

2022 No. 1029

LOCAL GOVERNMENT, ENGLAND

REPRESENTATION OF THE PEOPLE, ENGLAND

**The Local Elections (Principal Areas) (England and Wales)
(Amendment) (England) Rules 2022**

<i>Made</i>	- - - -	<i>4th October 2022</i>
<i>Laid before Parliament</i>		<i>17th October 2022</i>
<i>Coming into force</i>		<i>9th November 2022</i>

The Secretary of State makes these Rules in exercise of the powers conferred by section 36(1) and (2) of the Representation of the People Act 1983(a).

The Secretary of State has consulted the Electoral Commission in accordance with section 7(1) and (2)(d) of the Political Parties, Elections and Referendums Act 2000(b).

Citation, commencement, savings, extent and interpretation

1.—(1) These Rules may be cited as the Local Elections (Principal Areas) (England and Wales) (Amendment) (England) Rules 2022.

(2) These Rules come into force on 9th November 2022 but have no effect in relation to any election in respect of which the date of the poll specified in the notice of election is on or before 3rd May 2023.

(3) These rules extend to England and Wales.

(4) In these Rules “the 2006 Rules” means the Local Elections (Principal Areas) (England and Wales) Rules 2006(c).

Amendment of the 2006 Rules

2.—(1) Schedule 2 to the 2006 Rules (rules for conduct of an election of councillors of a principal area where poll is not taken together with poll at another election) is amended as follows.

(2) In rule 6 (subscription of nomination paper)—

(a) in paragraph (1), omit from “, and by” to the end;

(b) in paragraph (2)—

(a) 1983 c. 2. Section 36(1) was amended by section 13(2) of the Local Government and Elections (Wales) Act 2021 (asc 1).
(b) 2000 c. 41. Section 7(2)(d) was amended by paragraph 2(11) of Schedule 2 to the Local Government and Elections (Wales) Act 2021.
(c) S.I. 2006/3304, amended by S.I. 2018/1308; there are other amending instruments but none is relevant. By virtue of S.I. 2021/1459 (W. 374) and S.I. 2022/263 (W. 79), S.I. 2006/3304 no longer applies to the election of councillors of principal areas in Wales.

- (i) for “, seconding or assenting to” substitute “or seconding”;
- (ii) omit “or signatures (up to the required number)”.

(3) In Part 7 (appendix of forms), for the Form of Nomination Paper(a) substitute the form in Schedule 1 to these Rules.

3.—(1) Schedule 3 to the 2006 Rules (rules for 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) is amended as follows.

(2) In rule 6 (subscription of nomination paper)—

- (a) in paragraph (1), omit from “, and by” to the end;
- (b) in paragraph (2)—
 - (i) for “, seconding or assenting to” substitute “or seconding”;
 - (ii) omit “or signatures (up to the required number)”.

(3) In Part 7 (appendix of forms), for the Form of Nomination Paper(b) substitute the form in Schedule 2 to these Rules.

Signed by authority of the Secretary of State for the Department for Levelling Up, Housing and Communities

Andrew Stephenson
Parliamentary Under Secretary of State
Department for Levelling Up, Housing and Communities

4th October 2022

SCHEDULE 1

Rule 2(3)

Amended form of nomination paper for use at an election of councillors
of a principal area where poll is not taken together with poll at another
election

(a) The form of nomination paper in Part 7 of Schedule 2 was substituted by rule 2(9) of S.I. 2018/1308.
(b) The form of nomination paper in Part 7 of Schedule 3 was substituted by rule 3(9) of S.I. 2018/1308.

**Local Government Elections
Form of Nomination paper**

Office Use Only

Date delivered	Time delivered	Initials

* ELECTION OF COUNCILLORS/A COUNCILLOR for the

*Electoral division/ward of the *county/district/London borough of.....

**Delete whichever is inappropriate*

Date of election.....

We, the undersigned, being local government electors for the said *electoral division/ward, do hereby nominate the under-mentioned person as a candidate at the said election.

Candidate's surname	Other forenames in full	Commonly used surname (if any)	Commonly used forenames (if any)	Description (if any) use no more than six words

Mr/Mrs/Miss/Ms/Dr/Other

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 papers contained in the elections rules in Schedule 2 to the Local Elections (Principal Areas) (England and Wales) 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 currently 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 that the use of the commonly used name may —
 - (a) be likely to mislead or confuse electors; or
 - (b) that the commonly used name is obscene or offensive.
5. The description, if any, can only be —
 - (a) one certified as an authorised or registered description as mentioned in Rule 5 of the election rules; or
 - (b) the word "Independent".
6. An elector may not —
 - (a) subscribe more nomination papers than there are vacancies to be filled in the electoral area in which the election is held; or
 - (b) subscribe a nomination paper for more than one electoral area in the same *county/district/London borough.
7. 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.
8. However, a person who has an anonymous entry in the register of local government electors cannot nominate a candidate for election.

**Delete whichever is inappropriate*

SCHEDULE 2

Rule 3(3)

Amended form of nomination paper for use at an election of councillors of a principal area where the poll is taken together with the poll at a relevant election or referendum

**Local Government Elections
Form of Nomination paper**

Office Use Only

Date delivered	Time delivered	Initials

* ELECTION OF COUNCILLORS/A COUNCILLOR for the

*Electoral division/ward of the *county/district/London borough of.....

**Delete whichever is inappropriate*

Date of election.....

We, the undersigned, being local government electors for the said *electoral division/ward, do hereby nominate the under-mentioned person as a candidate at the said election.

Candidate's surname	Other forenames in full	Commonly used surname (if any)	Commonly used forenames (if any)	Description (if any) use no more than six words

Mr/Mrs/Miss/Ms/Dr/Other

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 papers contained in the elections rules in Schedule 3 to the Local Elections (Principal Areas) (England and Wales) 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 currently 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 that the use of the commonly used name may —
 - (a) be likely to mislead or confuse electors; or
 - (b) that the commonly used name is obscene or offensive.
5. The description, if any, can only be —
 - (a) one certified as an authorised or registered description as mentioned in Rule 5 of the election rules; or
 - (b) the word "Independent".
6. An elector may not —
 - (a) subscribe more nomination papers than there are vacancies to be filled in the electoral area in which the election is held; or
 - (b) subscribe a nomination paper for more than one electoral area in the same *county/district/London borough.
7. 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.
8. However, a person who has an anonymous entry in the register of local government electors cannot nominate a candidate for election.

**Delete whichever is inappropriate*

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. 2006/3304). The amendments in Rules 2 and 3 reduce the number of subscribing electors that are required on a candidate nomination paper for elections of councillors of a principal area in England from ten to two, and substitute new forms reflecting this change.

Rule 1 provides for the coming into force of these Rules on 9th November 2022, except that the amendments will not have effect in respect of an election where the poll for that election (if contested) will take place on or before 3rd May 2023.

An impact assessment has not been produced for this instrument as no, or no significant, impact on business, charities or the public or voluntary sector is foreseen.

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