
EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Local Elections (Principal Areas) (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 elections of councillors of the council of a principal area (that is a county, district or London borough) 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 council 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 principal area 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.