
DRAFT STATUTORY INSTRUMENTS

2012 No.

The Police and Crime Commissioner Elections Order 2012

PART 2

Exercise of franchise for PCC elections

Offences

False statements in nomination papers etc

21.—(1) A person is guilty of a corrupt practice if, at a PCC election, the person causes or permits to be included in a document delivered or otherwise furnished to a police area returning officer or a local returning officer for use in connection with the election—

- (a) a statement of the name or home address of a candidate at the PCC election which the person knows to be false in any particular, or
- (b) a statement under rule 5(7)(b) of the PCC elections rules which the person knows to be false in any particular, or
- (c) anything which purports to be the signature of an elector who proposes, seconds or assents to, the nomination of a candidate at the PCC election but which the person knows—
 - (i) was not written by the elector by whom it purports to have been written, or
 - (ii) if written by that elector, was not written for the purpose of signifying that the person was proposing, seconding, or (as the case may be) assenting to, that candidate's nomination, or
- (d) a certificate authorising for the purposes of rule 6 of the PCC elections rules (nomination papers: name of registered political party) the use by a candidate of a description if the person knows that the candidate has been nominated as a candidate for election as a police and crime commissioner for any other police area for which the poll is to be held on the same day as the poll at the PCC election to which the certificate relates.

(2) A person is guilty of a corrupt practice if, at a PCC election, the person makes in any document in which the person consents to his or her nomination as a candidate—

- (a) a statement of the person's date of birth,
- (b) a statement as to the person's qualification for being elected at that election, or
- (c) a statement that the person is not a candidate at an election for any other police area the poll for which is to be held on the same day as the poll at the election to which the consent relates,

which the person knows to be false in any particular.

(3) For the purposes of paragraph (2), a statement as to a candidate's qualification is a statement—

- (a) that the candidate is qualified for being elected,
- (b) that the candidate will be qualified for being elected, or

- (c) that to the best of the candidate's knowledge and belief the candidate is not disqualified for being elected.