

SCHEDULES

SCHEDULE 5

Section 14.

FREE DELIVERY OF ELECTION ADDRESSES AT FIRST GLA MAYORAL ELECTION: NEW SCHEDULE 3A TO THE GREATER LONDON AUTHORITY ACT 1999

“SCHEDULE 3A

FREE DELIVERY OF ELECTION ADDRESSES AT FIRST ELECTION OF MAYOR

Interpretation

- 1 In this Schedule—
- “the 1983 Act” means the Representation of the People Act 1983;
 - “candidate” means a person who stands nominated as a candidate at the election;
 - “the election” means the first election of the Mayor;
 - “election address” shall be construed in accordance with paragraph 2 below;
 - “election booklet” shall be construed in accordance with paragraph 6 below;
 - “the GLRO” means the Greater London returning officer;
 - “print” means print by whatever means (and “printer” shall be construed accordingly);
 - “the relevant provisions” means the provisions of section 17A(1) of this Act and this Schedule.

Election addresses

- 2 For the purposes of the relevant provisions an election address, in relation to a candidate, is a statement prepared by the candidate’s election agent which complies with the provisions of paragraphs 3 and 4.

Contents of election addresses

- 3 (1) An election address must contain matter relating to the election only.
- (2) In particular, an election address must not contain—
- (a) any advertising material (other than material promoting the candidate as a candidate at the election);
 - (b) any other material appearing to be included with a view to commercial gain; or
 - (c) any material referring to any candidate standing for election to the Assembly.

Status: This is the original version (as it was originally enacted).

- (3) An election address may include a representation of the registered emblem, or (as the case may be) one of the registered emblems, of a registered political party if the address is prepared on behalf of an authorised party candidate.
- (4) In sub-paragraph (3) above “authorised party candidate”, in relation to a registered political party, means a candidate who has been authorised to use the emblem in question by a certificate—
 - (a) issued by or on behalf of the registered nominating officer of the party, and
 - (b) received by the GLRO before the last time for the delivery of nomination papers for the election.
- (5) An election address must—
 - (a) contain a statement to the effect that it has been prepared by the candidate’s election agent; and
 - (b) give the name and address of the election agent.

Form of election addresses

- 4 (1) Subject to any requirements imposed by or under this paragraph, the format of a candidate’s election address may be determined by the candidate (and, in particular, may consist of a combination of words, pictures and artwork).
- (2) An election address must be printed on not more than two sides of A5 paper; but if such an address is printed on two sides of such paper—
 - (a) it must, when submitted to the GLRO for inclusion in the election booklet, be accompanied by a second version printed on a single side of such paper; and
 - (b) if the total number of candidates from whom election addresses have been accepted by the GLRO by the last time for the delivery of nomination papers for the election exceeds 15, the version to be included in the election booklet shall be the second version.
- (3) An election address must—
 - (a) comply with such requirements as to typographical layout, margins and the use of colour as the GLRO may determine; and
 - (b) comply with such other requirements as he may determine with a view to facilitating its reproduction as a page or pages of the election booklet.
- (4) An election address must, when submitted to the GLRO for inclusion in the election booklet, be accompanied—
 - (a) where the address is to contain a photograph of the candidate, by two identical copies of the photograph, of which one is signed on the back by the candidate; and
 - (b) in any case, by such copies of anything contained in the address as the GLRO may reasonably require in connection with the reproduction of the address.

Approval of election addresses by Post Office

- 5 (1) Before an election address is submitted to the GLRO for inclusion in the election booklet a draft of the address must have been—
 - (a) submitted by the candidate to the Post Office, and

- (b) approved by the Post Office as complying with the relevant Post Office regulations.
- (2) In sub-paragraph (1)(b) above “the relevant Post Office regulations” means the provisions of the Post Office regulations under section 91 of the 1983 Act as to the contents of election communications, other than the provisions of those regulations—
- (a) authorising the sending of different material to different groups, or
 - (b) requiring the name of the printer and publisher to appear on election literature.
- (3) Without prejudice to the operation of sub-paragraph (1)(b) above, the Post Office shall not approve an election address if, in their opinion, the address does not comply with the provisions of paragraph 3(1) and (2) above.

The election booklet

- 6 (1) For the purposes of this Schedule the election booklet is a document prepared by the GLRO which contains the election addresses of all candidates who—
- (a) desire their election addresses to be included in the booklet, and
 - (b) have submitted—
 - (i) those addresses, and
 - (ii) any additional material required under paragraph 4(4) above,
 to the GLRO by such date as he may determine.
- (2) If—
- (a) it appears to the GLRO that any of the requirements of paragraphs 3(3) to (5), 4 and 5(1) above has not been complied with in relation to an election address, or
 - (b) a candidate fails to make the payment required by paragraph 9 below in respect of an election address,
- the GLRO shall decline to include the address in the election booklet.

Form of election booklet

- 7 (1) The order in which candidates' election addresses appear in the election booklet shall be determined alphabetically by reference to the candidates' surnames.
- (2) The election booklet may include, in addition to candidates' election addresses, a statement by the GLRO—
- (a) explaining the nature and purpose of the election booklet;
 - (b) listing, in alphabetical order, the names of all the candidates at the election (whether or not their election addresses are included in the booklet); and
 - (c) giving the date of the election and such other information about it as the GLRO may determine.
- (3) The election booklet must—
- (a) contain a statement that it has been published by the GLRO; and
 - (b) give the name and address of the GLRO and those of the printer of the booklet.

Status: This is the original version (as it was originally enacted).

- (4) Subject to sub-paragraphs (1) to (3) above, the form of the election booklet shall be determined by the GLRO.
- (5) The election agent of each candidate whose election address has been accepted by the GLRO for inclusion in the booklet shall be given an opportunity to attend at a time and place notified to him by the GLRO in order to check, and submit to the GLRO typographical corrections to, the proof of the candidate's address.
- (6) If the election agent of any such candidate fails to avail himself of that opportunity, the GLRO may—
 - (a) make such typographical corrections to the proof as appear to him to be appropriate; and
 - (b) proceed with the printing and distribution of the election booklet without further reference to the candidate or his election agent (and without incurring any liability for any errors in the candidate's address).
- (7) No person other than—
 - (a) the candidate by whom or on whose behalf an election address included in the election booklet was prepared, or
 - (b) the candidate's election agent,
 shall incur any civil or criminal liability in respect of the publication of that address in the election booklet or its dissemination in accordance with paragraph 8 below.

Distribution of election booklet

- 8 (1) Copies of the election booklet shall be delivered by the GLRO to the Post Office, in envelopes addressed to individual electors falling within section 17A(1)(b) of this Act, at such time as the GLRO may determine.
- (2) The GLRO may disseminate the contents of the election booklet by such other means as he may determine.

Contributions by candidates towards costs of printing

- 9 (1) Each candidate by whom an election address is submitted to the GLRO for inclusion in the election booklet shall pay the sum of £10,000 to the GLRO as a contribution towards the expenses incurred by him in respect of the printing of the election booklet.
- (2) The payment required by sub-paragraph (1) above shall be made at such time, and in such manner, as the GLRO may determine.
- (3) A candidate shall be entitled to a full refund of any such payment if, but only if, the candidate has given notice of withdrawal of his candidature before the last time for the withdrawal of candidates.
- (4) If the total amount of the payments made by candidates under this paragraph exceeds the total amount of the expenses incurred by the GLRO in respect of the printing of the election booklet, the GLRO shall—
 - (a) divide the amount of the excess between the candidates in equal shares, and
 - (b) send to each candidate a payment in respect of his share.

Payments by Secretary of State

- 10 Except so far as they are met by payments under paragraph 9 above, the expenses incurred by the GLRO in consequence of the relevant provisions shall be met by the Secretary of State.

Candidates' election expenses

- 11 (1) The amount of any payment made by a candidate under paragraph 9 above (or, if sub-paragraph (4) of that paragraph applies, the net amount of any such payment after deducting the payment under that sub-paragraph) shall be taken, for the purposes of Part II of the 1983 Act (the election campaign), to be an amount of election expenses incurred by the candidate in relation to the election.
- (2) Nothing in section 75(1) of the 1983 Act (restriction on third party election expenditure) shall be taken to apply, in relation to any candidate, to any expenses incurred by the GLRO in consequence of the relevant provisions.”