
STATUTORY INSTRUMENTS

2019 No. 1426

**The Greater London Authority
Elections (Amendment) Rules 2019**

Amendment of Schedules 1 and 5 to the 2007 Rules

3.—(1) Schedules 1 (Constituency Members Election Rules) and 5 (Constituency Members Election Rules: Authority elections combined with another election or referendum) to the 2007 Rules are amended in accordance with this rule.

(2) In this rule, a reference to a rule by a number, is a reference to that rule so numbered in Schedule 1 and in Schedule 5 to the 2007 Rules.

(3) In rule 6 (nomination of candidates)—

(a) in paragraph (2)—

(i) in sub-paragraph (a), after “names,” insert “and”;

(ii) omit sub-paragraph (b) and the “and” at the end of that sub-paragraph;

(b) after paragraph (9), insert—

“(9A) 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 that they are qualified by more than one of the qualifications mentioned in paragraph (9D), qualifying addresses;

(b) in relation to each qualifying address, which of the qualifications mentioned in paragraph (9D) that address relates to;

(c) the attesting person’s—

(i) full names, and

(ii) home address in full.

(9B) The home address form—

(a) may contain a statement made and signed by the candidate that the candidate requires their 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.

(9C) The provisions in paragraph (1)(b) about the delivery of the nomination paper also apply to the home address form.

- (9D) In this rule, “qualifying address”, in relation to a candidate, means—
- (a) if the candidate declares in their consent to nomination that they are qualified to be elected by virtue of being registered as a local government elector for Greater London, the address at which they are so registered;
 - (b) if the candidate declares in their consent to nomination that they are qualified to be elected by virtue of occupying as owner or tenant any land or other premises in Greater London, a description and address of that land or those premises;
 - (c) if the candidate declares in their consent to nomination that they are qualified to be elected by virtue of their principal or only place of work being in Greater London, the address of that place of work;
 - (d) if the candidate declares in their consent to nomination that they are qualified to be elected by virtue of residing in Greater London, the address, or addresses, at which the candidate has so resided.

(9E) 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(1)(b);

“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 for 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;
 - (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.”.

(4) In rule 7 (consent to nomination)—

- (a) in paragraph (1)(b), omit “whose name and address must be given”;
- (b) in paragraph (2), omit sub-paragraph (b)(ii)(1).

(5) In rule 9 (decisions as to validity of nomination papers)—

- (a) in paragraph (1)—
 - (i) after “consent to it”, insert “and a home address form”;
 - (ii) after sub-paragraph (a), insert—
 - “(aa) the CRO decides that the home address form—
 - (i) does not comply with the requirements of rule 6(9A), or

- (ii) if the form contains a statement under rule 6(9B)(a), does not comply with the signature requirement in that rule or with the requirements of rule 6(9B)(b), or”;
 - (b) in paragraph (3), for “has been delivered, examine it” substitute “and home address form have been delivered, examine them”;
 - (c) in paragraph (6), for “nomination paper” in the second place it occurs, substitute “home address form”.
- (6) In rule 10 (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 a person nominated has made the statement mentioned in rule 6(9B)(a) requiring their home address not to be made public, the information mentioned in rule 6(9B)(b),
 - (b) in any other case, the home address of the person 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 it is likely to cause confusion,
 - (b) each of the persons in question has made the statement mentioned in rule 6(9B)(a), and
 - (c) the information mentioned in rule 6(9B)(b) is the same for each of them,the CRO may cause any of their particulars to be shown on the statement with such amendments or additions as the CRO 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 CRO must consult any person whose particulars are to be amended or added to under paragraph (6A).
 - (6C) The CRO must give notice in writing to any person whose particulars are amended or added to under paragraph (6A).
 - (6D) Anything done by the CRO in pursuance of paragraph (6A) must not be questioned in any proceedings other than proceedings on an election petition.
 - (6E) The CRO must have regard to any guidance issued by the Electoral Commission for the purposes of paragraph (6A).”.
- (7) In rule 11 (correction of minor errors)—
 - (a) in paragraph (1), after “nomination paper” insert “or home address form”;
 - (b) after paragraph (2)(b), insert—
 - “(c) errors as to the information mentioned in rule 6(9B)(b).”.
- (8) After rule 12 insert—

“Inspection of home address forms

12A.—(1) During ordinary office hours, in the period starting 24 hours after the latest time for the delivery of nomination papers and before the date of the poll, the following may inspect the home address form of a candidate (“candidate A”)—

- (a) a person standing nominated as a candidate in the same electoral area as candidate A (“candidate B”),
- (b) candidate B’s election agent, or
- (c) where candidate B acts as their own election agent, a person nominated by candidate B.

(2) Inspection under paragraph (1) may not take place on a day that is specified in 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 CRO 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.”.

(9) In Part 6, after rule 59 insert—

“Destruction of home address forms

59A.—(1) The CRO must destroy each candidate’s home address form—

- (a) on the next working day following the 35th day after the CRO has returned the name of the person 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) In this rule, “working day” means a day other than—

- (a) a Saturday or Sunday,
- (b) Christmas Eve, Christmas Day, Good Friday or a bank holiday, or
- (c) a day appointed for public thanksgiving or mourning.

(3) For the purposes of paragraph (2), “bank holiday” has the meaning given in rule 4(2).”.