs with “home address form”.

(5) In rule 9 (publication of statement of persons nominated)—

- (a) in paragraph (2) omit “, addresses”;
- (b) after paragraph (2) insert—

“(2A) The statement must also show the following information contained in the home address form—

 - (a) where the statement mentioned in rule 4(6)(a) is made requiring his home address not to be made public, the information mentioned in rule 4(6)(b),
 - (b) in any other case, the address of the persons nominated.”

(c) after paragraph (6) insert—

- “(6A) Where—
- (a) two or more of the names shown on the statement are the same or so similar as to be likely to cause confusion,
 - (b) each of the persons in question has made the statement mentioned in rule 4(6)(a), and
 - (c) the information mentioned in rule 4(6)(b) is the same for each of them,

the returning officer may cause any of their particulars to be shown on the statement with such amendments or additions as the officer thinks appropriate in order to reduce the likelihood of confusion.

(6B) Where it is practicable to do so before the publication of the statement, the returning officer must consult any person whose particulars are to be amended or added to under paragraph (6A).

(6C) The returning officer must give notice in writing to any person whose particulars are amended or added to under paragraph (6A).

(6D) Anything done by a returning officer in pursuance of paragraph (6A) must not be questioned in any proceedings other than proceedings on an election petition.

(6E) A returning officer must have regard to any guidance issued by the Electoral Commission for the purposes of paragraph (6A).”

(6) In rule 10 (correction of minor errors)—

(a) in paragraph (1), after “nomination paper” insert “or home address form”;

(b) after sub-paragraph (2)(b) insert—

“(c) errors as to the information mentioned in rule 4(6)(b).”

(7) After rule 11 insert—

“Inspection of home address forms

11A.—(1) During ordinary office hours on any day, other than a day specified in rule 2(1), after the latest time for delivery of nomination papers and before the date of the poll, the following persons may inspect the home address form of a candidate (“candidate A”)—

(a) a person standing nominated as a candidate (“candidate B”) in the same electoral area as candidate A;

(b) the election agent, proposer or seconder of candidate B, or

(c) where candidate B is acting as their own election agent, or has not appointed an agent, any person nominated by candidate B.

(2) Where a person has been nominated by more than one nomination paper, the reference to proposer or seconder in sub-paragraph (1)(b) is a reference to—

(a) the proposer or seconder on the nomination paper that the candidate may select, or

(b) in the absence of such a selection, to the nomination paper which was first delivered in accordance with rule 4(1).

(3) Nothing in this rule permits any person to take a copy of, or extracts from, any home address form.

(4) The returning officer must not permit a home address form to be inspected otherwise than in accordance with this rule, or for some other purpose authorised by law.”

(8) Before rule 51 insert—

“Destruction of home address forms

50A.—(1) The returning officer must destroy each candidate’s home address form—

(a) on the next day following the 35th day after the officer has returned the name of the member elected; or

(b) if an election petition questioning the election or return is presented before that day, as soon as practicable following the conclusion of proceedings on the petition or on appeal from such proceedings.

(2) For the purposes of paragraph (1), any day falling within rule 2(1) must be disregarded.”

(9) In Part 7 (appendix of forms), for the following forms substitute the corresponding forms in Schedule 2 to these Rules—

(a) Form of Nomination Paper;

(b) Form of Candidate’s Consent to Nomination;

(c) Form of front of ballot paper; and

(d) Form of back of ballot paper.

3rd December 2018

Chloe Smith
Minister for the Constitution
Cabinet Office

SCHEDULE 1

Rule 2(9)

Amended forms for use at an election of councillors of a parish where the poll is not taken together with another election or referendum

**Parish Elections
Form of Nomination paper**

Office Use Only

Date delivered	Time delivered	Initials

ELECTION OF PARISH COUNCILLOR(S) for the *(.....ward of the) parish of.....

**Delete whichever is inappropriate*

Date of election.....

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

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

Mr/Mrs/Miss/Ms/Dr/Other

Signature	Print Name	Electoral Number	
		Polling District	Number
Proposer.....
Secunder.....

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 (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 which 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 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.

**Delete whichever is inappropriate*

Parish Elections
Form of Candidate's consent to Nomination

Front of form

Date of election.....

I (*name in full*).....

hereby consent to my nomination as a candidate for election as councillor for the *(.....
ward of the) parish of

**Delete whichever is inappropriate*

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 parish of; 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 parish named above; or*

**(c) my principal or only place of work during those 12 months has been in the parish named above; or*

**(d) I have during the whole of those twelve months resided in the parish named above or within 4.8 kilometres of it.*

**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).

Date of birth

Signature

Date of consent

Signed in my presence

Signature of witness.....

Name of witness

(WRITE CLEARLY)

Notes

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

Back of form

Set out sections 80 and 81 of the Local Government Act 1972 (*as amended from time to time*) and section 34 of the Localism Act 2011.

Form of front of ballot paper

Election of councillors to [insert name of parish council]

* [Vote for **only one candidate** by putting a cross in the box next to your choice]

* [Vote for **no more than ____ candidates** by putting a cross in the box next to **each** of your choices]*

* *Returning Officer to amend as appropriate.*

BASWRA , Paresh

2 The Cottages, Anytown XY8 9JG

Liberal Democrats



CRANLEY, Alana

4 The Walk, Anytown XY9 5JJ

Green Party



Green Party

EDGBASTON, Richard

(address in [relevant area])

Common Good

GUNNIL-WALKER, Roger

33 The Lane, Anytown XY6 3GD

Labour Party



Labour

SMITH, Catherine Angelina

21 The Grove, Anytown XY2 5JP

Independent

SMITH, Keith James

3 The Road, Anytown XY3 4JN

Conservative Party



Conservatives

ZANUCK, George Henry

17 The Parade, Anytown XY9 5KP

United Kingdom Independence Party



Form of back of ballot paper

Number

[Other unique identifying mark]

Election for the (*[insert name of ward]*) of

[insert name of Parish Council]

on..... 20....

SCHEDULE 2

Rule 3(9)

Amended forms for use at an election of councillors of a parish where the
poll is taken together with another election or referendum

**Parish Elections
Form of Nomination paper**

Office Use Only

Date delivered	Time delivered	Initials

ELECTION OF PARISH COUNCILLOR(S) for the *(.....ward of the) parish of.....

**Delete whichever is inappropriate*

Date of election.....

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

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

Mr/Mrs/Miss/Ms/Dr/Other

Signature	Print Name	Electoral Number	
		Polling District	Number
Proposer.....
Seconder.....

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 3 to 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 which 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 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.

**Delete whichever is inappropriate*

Parish Elections
Form of Candidate's consent to Nomination

Front of form

Date of election.....

I (*name in full*).....

hereby consent to my nomination as a candidate for election as councillor for the *(..... ward of the) parish of

**Delete whichever is inappropriate*

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 parish of; 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 parish named above; or

*(c) my principal or only place of work during those 12 months has been in the parish named above; or

*(d) I have during the whole of those twelve months resided in the parish named above or within 4.8 kilometres of it.

**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).

Date of birth

Signature

Date of consent

Signed in my presence

Signature of witness.....

Name of witness

(WRITE CLEARLY)

Notes

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

Back of form

Set out sections 80 and 81 of the Local Government Act 1972 (*as amended from time to time*) and section 34 of the Localism Act 2011.

Form of front of ballot paper

Election of councillors to [insert name of parish council]

* [Vote for **only one candidate** by putting a cross in the box next to your choice]

* [Vote for **no more than ____ candidates** by putting a cross in the box next to **each** of your choices]*

* *Returning Officer to amend as appropriate.*

BASWRA , Paresh

2 The Cottages, Anytown XY8 9JG

Liberal Democrats



CRANLEY, Alana

4 The Walk, Anytown XY9 5JJ

Green Party



EDGBASTON, Richard

(address in [relevant area])

Common Good

GUNNIL-WALKER, Roger

33 The Lane, Anytown XY6 3GD

Labour Party



Labour

SMITH, Catherine Angelina

21 The Grove, Anytown XY2 5JP

Independent

SMITH, Keith James

3 The Road, Anytown XY3 4JN

Conservative Party



Conservatives

ZANUCK, George Henry

17 The Parade, Anytown XY9 5KP

United Kingdom Independence Party



Form of back of ballot paper

Number

[Other unique identifying mark]

Election for the *([insert name of ward] of)*

[insert name of Parish Council]

on..... 20....

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Local Elections (Parishes and Communities) (England and Wales) Rules 2006 (S.I. 2006/3305) (“the 2006 Rules”). The amendments made by these Rules apply only in relation to elections in England. The amendments made by these Rules will apply in relation to

parish council elections in respect of which the date of the poll stated in the notice of the election is on or after 2nd May 2019.

Rule 4 of the Election Rules found in Schedule 2 to the 2006 Rules (“the ERs”) currently requires candidates at a parish election in England to be nominated by completing a nomination paper. That paper must include the candidate’s home address. That home address will then be published both in the statement of persons who have been nominated to stand at the election and also the ballot paper for the election.

Candidates are also required to supply a consent to nomination form (rule 7 of the ERs). Candidates must state on this form the address by virtue of which they are qualified to stand for election.

These Rules amend the ERs. In future for such elections, a candidate’s home address and qualifying address will be stated on a new form. This new form will be known as the “home address form” (see new rule 4(5) of the ERs (as inserted by rule 2(2)(c)). The information to be included in the new form is set out in the ERs, as amended.

A candidate may state on the home address form that they do not want their home address to be made public. If a candidate does so, their home address form must instead state the area in which their address is situated (see new rule 4(6) and (7) of the ERs). In such cases, it is that area, not the candidate’s home address, that will appear in the statement of persons nominated and the ballot paper (see new rule 9(2A) and new Forms of Front of Ballot Paper of the ERs).

The home address form will also include the home address of the person who witnesses the candidate’s consent to nomination.

Specific provision is made about the inspection of the home address form (see new rule 11A of the ERs (as inserted by rule 2(7))).

Corresponding amendments are made to the Rules for the conduct of an election of councillors of a parish where the poll is taken together with the poll at a relevant election or referendum, which are found in Schedule 3 to the 2006 Rules (see rule 3).

An Impact Assessment has not been prepared for this instrument as there is no impact on business.

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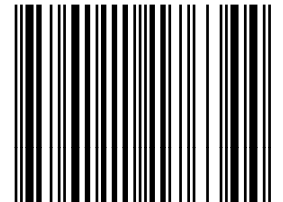
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