

Police and Crime Commissioner elections in England and Wales

Guidance for candidates and agents

Part 2b of 6 – Standing as a party candidate

This document applies only to Police and Crime Commissioner elections. Our guidance and resources for all elections in England and Wales can be accessed from our website at:

<http://www.electoralcommission.org.uk/guidance/resources-for-those-we-regulate/candidates-and-agents>.

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Essential information

This section of the document contains our guidance on standing as a party candidate at a Police and Crime Commissioner election in England (excluding London) or Wales. Supplementary information, which may only be relevant to some candidates, is provided at the back of this document. You can also view this supplementary guidance by clicking on the links within this document or by clicking on the chapter heading on the contents page.

We are here to help, so please contact your local Commission office if you have any questions. See our [Overview document](#) for contact details.

In this document, we use 'you' to refer to the candidate. We use 'must' to refer to a specific legal requirement and 'should' for recommended practice.

Deadlines mentioned in this document are generic. We have published a [generic election timetable on our website](#). Once an election has been called, you will be able to obtain a copy of the specific timetable for that election from the Police Area Returning Officer.

Completing your nomination papers

- 1.1 To become nominated as a candidate at a Police and Crime Commissioner election in England or Wales, you need to submit a completed set of nomination papers to the place fixed by the Police Area Returning Officer and pay a deposit of £5,000 [by 4pm on the 19th working day before the poll](#). This deadline is set out in law and cannot be changed for any reason. The start date from which you

will be able to submit nomination papers, as well as the times and place for delivery, will be set out in the official notice of election published by the Police Area Returning Officer.

1.2 There are three nomination papers that you must submit to make your nomination valid:

- the nomination form
- the home address form
- your consent to nomination

1.3 To stand on behalf of a registered political party, you will also need:

- A certificate authorising you to use the party name or a registered description on the ballot paper (known as the [certificate of authorisation](#)). For more details on the certificate of authorisation, see paragraph 1.17.
- A written request to use one of the party's emblems (if you would like one to appear on the ballot paper). For more information on the [emblem request form](#), see paragraph 1.21.

1.4 You can obtain nomination papers from the Police Area Returning Officer. Contact details can be obtained from our website. Alternatively, the Commission has produced a set of [nomination papers](#) that you could use.

1.5 If you, your agent or someone you trust are unable to complete the nomination form, the Police Area Returning Officer can help by preparing the form for your signature.

1.6 The Police Area Returning Officer may also be able to offer informal checks of your completed nomination papers before you submit them.

1.7 Note that any information you provide on your nomination papers must be true to the best of your knowledge. It is an offence to provide a false statement on your nomination papers. Providing a false statement could invalidate your election, and is also punishable by a maximum fine of

Alongside your nomination papers, you must also lodge a deposit of £5,000 with the Returning Officer. See paragraph 1.33 for further details.

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£5,000 (or unlimited if convicted on indictment) and/or imprisonment of up to six months (or a year if convicted on indictment).

The nomination form

1.8 By law, a **nomination form** must be completed in English or, in Wales, in English or Welsh. Some of the information that appears on the ballot paper will be taken from your nomination form. The form must contain:

- **Your title.** On the form, you will be asked to indicate your title, i.e. Mr, Mrs, Miss, Ms, Dr or Other.
- **Your full name.** This means your surname (which must come first) and other names in full. Using initials only could lead to your nomination paper being rejected. Also, do not use prefixes such as Mr, Mrs, Dr or Cllr as part of your name. The same applies to suffixes. However, if you have a title, you can use this as your full name. For example, if your actual name is Joseph Smith but your hereditary title is Joseph Avon, you can use the name Joseph Avon as your full name.
- **Signatures of 100 registered electors** (known as subscribers) from the police area. Your subscribers must be registered on the register of local government electors for a local authority in the police area that is in force on the last day for publication of notice of election (i.e. **the 25th working day before the poll**). For further information, see paragraph **1.85**.

1.9 The following is optional:

- **A commonly used name** – if you commonly use a name that is different from your actual name and you wish this to appear on the ballot paper, you need to state this on the nomination form. More details are provided in paragraph **1.78**.
- **A description** – you can ask for either the party's name as registered with the Commission or one of the party's registered descriptions to appear on the ballot paper underneath your name. If you are a candidate in Wales, you may use either the

It is good practice to write your name and any description on the nomination form **before** you ask subscribers to sign the form, so that the subscribers are aware of whose form they are subscribing.

To find out how to obtain the electoral register, see: [Part 4: The Campaign](#)

English version, Welsh version or both versions of either the party name or description as long as they are registered with us.

If you want to use a party name or description, you must submit alongside your other nomination papers a certificate that shows that you are authorised to use the party's name or description (known as a [certificate of authorisation](#)). The certificate must be issued by the registered party's Nominating Officer (or someone authorised to act on their behalf) and be received by the Police Area Returning Officer by the nominations deadline, i.e. [by 4pm on the 19th working day before the poll](#). Further information on the certificate is provided in paragraph **1.16**.

If you are standing on behalf of two or more parties, you may use a joint description as registered with the Commission. In that case, you will need authorisation from the Nominating Officer for each of the registered parties (or people authorised to act on their behalf).

You should take particular care when completing the descriptions field on the nomination form. The party name/description used on the nomination paper must exactly match the party name/description on the Commission's online register of political parties at <https://pefonline.electoralcommission.org.uk/search/searchintro.aspx>. If it does not, the whole nomination paper will be rejected.

Note that you do not have to use a description. You may choose not to have a description at all by leaving the description field of the form blank.

Registered party names and registered descriptions can be found on our online register. <https://pefonline.electoralcommission.org.uk/search/searchintro.aspx>

Welsh translations of party names are listed on the website under 'other name' and translations of descriptions are listed to the right of the description under 'translation(s)'.

If you wish to stand as an independent candidate, see [Part 2a: Standing as an independent candidate](#) for further information.

Home address form

- 1.10 For your nomination to be valid, you must submit a completed home address form with your nomination form and consent. Candidates' home addresses will not appear on the ballot paper, and you can choose whether or not you want your address to be made public, i.e. published

Candidates' home addresses will not appear on the ballot paper.

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on the statement of persons nominated. Home address forms are not available for public inspection and will be destroyed after the election.

1.11 The home address form must contain:

- Your full name, as stated on your nomination form.
- Your full home address. You must provide your full home address even if you choose not to make it public. Your home address:
 - must be completed in full
 - must not contain abbreviations
 - must be your current home address
 - must not be a business address (unless you run a business from your home)

1.12 If you do not want your home address to be made public, you must also state this on the home address form and give an electoral area within the police area at which you are registered. This statement is only required if you do not want to make your home address public.

Consent to nomination

1.13 You must also formally consent to your nomination in writing. On the [consent to nomination form](#) you will be asked to state that you meet all the qualifications for standing and are not disqualified from standing. You must also state your date of birth.

1.14 You must meet all of the qualifications to stand for election, as explained in [Part 1: Can you stand for election?](#)

1.15 You are not allowed to sign the consent form earlier than 31 calendar days before the deadline for submitting your nomination papers. Your signature must be witnessed, and the witness must sign the form and give their full name and address. There are no restrictions on who can be a witness to the consent to nomination.

The certificate of authorisation

1.16 Political parties authorise candidates to stand for them by issuing a certificate of authorisation. This must state that the named candidate can stand on their behalf and allow them to use one of the following:

- the exact party name as registered with the Commission
- one of the party's registered descriptions
- your choice of either the registered party name or one of the registered descriptions.

1.17 Particular care should be taken by the Nominating Officer (or someone authorised to act on their behalf) when completing the certificate of authorisation. If the certificate explicitly authorises a particular party name/description and this does not match the party name/description on the nomination paper, the whole nomination will be invalid.

1.18 The certificate of authorisation must be signed by the registered Nominating Officer of the political party or by someone authorised by the Nominating Officer to act on their behalf.

Request to use an emblem on the ballot paper

1.19 If you have been authorised by a political party to use the party name or a registered description on the ballot paper, you can also request that one of the party's official emblems is printed on the ballot paper next to your name.

1.20 You must make the request for an emblem in writing and deliver it to the Police Area Returning Officer. The request must be received by the Police Area Returning Officer before 4pm on the 19th working day before the election. The Police Area Returning Officer will supply you with a form can use to make this request or, alternatively, you can use the emblem request form produced by the Commission.

1.21 The request should state both the name of the political party and the description of the emblem to be used, as listed on the Commission's online register of political

Emblems can be viewed or downloaded from our online register of political parties:

<https://pefonline.electoralcommission.org.uk/search/searchintro.aspx>

parties at

<https://pefonline.electoralcommission.org.uk/search/searchintro.aspx>. Registered emblems cannot be varied in any way.

- 1.22 Candidates standing on behalf of two or more registered parties and using a joint description can use an emblem that has been registered by one of the relevant parties. The request must be made in writing and delivered to the Police Area Returning Officer by the close of nominations, i.e. [4pm on the 19th working day before the poll](#). The Police Area Returning Officer will supply you with a form you can use to make this request or, alternatively, you can use the [emblem request form](#) produced by the Commission. The request should state the name of the political party that has registered the emblem you wish to use and the description of the emblem to be used, as listed on the Commission's online register of political parties at <https://pefonline.electoralcommission.org.uk/search/searchintro.aspx>

Submitting your nomination papers

- 1.23 All nomination papers, including the consent to nomination, the home address form, the certificate of authorisation and emblem request form, as well as the deposit, must be delivered to the place specified on the notice of election by [4pm on the 19th working day before the poll](#). The nomination and home address form can only be delivered, by hand, by either yourself or one of the following people:
- your election agent (provided you have given notice of appointment to the PARO or the notice is submitted when the forms are delivered)
 - the proposer or seconder shown on the nomination form

- 1.24 There are no restrictions on who may deliver the other nomination papers. However, if you are not delivering them yourself, you should choose someone you trust so you can be sure that the forms are delivered to the PARO in time.
- 1.25 The nomination, home address form and consent to nomination must be delivered by hand and cannot be submitted by fax or other electronic means.
- 1.26 The original version of each completed paper must be submitted.
- 1.27 You should submit your nomination papers as early as possible to give the Police Area Returning Officer an opportunity to conduct an informal check and to give you sufficient time to submit new nomination papers should your first set contain any errors.
- 1.28 The last day for publishing notice of election will be 25 working days before the poll. In most cases, the notice of election for the police area will be published by the Police Area Returning Officer on their local authority's website.
- 1.29 Usually, nomination papers can only be delivered during normal office hours. The Police Area Returning Officer will confirm the exact details of when and where they can be delivered on the official notice of election. You will be able to contact the Police Area Returning Officer via their local authority's elections office. Contact details can be obtained from [our main website](#) and our About my vote website www.aboutmyvote.co.uk.
- 1.30 You should contact the Police Area Returning Officer as soon as possible to find out what arrangements are in place for submitting nomination papers.
- 1.31 After you have submitted your nomination papers you will be sent a notice by the Police Area Returning Officer to let you know whether or not your nomination is valid.
- 1.32 If, after you have submitted your nomination papers you change your mind and no longer want to stand for election, you can withdraw, provided you do so by [4pm on](#)

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[the 19th working day before the poll](#). For more details on withdrawing, see paragraph **1.40**.

The deposit

1.33 For your nomination to be valid, you (or someone acting on your behalf) must deposit £5,000 with the Police Area Returning Officer by the deadline for nominations, i.e. [4pm on the 19th working day before the poll](#). The deposit can be made using:

- cash (British pounds only)
- a UK banker's draft

1.34 The Police Area Returning Officer may also accept a deposit made by a building society cheque, a debit or credit card or an electronic funds transfer. However, they may refuse to do so. If you want to pay by card or electronic transfer, you should discuss with the Police Area Returning Officer at the earliest opportunity whether your payment method is acceptable

1.35 After the election, the deposit will be returned to you by the next working day if you poll more than 5% of the total number of valid first preference votes cast.

Inspecting other candidates' nomination papers

1.36 Only certain people are entitled to inspect nomination papers and make objections to them during the time for delivery of nomination papers (but not afterwards). These are:

- a person standing nominated as a candidate
- their election agent, proposer or seconder
- if you are acting as your own election agent, someone nominated by you to attend on your behalf.

- 1.37 One other person chosen by each candidate may also be present at the delivery of nomination papers, but may not inspect them nor make any objections.
- 1.38 Electoral observers and Electoral Commission representatives may also attend but may not inspect any nomination papers or home address forms, nor make any objections.

What happens after the close of nominations?

- 1.39 The Police Area Returning Officer will publish a statement of persons nominated for the police area **by no later than 4pm on the 18th working day before the poll**. They will then provide a copy to each local Returning Officer in the police area, who will publish the statement locally. The statement will include:
- the full or commonly used names, as the case may be, of all candidates validly nominated
 - the names of candidates who no longer stand nominated, if any (i.e. invalid and withdrawn candidates), with the reason why they are no longer standing
 - the address of each candidate, if they have consented to their home address being made public, or otherwise the name of the police area in which they are resident
 - each candidate's description (if any)

Withdrawing as a candidate

- 1.40 You may withdraw as a candidate by signing and submitting a withdrawal notice. There are no restrictions on who may submit the notice, but it must be delivered in person. The signing of the withdrawal must be witnessed by one other person, who must also sign the notice. A **notice of withdrawal** can be obtained from the Police Area Returning Officer or downloaded from our website.

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- 1.41 If you are outside the UK and want to withdraw but are not able to sign the withdrawal notice in person, your proposer (i.e. the first subscriber on your nomination paper) can sign it on your behalf. In this case, you must provide a written declaration of your absence from the UK which your proposer must submit with the withdrawal notice.
- 1.42 The withdrawal notice must be submitted by the deadline for withdrawals (i.e. [by 4pm on the 19th working day before the poll](#)). After the withdrawal deadline it is not possible to withdraw from the election, and your name will appear on the ballot paper. If the election is uncontested, you will be declared elected.

Will the election be contested or uncontested?

- 1.43 After the close of nominations, the Police Area Returning Officer will establish whether or not there is a need to hold a poll in the police area. If there is more than one candidate after the deadline for withdrawals, there will be a poll.
- 1.44 If, however, after the deadline for withdrawals there is only one validly nominated candidate, that candidate is declared to be elected.
- 1.45 In such a case, the Police Area Returning Officer will declare that candidate to be elected as Police and Crime Commissioner as soon as possible and will give public notice of the name of the person declared elected.

If elected at an uncontested election, candidates must still make a declaration as to their election spending.

[Part 3: Spending and donations](#) for more details.

Appointing your election agent and other agents

- 1.46 The election agent is the person responsible for the proper management of your election campaign and, in particular, for its financial management. You must have an election agent. If you do not appoint an agent, you will become your own agent by default.

1.47 Once appointed, only the election agent can make payments for election expenses.

1.48 You can also appoint other agents to observe the following electoral processes, which both you and your election agent are also entitled to observe:

- the opening of postal votes
- the poll
- the verification and count

1.49 Additionally, you, your election agent and one other person appointed by you will be entitled to attend the Police Area Returning Officer's calculation of the result.

1.50 Deputy election agents, who may be appointed by the election agent and are known as sub-agents, may attend the opening of postal votes in the area to which they have been appointed. However, they may only attend the poll, the verification, the count or the calculation of the result under certain circumstances, See paragraph **1.62** for further information.

Who can be an election agent?

1.51 There are no particular qualifications needed to be an election agent and you can be your own agent if you wish.

1.52 However, the following people are not allowed by law to be election agents:

- the Police Area Returning Officer, a Local Returning Officer, or a member of their staff (including any clerks appointed specifically for the election)
- a deputy or clerk of the Police Area Returning Officer, local Returning Officer, or a member of their staff
- an officer of a local authority whose services have been placed at the disposal of the Police Area Returning Officer or Local Returning Officer
- a partner or clerk of any of the above

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1.53 Your party may also have specific rules about who you can appoint as an election agent.

Appointing an election agent

1.54 Because of the responsibilities attached to the role of an election agent you should consider carefully who you are going to appoint and make sure that they understand their obligations.

1.55 You must declare in writing the name, address and office address of your election agent to the Police Area Returning Officer by 4pm on the 19th working day before the poll. The declaration should be signed by you and by the agent to show their acceptance of the appointment.

1.56 The Police Area Returning Officer may provide a declaration form, or you could use the election agent declaration form produced by the Commission. If you do not appoint someone as your agent by the deadline, you will automatically become your own agent.

1.57 Your agent's office address must be within the police area where the election is being held. The agent's office address will often be their home address, but it could be the local party office or an office set up for the election.

1.58 If you automatically become your own election agent because you have not appointed an agent, the office address is deemed to be the address you provided on the home address form. If that address is outside the police area, the office address is deemed to be the address of your proposer (i.e. the first subscriber on your nomination form). Election agents' names, addresses and office addresses are made public. If you are acting as your own agent, your address and office address will be made public even if, on your home address form, you have said that you do not want your home address to be made public.

It is helpful to also provide a contact telephone number and email address for your election agent so that the Police Area Returning Officer or a local Returning Officer can easily contact them.

Revoking an election agent's appointment

1.59 You can revoke the appointment of your election agent at any time, including after polling day, and a new

appointment can be made in the same manner as outlined above. If you revoke your election agent's appointment and do not appoint anyone else, you will be deemed to be your own election agent.

- 1.60 If you are acting as your own agent you can revoke your own appointment and appoint someone else as your agent.
- 1.61 Once an agent has signed their acceptance, they cannot resign and must fulfil the duties required of them unless you revoke their appointment.

Sub-agents

- 1.62 A candidate's election agent may appoint deputies, known as sub-agents, to act in any part of the police area in which the candidate is standing. While election agents may appoint more than one sub-agent, the parts for which they are appointed must not overlap. The office of the sub-agent must be in the area within which the sub-agent is appointed to act.
- 1.63 A sub-agent can do anything that the election agent is entitled to do within the area to which they are appointed.
- 1.64 However, the only election proceeding that a sub-agent is entitled to attend in their own right is the opening of postal votes, provided the opening takes place in the area to which they have been appointed. They may also attend the verification and count, as well as the calculation of the result, provided that they have been appointed to the area within which these are taking place and they are acting **in place of** the election agent. While the election agent is present, they may not attend.
- 1.65 The election agent should ensure that any sub-agent is aware of the election and spending rules, as any act, illegal practice or other offence committed by a sub-agent will be treated as if it had been done by the election agent. For further information on election spending, see [Part 3: Spending and donations](#).

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- 1.66 The election agent must notify the Police Area Returning Officer in writing of the name and address of each sub-agent and the area in which they may act by [the fifth working day before the day of the poll](#). The Police Area Returning Officer will provide a form you can use. Alternatively, you can use the form included for this purpose in the Commission's [nomination pack](#).
- 1.67 The election agent can revoke the appointment of a sub-agent at any time and appoint someone else in their place by providing the details of the new sub-agent to the Police Area Returning Officer.

Appointing other agents

- 1.68 You (or your election agent) may appoint other people as agents to attend postal vote openings, polling stations and the count.
- 1.69 Anyone, apart from those listed in paragraph **1.52**, can be appointed as a postal vote, polling or counting agent. You and your election agent, as well as any subagents, can also automatically act as one of those agents without the need of an official appointment.
- 1.70 You can appoint any number of polling agents to attend each polling station, but only one polling agent for each candidate can be present in a polling station at any time. A polling agent can be appointed to attend multiple polling stations.
- 1.71 The number of polling agents who may attend any particular polling station is limited to four, or such greater number as the relevant local Returning Officer decides to allow. If more than that number are appointed, the local Returning Officer will draw lots to determine those people who may attend. Your rights, your election agent's rights and the rights of sub-agents to attend will remain unaffected by this.
- 1.72 Each local Returning Officer will tell you the maximum number of postal voting and counting agents you can

appoint. All candidates will be allowed to appoint exactly the same number.

- 1.73 The request to appoint these agents must be made in writing to the relevant local Returning Officer by you or your agent. A separate appointment must be made for each local count, even if all local counts are held in a central location. It must contain the names and addresses of the people being appointed. The local Returning Officer will provide the relevant forms for this, or you can find [postal voting](#), [polling](#) and [counting agent](#) appointment forms on our website.
- 1.74 The deadline for appointing these agents will depend on the process they are to attend. Polling and counting agents must be appointed by not later than the [fifth calendar day before the poll](#) (please note that this deadline is calendar days not working days). However, appointment forms for postal voting agents only need to be submitted to the relevant local Returning Officer by the time fixed for the opening of postal votes they want to attend. The local Returning Officer will give you at least 48 hours' notice before the scheduled start of each postal vote opening session.
- 1.75 If an agent dies or becomes incapable of acting, you may appoint another agent in their place by submitting the relevant appointment form to the relevant local Returning Officer. Any new appointment in these circumstances must be made without delay.
- 1.76 More information on what agents can and cannot do and what they can expect to see at postal vote opening sessions, polling stations and the count, can be found in [Part 5: Your right to attend key electoral events](#).

Death of a candidate

- 1.77 If a candidate dies during the election period, see paragraph **1.92** for further information on how this will affect the election.

Supplementary information

Commonly used name(s)

1.78 If you commonly use a different name from your actual name, you can ask for your commonly used name(s) to be used instead of your actual name. The commonly used name(s) would then appear on:

- the statement of persons nominated and the notice of poll, and
- the ballot papers

1.79 The Police Area Returning Officer will disallow commonly used names that are likely to mislead or confuse electors, or are obscene or offensive. If the name(s) are not permissible, the Police Area Returning Officer will write to you stating the reason for rejection. In those cases, your actual name will be used instead.

1.80 You can request to use a commonly used forename, surname or both.

1.81 For example, you may be known by your abbreviated name 'Andy', rather than your full first name 'Andrew'. In that case, you can write 'Andy' into the commonly used forename box on the nomination paper if you would rather that name appear on the ballot paper.

1.82 You may also use initials as part of your commonly used name if you are commonly known by them.

1.83 If either the commonly used forename or surname box on the nomination paper is left blank, then your actual forename or surname, depending on which commonly used name box has been left blank, will be used.

- 1.84 It is an offence to give a false statement on your nomination paper. Therefore if you choose to provide a commonly used name, you must ensure that it is a forename or surname which you commonly use.

Signatures of subscribers

- 1.85 Each nomination form needs to be signed (subscribed) by 100 electors registered on the last day for publication of notice of election (i.e. the 25th working day before the poll) on any of the local government registers within the police area.
- 1.86 The first two electors will sign and print their names as proposer and seconder, and the remaining 98 as assenters.
- 1.87 The elector number of each subscriber as it appears on the electoral register, including the distinctive numbers or letters of the polling district, must be entered on the nomination form, as well as the name of the local authority in which they are registered. The distinctive numbers/letters of the polling district can usually be found at the front of the register. The Electoral Registration Officer for each local authority will be able to advise you how their register is laid out.
- 1.88 You will be entitled to a free copy of the electoral register for each local authority, or part of a local authority, that is within the police area in which you are standing . You should use the registers to ensure that your nomination form is properly subscribed.
- 1.89 An elector may **not** subscribe more than one nomination paper for the same Police and Crime Commissioner election. You should therefore always enquire, before asking a subscriber to sign your form, if they have already signed someone else's.
- 1.90 If a nomination form contains more than 100 subscribers' signatures, only the first 100 will be accepted. If any of the first 100 subscribers is invalid, the Police Area

To find out how to obtain the electoral register, see:

[Part 4: the Campaign](#)

There may be some electors on the register who have registered anonymously because of risks to their safety.

Anonymously registered electors may not subscribe nomination forms.

Anonymous electors are shown on the register with just their poll number and the letter 'N' (rather than with their name and address).

It is good practice to write your name and any description on the nomination form **before** you ask subscribers to sign the form, so that the subscribers are aware of whose form they are subscribing.

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Returning Officer must hold the nomination form invalid, regardless of whether the form contains more than 100.

- 1.91 Once the Police Area Returning Officer has formally accepted a nomination form, signatures cannot be withdrawn.

Death of a candidate

- 1.92 If the Police Area Returning Officer is notified of a candidate's death during the election campaign or even on polling day itself (but before the declaration of the result), the poll will be cancelled.
- 1.93 The Police Area Returning Officer will in that case order a new election to fill the vacancy. The new polling day will be within 35 working days of the day the Police Area Returning Officer gives notice of vacancy to the appropriate officer for the police area. Candidates already validly nominated do not have to be nominated a second time.
- 1.94 Should a fellow candidate die during the campaign, the Police Area Returning Officer will provide you with further guidance.
- 1.95 If an already elected candidate dies after the declaration of the result, a by-election would be needed to fill the vacancy.