Draft Regulations laid before Parliament under section 333(3A) of the Town and Country Planning Act 1990, section 52ZQ(7) of the Local Government Finance Act 1992, section 105(6) of the Local Government Act 2000, section 117(2) of the Local Democracy, Economic Development and Construction Act 2009, section 154(2)(b) of the Police Reform and Social Responsibility Act 2011 and section 21(6) of the Recall of MPs Act 2015, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2023 No. ****

COUNCIL TAX, ENGLAND

LOCAL GOVERNMENT, ENGLAND

POLICE, ENGLAND AND WALES

REPRESENTATION OF THE PEOPLE

TOWN AND COUNTRY PLANNING, ENGLAND

The Mayoral and Police and Crime Commissioner Elections, Recall Petitions and Referendums (Ballot Secrecy, Candidates and Undue Influence) Regulations 2023

Made - - - -

Coming into force in accordance with regulation 1(2) and (3)

The Secretary of State makes these Regulations in exercise of the powers conferred by paragraph 16 of Schedule 4B to the Town and Country Planning Act 1990(**a**), sections 52ZQ and 113(1) and (2) of the Local Government Finance Act 1992(**b**), sections 9HE(1), 9MG(2) and (3) and 105(2) of the Local Government Act 2000(**c**), section 117(1A) of, and paragraphs 3 and 12(1) of Schedule 5B to, the Local Democracy, Economic Development and Construction Act 2009(**d**),

(**a**) 1990 c. 8. Schedule 4B was inserted by section 116(2) of, and Schedule 10 to, the Localism Act 2011 (c. 20) and amended by S.I. 2013/2597, 2021/1265.

(**b**) 1992 c. 14. Section 52ZQ was inserted by section 72(1) of, and Schedule 5 to, the Localism Act 2011 and amended by S.I. 2021/1265. Section 113(1) and (2) was amended by paragraph 9 of Schedule 1 to the Local Government Act 1999 (c. 27), by paragraph 52 of Schedule 7 to the Local Government Act 2003 (c. 26), by section 80 of the Localism Act 2011 and by S.I. 2013/2597, 2015/1376, 2016/997, 2021/1265.

(**c**) 2000 c. 22. Sections 9HE and 9MG were inserted by paragraph 1 of Schedule 2 to the Localism Act 2011 and were amended by S.I. 2013/2597, 2021/1265. Section 105 was amended by paragraph 14(1) and (2) of Schedule 3 to the Local Government Act 2003 (c. 26), by paragraph 70 of Schedule 3, and paragraph 52 of Schedule 4, to the Localism Act 2011 and by S.I. 2013/2597, 2018/644, 2021/1265.

(**d**) 2009 c. 20. Schedule 5B was inserted by section 2(2) of, and Schedule 1 to, the Cities and Local Government Devolution Act 2016 (c. 1). Paragraphs 3 and 12 were amended by S.I. 2021/1265, and paragraph 12 was amended by section 2(2) of the Local Government (Disqualification) Act 2022 (c. 17).

sections 58(1) (including as extended by section 26(3) of the Welsh Language Act 1993(**a**)) and 154(5) of the Police Reform and Social Responsibility Act 2011(**b**) and section 18(1) of the Recall of MPs Act 2015(**c**).

The Secretary of State has consulted the Electoral Commission in accordance with paragraph 16(5) of Schedule 4B to the Town and Country Planning Act 1990, section 52ZQ(6) of the Local Government Finance Act 1992, section 9HE(4) of the Local Government Act 2000, section 7(1) and (2)(hc) and (k) of the Political Parties, Elections and Referendums Act 2000(**d**) and paragraph 12(4) of Schedule 5B to the Local Democracy, Economic Development and Construction Act 2009.

A draft of these Regulations has been laid before, and approved by resolution of, each House of Parliament in accordance with section 333(3A) of the Town and Country Planning Act 1990(**e**), section 52ZQ(7) of the Local Government Finance Act 1992, section 105(6) of the Local Government Act 2000, section 117(2) of the Local Democracy, Economic Development and Construction Act 2009(**f**), section 154(2)(b) of the Police Reform and Social Responsibility Act 2011(**g**) and section 21(6) of the Recall of MPs Act 2015.

Citation, commencement, extent and savings

1.—(1) These Regulations may be cited as the Mayoral and Police and Crime Commissioner Elections, Recall Petitions and Referendums (Ballot Secrecy, Candidates and Undue Influence) Regulations 2023.

(2) Subject to paragraph (3), these Regulations come into force on 1st November 2023.

(3) Regulations 4(2), 5(a), 6(a), 7(2)(a) and (3)(a) and 8(2) and (3) come into force on 2nd May 2024.

(4) Any amendment or modification made by these Regulations has the same extent as the provision being amended or modified.

(5) The amendments made by regulations 3(2)(c) and (3)(c), 4(4)(b) and 9(2)(c) and (3)(c) do not apply in relation to an election in respect of which a notice of election is published in accordance with the relevant rule on or before 31st October 2023.

(6) The amendments made by the following do not apply in relation to an election in respect of which the date of poll as specified in the notice of election published in accordance with the relevant rule is on or before 1st May 2024—

(a) regulation 3(2)(a), (b), (d) and (e)(i)(aa) and (bb), (ii) and (iii) and (3)(a), (b), (d) and (e)(i)(aa) and (bb), (ii) and (iii);

(b) regulation 4(4)(a), (c) and (d);

(c) regulation 9(2)(a), (b), (d) and (e)(i) and (3)(a), (b), (d) and (e)(i);

(d) regulation 11.

(7) The amendments made by regulations 3(2)(e)(i)(cc) and (dd), (iv) and (v) and (3)(e)(i)(cc) and (dd), (iv) and (v) and 9(2)(e)(ii) and (3)(e)(ii) do not apply in relation to an election in respect

---

(**a**) 1993 c. 38.
(**b**) 2011 c. 13.
(**c**) 2015 c. 25. See section 22(1) (as amended by S.I. 2016/997) for the meaning of "the Minister".
(**d**) 2000 c. 41. Section 7(2)(hc) was inserted by paragraph 11 of Schedule 10 to the Police Reform and Social Responsibility Act 2011. Section 7(2)(k) was inserted by paragraph 3(1) and (6) of Schedule 6 to the Recall of MPs Act 2015.
(**e**) Section 333(3A) was inserted by paragraph 22(3) of Schedule 12 to the Localism Act 2011 (c. 20).
(**f**) Section 117(2) was substituted by section 13(2) of the Localism Act 2011.
(**g**) 2011 c. 13.

of which the date of poll as specified in the notice of election published in accordance with the relevant rule is on or before 6th May 2024.

(8) In this regulation, "relevant rule" means (as the case may be)—

(a) rule 5 of Schedule 1 or rule 5 of Schedule 3 to the Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007(**a**);

(b) rule 4 of Schedule 3 to the Police and Crime Commissioner Elections Order 2012(**b**);

(c) rule 5 of Schedule 1 or rule 5 of Schedule 3 to the Combined Authorities (Mayoral Elections) Order 2017(**c**).

Modifications for a mayoral election in the period beginning with 2nd May 2024 and ending with 6th May 2024

2.—(1) This regulation applies to a mayoral election under the 2007 Regulations or the 2017 Order for which the date of the poll is 2nd, 3rd, 4th, 5th or 6th May 2024.

(2) Where the reference to "the appropriate form" in rule 9(b) of Schedule 1 to the 2007 Regulations would be interpreted, if the date of the poll was on or after 7th May 2024, as a reference to Form 2A in the Appendix of Forms in that Schedule(**d**), the reference is to be interpreted as a reference to the Form set out in Part 1 of Schedule 1 to these Regulations.

(3) Where the reference to "the appropriate form" in rule 9(b) of Schedule 3 to the 2007 Regulations would be interpreted, if the date of the poll was on or after 7th May 2024, as a reference to Form 2A in the Appendix of Forms in that Schedule(**e**), the reference is to be interpreted as a reference to the Form set out in Part 2 of Schedule 1 to these Regulations.

(4) The reference to "the appropriate form" in—

(a) rule 9(1)(b) of Schedule 1 to the 2017 Order is to be interpreted as a reference to the Form set out in Part 3 of Schedule 1 to these Regulations;

(b) rule 9(1)(b) of Schedule 3 to the 2017 Order is to be interpreted as a reference to the Form set out in Part 4 of Schedule 1 to these Regulations.

(5) In this regulation—

"2007 Regulations" means the Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007;

"2017 Order" means the Combined Authorities (Mayoral Elections) Order 2017;

"date of the poll" means the date of the poll as specified in the notice of election published in accordance with (as the case may be) the rule mentioned in sub-paragraph (a) or (c) of regulation 1(8).

Amendment of the Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007

3.—(1) The Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007 are amended as follows.

(2) In Schedule 1 (the mayoral elections rules)—

(a) in rule 6 (nomination of candidates), for paragraph (4) substitute—

(**a**) S.I. 2007/1024. Relevant amendments have been made by section 1(5) of the Local Government (Disqualification) Act 2022 (c. 17) and S.I. 2014/370, 2019/351, 2022/769.
(**b**) S.I. 2012/1917; relevant amending instruments are S.I. 2016/300, 2018/272, 2020/190.
(**c**) S.I. 2017/67. Relevant amendments have been made by section 2(4) of the Local Government (Disqualification) Act 2022 and S.I. 2018/19, 2019/350, 2022/769.
(**d**) Form 2A is inserted by regulation 3(2)(e)(i) and (v) of, and Part 1 of Schedule 2 to, these Regulations.
(**e**) Form 2A is inserted by regulation 3(3)(e)(i) and (v) of, and Part 2 of Schedule 2 to, these Regulations.

"(4) If a candidate—

(a) commonly uses a surname that is different from any other surname the candidate has,

(b) commonly uses a forename that is different from any other forename the candidate has, or

(c) otherwise commonly uses one or more forenames or a surname in a different way from the way in which the candidate's names are stated in accordance with paragraph (3)(a),

the nomination paper may state the commonly used name or names in addition to the names as stated in accordance with paragraph (3)(a).";

(b) in rule 9 (consent to nomination), in paragraph (b)(i), for "and section 34 of the Localism Act 2011" substitute ", section 34 of the Localism Act 2011 and section 30 of the Elections Act 2022";

(c) in rule 11 (decisions as to validity of nomination papers and home address forms), in paragraph (2)—

(i) omit the "and" after sub-paragraph (a);

(ii) after sub-paragraph (b) insert—

"(c) in the case of a mayoral election held in England, that an order under section 30 of the Elections Act 2022 (disqualification orders) has effect in relation to the candidate.";

(d) in rule 12 (publication of statement of persons nominated), in paragraph (3)—

(i) for "in addition to another name" substitute "in accordance with rule 6(4)";

(ii) for "any other name" substitute "the other surname or forename";

(e) in the Appendix of Forms—

(i) in the list of forms—

(aa) in the entry for form 1, at the end insert "(for use at mayoral elections in Wales)";

(bb) after the entry for form 1, insert "Form 1A: Nomination paper (for use at mayoral elections in England)";

(cc) in the entry for form 2, at the end insert "(for use at mayoral elections in Wales)";

(dd) after the entry for form 2, insert "Form 2A: Candidate's consent to nomination (for use at mayoral elections in England)";

(ii) omit the version of form 1 (nomination paper) which applies to mayoral elections in England;

(iii) after form 1 (nomination paper) insert form 1A as set out in Part 1 of Schedule 2 to these Regulations;

(iv) omit the version of form 2 (candidate's consent to nomination) which applies to mayoral elections in England(**a**);

(v) after form 2 (candidate's consent to nomination) insert form 2A as set out in Part 1 of Schedule 2 to these Regulations.

(3) In Schedule 3 (mayoral election (combination of polls) rules)—

(**a**) Form 2 was substituted, in relation to mayoral elections in England, by S.I. 2019/351 and further substituted, in relation to England, by S.I. 2022/769.

(a) in rule 6 (nomination of candidates), for paragraph (4) substitute—

"(4) If a candidate—

(a) commonly uses a surname that is different from any other surname the candidate has,

(b) commonly uses a forename that is different from any other forename the candidate has, or

(c) otherwise commonly uses one or more forenames or a surname in a different way from the way in which the candidate's names are stated in accordance with paragraph (3)(a),

the nomination paper may state the commonly used name or names in addition to the names as stated in accordance with paragraph (3)(a).";

(b) in rule 9 (consent to nomination), in paragraph (b)(i) for "and section 34 of the Localism Act 2011" substitute ", section 34 of the Localism Act 2011 and section 30 of the Elections Act 2022";

(c) in rule 11 (decisions as to validity of nomination papers and home address forms), in paragraph (2)—

(i) omit the "and" after sub-paragraph (a);

(ii) after sub-paragraph (b) insert—

"(c) in the case of a mayoral election held in England, that an order under section 30 of the Elections Act 2022 (disqualification orders) has effect in relation to the candidate.";

(d) in rule 12 (publication of statement of persons nominated), in paragraph (3)—

(i) for "in addition to another name" substitute "in accordance with rule 6(4)";

(ii) for "any other name" substitute "the other surname or forename";

(e) in the Appendix of Forms—

(i) in the list of forms—

(aa) in the entry for form 1, at the end insert "(for use at mayoral elections in Wales)";

(bb) after the entry for form 1 insert "Form 1A: Nomination paper (for use at mayoral elections in England)";

(cc) in the entry for form 2, at the end insert "(for use at mayoral elections in Wales)";

(dd) after the entry for form 2 insert "Form 2A: Candidate's consent to nomination (for use at mayoral elections in England)";

(ii) omit the version of form 1 (nomination paper) which applies to mayoral elections in England;

(iii) after form 1 (nomination paper) insert form 1A as set out in Part 2 of Schedule 2 to these Regulations;

(iv) omit the version of form 2 (candidate's consent to nomination) which applies to mayoral elections in England(**a**);

(v) after form 2 (candidate's consent to nomination) insert form 2A as set out in Part 2 of Schedule 2 to these Regulations.

(**a**) Form 2 was substituted, in relation to mayoral elections in England, by S.I. 2019/351 and further substituted, in relation to England, by S.I. 2022/769.

Amendment of the Police and Crime Commissioner Elections Order 2012

4.—(1) The Police and Crime Commissioner Elections Order 2012 is amended as follows.

(2) After article 18 (other voting offences) insert—

"Influencing voters at polling booths

18A.—(1) A person who—

(a) is with another person at a polling booth, and

(b) intends to influence that other person to vote in a particular way or to refrain from voting,

commits an offence.

(2) A person who—

(a) is near a polling booth when another person is at that booth, and

(b) intends to influence that other person to vote in a particular way or to refrain from voting,

commits an offence.

(3) For the purposes of this article—

(a) a "polling booth" is a compartment in a polling station in which voters can mark votes screened from observation;

(b) assisting a person with voting, in accordance with rule 41 of Schedule 3 or any other legislation, is not influencing that person to vote in a particular way or to refrain from voting;

(c) a person may be near one polling booth while at a different polling booth.

(4) A person who commits an offence under this article is liable on summary conviction to imprisonment for a term not exceeding 6 months, to a fine or to both.".

(3) For article 69 (undue influence) substitute—

"Undue Influence

69.—(1) A person is guilty of a corrupt practice if the person is guilty of undue influence.

(2) A person ("P") is guilty of undue influence if P carries out an activity falling within paragraph (4) for the purpose of—

(a) inducing or compelling a person to vote in a particular way or to refrain from voting, or

(b) otherwise impeding or preventing the free exercise of the franchise of an elector or of a proxy for an elector.

(3) A person ("P") is also guilty of undue influence if P carries out an activity falling within any of sub-paragraphs (a) to (f) of paragraph (4) on account of—

(a) a person having voted in a particular way or refrained from voting, or

(b) P assuming a person to have voted in a particular way or to have refrained from voting.

(4) The following activities fall within this paragraph—

(a) using or threatening to use violence against a person;

(b) damaging or destroying, or threatening to damage or destroy, a person's property;

(c) damaging or threatening to damage a person's reputation;

(d) causing or threatening to cause financial loss to a person;

(e) causing spiritual injury to, or placing undue spiritual pressure on, a person;

(f) doing any other act designed to intimidate a person;

(g) doing any act designed to deceive a person in relation to the administration of a PCC election.

(5) For the purposes of paragraphs (2) and (3) an activity is carried out by a person ("P") if it is carried out—

(a) by P,

(b) by P jointly with one or more other persons, or

(c) by one or more other persons on behalf of P and with P's authority or consent.

(6) In paragraph (4)(f) and (g) "act" includes an omission (and references to the doing of an act are to be read accordingly).".

(4) In Schedule 3 (rules for the conduct of PCC elections where poll not taken together with poll at another election)—

(a) in rule 5 (nomination of candidates)—

(i) in paragraph (1) omit from "(in English or at" to "in Welsh)";

(ii) for paragraph (3) substitute—

"(3) If a candidate—

(a) commonly uses a surname that is different from any other surname the candidate has,

(b) commonly uses a forename that is different from any other forename the candidate has, or

(c) otherwise commonly uses one or more forenames or a surname in a different way from the way in which the candidate's names are stated in accordance with paragraph (2)(a),

the nomination paper may state the commonly used name or names in addition to the names as stated in accordance with paragraph (2)(a).";

(b) in rule 11 (decisions as to validity of nomination papers), in paragraph (2), after sub-paragraph (b) insert—

"(c) that an order under section 30 of the Elections Act 2022 (disqualification orders) has effect in relation to the candidate.";

(c) in rule 13 (publication of statement of persons nominated), in paragraph (3)—

(i) for "in addition to another name" substitute "in accordance with rule 5(3)";

(ii) for "any other name" substitute "the other surname or forename";

(d) in Part 8 (forms referred to in Parts 1 to 7 of this Schedule)—

(i) in the table list of forms, in the entry for form 6, in the left hand column, omit "(in English and in Welsh)";

(ii) omit form 6 in Welsh (Enwebu ymgeiswyr(**a**));

(iii) for form 6 in English (nomination of candidates) and form 7 (consent to nomination) substitute the corresponding form set out in Schedule 3 to these Regulations.

(**a**) Welsh version of Form 6 inserted by S.I. 2016/300.

Amendment of the Local Authorities (Conduct of Referendums) (England) Regulations 2012

5. In Table 1 (Representation of the People Act 1983) of Schedule 4 (application, with modifications, of Acts and subordinate legislation) to the Local Authorities (Conduct of Referendums) (England) Regulations 2012(**a**)—

(a) after the entry for section 62A (offences relating to applications for postal and proxy votes) insert—

"Section 62C (Influencing voters at polling booths)	In subsection (3)(b), for "rule 39 of Schedule 1" substitute "rule 28 of the Local Government Act Referendums Rules or rule 30 of the Local Government Act Referendums (Combination of Polls) Rules (as the case may be)"..";

(b) for the entry for section 115 (undue influence) substitute—

"Section 114A (undue influence)".

Amendment of the Local Authorities (Conduct of Referendums) (Council Tax Increases) (England) Regulations 2012

6. In Table 1 (Representation of the People Act 1983) of Schedule 4 (application, with modifications, of Acts and subordinate legislation) to the Local Authorities (Conduct of Referendums) (Council Tax Increases) (England) Regulations 2012(**b**)—

(a) after the entry for section 62A (offences relating to applications for postal and proxy votes) insert—

"Section 62C (influencing voters at polling booths)	In subsection (3)(b) for "rule 39 of Schedule 1" substitute "rule 28 of the Local Government Finance Act Referendums Rules or rule 30 of the Local Government Finance Act Referendums (Combination of Polls) Rules (as the case may be)"..";

(b) for the entry for section 115 (undue influence) substitute—

"Section 114A (undue influence)".

Amendment of the Neighbourhood Planning (Referendums) Regulations 2012

7.—(1) The Neighbourhood Planning (Referendums) Regulations 2012(**c**) are amended as follows.

(2) In Table 1 (Representation of the People Act 1983) in Part 1 of Schedule 4 (application, with modification, of other Acts and subordinate legislation)—

(a) after the entry for section 62A (offences relating to applications for postal and proxy votes) insert—

(**a**) S.I. 2012/323, to which there are amendments not relevant to these Regulations.
(**b**) S.I. 2012/444, to which there are amendements not relevant to these Regulations.
(**c**) S.I. 2012/2031, amended by S.I. 2013/798; there are other amending instruments but none is relevant.

"Section 62C (Influencing voters at polling booths)	In subsection (3)(b), for "rule 39 of Schedule 1" substitute "rule 29 of the Neighbourhood Planning Referendums Rules or rule 29 of the Neighbourhood Planning Referendums (Combination of Polls) Rules (as the case may be)"..";

(b) for the entry for section 115 (undue influence) substitute—

"Section 114A (undue influence)".

(3) In Table 1 (Representation of the People Act 1983) of Schedule 8 (application, with modification, of other Acts and subordinate legislation in respect of business referendums)—

(a) after the entry for section 62A (offences relating to applications for postal and proxy votes) insert—

"Section 62C (Influencing voters at polling booths)	In subsection (3)(b), for "rule 39 of Schedule 1" substitute "rule 56 of the Neighbourhood Planning Business Referendums Rules"..";

(b) for the entry for section 115 (undue influence) substitute—

"Section 114A (undue influence)".

Amendment of the Recall of MPs Act 2015 (Recall Petition) Regulations 2016

8.—(1) The Recall of MPs Act 2015 (Recall Petition) Regulations 2016(**a**) are amended as follows.

(2) In regulation 117 (interpretation), after paragraph (b) insert—

"(ba) regulation 123A (influencing persons signing a petition),".

(3) After regulation 123 (requirement of secrecy) insert—

"Influencing persons signing a petition

123A.—(1) A person who—

(a) is with or near a person at a petition signing place when that other person has received a signing sheet, and

(b) intends to influence that other person to sign that petition or to refrain from signing that petition,

commits an offence.

(2) For the purposes of this regulation, endorsement of a person's signing sheet, in accordance with regulation 29, is not influencing that person to sign that petition or to refrain from signing that petition.

(3) A person who commits an offence under this regulation is liable on summary conviction to imprisonment for a term not exceeding six months, to a fine or to both.".

(4) For regulation 136 substitute—

(**a**) S.I. 2016/295, to which there are amendments not relevant to these Regulations.

"Undue influence

136.—(1) A person is guilty of a corrupt practice if the person is guilty of undue influence.

(2) A person ("P") is guilty of undue influence if P carries out an activity falling within paragraph (4) for the purpose of—

(a) inducing or compelling a person to sign a petition or to refrain from signing a petition, or

(b) otherwise impeding or preventing the free exercise of the entitlement to sign a petition of an elector or a proxy for an elector.

(3) A person ("P") is also guilty of undue influence if P carries out an activity falling within any of sub-paragraphs (a) to (f) of paragraph (4) on account of—

(a) a person having signed a petition or having refrained from signing a petition, or

(b) P assuming a person to have signed a petition or to have refrained from signing a petition.

(4) The following activities fall within this paragraph—

(a) using or threatening to use violence against a person;

(b) damaging or destroying, or threatening to damage or destroy, a person's property;

(c) damaging or threatening to damage a person's reputation;

(d) causing or threatening to cause financial loss to a person;

(e) causing spiritual injury to, or placing undue spiritual pressure on, a person;

(f) doing any other act designed to intimidate a person;

(g) doing any act designed to deceive a person in relation to the administration of a petition.

(5) For the purposes of paragraphs (2) and (3) an activity is carried out by a person ("P") if it is carried out—

(a) by P,

(b) by P jointly with one or more other persons, or

(c) by one or more other persons on behalf of P and with P's authority or consent.

(6) In paragraph (4)(f) and (g) "act" includes an omission (and references to the doing of an act are to be read accordingly).".

Amendment of the Combined Authorities (Mayoral Elections) Order 2017

9.—(1) The Combined Authorities (Mayoral Elections) Order 2017 is amended as follows.

(2) In Schedule 1 (the combined authority mayoral elections rules)—

(a) in rule 6 (nomination of candidates), for paragraph (4) substitute—

"(4) If a candidate—

(a) commonly uses a surname that is different from any other surname the candidate has,

(b) commonly uses a forename that is different from any other forename the candidate has, or

(c) otherwise commonly uses one or more forenames or a surname in a different way from the way in which the candidate's names are stated in accordance with paragraph (3)(a),

the nomination paper may state the commonly used name or names in addition to the names as stated in accordance with paragraph (3)(a).";

(b) in rule 9 (consent to nomination), in paragraph (1)(b), after "Localism Act 2011" insert ", section 30 of the Elections Act 2022";

(c) in rule 12 (decisions as to validity of nomination papers and home address forms), in paragraph (2)—

(i) omit the "and" after sub-paragraph (a);

(ii) after sub-paragraph (b) insert—

"(c) that an order under section 30 of the Elections Act 2022 (disqualification orders) has effect in relation to the candidate.";

(d) in rule 13 (publication of statement of persons nominated), in paragraph (3)—

(i) for "in addition to another name" substitute "in accordance with rule 6(4)";

(ii) for "any other name" substitute "the other surname or forename";

(e) in the Appendix of Forms, for—

(i) form 1 (nomination paper); and

(ii) form 2 (candidate's consent to nomination),

substitute the corresponding forms in Part 1 of Schedule 4 to these Regulations.

(3) In Schedule 3 (Combined authority mayoral election (combination of polls) rules)—

(a) in rule 6 (nomination of candidates), for paragraph (4) substitute—

"(4) If a candidate—

(a) commonly uses a surname that is different from any other surname the candidate has,

(b) commonly uses a forename that is different from any other forename the candidate has, or

(c) otherwise commonly uses one or more forenames or a surname in a different way from the way in which the candidate's names are stated in accordance with paragraph (3)(a),

the nomination paper may state the commonly used name or names in addition to the names as stated in accordance with paragraph (3)(a).";

(b) in rule 9 (consent to nomination), in paragraph (1)(b), after "Localism Act 2011" insert ", section 30 of the Elections Act 2022";

(c) in rule 12 (decisions as to validity of nomination papers and home address forms), in paragraph (2)—

(i) omit the "and" after sub-paragraph (a);

(ii) after sub-paragraph (b) insert—

"(c) that an order under section 30 of the Elections Act 2022 (disqualification orders) has effect in relation to the candidate.";

(d) in rule 13 (publication of statement of persons nominated), in paragraph (3)—

(i) for "in addition to another name" substitute "in accordance with rule 6(4)";

(ii) for "any other name" substitute "the other surname or forename";

(e) in the Appendix of Forms, for—

(i) form 1 (nomination paper); and

(ii) form 2 (candidate's consent to nomination),

substitute the corresponding forms in Part 2 of Schedule 4 to these Regulations.

Amendment of the Combined Authorities (Mayors) (Filling of Vacancies) Order 2017

10. In article 4 (date on which vacancy occurs) of the Combined Authorities (Mayors) (Filling of Vacancies) Order 2017(**a**), after paragraph (e) insert—

"(f) in the case of a disqualification by virtue of an order under section 30 of the Elections Act 2022 (disqualification orders), on the date the office is vacated in accordance with section 31 of that Act (vacation of office etc).".

Amendment of the Police and Crime Commissioner Elections (Welsh Forms) Order 2021

11.—(1) The Police and Crime Commissioner Elections (Welsh Forms) Order 2021(**b**) is amended as follows.

(2) In article 4 (Welsh versions of forms), in Table 2, before the entry for Form 7 (consent to nomination) insert—

"Form 6 (nomination paper)	Referred to in rule 5(1) of Part 2 of, and set out in Part 8 of, the PCC elections rules".

(3) In Schedule 2 (Welsh versions of prescribed forms)—

(a) before Form 7, insert Form 6 (Enwebu ymgeiswyr) set out in Schedule 5 to these Regulations;

(b) for Form 7 (cydsynio ag enwebiad) substitute the corresponding form in Schedule 5 to these Regulations.

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

[Name]
Parliamentary Under Secretary of State
Department for Levelling Up, Housing and Communities

(**a**) S.I. 2017/69.
(**b**) S.I. 2021/291, to which there are amendments not relevant to these Regulations.

SCHEDULE 1

Regulation 2

Alternative forms for use at elections in respect of which the date of poll is on or between 2nd May 2024 and 6th May 2024

PART 1

Alternative Form 2A: Candidate's consent to nomination (for use at mayoral elections in England) in Schedule 1 to the Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007

Front of Form

Form 2A

Form of Candidate's consent to Nomination

(for use at mayoral elections in England)

Front of form

Date of election……..

I *(name in full)*……..

hereby consent to my nomination as a candidate for election as the elected mayor for the *county/district/London borough of ……

**Delete whichever is inappropriate*

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

*(a) I am registered as a local government elector for the area of the *county/district/London borough named above; or

*(b) I have during the whole of the 12 months preceding that day, or those days, occupied as owner or tenant land or other premises in the area named above; or

*(c) my principal or only place of work during those 12 months has been in that *county/district/London borough; or

*(d) I have during the whole of those 12 months resided in the area named above.

**Delete whichever is inappropriate*.

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, or decision or order made under, sections 80 or 81A of the Local Government Act 1972, section 34 of the Localism Act 2011, or section 30 of the Elections Act 2022 (copies of which are printed overleaf), and I do not hold a politically restricted post, within the meaning of Part 1 of the Local Government and Housing Act 1989, under a local authority, within the meaning of that Part.

Date of birth ……
Signature ……..
Date of consent ……

Signed in my presence
Signature of witness……..
Name of witness ……

(WRITE CLEARLY)

Notes

1. A candidate who is qualified by more than one qualification may complete any of those which may apply.
2. Disqualifications set out under Section 81A of the Local Government Act 1972 only apply to a person who is subject to any relevant notification requirements, or a relevant order, made on or after 28 June 2022.

Back of Form

Back of form

Set out sections 80, 81 and 81A of the Local Government Act 1972, section 34 of the Localism Act 2011 and section 30 of the Elections Act 2022 *(as amended from time to time)*.

PART 2

Alternative Form 2A: Candidate's consent to nomination (for use at mayoral elections in England) in Schedule 3 to the Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007

Front of Form

Form 2A

Form of Candidate's consent to Nomination

(for use at mayoral elections in England)

Front of form

Date of election……..

I *(name in full)*……..

hereby consent to my nomination as a candidate for election as the elected mayor for the *county/district/London borough of ……

**Delete whichever is inappropriate*

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

*(a) I am registered as a local government elector for the area of the *county/district/London borough named above; or

*(b) I have during the whole of the 12 months preceding that day, or those days, occupied as owner or tenant land or other premises in the area named above; or

*(c) my principal or only place of work during those 12 months has been in that *county/district/London borough; or

*(d) I have during the whole of those 12 months resided in the area named above.

**Delete whichever is inappropriate*.

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, or decision or order made under, sections 80 or 81A of the Local Government Act 1972, section 34 of the Localism Act 2011, or section 30 of the Elections Act 2022 (copies of which are printed overleaf), and I do not hold a politically restricted post, within the meaning of Part 1 of the Local Government and Housing Act 1989, under a local authority, within the meaning of that Part.

Date of birth ……
Signature ……..
Date of consent ……

Signed in my presence
Signature of witness……..
Name of witness ……

(WRITE CLEARLY)

Notes

1. A candidate who is qualified by more than one qualification may complete any of those which may apply.
2. Disqualifications set out under Section 81A of the Local Government Act 1972 only apply to a person who is subject to any relevant notification requirements, or a relevant order, made on or after 28 June 2022.

Back of Form

Back of form

Set out sections 80, 81 and 81A of the Local Government Act 1972, section 34 of the Localism Act 2011 and section 30 of the Elections Act 2022 *(as amended from time to time)*.

PART 3

Alternative Form 2 (candidate's consent to nomination) in Schedule 1 to the Combined Authorities (Mayoral Elections) Order 2017

Front of Form

Form 2

Form of Candidate's Consent to Nomination

(for use at combined authority mayoral elections)

Front of form

Date of election .....

I (*name in full*) .....

hereby consent to my nomination as a candidate for election as the mayor for the *(insert name)* Combined Authority

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

*(a) I am registered as a local government elector within the area of the combined authority named above; or

*(b) I have during the whole of the 12 months preceding that day or those days occupied as owner or tenant land or other premises in the area named above; or

*(c) my principal or only place of work during those 12 months has been in that combined authority area; or

*(d) I have during the whole of those 12 months resided in the area named above.

**Delete whichever is inappropriate*

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, or decision or order made under, paragraphs 9 or 9A of Schedule 5B of the Local Democracy, Economic Development and Construction Act 2009, section 34 of the Localism Act 2011, *[sections 64 to 68 of the Police Reform and Social Responsibility Act 2011], or section 30 of the Elections Act 2022 (copies of which are printed overleaf), and I do not hold a politically restricted post, within the meaning of Part 1 of the Local Government and Housing Act 1989, under a local authority, within the meaning of that Part.

**Relevant Returning or Counting Officer to insert in case of elections for Mayors exercising Police and Crime Commissioner functions.*

Date of birth .....

Signature .....

Date of consent .....

Signed in my presence

Signature of witness .....

Name of witness .....

(WRITE CLEARLY)

NOTES

1. A candidate who is qualified by more than one qualification may complete any of those that may apply.
2. Disqualifications set out under Section 9A of Schedule 5B of the Local Democracy, Economic Development and Construction Act 2009 only apply to a person who is subject to any relevant notification requirements, or a relevant order, made on or after 28 June 2022.

Back of Form

Back of form

Set out paragraphs 9 and 9A of Schedule 5B of the Local Democracy, Economic Development and Construction Act 2009, section 34 of the Localism Act 2011, section 30 of the Elections Act 2022
*[and sections 64 to 68 of the Police Reform and Social Responsibility Act 2011]
(as amended from time to time).

**Relevant Returning or Counting Officer to insert in case of elections for Mayors exercising Police and Crime Commissioner functions.*

PART 4

Alternative Form 2 (candidate's consent to nomination) in Schedule 3 to the Combined Authorities (Mayoral Elections) Order 2017

Front of Form

Form 2

Form of Candidate's Consent to Nomination

(for use at combined authority mayoral elections)

Front of form

Date of election .....

I (*name in full*) .....

hereby consent to my nomination as a candidate for election as the mayor for the *(insert name)* Combined Authority

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

*(a) I am registered as a local government elector within the area of the combined authority named above; or

*(b) I have during the whole of the 12 months preceding that day or those days occupied as owner or tenant land or other premises in the area named above; or

*(c) my principal or only place of work during those 12 months has been in that combined authority area; or

*(d) I have during the whole of those 12 months resided in the area named above.

**Delete whichever is inappropriate*

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, or decision or order made under, paragraphs 9 or 9A of Schedule 5B of the Local Democracy, Economic Development and Construction Act 2009, section 34 of the Localism Act 2011, *[sections 64 to 68 of the Police Reform and Social Responsibility Act 2011], or section 30 of the Elections Act 2022 (copies of which are printed overleaf), and I do not hold a politically restricted post, within the meaning of Part 1 of the Local Government and Housing Act 1989, under a local authority, within the meaning of that Part.

**Relevant Returning or Counting Officer to insert in case of elections for Mayors exercising Police and Crime Commissioner functions.*

Date of birth .....

Signature .....

Date of consent .....

Signed in my presence

Signature of witness .....

Name of witness .....

(WRITE CLEARLY)

NOTES

1. A candidate who is qualified by more than one qualification may complete any of those that may apply.
2. Disqualifications set out under Section 9A of Schedule 5B of the Local Democracy, Economic Development and Construction Act 2009 only apply to a person who is subject to any relevant notification requirements, or a relevant order, made on or after 28 June 2022.

Back of Form

Back of form

Set out paragraphs 9 and 9A of Schedule 5B of the Local Democracy, Economic Development and Construction Act 2009, section 34 of the Localism Act 2011, section 30 of the Elections Act 2022
*[and sections 64 to 68 of the Police Reform and Social Responsibility Act 2011]
(as amended from time to time).

**Relevant Returning or Counting Officer to insert in case of elections for Mayors exercising Police and Crime Commissioner functions.*

SCHEDULE 2

Regulation 3(2)(e)(iii) and (v) and (3)(e)(iii) and (v)

The Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007: New Forms

PART 1

Forms for use at mayoral elections in England where the poll is not taken together with another election or referendum

Form 1A: Nomination paper

Form 1A

Form of Nomination paper
(for use at mayoral elections in England)

Office Use Only

Date delivered	Time delivered	Initials

ELECTION OF MAYOR for the .....

*county/district/London borough of.....

**Delete whichever is inappropriate*

Date of election.....

We, the undersigned, being local government electors for the said (electoral area), do hereby nominate the person whose name appears below as a candidate at the Mayoral 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.....	.....	.....	.....
Seconder.....	.....	.....	.....
We, the undersigned, being local government electors for the said (electoral area), do hereby assent to the foregoing nomination. Signature			
1.	.....	.....	.....
2.	.....	.....	.....
3.	.....	.....	.....

4. ……	……	……	……
5. ……	……	……	……
6. ……	……	……	……
7. ……	……	……	……
8. ……	……	……	……
……	……	……	……
……	……	……	……
26. ……	……	……	……
27. ……	……	……	……
28. ……	……	……	……

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 1 to the Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007.

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 or names
   a) that are different from the candidate's full names as stated on the nomination paper, or
   b) in a different way from the candidate's full names as stated on the nomination paper,

   the commonly used name or names may also appear on the nomination paper; but if they do so, the commonly used name or names (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. The description, if any, can only be
   (a) one certified as an authorised or registered description as mentioned in Rule 7 of the election rules, or
   (b) the word "Independent".

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.

Form 2A: Candidate's consent to nomination

Front of Form

Form 2A

Form of Candidate's consent to Nomination

(for use at mayoral elections in England)

Front of form

Date of election……..

I *(name in full)*……..

hereby consent to my nomination as a candidate for election as the elected mayor for the *county/district/London borough of …….

**Delete whichever is inappropriate*

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 qualifying Commonwealth citizen, a citizen of the Republic of Ireland, a qualifying EU citizen, or an EU citizen with retained rights, who has attained the age of 18 years and that

*(a) I am registered as a local government elector for the area of the *county/district/London borough named above; or

*(b) I have during the whole of the 12 months preceding that day, or those days, occupied as owner or tenant land or other premises in the area named above; or

*(c) my principal or only place of work during those 12 months has been in that *county/district/London borough; or

*(d) I have during the whole of those 12 months resided in the area named above.

**Delete whichever is inappropriate*.

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, or decision or order made under, sections 80 or 81A of the Local Government Act 1972, section 34 of the Localism Act 2011, or section 30 of the Elections Act 2022 (copies of which are printed overleaf), and I do not hold a politically restricted post, within the meaning of Part 1 of the Local Government and Housing Act 1989, under a local authority, within the meaning of that Part.

Date of birth …….
Signature ……..
Date of consent ……

Signed in my presence
Signature of witness……..
Name of witness …….

(WRITE CLEARLY)

Notes

1. A candidate who is qualified by more than one qualification may complete any of those which may apply.
2. Disqualifications set out under Section 81A of the Local Government Act 1972 only apply to a person who is subject to any relevant notification requirements, or a relevant order, made on or after 28 June 2022.

Back of Form

Back of form

Set out sections 80, 81 and 81A of the Local Government Act 1972, section 34 of the Localism Act 2011 and section 30 of the Elections Act 2022 *(as amended from time to time)*.

PART 2

Forms for use at mayoral elections in England where the poll is taken together with another election or referendum

Form 1A: Nomination paper

Form 1A

Form of Nomination paper
(for use at mayoral elections in England)

Office Use Only

Date delivered	Time delivered	Initials

ELECTION OF MAYOR for the .....

*county/district/London borough of.....

**Delete whichever is inappropriate*

Date of election.....

We, the undersigned, being local government electors for the said (electoral area), do hereby nominate the person whose name appears below as a candidate at the Mayoral 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.....	.....	.....	.....
Seconder.....	.....	.....	.....
We, the undersigned, being local government electors for the said (electoral area), do hereby assent to the foregoing nomination. Signature			
1.	.....	.....	.....
2.	.....	.....	.....
3.	.....	.....	.....

4. ……	……	……	……
5. ……	……	……	……
6. ……	……	……	……
7. ……	……	……	……
8. ……	……	……	……
……	……	……	……
……	……	……	……
26. ……	……	……	……
27. ……	……	……	……
28. ……	……	……	……

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 Authorities (Mayoral Elections) (England and Wales) Regulations 2007.

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 or names
   a) that are different from the candidate's full names as stated on the nomination paper, or
   b) in a different way from the candidate's full names as stated on the nomination paper,

   the commonly used name or names may also appear on the nomination paper; but if they do so, the commonly used name or names (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. The description, if any, can only be
   (a) one certified as an authorised or registered description as mentioned in Rule 7 of the election rules, or
   (b) the word "Independent".

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.

Form 2A: Candidate's consent to nomination

Front of Form

Form 2A

Form of Candidate's consent to Nomination

(for use at mayoral elections in England)

Front of form

Date of election……..

I *(name in full)*……..

hereby consent to my nomination as a candidate for election as the elected mayor for the *county/district/London borough of …….

**Delete whichever is inappropriate*

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 qualifying Commonwealth citizen, a citizen of the Republic of Ireland, a qualifying EU citizen, or an EU citizen with retained rights, who has attained the age of 18 years and that

*(a) I am registered as a local government elector for the area of the *county/district/London borough named above; or

*(b) I have during the whole of the 12 months preceding that day, or those days, occupied as owner or tenant land or other premises in the area named above; or

*(c) my principal or only place of work during those 12 months has been in that *county/district/London borough; or

*(d) I have during the whole of those 12 months resided in the area named above.

**Delete whichever is inappropriate*.

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, or decision or order made under, sections 80 or 81A of the Local Government Act 1972, section 34 of the Localism Act 2011, or section 30 of the Elections Act 2022 (copies of which are printed overleaf), and I do not hold a politically restricted post, within the meaning of Part 1 of the Local Government and Housing Act 1989, under a local authority, within the meaning of that Part.

Date of birth …….
Signature ……..
Date of consent ……

Signed in my presence
Signature of witness……..
Name of witness …….

(WRITE CLEARLY)

Notes

1. A candidate who is qualified by more than one qualification may complete any of those which may apply.
2. Disqualifications set out under Section 81A of the Local Government Act 1972 only apply to a person who is subject to any relevant notification requirements, or a relevant order, made on or after 28 June 2022.

Back of Form

Back of form

Set out sections 80, 81 and 81A of the Local Government Act 1972, section 34 of the Localism Act 2011 and section 30 of the Elections Act 2022 *(as amended from time to time)*.

SCHEDULE 3

Regulation 4(4)(d)(iii)

The Police and Crime Commissioner Elections Order 2012: New Forms

Nomination of Candidates

Form 6

Nomination of Candidates

Election of the Police and Crime Commissioner for *(insert name of police area)* police area.

Date of poll. . . . . 20 . . . . .

We, the undersigned, being persons entitled to vote at Police and Crime Commissioner elections and ordinarily resident in this police area, nominate the person whose name appears below as a candidate to be the Police and Crime Commissioner for *(insert name of police area)* police area.

Title	Candidate Surname	Other names (in full)	Commonly used Surname (if any)	Commonly used Forename (if any)	Description [if any] (for ballot paper- not to exceed six words)
Mr/Mrs /Miss/ Ms/Dr/ Other					

Signature	Print Name	Voting Area (local authority) / (constituency)	Electoral Number	
			Polling District	Number
Proposer				
Seconder				
We the undersigned being Police and Crime Commissioner electors in (insert name of police area) police area, do hereby assent to the foregoing nomination.				
1.				
2.				
...				
98.				

NOTES

1. Candidates and election agents should read the rules for filling up nomination papers and other provisions relating to nomination and deposits contained in the PCC Elections Rules.

2. Where a candidate is commonly known by some title they may be described by their title as if it were part of their surname.

3. Where a candidate commonly uses name or names
   a) that are different from the candidate's full names as stated on the nomination paper, or
   b) in a different way from the candidate's full names as stated on the nomination paper,

   the commonly used name or names may also appear on the nomination paper; but if they do so, the commonly used name or names (instead of any other name) will appear on the ballot paper.

4. The ballot paper will show the other name if the Police Area Returning Officer thinks that the use of the commonly used name
   a) may be likely to mislead or confuse electors, or
   b) is obscene or offensive.

4A. The voting area must be completed. This will be the local authority unless, in Wales, an ordinary PCC election is to be combined with a general election to the Senedd, in which case it will be the Senedd constituency.

5. A person's electoral number is his/her number in the electoral register to be used at the election, including the distinctive letter of the parliamentary polling district in which he/she is registered.

6. An elector may not subscribe more than one nomination paper for the same Police and Crime Commissioner election.

7. In this form "elector"
   a) means a person who, on the last day for the publication of notice of the Police and Crime Commissioner election, is registered in the register of electors in relation to a Police and Crime Commissioner

election in respect of an address that is within the police area in question, 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/she 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 electors in relation to a Police and Crime Commissioner election cannot nominate a candidate for election.

9. A candidate supported by a certificate of authorisation signed by the Nominating Officer of a political party (or someone on their behalf) may use the party name or a description allowed by that certificate and registered with the Electoral Commission. A candidate may stand on behalf of two or more different parties and use a registered joint description if supported by certificate of authorisation from each of the parties. Any candidate may alternatively use the description of 'independent' (and/or 'Annibynonol' in Wales), or leave the description box blank.

Form 7: Consent to nomination

Form 7

Consent to nomination

Election of the Police and Crime Commissioner for (insert name of police area) police area Date of poll……20…….			
I (candidate name in full)			
Of (police area)			
Hereby consent to my nomination as a candidate for election at the Police and Crime Commissioner for *(insert name of police area)* police area. I declare that:			
• on the day of my nomination I have attained the age of 18 years.			
• on the day of my nomination and the day of the election I will be registered in the register of electors in relation to a police and crime commissioner election in respect of an address in the police area named above.			
• I am not nominated as a candidate for election as a police and crime commissioner, or police, fire and crime commissioner, for any other police area where the date of poll is the same as for this election.			
• I am aware of the provisions of the Police Reform and Social Responsibility Act 2011 and section 30 of the Elections Act 2022, and to the best of my knowledge and belief I am not disqualified from election as police and crime commissioner.			
Date of birth			
Signature		Date	
Witness declaration			
I confirm the candidate named above signed this declaration in my presence.			
Name (in full)			
Address (in full)			
Signature		Date	

SCHEDULE 4 Regulation 9(2)(e) and (3)(e)

The Combined Authorities (Mayoral Elections) Order 2017

PART 1

Forms for use at a combined authority mayoral election where the poll is not taken together with another election or referendum

Form 1: Nomination paper

Form 1

Form of Nomination Paper

(for use at combined authority mayoral elections)

Office use only

Date Delivered	Time delivered	Initials

ELECTION OF MAYOR for the Combined Authority of……

Date of election .....

We, the undersigned, being local government electors for the said (*combined authority area)*, do hereby nominate the person whose name appears below as a candidate at the mayoral 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	Local Authority	Electoral number Polling District	Number
Proposer……	……	……	……	……
Seconder……	……	……	……	……
We, the undersigned being electors for the said (electoral area), do hereby assent to the foregoing nomination				
1……	……	……	……	……
2……	……	……	……	……
3……	……	……	……	……

Form 1

4……	……	……	……	……
5……	……	……	……	……
6……	……	……	……	……
7……	……	……	……	……
8……	……	……	……	……
……	……	……	……	……
……	……	……	……	……
……	……	……	……	……
……	……	……	……	……
90……	……	……	……	……
91……	……	……	……	……
92……	……	……	……	……
93……	……	……	……	……
94……	……	……	……	……
95……	……	……	……	……
96……	……	……	……	……
97……	……	……	……	……
98……	……	……	……	……
……	……	……	……	……
……	……	……	……	……
……	……	……	……	……
……	……	……	……	……

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 rules in Schedule 1 to the Combined Authorities (Mayoral Elections) Order 2017.

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 or names

   (a) that are different from the candidate's full names as stated on the nomination paper, or
   (b) in a different way from the candidate's full names as stated on the nomination paper,

   the commonly used name or names may also appear on the nomination paper; but if they do so, the commonly used name or names (instead of any other name) will appear on the ballot paper.

4. But the ballot paper will show the other name if the combined authority returning officer

   (a) thinks 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. The description, if any, can only be

   (a) one certified as an authorised or registered description as mentioned in rule 7 of the election rules, or

   (b) the word "Independent".

6. In this form "elector"

   (a) means a person entitled to vote as an elector at the combined authority mayoral election and who is registered in the register of local government electors on the last day for the publication of notice of the 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 the person 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.

Form 2: Candidate's consent to nomination

Front of Form

Form 2

Form of Candidate's Consent to Nomination

(for use at combined authority mayoral elections)

Front of form

Date of election .....

I (*name in full*) .....

hereby consent to my nomination as a candidate for election as the mayor for the *(insert name)* Combined Authority

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 qualifying Commonwealth citizen, a citizen of the Republic of Ireland, a qualifying EU citizen, or an EU citizen with retained rights, who has attained the age of 18 years and that

*(a) I am registered as a local government elector within the area of the combined authority named above; or

*(b) I have during the whole of the 12 months preceding that day or those days occupied as owner or tenant land or other premises in the area named above; or

*(c) my principal or only place of work during those 12 months has been in that combined authority area; or

*(d) I have during the whole of those 12 months resided in the area named above.

**Delete whichever is inappropriate*

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, or decision or order made under, paragraphs 9 or 9A of Schedule 5B of the Local Democracy, Economic Development and Construction Act 2009, section 34 of the Localism Act 2011, *[sections 64 to 68 of the Police Reform and Social Responsibility Act 2011], or section 30 of the Elections Act 2022 (copies of which are printed overleaf), and I do not hold a politically restricted post, within the meaning of Part 1 of the Local Government and Housing Act 1989, under a local authority, within the meaning of that Part.

**Relevant Returning or Counting Officer to insert in case of elections for Mayors exercising Police and Crime Commissioner functions.*

Date of birth .....

Signature .....

Date of consent .....

Signed in my presence

Signature of witness .....

Name of witness .....

(WRITE CLEARLY)

NOTES

1. A candidate who is qualified by more than one qualification may complete any of those that may apply.
2. Disqualifications set out under Section 9A of Schedule 5B of the Local Democracy, Economic Development and Construction Act 2009 only apply to a person who is subject to any relevant notification requirements, or a relevant order, made on or after 28 June 2022.

Back of Form

Back of form

Set out paragraphs 9 and 9A of Schedule 5B of the Local Democracy, Economic Development and Construction Act 2009, section 34 of the Localism Act 2011, section 30 of the Elections Act 2022
*[and sections 64 to 68 of the Police Reform and Social Responsibility Act 2011]
(as amended from time to time).

**Relevant Returning or Counting Officer to insert in case of elections for Mayors exercising Police and Crime Commissioner functions.*

PART 2

Forms for use at a combined authority mayoral election where the poll is taken together with another election or referendum

Form 1: Nomination paper

Form 1

Form of Nomination Paper

(for use at combined authority mayoral elections)

Office use only

Date Delivered	Time delivered	Initials

ELECTION OF MAYOR for the Combined Authority of……

Date of election .....

We, the undersigned, being local government electors for the said (*combined authority area)*, do hereby nominate the person whose name appears below as a candidate at the mayoral 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	Local Authority	Electoral number Polling District	Number
Proposer……	……	……	……	……
Seconder……	……	……	……	……
We, the undersigned being electors for the said (electoral area), do hereby assent to the foregoing nomination				
1……	……	……	……	……
2……	……	……	……	……
3……	……	……	……	……

Form 1

4……	……	……	……	……
5……	……	……	……	……
6……	……	……	……	……
7……	……	……	……	……
8……	……	……	……	……
……	……	……	……	……
……	……	……	……	……
……	……	……	……	……
……	……	……	……	……
90……	……	……	……	……
91……	……	……	……	……
92……	……	……	……	……
93……	……	……	……	……
94……	……	……	……	……
95……	……	……	……	……
96……	……	……	……	……
97……	……	……	……	……
98……	……	……	……	……
……	……	……	……	……
……	……	……	……	……
……	……	……	……	……
……	……	……	……	……

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 rules in Schedule 3 to the Combined Authorities (Mayoral Elections) Order 2017.

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 or names

   (a) that are different from the candidate's full names as stated on the nomination paper, or
   (b) in a different way from the candidate's full names as stated on the nomination paper,

   the commonly used name or names may also appear on the nomination paper; but if they do so, the commonly used name or names (instead of any other name) will appear on the ballot paper.

4. But the ballot paper will show the other name if the combined authority returning officer

   (a) thinks 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. The description, if any, can only be

   (a) one certified as an authorised or registered description as mentioned in rule 7 of the election rules, or

   (b) the word "Independent".

6. In this form "elector"

   (a) means a person entitled to vote as an elector at the combined authority mayoral election and who is registered in the register of local government electors on the last day for the publication of notice of the 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 the person 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.

Form 2: Candidate's consent to nomination

Front of Form

Form 2

Form of Candidate's Consent to Nomination

(for use at combined authority mayoral elections)

Front of form

Date of election .....

I (*name in full*) .....

hereby consent to my nomination as a candidate for election as the mayor for the *(insert name)* Combined Authority

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 qualifying Commonwealth citizen, a citizen of the Republic of Ireland, a qualifying EU citizen, or an EU citizen with retained rights, who has attained the age of 18 years and that

*(a) I am registered as a local government elector within the area of the combined authority named above; or

*(b) I have during the whole of the 12 months preceding that day or those days occupied as owner or tenant land or other premises in the area named above; or

*(c) my principal or only place of work during those 12 months has been in that combined authority area; or

*(d) I have during the whole of those 12 months resided in the area named above.

**Delete whichever is inappropriate*

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, or decision or order made under, paragraphs 9 or 9A of Schedule 5B of the Local Democracy, Economic Development and Construction Act 2009, section 34 of the Localism Act 2011, *[sections 64 to 68 of the Police Reform and Social Responsibility Act 2011], or section 30 of the Elections Act 2022 (copies of which are printed overleaf), and I do not hold a politically restricted post, within the meaning of Part 1 of the Local Government and Housing Act 1989, under a local authority, within the meaning of that Part.

**Relevant Returning or Counting Officer to insert in case of elections for Mayors exercising Police and Crime Commissioner functions.*

Date of birth .....

Signature .....

Date of consent .....

Signed in my presence

Signature of witness .....

Name of witness .....

(WRITE CLEARLY)

NOTES

1. A candidate who is qualified by more than one qualification may complete any of those that may apply.
2. Disqualifications set out under Section 9A of Schedule 5B of the Local Democracy, Economic Development and Construction Act 2009 only apply to a person who is subject to any relevant notification requirements, or a relevant order, made on or after 28 June 2022.

Back of Form

Back of form

Set out paragraphs 9 and 9A of Schedule 5B of the Local Democracy, Economic Development and Construction Act 2009, section 34 of the Localism Act 2011, section 30 of the Elections Act 2022
*[and sections 64 to 68 of the Police Reform and Social Responsibility Act 2011]
(as amended from time to time).

**Relevant Returning or Counting Officer to insert in case of elections for Mayors exercising Police and Crime Commissioner functions.*

SCHEDULE 5

Regulation 11(3)

Welsh version of prescribed forms for PCC elections in Wales

Form 6: Enwebu ymgeiswyr

Ffurflen 6

Enwebu Ymgeiswyr

Ethol Comisiynydd yr Heddlu a Throseddu ar gyfer ardal heddlu *(rhowch enw'r ardal heddlu)*

Dyddiad pleidleisio. . . . . 20. . . . .

Rydym ni, sy'n llofnodi isod, fel personau sydd â hawl i bleidleisio yn etholiadau Comisiynwyr yr Heddlu a Throseddu ac sy'n byw fel arfer yn yr ardal heddlu hon, yn enwebu'r unigolyn yr ymddengys ei enw isod fel ymgeisydd i fod yn Gomisiynydd yr Heddlu a Throseddu ar gyfer ardal heddlu *(rhowch enw'r ardal heddlu)*.

Teitl	Cyfenw'r Ymgeisydd	Enwau eraill (yn llawn)	Cyfenw a ddefnyddir yn Gyffredin (os oes un)	Enw Cyntaf a ddefnyddir yn Gyffredin (os oes un)	Disgrifiad [os oes un] (ar gyfer y papur pleidleisio – hyd at chwe gair)
Mr/Mrs /Miss/ Ms/Dr/ Arall					

Llofnod	Enw mewn Priflythrennau	Ardal Bleidleisio (awdurdod lleol) / (etholaeth)	Rhif Etholiadol	
			Dosbarth Etholiadol	Rhif
Cynigiwr				
Eilydd				
Rydym ni, sy'n llofnodi isod, fel etholwyr Comisiynydd yr Heddlu a Throseddu yn ardal heddlu (*rhowch enw'r ardal heddlu*), drwy hyn yn cydsynio i'r enwebiad uchod.				
1 .				
2 .				
...				
98 .				

NODIADAU

1. Dylai ymgeiswyr ac asiantiaid etholiad ddarllen y rheolau ar gyfer llenwi papurau enwebu a darpariaethau eraill sy'n ymwneud ag enwebu ac ernesau a geir yn Rheolau Etholiadau Comisiynwyr yr Heddlu a Throseddu.

2. Os cyfeirir at ymgeisydd yn gyffredin gan ddefnyddio rhyw deitl, gellir ei ddisgrifio gan ddefnyddio ei deitl fel petai'n rhan o'i gyfenw.

3. Os bydd ymgeisydd yn defnyddio enw neu enwau yn gyffredin
   a) sy'n wahanol i enwau llawn yr ymgeisydd fel y'u nodir ar y papur enwebu, neu
   b) mewn ffordd wahanol i enwau llawn yr ymgeisydd fel y'u nodir ar y papur enwebu,

   gall yr enw neu'r enwau a ddefnyddir yn gyffredin hefyd ymddangos ar y papur enwebu; ond os bydd(ant) yn gwneud hynny, bydd yr enw neu'r enwau a ddefnyddir yn gyffredin (yn lle unrhyw enw arall) yn ymddangos ar y papur pleidleisio.

4. Bydd y papur pleidleisio yn dangos yr enw arall os bydd y Swyddog Canlyniadau Ardal Heddlu o'r farn bod yr enw a ddefnyddir yn gyffredin
   a) yn debygol o gamarwain neu ddrysu etholwyr, neu
   b) yn anweddus neu'n dramgwyddus.

4A. Rhaid cwblhau'r ardal bleidleisio. Dyma'r awdurdod lleol oni fydd etholiad cyffredin ar gyfer Comisiynwyr yr Heddlu a Throseddu yn cael ei gyfuno ag etholiad cyffredinol i'r Senedd yng Nghymru. Os felly, etholaeth y Senedd fydd yr ardal bleidleisio.

5. Rhif etholiadol unigolyn yw ei rif ar y gofrestr etholiadol sydd i'w defnyddio yn yr etholiad, gan gynnwys llythyren unigryw'r dosbarth etholiadol seneddol lle mae wedi'i gofrestru.

6. Ni chaiff etholwr lofnodi mwy nag un papur enwebu ar gyfer yr un etholiad ar gyfer Comisiynwyr yr Heddlu a Throseddu.

7. Yn y ffurflen hon ystyr "etholwr"

a) yw unigolyn sydd, ar y diwrnod olaf ar gyfer cyhoeddi hysbysiad o etholiad ar gyfer Comisiynwyr yr Heddlu a Throseddu, wedi'i gofrestru yn y gofrestr etholiadol mewn perthynas ag etholiad ar gyfer Comisiynwyr yr Heddlu a Throseddu mewn perthynas â chyfeiriad sydd yn ardal yr heddlu dan sylw, a
b) mae'n cynnwys unigolyn a ddangosir wedyn yn y gofrestr fel unigolyn o dan oedran pleidleisio os (ond dim ond os) ymddengys o'r gofrestr y bydd o oedran pleidleisio ar y diwrnod a bennwyd ar gyfer y bleidlais.

8. Fodd bynnag, ni all unigolyn sydd â chofnod dienw yn y gofrestr etholwyr mewn perthynas ag etholiad ar gyfer Comisiynwyr yr Heddlu a Throseddu, enwebu ymgeisydd ar gyfer etholiad.

9. Caiff ymgeisydd sydd â thystysgrif awdurdodi a lofnodwyd gan Swyddog Enwebu plaid wleidyddol (neu rywun ar ei ran) ddefnyddio enw'r blaid neu ddisgrifiad a ganiateir gan y dystysgrif honno ac sydd wedi'i gofrestru â'r Comisiwn Etholiadol. Caiff ymgeisydd sefyll ar ran dwy blaid wleidyddol neu fwy a defnyddio cyd-ddisgrifiad cofrestredig os bydd ganddo dystysgrif awdurdodi gan bob un o'r pleidiau. Fel arall, caiff unrhyw ymgeisydd ddefnyddio'r disgrifiad 'annibynnol' neu adael blwch y disgrifiad yn wag.

Form 7: Cydsynio ag enwebiad

Form 7
Ffurflen 7

Cydsynio ag enwebiad

<table>
<tr><td colspan="4">Etholiad Comisiynydd yr Heddlu a Throseddu ar gyfer ardal heddlu (nodwch enw ardal yr heddlu)
Dyddiad yr etholiad……20.....</td></tr>
<tr><td>Yr wyf i (enw'r ymgeisydd yn llawn)</td><td colspan="3"></td></tr>
<tr><td>O (ardal yr heddlu)</td><td colspan="3"></td></tr>
<tr><td colspan="4">Drwy hyn yn cydsynio i gael fy enwebu fel ymgeisydd ar gyfer etholiad Comisiynydd yr Heddlu a Throseddu ar gyfer ardal heddlu (nodwch enw ardal yr heddlu). Rwyf yn datgan:</td></tr>
<tr><td colspan="4">• ar ddiwrnod fy enwebiad fy mod wedi cyrraedd 18 oed.</td></tr>
<tr><td colspan="4">• ar ddiwrnod fy enwebiad ac ar ddiwrnod yr etholiad byddaf wedi fy nghofrestru yn y gofrestr o etholwyr ar gyfer etholiad comisiynydd yr heddlu a throseddu mewn perthynas â chyfeiriad yn ardal yr heddlu a enwir uchod.</td></tr>
<tr><td colspan="4">• nad wyf wedi fy enwebu fel ymgeisydd ar gyfer etholiad comisiynydd yr heddlu a throseddu, neu gomisiynydd yr heddlu, tân a throseddu, ar gyfer unrhyw ardal heddlu arall lle mae'r etholiad yn cael ei gynnal ar yr un dyddiad â'r etholiad hwn.</td></tr>
<tr><td colspan="4">• fy mod yn ymwybodol o ddarpariaethau Deddf Diwygio'r Heddlu a Chyfrifoldeb Cymdeithasol 2011 ac adran 30 o Ddeddf Etholiadau 2022, a hyd eithaf fy ngwybodaeth a'm cred nad wyf wedi fy anghymhwyso rhag cael fy ethol yn gomisiynydd yr heddlu a throseddu.</td></tr>
<tr><td>Dyddiad geni</td><td colspan="3"></td></tr>
<tr><td>Llofnod</td><td></td><td>Dyddiad</td><td></td></tr>
<tr><td colspan="4">Datganiad tyst</td></tr>
<tr><td colspan="4">Gallaf gadarnhau bod yr ymgeisydd a enwir uchod wedi llofnodi'r datganiad hwn yn fy ngŵydd.</td></tr>
<tr><td>Enw (yn llawn)</td><td colspan="3"></td></tr>
<tr><td>Cyfeiriad (yn llawn)</td><td colspan="3"></td></tr>
<tr><td>Llofnod</td><td></td><td>Dyddiad</td><td></td></tr>
</table>

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision relating to sections 8, 10 and 15 and Part 5 of the Elections Act 2022 (c. 37) ("the Act").

Regulations 3, 4(4), 9 and 11 make provision to replicate the provision for "commonly used names" of candidates made by section 10 of the Act, including replacing the nomination paper, for other election types. These regulations also make provision to implement Part 5 of the Act (disqualification of offenders for holding elective office etc.) by enabling a returning officer to hold a candidate's nomination paper invalid if the person submitting that nomination paper is subject to a disqualification order under section 30 of the Act, and by replacing the consent to nomination form with a new form which includes a declaration that a person is not disqualified by reason of a disqualification order. In addition the forms for local authority mayoral elections (both single and combined authorities) are amended to reflect the amended candidacy rights for EU citizens introduced by section 15 of the Act.

Regulations 4(3), 5(b), 6(b), 7(2)(b) and (3)(b) and 8(4) make provision to apply or replicate section 114A of the Representation of the People Act 1983 (introduced by section 8 of the Act) so that the new offence of undue influence applies to elections and referendums covered in these regulations.

Regulation 10 makes provision that ensures that the date of a vacancy in the office of a combined authority mayor is determined in accordance with section 31 of the Act if that vacancy has arisen as a result of a disqualification order.

Regulations 4(2), 5(a), 6(a), 7(2)(a) and (3)(a) and 8(2) and (3) make provision to apply the offences in the Ballot Secrecy Act 2023 (c. 12) to Police and Crime Commissioner elections and recall petitions as well as to local government, council tax and neighbourhood planning referendums.

Regulation 2 makes provision for the use of alternative forms of candidate's consent to nomination (as set out in Schedule 1) for single authority and combined authority mayoral elections for which the date of poll specified in the notice of election is on or between 2nd and 6th May 2024, which reflects the period between the dates on which Part 5 of the Act and section 15 of the Act respectively take effect.

A full regulatory impact assessment has not been prepared as this instrument will have no, or no significant, impact on the private, voluntary or public sector.

© Crown Copyright 2023

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of His Majesty's Stationery Office and King's Printer of Acts of Parliament.

http://www.legislation.gov.uk/id/ukdsi/2023/9780348249484