STATUTORY INSTRUMENTS

1999 No. 395

REPRESENTATION OF THE PEOPLE

The Local Elections (Parishes and Communities) (Amendment) Rules 1999

Made - - - - *17th February 1999*

Laid before Parliament *25th February 1999*

Coming into force in accordance with rule 1(2)

The Secretary of State in exercise of the powers conferred on him by section 36(2) of the Representation of the People Act 1983**(a)** hereby makes the following Rules:

1.—(1) These Rules may be cited as the Local Elections (Parishes and Communities) (Amendment) Rules 1999.

(2) These Rules shall come into force on 24th March 1999 except for the purpose of an election if the last day for the publication of the notice of election in respect of that election precedes that date.

(3) These Rules do not extend to Scotland or Northern Ireland.

2. Rule 2(4) of the Local Elections (Parishes and Communities) (Amendment) Rules 1987**(b)** is hereby revoked.

3. The rules in Schedule 2 to the Local Elections (Parishes and Communities) Rules 1986**(c)** shall be amended as follows.

4. After rule 4 (nomination of candidates) insert–

"**Nomination papers: name of registered political party**

4A.—(1) A nomination paper may not include a description of a candidate which is likely to lead voters to associate the candidate with a registered political party unless the description is authorised by a certificate–

(a) issued by or on behalf of the registered nominating officer of the party, and

(b) received by the returning officer before the last time for the delivery of nomination papers.

(2) A person shall be guilty of a corrupt practice if he fraudulently purports to be authorised to issue a certificate under paragraph (1) on behalf of a registered political party's nominating officer.

(3) In the application of this rule in relation to an election "registered political party" means a party which was registered under the Registration of Political Parties Act 1998**(d)** at the time by which the notice of election is required to be published.".

(a) 1983 c. 2.
(b) S.I. 1987/260.
(c) S.I. 1986/2215; relevant amendments were made by rule 2(5) of S.I. 1987/260.
(d) 1998 c. 48.

5.—(1) Rule 7 (decisions as to validity of nomination papers) is amended as follows.

(2) At the beginning of paragraph (3) insert "Subject to paragraph (3A),".

(3) After paragraph (3) insert–

"(3A) If in the returning officer's opinion a nomination paper breaks rule 4A(1), he shall give a decision to that effect as soon as practicable after the last time for the delivery of nomination papers.".

(4) In paragraph (4) for "Where he" substitute "Where the returning officer".

6. In rule 14 (the ballot papers), after paragraph (2) insert–

"(2A) If a candidate who is the subject of a party's authorisation under rule 4A(1) so requests, the ballot paper shall contain, against the candidate's particulars, the party's registered emblem (or, as the case may be, one of the party's registered emblems).

(2B) The request must–

(a) be made in writing to the returning officer, and

(b) be received by him before the last time for the delivery of nomination papers.".

7. In the Appendix of Forms, for the form of the front of the ballot paper there shall be substituted the form set out in the Schedule to these Rules.

8. In the Directions as to printing the ballot paper in the Appendix of Forms–

(a) in paragraph 2(a) for "and the particulars of the candidates" substitute ", the particulars of the candidates and words forming part of emblems", and

(b) after paragraph 4 add–

"**4A.** Where an emblem is to be printed against a candidate's particulars–

(a) it shall be printed between the candidate's particulars and the vertical rule separating the candidate's particulars from the spaces where the vote is to be marked, and

(b) its size as printed shall not exceed two centimetres square.".

Home Office
17th February 1999

George Howarth
Parliamentary Under-Secretary of State

SCHEDULE

Form of front of ballot paper

VOTE FOR NO MORE THAN .... CANDIDATES

Counterfoil No.
The counterfoil is to have a number to correspond with that on the back of the ballot paper

1	**BROWN** **JOHN EDWARD Brown** 2 The Cottages, Barlington, Grayshire Liberal Democrat	
2	**BROWN** **THOMAS WILLIAM Brown** 15 Barchester Road, Barlington, Grayshire Green Party	
3	**JONES** **William David Jones** The Grange, Barlington, Grayshire	
4	**MERTON** **George Travis Merton** 4 Rose Cottages, Barlington, Grayshire The Labour Party Candidate	
5	**SMITH** **Mary Smith** School House, Barlington, Grayshire Progressive	
6	**WILLIAMS** **Elizabeth Jane Williams** 3 Ivy Lane, Barlington, Grayshire Conservative	

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend Schedule 2 to the Local Elections (Parishes and Communities) Rules 1986 to make provision equivalent to that which the amendments in Schedule 2 to the Registration of Political Parties Act 1998 make to the parliamentary elections rules in Schedule 1 to the Representation of the People Act 1983. The 1986 Rules apply to parish council elections in England and community council elections in Wales.

The amendments give returning officers the power to reject nomination papers which include a description which is likely to lead voters to associate the candidate with a registered political party unless the description is authorised by or on behalf of the registered nominating officer of that party. They also provide for the inclusion of emblems of registered parties on ballot papers.

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