

“election address” shall be construed in accordance with article 4;

“election booklet” shall be construed in accordance with article 7;

“elector” in relation to an “election”—

- (i) means a person who is registered in the register of local government electors for an electoral area in Greater London on the last day permitted for publication of notice of the election^(a); and
- (ii) includes a person then shown in any such 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;

“the GLRO” means the Greater London returning officer;

“individual candidate” means a candidate other than a list candidate;

“list candidate” means a person included on a party list;

“party list” means a list submitted to the GLRO in accordance with paragraph 5 (party lists and individual candidates) of Part II of Schedule 2 to the 1999 Act on behalf of a party registered under Part II (registration of political parties) of the Political Parties, Elections and Referendums Act 2000;

“print” means print by whatever means (and “printer” shall be construed accordingly);

“registered political party” means a party which is registered under Part II (registration of political parties) of the PPER Act at the latest time by which the notice of election is required to be published;

“universal service provider” has the same meaning as in the Postal Services Act 2000^(b).

Mayoral candidate’s right to delivery of an election address

3. Each candidate at an election shall be entitled (subject to and in accordance with the provisions of this Order) to have an election address prepared on behalf of the candidate included in an election booklet prepared by the GLRO delivered at the Authority’s expense.

Election address

4. An election address, in relation to a candidate, is a statement prepared by the candidate’s election agent which complies with the provisions of articles 5 and 6.

Contents of election addresses

5.—(1) An election address must contain matter relating to the election only.

(2) In particular, an election address must not contain—

- (a) any advertising material (other than material promoting the candidate as a candidate at the election); or
- (b) any material referring to any other candidate or to a candidate for election to the Assembly; or
- (c) any material appearing to the GLRO—
 - (i) to be included with a view to commercial gain; or
 - (ii) to be indecent, obscene or offensive; or
 - (iii) to be such that its publication or distribution would be likely to amount to the commission of an offence.

(3) An election address may include a representation of the registered emblem^(c), or (as the case may be) one of the registered emblems, of a registered political party, if the address is prepared on behalf of an authorised party candidate.

^(a) See rule 3(1) in Schedule 3 to the Greater London Authority Elections (No. 2) Rules 2000 (S.I. 2000/427) as amended by S.I. 2000/1040 and S.I. 2001/3789 (“GLA Election Rules”). Publication of notice of election is to be not later than the twenty-fifth day before the day of election.

^(b) 2000 c.26. See s.4.

^(c) See s.29 PPER Act.

(4) In paragraph (3) above “authorised party candidate”, in relation to a registered political party, means a candidate who has been authorised to use the emblem in question by a certificate—

- (a) issued by or on behalf of the registered nominating officer of the party, and
 - (b) received by the GLRO before the last time for the delivery of nomination papers for the election.
- (5) An election address must—
- (a) contain a statement to the effect that it has been prepared by the candidate’s election agent; and
 - (b) give the name and address of the election agent.

Form of election addresses

6.—(1) Subject to any requirements imposed by or under this article, the format of a candidate’s election address may be determined by the candidate (and, in particular, may consist of a combination of words, pictures and artwork).

(2) An election address must be printed on not more than two sides of A5 paper, but if such an address is printed on two sides of such paper—

- (a) it must, when submitted to the GLRO for inclusion in the election booklet, be accompanied by a second version printed on a single side of such paper; and
- (b) if the total number of candidates from whom election addresses have been accepted by the GLRO by the last time for the delivery of nomination papers for the election exceeds 15, the version to be included in the election booklet shall be the second version.

(3) An election address must—

- (a) comply with such requirements as to typographical layout, margins and the use of colour as the GLRO may specify; and
- (b) comply with such other requirements as he may specify with a view to facilitating its reproduction as a page or pages of the election booklet.

(4) An election address must, when submitted to the GLRO for inclusion in the election booklet, be accompanied—

- (a) where the address is to contain a photograph of the candidate, by two identical copies of the photograph, of which one is signed on the back by the candidate; and
- (b) in any case, by such copies of anything contained in the address as the GLRO may reasonably require in connection with the reproduction of the address.

The election booklet

7.—(1) The election booklet is a document prepared by the GLRO which contains the election addresses of all candidates who—

- (a) desire their election addresses to be included in the booklet, and
- (b) have submitted—
 - (i) those addresses, and
 - (ii) any additional material required under article 6(4) above,to the GLRO by such date as he may determine.

(2) If—

- (a) it appears to the GLRO that any of the requirements of articles 5 and 6 above have not been complied with in relation to an election address, or
- (b) a candidate fails to make the payment required by article 10 below in respect of an election address,

the GLRO shall decline to include the address in the election booklet.

Form of election booklet

8.—(1) The order in which the candidates' election addresses appear in the election booklet shall be determined by lot drawn by the GLRO.

(2) The election booklet shall include, in addition to candidates' election addresses, a statement by the GLRO—

- (a) giving the date of the election and explaining the nature and purpose of the election booklet;
- (b) listing all the candidates for the office of Mayor (whether or not their election addresses are included in the booklet), in the order they are to appear on the ballot paper**(a)**;
- (c) listing all the candidates at the ordinary election for the return of London members by—
 - (i) the names of the registered political parties that have been nominated (including thereunder the names of list candidates appearing in the order in which they appear on the party list); and
 - (ii) the names of individual candidates;in the order they are to appear on the ballot paper**(b)**;
- (d) listing all the candidates at the ordinary election for the return of constituency members, in alphabetical order by constituency and with the names of candidates for each constituency in the order they are to appear on the ballot paper**(c)**.

(3) The GLRO shall include in a listing of candidates under paragraphs (2)(b) to (d) any description of the candidate as stated on his nomination paper.

(4) The election booklet may also include such other information as the GLRO is required or permitted by or under any enactment to publish in the booklet.

(5) The election booklet must—

- (a) contain a statement that it has been published by the GLRO; and
- (b) give the name and address of the GLRO and those of the printer of the booklet.

(6) Subject to paragraphs (1) to (5) above, the form of the election booklet shall be determined by the GLRO.

(7) The election agent of each candidate whose election address has been accepted by the GLRO for inclusion in the booklet shall be given an opportunity to attend at a time and place notified to him by the GLRO in order to check, and submit to the GLRO typographical corrections to, the proof of the candidate's address, by such time as the GLRO may require.

(8) If the election agent of any such candidate fails to avail himself of that opportunity, the GLRO may—

- (a) make such typographical corrections to the proof as appear to him to be appropriate; and
- (b) proceed with the printing and distribution of the election booklet without further reference to the candidate or his election agent (and without incurring any liability for any errors in the candidate's address).

(9) No person other than—

- (a) the candidate in respect of whom an election address is included in the election booklet, or
- (b) the candidate's election agent,

shall incur any civil or criminal liability in respect of the publication of that address in the election booklet or its dissemination in accordance with article 9 below.

(a) See the Mayoral Election Rules in Schedule 3 to the Greater London Authority Elections (No. 2) Rules 2000 (S.I. 2000/427), as amended by S.I. 2000/1040 and S.I. 2001/3789 ("GLA Elections Rules"), rule 16(6).

(b) See the London Members Election Rules in Schedule 2 to the GLA Elections Rules, rule 16(7).

(c) See the Constituency Members Election Rules in Schedule 1 to the GLA Elections Rules, rules 10(3) and 15(5).

Distribution of election booklets

9.—(1) The GLRO shall cause copies of the election booklet to be addressed and delivered to each elector at the Authority's expense.

(2) The election booklets shall be delivered by—

- (a) a universal service provider;
- (b) any other holder of a licence under Part II of the Postal Services Act 2000 which permits the holder of the licence to convey such booklets from one place to another^(a);
- (c) any means of conveyance and delivery for which a licence is not required, pursuant to section 7 of the Postal Services Act 2000.

(3) The GLRO may in addition disseminate the contents of the election booklet by—

- (a) the publication by the GLRO of the contents on a website;
- (b) making copies of the booklet available to anyone who makes a request to the GLRO for such copies;
- (c) making the contents available, so far as practicable, in large print, in Braille, and on audio tape, to anyone who makes a request to the GLRO for a copy of the contents in such a format;
- (d) making copies of the booklet available at—
 - (i) the offices of the Authority, the London Development Agency, the Metropolitan Police Authority, the London Fire and Emergency Planning Authority, and Transport for London;
 - (ii) the offices of London borough councils and the Common Council of the City of London;
 - (iii) public libraries.

Contributions by candidates towards cost of printing

10.—(1) Each candidate by whom an election address is submitted to the GLRO for inclusion in the election booklet shall pay the sum of £10,000 to the GLRO as a contribution towards the expenses incurred by him in respect of the printing of the election booklet.

(2) The payment required by paragraph (1) above shall be made at such time, and in such manner, as the GLRO may determine.

(3) A candidate shall be entitled to a full refund of any such payment if, but only if, the candidate has given notice of withdrawal of his candidature before the last time for the withdrawal of candidates.

(4) If the total amount of the payments made by candidates under this article exceeds the total amount of the expenses incurred by the GLRO in respect of the printing of the election booklet, the GLRO shall—

- (a) divide the amount of the excess between those candidates in equal shares, and
- (b) send to each of those candidates a payment in respect of his share.

Contributions to printing cost as candidates' election expenses

11.—(1) The amount of any payment made by a candidate under article 10 above (or if paragraph (4) of that article applies, the net amount of any such payment after deducting the payment under that paragraph) shall be taken, for the purposes of Part II of the 1983 Act (the election campaign), to be an amount of election expenses incurred by the candidate in relation to the election.

(a) See s.11 of the Postal Services Act 2000 (c.26) on the granting of a licence. A person conveying a letter from one place to another commits an offence under s.6 unless the person holds a licence or the conveyance is excepted by section 7 of the Act from the requirements of section 6(1).

(2) Nothing in section 75(1) of the 1983 Act (restriction on third party expenditure) shall be taken to apply, in relation to any candidate, to any expenses incurred by the GLRO in consequence of the provisions of this Order.

Signed by authority of the First Secretary of State

16th July 2003

Keith Hill
Minister of State,
Office of the Deputy Prime Minister

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision for the free delivery of election addresses of Mayoral candidates. The provision is solely for an ordinary election of the Greater London Authority, where an election for the return of the Mayor is held with elections for London members and constituency members to the London Assembly.

Article 5 provides conditions as to the content of the election addresses and article 6 as to the form. Under article 5(1) and (2), the content must relate to the election only and specifically excludes material which is for advertising, refers to any other candidate at the ordinary election or is material that, in the Greater London returning officer's view, is included with a view to commercial gain, is indecent, obscene or offensive, or which, if published, would be likely to amount to the commission of a criminal offence.

Under article 7 the addresses are prepared in a booklet by the Greater London returning officer ("GLRO") but an address shall not be included if the requirements in articles 5, 6 and 10 as to form, content and financial contribution to the printing cost are not met.

Article 8 provides for the form of the booklet. The order of election addresses is determined by lot drawn by the GLRO. The booklet must also contain an explanation from the GLRO as to the nature and purpose of the booklet and lists of candidates for election as Mayor and to the Assembly.

Article 9 provides for the delivery of the election booklets at the expense of the Authority. The booklets are to be delivered using a universal service provider, or person licensed under Part II of the Postal Services Act 2000 or by any means for which a licence is not needed due to the exceptions in section 7 of that Act.

Article 10 makes a contribution of £10,000 towards the cost of printing the booklets a condition for inclusion of an election address on behalf of a candidate. There is provision for reimbursement of any surplus if the average printing cost for each candidate whose address is included is less than £10,000.

Article 11 ensures the contribution in article 10 counts as an election expense of a candidate under the Political Parties, Elections and Referendums Act 2000, but does not make any expenditure by the GLRO under this Order count as third party election expense for the candidate.

2003 No. 1907

LONDON GOVERNMENT

REPRESENTATION OF THE PEOPLE

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