



Customer & Corporate
Services.

Electoral Services
West Offices
Station Rise
York
YO1 6GA

Joanne Lowe – Tel 01904 551050
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September 2017

Dear Candidate

PARISH OF COPMANTHOPRE – TUESDAY 17 OCTOBER 2017

I enclose with this letter a nomination set which contains: a nomination paper, a candidate's consent to nomination, a timetable, a candidate's guide and a register of electors request form.

I do strongly recommend you view the Electoral Commission guidance on their website for parish and community council elections, it provides excellent information on not only qualifications for standing, but also on candidates spending and their campaign.

<http://www.electoralcommission.org.uk/i-am-a/candidate-or-agent/parish-and-community-council-elections-in-england-and-wales>

Please note that nomination papers should be delivered to me at West Offices, Station Rise between 10am and 4pm from 13 September (excluding Saturday and Sunday) and not later than 4pm on Wednesday 20 September 2017.

It is strongly recommend you make an appointment for your nomination papers to be checked informally, to ensure that your papers are completed correctly and to assist in completing the essential information required.

If you have any queries regarding the election please do not hesitate to contact me on the above telephone number.

Yours sincerely

Joanne Lowe
Assistant Electoral Officer

CITY OF YORK COUNCIL

COPMANTHORPE PARISH ELECTION

TUESDAY 17 OCTOBER 2017

ELECTION TIMETABLE

Publish Notice of Election	Not later than	12 September 2017
First day for delivery of nomination papers		13 September 2017
Delivery of nomination papers	Not later than 4pm on	20 September 2017
Publication of Statement of persons Nominated	Not later than 5pm on	20 September 2017
Delivery of notices of withdrawal of candidature	Not later than 4pm on	29 September 2017
Applications to change a postal vote to a Proxy vote, or vice-versa, or to have a postal ballot paper sent to a different address, or to cancel a postal or proxy vote.	Not later than 5pm on	2 October 2017
Publication of Notice of Poll	Not later than	9 October 2017
Applications to be treated a Proxy Voter for a particular election	Not later than 5pm on	9 October 2017
Polling Day	7am to 10pm	17 October 2017
Submission of return and declaration of expenses		25 November 2017 where the result is declared before midnight on Polling Day otherwise, 26 November where the result is declared after midnight on Polling Day

NOMINATION PAPER

NO. OF NOMINATION PAPER IN ORDER OF DELIVERY		
DATE DELIVERED	HOUR DELIVERED	INITIALS

ELECTION OF PARISH COUNCILLOR(S) for the

[.....Ward of the]

Parish of.....

Day 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.

Candidates surname	Other Forenames in full	Commonly used surname (if any)	Commonly used forenames (if any)	Description (if any) (use no more than six words)	Home address in full

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 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
 - a) that the use of the commonly used name may 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 that there are vacancies to be filled in the same electoral area in which the election is held; or
 - b) Subscribe a nomination paper for more than one ward in a parish or community 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.

ELECTION OF A PARISH COUNCILLOR
for the

(.....Ward of the)
Parish of

Day of Election.....20.....

CANDIDATE'S CONSENT TO NOMINATION

(to be given on or within one month before the last day for the delivery of nomination papers and delivered at the place and within the time appointed for delivery of nomination papers)

I, (name in full).....

of (home address in full).....

hereby consent to my nomination as a candidate for election as a parish councillor for (the.....

..... ward of) the parish of

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 Commonwealth citizen, a citizen of the Republic of Ireland or a citizen of another Member State of the European Community, who has attained the age of 18 years and that

- * (a) I am registered as a local government elector for the parish of..... in respect of (*qualifying address in full*).....
- OR * (b) and my electoral number (*see Note below*) is.....
I have during the whole of the 12 months preceding that day or those days occupied as owner or tenant the following land or other premises in that area (*description and address of land or premises*).....
- OR * (c) My principal or only place of work during those 12 months has been in that parish at (*give address of place of work and, where appropriate, name of employer*)
- OR * (d) I have during the whole of those twelve months resided in that parish or within 4.8 kilometres of it (*give address in full*)

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 section 80 of the Local Government Act 1972 or any decision made under section 79 of the Local Government Act 2000 (copies of which is printed overleaf)

Date of Birth..... Signed

Date.....

Signed in my presence

Signature of witness.....

Name and address of witness (CAPITAL LETTERS)

*delete whichever is inappropriate

NOTE- A person's electoral number is his number in the register to be used at the election (including the distinctive letter of the parliamentary polling district in which he is registered).

Extracts from the local Government Act 1972 - Part V (as amended)

Disqualifications for election and holding offices as member of local authority.

Section 80

- (1) Subject to the provisions of section 81 below, a person shall be disqualified for being elected or being a member of a local authority if he -
- (a) holds any paid office or employment (other than the office of chairman, vice-chairman or deputy chairman, in the case of a local authority which are operating executive arrangements which involve a leader and cabinet executive, the office of executive leader or member of the executive) appointments to which are or may be made or confirmed by the local authority or any committee or sub-committee of the authority or by a joint committee on which the authority are represented or by any person holding any such office or employment; or
 - (b) is a person who has been adjudged bankrupt, or made a composition or arrangement with his creditors; or
 - (d) has within five years before the day of election or since his election been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and has had passed on him a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine; or
 - (e) is disqualified for being elected or for being a member of that authority under Part III of the Representation of the People Act 1983 or under the Audit Commission Act 1998.
- (2) Subject to the provisions of section 81 below, a paid officer of a local authority who is appointed on the direction of -
- (a) a committee or sub-committee of the authority any member of which is appointed on the nomination of some other local authority; or
 - (b) a joint board, joint authority or joint committee on which the authority are represented and any member of which is so appointed;
- shall be disqualified for being elected or being a member of that other local authority.
- (3) Teachers in a school maintained but not established by a local education authority shall be in the same position as respects disqualification for office as members of the authority as teachers in a school established by the authority.
- (5) For the purposes of subsection (1)(d) above, the ordinary date on which the period allowed for making an appeal or application with respect to the conviction expires or, if such an appeal or application is made, the date on which the appeal or application is finally disposed of or abandoned or fails by reason of the non-prosecution thereof shall be deemed to be the date of the conviction.

Exceptions to provisions of section 80

section 81

- (1) Where a person is disqualified under section 80 above by reason of having been adjudged bankrupt the disqualification shall cease -
- (a) unless the bankruptcy order made against that person is previously annulled, on his discharge from bankruptcy; and
 - (b) if the bankruptcy order is so annulled, on the date of the annulment.
- (2) Where a person is disqualified under section 80 above by reason of his having made a composition or arrangement with his creditors and he pays his debts in full, the disqualification shall cease on the date on which the payment is completed and in any other case it shall cease on the expiration of five years from the date on which the terms of the deed of composition or arrangement are fulfilled.

Local Government Act 2000

Decisions of case tribunals

Section 79

- (1) A case tribunal which adjudicates on any matter must decide whether or not any person to which that matter relates has failed to comply with the code of conduct of the relevant authority concerned.
- (2) Where a case tribunal decides that a person has not failed to comply with the code of conduct of the relevant authority concerned, it must give notice to that effect to the standards committee of the relevant authority concerned.
- (3) Where a case tribunal decides that a person has failed to comply with the code of conduct of the relevant authority concerned, it must decide whether the nature of the failure is such that the person should be suspended or disqualified in accordance with subsection (4).
- (4) A person may be –
 - (a) suspended or partially suspended from being a member or co-opted member of the relevant authority concerned, or
 - (b) disqualified for being, or becoming (whether by election or otherwise), a member of that or any other relevant authority.
- (5) Where a case tribunal makes such a decision as is mentioned in subsection (4)(a), it must decide the period for which the person should be suspended or partially suspended (which must not exceed one year or, if shorter, the remainder of the person's term of office).
- (6) Where a case tribunal makes such a decision as is mentioned in subsection (4)(b), it must decide the period for which the person should be disqualified (which must not exceed five years).
- (7) Where a case tribunal decides that a person has failed to comply with the code of conduct of the relevant authority concerned but should not be suspended or disqualified as mentioned in subsection (4), it must give notice to the standards committee of the relevant authority concerned –
 - (a) stating that the person has failed to comply with that code of conduct, and
 - (b) specifying the details of that failure.
- (8) Where a case tribunal decides that a person has failed to comply with the code of conduct of the relevant authority concerned and should be suspended or partially suspended as mentioned in subsection (4)(a), it must give notice to the standards committee of the relevant authority concerned –
 - (a) stating that the person has failed to comply with that code of conduct,
 - (b) specifying the details of that failure, and
 - (c) stating that the person must be suspended or partially suspended by the relevant authority concerned for the period, and in the way, which the tribunal has decided.
- (9) A relevant authority must comply with any notice given to its standards committee under subsection (8).
- (10) Where a case tribunal decides that a person has failed to comply with the code of conduct of the relevant authority concerned and should be disqualified as mentioned in subsection (4)(b), it must give notice to the standards committee of the relevant authority concerned –

- (a) stating that the person has failed to comply with that code of conduct,
 - (b) specifying the details of that failure, and
 - (c) stating that the person is disqualified for being, or becoming (whether by election or otherwise), a member of that or any other relevant authority for the period which the tribunal has decided.
- (11) The effect of a notice given to the standards committee of a relevant authority under subsection (10) is to disqualify the person concerned as mentioned in subsection (10)(c).
- (12) A copy of any notice under this section –
- (a) must be given –
 - (i) to the Standards Board for England, where the relevant authority concerned is in England,
 - (ii) to the Commission for Local Administration in Wales, where the relevant authority concerned is in Wales,
 - (b) must be given to any person who is the subject of the decision to which the notice relates, and
 - (c) must be published in one or more newspapers circulating in the area of the relevant authority concerned.
- (13) Where the person concerned is no longer a member or co-opted member of the relevant authority concerned but is a member or co-opted member of another relevant authority in the same country (that is to say, England or Wales) –
- (a) a copy of any notice under subsection (2), (7) or (10) must also be given to the standards committee of that other relevant authority,
 - (b) the references in subsections (4)(a) and (8)(c) to the relevant authority concerned are to be treated as references to that other relevant authority,
 - (c) the duty to give notice to the standards committee of the relevant authority concerned under subsection (8) is to be treated as a duty –
 - (i) to give that notice to the standards committee of that other relevant authority, and
 - (ii) to give a copy of that notice to the standards committee of the relevant authority concerned.
 - (d) the reference in subsection (12)(c) to the relevant authority concerned is to be treated as including a reference to that other relevant authority.
- (14) A case tribunal must take reasonable steps to inform any person who made any allegation which gave rise to the adjudication of the decision of the case tribunal under this section.
- (15) Where a case tribunal decides under this section that a person has failed to comply with the code of conduct of the relevant authority concerned, that person may appeal to the High Court against that decision, or any other decision under this section which relates to him.

Parish of COPMANTHORPE By-Election

17 OCTOBER 2017

Please complete the information below and leave this attached to your nomination paper.

Name:

In the event that the Deputy Returning Officer may need to contact me in respect of a query arising from my nomination paper my contact details are as follows:

STD code: Daytime telephone number :

Mobile Number:

Email.....@.....

ELECTION OF PARISH COUNCILLOR(S)

[for theWard]

of the Parish

Date of Election

To The Returning Officer
West Offices
Station Rise
York
YO1 6GA

Notice of Appointment of Counting Agent(s)

I.....(Candidates Name)
a duly nominated Candidate at the above mentioned election **HEREBY GIVE YOU NOTICE** that I have appointed the following person(s), namely:-

Name(s)	Address(es)

to be my Agent(s) to attend at the counting of votes at the said election.

Dated:

Signed.....
Candidate at the election

NOTE - This Notice must be given to the Returning Officer not later than the FIFTH day before the day of election. The Returning Officer may refuse to admit to the counting any agent whose name and address has not been so given to him/her.

In computing any period of time for this purpose, Saturday, Sunday, Christmas Eve, Christmas day, Good Friday, bank holidays or days appointed for public thanksgiving or mourning must be disregarded.



CITY OF
YORK
COUNCIL

ELECTION OF PARISH COUNCILLORS

GUIDE FOR CANDIDATES

The notes in this guide set out briefly the main points of concern to any candidate at an election of parish councillors. The information is not issued for statutory purposes but it has been produced to help candidates who are responsible for compliance with the various Acts.

Who May Be A Candidate ?

To be qualified to be elected as a member of a parish council a person must be 18 years of age or over at the date of their nomination and either a Commonwealth citizen, a European Union Citizen or a citizen of the Republic of Ireland, and either :-

- 1) be a local government elector for the parish, or
- 2) have during the whole of the twelve months before their nomination as candidate occupied as owner or tenant any land or premises in the parish, or
- 3) their principal or only place of work before the day of their nomination as a candidate has been in the area of the parish, or
- 4) during the whole of the twelve months before the day of their nomination as a candidate resided in the parish or within 3 miles of it.

There are certain disqualifications for election, of which the main are :

- a) holding a paid office under the local authority
- b) bankruptcy
- c) having been sentenced to a term of imprisonment (whether suspended or not) of not less than three months, without the option of a fine, during the five years preceding the election.
- d) being disqualified under any enactment relating to corrupt or illegal practices.

The Election Timetable

The ordinary election for parish councillors for parishes within the City of York will next take place in 2019 and every fourth year thereafter. Elections are held on the first Thursday in May (unless altered by the Secretary of State).

The election period lasts a little over four weeks. The following timetable sets out the latest time or day allowed for the various events. In calculating the timetable the following days are disregarded : Saturdays, Sundays, Christmas Eve, Christmas Day, Good Friday, a bank holiday or day appointed for public thanksgiving or mourning.

Proceedings	Latest Time
Notice of Election	25 Days before polling
Delivery of Nomination papers	Noon 19 days before
Notice of Withdrawal	Noon 19 days before
Publication of Statement of Persons Nominated	Noon 18 days before
Notice of Poll	6 days before polling
Notice of appointment of counting or polling agents	5 days before polling

No deposit is required at parish council elections

Nomination

Each candidate must be nominated on a separate nomination paper in the prescribed form. The nomination paper must be subscribed by a Proposer and a Secunder who must be local government electors for the parish or if the parish is divided into wards, the parish ward.

It is not essential for the candidate to give a description on the nomination paper but if one is given it can be of a personal nature but it must not be more than six words in length otherwise the nomination paper will be ruled invalid. If the nomination paper is held to be valid, the description will be shown on all election notices and will also appear on the ballot paper.

A person who subscribes a nomination paper need not sign their name exactly as it appears in the register of electors, their usual signature will be acceptable. For example a person whose name appears in the register as "Smith, Charles A." may sign his name C.A. Smith, Charles A. Smith, C. Smith, A. Smith, C. Arthur Smith, Charlie Smith, etc., whichever happens to be the way he usually sign his name.

The subscribers must also give their electoral numbers which appear in the register of electors which is to be used at the election. The number includes the distinctive polling district letters which are found on the front cover and the top of each page in the register. **If the numbers and/or letters are incorrect the nomination paper will be ruled invalid.**

A person may not sign more than one nomination paper in respect of the same candidate or subscribe more nomination papers than there are vacancies in the parish or parish ward.

Registration of Political Parties Act 1998

All political parties must now register their name with the Registrar of Political Parties who can be contacted at Companies House, Crown Way, Cardiff CF4 3UZ ; telephone 01222 380380.

The Act provides a degree of protection for the registered name of a registered party against unauthorised use in a candidate description and will allow authorised candidates to request inclusion of a registered party emblem on the ballot paper.

A candidate may not use a description which is likely to lead voters to associate him/her with political party, unless that description is authorised by a certificate signed by or on behalf of the party's registered nominating officer (form LE4X). This form must also be received by the returning officer not later than the latest time for delivery of nomination papers.

If a certificate is not supplied and the description on the nomination paper is political then the paper will be declared invalid.

A candidate who wishes a party's emblem to appear against his/her name on the ballot paper, must also request the appropriate emblem before the closing time for delivery of nominations.

Candidates standing as "Independents" do not require a certificate.

Consent to Nomination

The nomination is not valid unless the candidate's Consent to Nomination is given in writing on or within one month before the last day for the delivery of nomination papers, is delivered to the place and within the time appointed for the delivery of nomination papers. The consent must contain a statement declaring that, with reference to the day of nomination, the candidate is, and on the day of election will be, qualified to be elected. The consent must be attested by a witness.

Statement of Persons Nominated

As soon as possible after close of nominations but no later than noon on the seventeenth day before the day of election, the returning officer will publish a Statement of Persons Nominated.

Withdrawal by Candidates

A candidate may withdraw their candidature by a written notice of withdrawal which must be signed by the candidate and attested by one witness. The notice must be delivered to the returning officer at the place for the delivery of nomination papers.

If a candidate is validly nominated for more than one electoral area they must withdraw their candidature in all areas except one and if this is not done they will be deemed to have withdrawn from all electoral areas.

Hours of Poll

The poll at local government elections commences at 7.00 a.m. and closes at 10.00 p.m.

Appointment of Election Agent

A candidate at an election of parish councillors is not required to appoint an election agent.

Polling and counting Agents

Every candidate may appoint agents to attend at polling stations for the purpose of detecting personation (it is important not to confuse polling agents with tellers or number takers who have no official status at a polling station) and counting agents to attend at the counting of votes. Notice of the appointments must be made in writing to the returning officer not later than five days before the day of the election. The returning officer will set certain limits as to the number of counting agents who may be appointed and there are prescribed limits as to the number of polling agents who may attend one polling station. These limits will be notified to candidates prior to the deadline for appointments.

A candidate may also appoint agents to attend at the opening of postal ballot papers. Notice of the appointments must be given to the returning officer not later than the time fixed for the opening.

Election Expenses

A candidate's election expenses are expenses incurred before, during or after an election on account of or in respect of the conduct or management of an election.

Election expenses at a parish council election must not exceed the permitted amount £600 together with an additional 5p for every entry on the register of electors for the parish or parish ward. Where there are two "joint candidates", their maximum is reduced by one fourth, where there are more than two, by

one third. Joint candidates are candidates for the same electoral area who employ the same agent, or clerks or messengers, or hire or use the same committee rooms, or publish a joint election address or circular.

Payment of election expenses

Every payment made by a candidate in respect of election expenses must, except where the amount is less than £10, be vouched for by a bill stating the particulars, and by a receipt. Every claim against the candidate must be sent to him/her within 14 days after the declaration of the result of the election. If a claim is not received within this time limit it must not be paid unless by order of a court.

All election expenses must be paid within 21 days of the day of election unless later payment is allowed by a court. Every agent of a candidate must, within 23 days after the election, make a return to the candidate in writing of all election expenses incurred by the agent.

Return of election expenses

Within 28 days after the day of election, the candidate must deliver to the proper officer of the council a RETURN in a prescribed form showing all payments made by him, together with the bills and receipts. The return must be accompanied by a DECLARATION, also in a prescribed form, made by the candidate declaring that to the best of his/her knowledge and belief the return is true and correct.

This return is for the purpose of checking that the expenses incurred do not exceed the authorised limit and does not entitle the candidate to any refund of expenses from the council.

Failure by a candidate to send in the return or declaration within the prescribed time constitutes an illegal practice, knowingly making a false declaration constitutes a corrupt practice. On certain grounds however, such as illness or inadvertence, a candidate or election agent may apply to a court for an "authorised excuse".

Corrupt Practices

A person found guilty of a corrupt practice is, in general, liable to imprisonment for up to a year, or to a fine (or both) and is disqualified for five years from being registered as an elector, voting or holding any public office. If an elected candidate is reported guilty of a corrupt practice by an election court, his/her election will be void.

It is a corrupt practice to influence, or attempt to influence, a person in the way they vote by :-

1. bribery i.e. giving any gift, or procuring any office ;
2. treating, i.e. providing food, drink or entertainment ;
3. undue influence, i.e. using or threatening any kind of force, violence or duress.

Illegal Practices

A person convicted of an illegal practice is liable to a fine and is disqualified for five years from being registered as an elector or voting at any election in the area. If an elected candidate is reported guilty of an illegal practice by an election court, his/her election will be void.

A candidate may be convicted of an illegal practice if he/she :-

- a) makes or publishes any false statement of fact about the personal character or conduct of a candidate unless it can be shown that there were reasonable grounds for believing and did believe the statement to be true ;
- b) publishes a false statement of the withdrawal of a candidate for the purpose of procuring the election of another candidate ;
- c) pays any voter for the exhibition of any election address, bill or notice unless the voter's usual business is that of an advertising agent ;
- d) prints, publishes, posts or distributes any bill, placard or poster referring to the election, or any document distributed for the purpose of promoting or procuring the election of a candidate, unless it shows on it the name and address of the printer and publisher ;
- e) hires, borrows or uses, for conveying voters to polling stations, a taxi, hackney carriage or any vehicle used for the purpose of letting out for hire ;
- f) pays for the hire of taxis, or for railway fares for the purpose of promoting or procuring the election of a candidate on account of the conveyance of voters to or from the poll ;
- g) hires or uses as a committee room any premises in a school which receives a grant from Parliament ;
- h) employs or hires a canvasser for payment ;
- l) with intent to influence the voting, makes use of any television or other wireless transmitting station outside of the United Kingdom otherwise than under arrangements for a broadcast by the BBC, the ITC, the Radio Authority or a programme contractor.

A candidate may be convicted of an illegal practice, if while an election is pending, he/she takes part in any broadcast (TV or sound) about the electoral area for the purpose of promoting or procuring their election unless:-

- a) the broadcast is made without their consent, or
- b) the broadcast is made after Noon on the nineteenth day before the day of election (the last day for the delivery of nomination papers) with their consent and that of all the other candidates.

For this purpose an ordinary election is "pending" for five weeks and a by election from the twenty fifth day - before the day of election up to the close of poll.

Questioning an election

A parish council election can be questioned only by way of an election petition. Any person wishing to take this course of action are advised to take legal advice. The petition must normally be presented to the High Court within twenty one days after the date on which the election was held. If presented on the grounds of corrupt or illegal practice after the election, or of a complaint relating to election expenses, it may, in certain cases, be presented at a later date.

Acceptance of Office

A successful candidate may not act as a parish councillor unless they have made a Declaration of Acceptance of Office in a prescribed form before or at the first meeting of the parish council after the election, or, if the council at that meeting so permit before or at a later meeting fixed by the parish council.

Conclusion

If candidates require any further assistance they should contact in the first instance the Elections team who are Joanne Lowe 551050, Claire Gowlett 551051 and Angela Shearston 551239, they are located at West Offices, Station Rise, York. YO1 6GA.

Andrew Flecknor : andrew.flecknor@york.gov.uk
Joanne Lowe : joanne.lowe@york.gov.uk
Claire Gowlett : claire.gowlett@york.gov.uk
Angela Shearston : angela.shearston@york.gov.uk

Andrew Flecknor
Electoral Services Manager
West Offices
Station Rise
YORK
YO1 1GA

01904 552032

ELECTION OF A PARISH COUNCILLOR
for the

(.....Ward of the)

Parish of

Day of Election.....20.....

CANDIDATE'S CONSENT TO NOMINATION

(to be given on or within one month before the last day for the delivery of nomination papers and delivered at the place and within the time appointed for delivery of nomination papers)

I, (name in full).....

of (home address in full).....

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

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 Commonwealth citizen, a citizen of the Republic of Ireland or a citizen of another Member State of the European Community, who has attained the age of 18 years and that

* (a) I am registered as a local government elector for the parish of..... in respect of (qualifying address in full).....

and my electoral number (see Note below) is.....

OR * (b) I have during the whole of the 12 months preceding that day or those days occupied as owner or tenant the following land or other premises in that area (description and address of land or premises).....

OR * (c) My principal or only place of work during those 12 months has been in that parish at (give address of place of work and, where appropriate, name of employer)

OR * (d) I have during the whole of those twelve months resided in that parish or within 4.8 kilometres of it (give address in full)

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 section 80 of the Local Government Act 1972 or any decision made under section 79 of the Local Government Act 2000 (copies of which is printed overleaf)

Date of Birth..... Signed

Date.....

Signed in my presence

Signature of witness.....

Name and address of witness (CAPITAL LETTERS)

*delete whichever is inappropriate

NOTE- A person's electoral number is his number in the register to be used at the election (including the distinctive letter of the parliamentary polling district in which he is registered).

Extracts from the local Government Act 1972 - Part V (as amended)

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Section 80

- (1) Subject to the provisions of section 81 below, a person shall be disqualified for being elected or being a member of a local authority if he -
- (a) holds any paid office or employment (other than the office of chairman, vice-chairman or deputy chairman, in the case of a local authority which are operating executive arrangements which involve a leader and cabinet executive, the office of executive leader or member of the executive) appointments to which are or may be made or confirmed by the local authority or any committee or sub-committee of the authority or by a joint committee on which the authority are represented or by any person holding any such office or employment; or
 - (b) is a person who has been adjudged bankrupt, or made a composition or arrangement with his creditors; or
 - (d) has within five years before the day of election or since his election been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and has had passed on him a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine; or
 - (e) is disqualified for being elected or for being a member of that authority under Part III of the Representation of the People Act 1983 or under the Audit Commission Act 1998.
- (2) Subject to the provisions of section 81 below, a paid officer of a local authority who is appointed on the direction of -
- (a) a committee or sub-committee of the authority any member of which is appointed on the nomination of some other local authority; or
 - (b) a joint board, joint authority or joint committee on which the authority are represented and any member of which is so appointed;
- shall be disqualified for being elected or being a member of that other local authority.
- (3) Teachers in a school maintained but not established by a local education authority shall be in the same position as respects disqualification for office as members of the authority as teachers in a school established by the authority.
- (5) For the purposes of subsection (1)(d) above, the ordinary date on which the period allowed for making an appeal or application with respect to the conviction expires or, if such an appeal or application is made, the date on which the appeal or application is finally disposed of or abandoned or fails by reason of the non-prosecution thereof shall be deemed to be the date of the conviction.

Exceptions to provisions of section 80

section 81

- (1) Where a person is disqualified under section 80 above by reason of having been adjudged bankrupt the disqualification shall cease -
- (a) unless the bankruptcy order made against that person is previously annulled, on his discharge from bankruptcy; and
 - (b) if the bankruptcy order is so annulled, on the date of the annulment.
- (2) Where a person is disqualified under section 80 above by reason of his having made a composition or arrangement with his creditors and he pays his debts in full, the disqualification shall cease on the date on which the payment is completed and in any other case it shall cease on the expiration of five years from the date on which the terms of the deed of composition or arrangement are fulfilled.