

Status: Point in time view as at 31/12/2019.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Greater London Authority Elections Rules 2007. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULE 1

THE CONSTITUENCY MEMBERS ELECTION RULES

PART 3

Stages Common To Contested And Uncontested Elections

Notice of election

5.—(1) The CRO must publish notice of the election stating—

- (a) the place and times at which nomination papers are to be delivered, and
- (b) the date of the poll in the event of a contest,

and the notice must state that forms of nomination papers may be obtained at that place and those times.

(2) The notice of election must state the arrangements (if any) which apply for the payment of the deposit required by rule 8 by means of the electronic transfer of funds.

(3) The notice of election must state the date by which—

- (a) applications to vote by post or by proxy, and
- (b) other applications and notices about postal or proxy voting,

must reach the registration officer for local government electors in order that they may be effective for the election.

Nomination of candidates

6.—(1) Each candidate must be nominated by a separate nomination paper, which must be—

- (a) in the appropriate form, and
- (b) delivered to the place fixed for the purpose by the CRO, which must be at the offices of a local authority within the Assembly constituency, before the last time for the delivery of nomination papers.

(2) The nomination paper must state the candidate's—

- (a) full names, [^{F1}and]
- ^{F2}(b)
- (c) if desired, description,

and the surname must be placed first in the list of names.

(3) If a candidate commonly uses—

- (a) a surname which is different from any other surname he has, or
- (b) a forename which is different from any other forename he has,

the nomination paper may state the commonly used surname or forename, or both surname and forename, in addition to the other name.

(4) The description (if any) can only be—

- (a) one authorised as mentioned in paragraph (5) or (7), or
- (b) the word “Independent”.

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(5) A nomination paper may not include a description of a candidate that is likely to lead electors to associate the candidate with a registered party unless—

- (a) the party is a qualifying party in relation to the electoral area, and
- (b) the description is authorised by a certificate—
 - (i) issued by or on behalf of the registered nominating officer of the party, and
 - (ii) received by the CRO before the last time for the delivery of nomination papers set out in the timetable in rule 3.

(6) In paragraph (5) an authorised description may be either—

- (a) the name of the party registered under section 28 of the 2000 Act ^{M1}, or
- (b) a description of the party registered under section 28A ^{M2} of that Act.

(7) A nomination paper may not include a description of a candidate which is likely to lead electors to associate the candidate with two or more registered political parties unless the parties are each qualifying parties in relation to the electoral area and the description is a registered description authorised by a certificate—

- (a) issued by or on behalf of the registered nominating officer of each of the parties, and
- (b) received by the CRO before the last time for the delivery of nomination papers set out in the timetable in rule 3.

(8) For the purposes of paragraph (7), a description is a registered description if it is a description registered for use by the parties under section 28B of the 2000 Act ^{M3}.

(9) A person will be guilty of a corrupt practice if he fraudulently purports to be authorised to issue a certificate under paragraph (5) or (7) on behalf of a registered party's nominating officer.

^{F3}(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.

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- (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.]
- (10) For the purposes of the application of these rules in relation to an election—
- (a) “registered party” means a party which was registered under Part 2 of the 2000 Act on the day (“the relevant day”) which is two days before the last day for the delivery of nomination papers at that election,
 - (b) a registered party is a qualifying party in relation to an electoral area if on the relevant day the party was registered in respect of England in the Great Britain register maintained under that Part of that Act.
- (11) For the purposes of paragraph (10)(a), any day falling within rule 4(1) must be disregarded.

Textual Amendments

F1 Word in Sch. 1 rule 6(2)(a) inserted (31.12.2019) by The Greater London Authority Elections (Amendment) Rules 2019 (S.I. 2019/1426), rules 1(1), 3(3)(a)(i) (with rule 2)

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- F2** Sch. 1 rule 6(2)(b) omitted (31.12.2019) by virtue of The Greater London Authority Elections (Amendment) Rules 2019 (S.I. 2019/1426), rules 1(1), **3(3)(a)(ii)** (with rule 2)
- F3** Sch. 1 rule 6(9A)-(9E) inserted (31.12.2019) by The Greater London Authority Elections (Amendment) Rules 2019 (S.I. 2019/1426), rules 1(1), **3(3)(b)** (with rule 2)

Marginal Citations

- M1** Section 28 of the Political Parties, Elections and Referendums Act 2000 (c.41) was amended by S.I. 2004/366 and by section 48 of the Electoral Administration Act 2006 (c.22).
- M2** Section 28A of the Political Parties, Elections and Referendums Act 2000 (c.41) was inserted by section 49(1) of the Electoral Administration Act 2006 (c.22).
- M3** Section 28B of the Political Parties, Elections and Referendums Act 2000 (c.41) was inserted by section 49(1) of the Electoral Administration Act 2006 (c.22).

Consent to nomination

- 7.—(1) A person will not be validly nominated unless his consent to nomination—
- (a) is given in writing in the appropriate form, or a form to like effect, on or within one month before the last day for the delivery of nomination papers;
 - (b) is attested by one witness ^{F4}...; and
 - (c) is delivered at the place and within the time for delivery of nomination papers.
- (2) A candidate's consent given under this rule must—
- (a) state the day, month and year of his birth; and
 - (b) contain a statement that to the best of the candidate's knowledge and belief he is not disqualified from being elected by reason of—
 - (i) any disqualification set out in section 21 (disqualification from being the Mayor or an Assembly member) of the 1999 Act, ^{F5}...
 - ^{F6}[^{F7}(ii)
 - (iii) an order made under section 34(4) of the Localism Act 2011 (offences).]

Textual Amendments

- F4** Words in Sch. 1 rule 7(1)(b) omitted (31.12.2019) by virtue of The Greater London Authority Elections (Amendment) Rules 2019 (S.I. 2019/1426), rules 1(1), **3(4)(a)** (with rule 2)
- F5** Word in Sch. 1 rule 7(2)(b) omitted (8.2.2016) by virtue of The Greater London Authority Elections (Amendment) Rules 2016 (S.I. 2016/24), rules 1(2), **7(1)(a)**
- F6** Sch. 1 rule 7(2)(b)(ii) omitted (31.12.2019) by virtue of The Greater London Authority Elections (Amendment) Rules 2019 (S.I. 2019/1426), rules 1(1), **3(4)(b)** (with rule 2)
- F7** Sch. 1 rule 7(2)(b)(ii)(iii) substituted for Sch. 1 rule 7(2)(b)(ii) (8.2.2016) by The Greater London Authority Elections (Amendment) Rules 2016 (S.I. 2016/24), rules 1(2), **7(1)(b)**

Deposits

- 8.—(1) A person will not be validly nominated unless the sum of £1,000 is deposited by him, or on his behalf, with the CRO at the place and within the time for delivery of nomination papers.
- (2) The deposit may be made either—
- (a) by the deposit of any legal tender, or
 - (b) by means of a banker's draft, or

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- (c) with the CRO's consent, in any other manner including by means of a debit or credit card or the electronic transfer of funds,

but the CRO may refuse to accept a deposit sought to be made by means of a banker's draft if he does not know that the drawer carries on business as a banker in the United Kingdom.

(3) Where the deposit is made on behalf of the candidate, the person making the deposit must at the time he makes it give his name and address to the CRO, unless they have previously been given to him under section 67 (appointment of election agent) of the 1983 Act.

Decisions as to validity of nomination papers

9.—(1) Where a nomination paper and the candidate's consent to it [^{F8}and a home address form] are delivered, and the deposit is made, in accordance with this Part of these Rules, the candidate must be deemed to stand nominated unless and until—

- (a) the CRO decides that the nomination paper is invalid, or

[^{F9}(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) proof is given to the CRO's satisfaction of the candidate's death, or
- (c) the candidate withdraws.

(2) The CRO is entitled to hold a nomination paper invalid only on the grounds—

- (a) that the particulars of the candidate on the nomination paper are not as required by law; or
- (b) that the paper breaks rule 6(5) or (7).

(3) Subject to paragraph (4), the CRO must, as soon as practicable after each nomination paper [^{F10}and home address form have been delivered, examine them] and decide whether the candidate has been validly nominated.

(4) If in the CRO's opinion a nomination paper breaks rule 6(5) or (7), he must give a decision to that effect—

- (a) as soon as practicable after the delivery of the nomination paper, and
- (b) in any event, before the end of the period of 24 hours starting with the end of the period for the delivery of nomination papers set out in the timetable in rule 3.

(5) Where the CRO decides that a nomination paper is invalid, he must endorse and sign on the paper the fact and the reasons for his decision.

(6) The CRO must, as soon as practicable after making a decision under paragraph (3) or (4) that a nomination paper is valid or invalid, send notice of that decision to the candidate at his home address as given in his [^{F11}home address form].

(7) The CRO's decision that a nomination paper is valid is final and must not be questioned in any proceeding whatsoever.

(8) Subject to paragraph (7), nothing in this rule prevents the validity of a nomination being questioned on an election petition.

Textual Amendments

F8 Words in Sch. 1 rule 9(1) inserted (31.12.2019) by [The Greater London Authority Elections \(Amendment\) Rules 2019 \(S.I. 2019/1426\)](#), rules 1(1), **3(5)(a)(i)** (with rule 2)

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- F9** Sch. 1 rule 9(1)(aa) inserted (31.12.2019) by The Greater London Authority Elections (Amendment) Rules 2019 (S.I. 2019/1426), rules 1(1), **3(5)(a)(ii)** (with rule 2)
- F10** Words in Sch. 1 rule 9(3) substituted (31.12.2019) by The Greater London Authority Elections (Amendment) Rules 2019 (S.I. 2019/1426), rules 1(1), **3(5)(b)** (with rule 2)
- F11** Words in Sch. 1 rule 9(6) substituted (31.12.2019) by The Greater London Authority Elections (Amendment) Rules 2019 (S.I. 2019/1426), rules 1(1), **3(5)(c)** (with rule 2)

Publication of statement of persons nominated

10.—(1) The CRO must prepare and [^{F12}(subject to paragraph (11))] publish a statement showing the persons who have been and stand nominated and any other persons who have been nominated together with the reason why they no longer stand nominated.

(2) The statement must show the names ^{F13}... and descriptions of the persons nominated as given in their nomination papers.

[^{F14}(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.]

(3) If a person's nomination paper gives a commonly used surname or forename, or both surname and forename, in addition to another name, the statement must show the person's commonly used surname or forename, or both surname and forename (as the case may be) instead of any other name.

(4) Paragraph (3) does not apply if the CRO thinks—

- (a) that the use of the person's commonly used name may be likely to mislead or confuse electors, or
- (b) that the commonly used name is obscene or offensive.

(5) If paragraph (4) applies, the CRO must give notice in writing to the candidate of his reasons for refusing to allow the use of a commonly used name.

(6) The statement must show the persons standing nominated arranged alphabetically in the order of their surnames, and if there are two or more of them with the same surname, of their other names.

[^{F15}(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).]

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(7) In the case of a person nominated by more than one nomination paper, the CRO must take the particulars required by the foregoing provisions of this rule from such one of the papers as the candidate (or the CRO in default of the candidate) may select.

[^{F16}(8) Paragraphs (9) to (11) apply at an ordinary election.

(9) As soon as possible after all decisions under rule 9 which are required to be made have been made, the CRO must arrange for a copy of the statement that the CRO has prepared and proposes to publish to be delivered to the GLRO.

(10) If, after having delivered the statement mentioned in paragraph (9) to the GLRO, the CRO receives notification from the GLRO under rule 13(4) that a candidate is deemed to have withdrawn his or her candidature, the CRO must amend that statement accordingly.

(11) The CRO may not publish the statement under paragraph (1) until—

- (a) the CRO has made any amendments required under paragraph (10), or
- (b) where no notification under rule 13(4) is received from the GLRO, the time by which the GLRO must give such a notification has passed.]

Textual Amendments

- F12** Words in Sch. 1 rule 10(1) inserted (8.2.2016) by [The Greater London Authority Elections \(Amendment\) Rules 2016 \(S.I. 2016/24\)](#), rules 1(2), **6(3)(a)**
- F13** Word in Sch. 1 rule 10(2) omitted (31.12.2019) by virtue of [The Greater London Authority Elections \(Amendment\) Rules 2019 \(S.I. 2019/1426\)](#), rules 1(1), **3(6)(a)** (with rule 2)
- F14** Sch. 1 rule 10(2A) inserted (31.12.2019) by [The Greater London Authority Elections \(Amendment\) Rules 2019 \(S.I. 2019/1426\)](#), rules 1(1), **3(6)(b)** (with rule 2)
- F15** Sch. 1 rule 10(6A)-(6E) inserted (31.12.2019) by [The Greater London Authority Elections \(Amendment\) Rules 2019 \(S.I. 2019/1426\)](#), rules 1(1), **3(6)(c)** (with rule 2)
- F16** Sch. 1 rule 10(8)-(11) substituted for Sch. 1 rule 10(8) (8.2.2016) by [The Greater London Authority Elections \(Amendment\) Rules 2016 \(S.I. 2016/24\)](#), rules 1(2), **6(3)(b)**

Correction of minor errors

11.—(1) A CRO may, if he thinks fit, at any time before the publication under rule 10 of the statement of persons nominated, correct minor errors in a nomination paper [^{F17}or home address form].

(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,

[^{F18}(c) errors as to the information mentioned in rule 6(9B)(b).]

(3) Anything done by a CRO in pursuance of this rule may not be questioned in any proceedings other than proceedings on an election petition.

(4) A CRO must have regard to any guidance issued by the Electoral Commission for the purposes of this rule.

Textual Amendments

- F17** Words in Sch. 1 rule 11(1) inserted (31.12.2019) by [The Greater London Authority Elections \(Amendment\) Rules 2019 \(S.I. 2019/1426\)](#), rules 1(1), **3(7)(a)** (with rule 2)

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F18 Sch. 1 rule 11(2)(c) inserted (31.12.2019) by The Greater London Authority Elections (Amendment) Rules 2019 (S.I. 2019/1426), rules 1(1), **3(7)(b)** (with rule 2)

Inspection of nomination papers and consent to nomination

12.—(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, any person may inspect and take copies of, or extracts from, nomination papers and consents to nomination.

(2) Inspection under paragraph (1) may not take place on a day that is specified in rule 4(1).

[^{F19}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.]

Textual Amendments

F19 Sch. 1 rule 12A inserted (31.12.2019) by The Greater London Authority Elections (Amendment) Rules 2019 (S.I. 2019/1426), rules 1(1), **3(8)** (with rule 2)

Nomination in more than one Assembly constituency

[^{F20}**13.**—(1) This rule applies at an ordinary election.

(2) A candidate who is validly nominated in more than one Assembly constituency must withdraw his or her candidature, in accordance with rule 14, in all but one of those constituencies.

(3) Where a candidate does not withdraw his or her candidature as mentioned in paragraph (2), he or she is deemed, after the last time for delivery of notices of withdrawals, to have withdrawn his or her candidature from all the Assembly constituencies in which he or she is, but for this rule, validly nominated.

(4) Where, having reviewed the proposed statements of persons nominated delivered under rule 10(9), it appears to the GLRO that a candidate (“C”) appears (but for this rule) to have been validly nominated in more than one Assembly constituency (“a relevant constituency”), the GLRO must at least one hour before the last time for publication of the statement as to persons nominated as set out in the timetable in rule 3, notify the CRO for each relevant constituency that C’s candidature is deemed to have been withdrawn in that constituency.

(5) A CRO must, as soon as practicable after receiving the notification mentioned in paragraph (4), notify C that C’s candidature is deemed to have been withdrawn in that constituency.]

Textual Amendments

F20 Sch. 1 rule 13 substituted (8.2.2016) by [The Greater London Authority Elections \(Amendment\) Rules 2016 \(S.I. 2016/24\)](#), rules 1(2), **6(4)**

Withdrawal of candidates

14.—(1) A candidate may withdraw his candidature by notice of withdrawal—

- (a) signed by him and attested by one witness, whose name and address must be given, and
- (b) delivered to the CRO at the place for delivery of nomination papers,

by the end of the period for the delivery of notices of withdrawals of candidature in the timetable in rule 3.

(2) Where a candidate is outside the United Kingdom, a notice of withdrawal signed by his election agent and accompanied by a written declaration also so signed of the candidate's absence from the United Kingdom will be of the same effect as a notice of withdrawal signed by the candidate; but where the candidate stands nominated by more than one nomination paper a notice of withdrawal under this paragraph will be effective if, and only if, it is accompanied, in addition to that declaration, by a written statement signed by the candidate that the person giving the notice is authorised to do so on the candidate's behalf during his absence from the United Kingdom.

Method of election

15.—(1) If, after any withdrawals in accordance with [^{F21}these Rules], the number of persons remaining validly nominated for the Assembly constituency exceeds one, a poll must be taken in accordance with Part 4 of these Rules.

(2) If, after any withdrawals in accordance with [^{F21}these Rules], only one person remains validly nominated for the Assembly constituency, that person must be declared to be elected in accordance with Part 5.

Textual Amendments

F21 Words in Sch. 1 rule 15 substituted (8.2.2016) by [The Greater London Authority Elections \(Amendment\) Rules 2016 \(S.I. 2016/24\)](#), rules 1(2), **6(5)**

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