Wiltshire Council
Where everybody matters

Nomination Paper Pack for Ogbourne St. George Parish

Please find enclosed a nomination paper pack containing the following items and the latest statutory deadline for receipt:

Document	Statutory deadline for receipt by the Returning Officer
Nomination Paper	NOON Friday 5 April 2013
Consent to Nomination	NOON Friday 5 April 2013
Section 80 Local Government Act 1972	n/a Information only
Political Party Certificate of Authority and Emblem Request form	NOON Friday 5 April 2013
Declaration of Secrecy	n/a Information only
Notice of Withdrawal	NOON Wednesday 10 April 2013
Election Timetable	n/a Information only

Important Information:

For information on standing as a candidate and completion of the forms, we recommend that you read the Electoral Commission candidates guidance which is available on the Electoral Commission website:

http://www.electoralcommission.org.uk/guidance/resources-for-those-we-regulate/candidates-and-agents/parish-community-elections-england-wales

Nomination papers will **only** be accepted from **Monday 18 March 2013**.

Nomination papers must be received either through the post (addressed to the Returning Officer, Wiltshire Council, Electoral Services, Monkton Park, Chippenham, Wiltshire SN15 1ER) or hand delivered. They cannot be accepted by electronic means i.e. fax or email.

Hand delivered nomination packs **must only** be delivered to the following designated reception points:

- Nomination Reception Desk, Ground Floor, The Council Offices, Snuff Street, Devizes, Wiltshire SN10 1FG
- Nomination Reception Desk, Lower Ground Floor, The Council Offices, Monkton Park, Chippenham, Wiltshire SN15 1ER
- Nomination Reception Desk, Ground Floor, The Council Offices, Bourne Hill, Salisbury, Wilts SP1 3UZ
- Nomination Reception Desk, Ground Floor, The Council Offices, County Hall, Trowbridge, Wiltshire BA14 0RD

Nomination papers can be delivered on any day Monday to Friday (excluding bank holidays) between the hours of 10am and 4pm from **Monday 18 March 2013**.

The statutory deadline to receive nomination packs is **NOON on Friday, 5th April 2013**. Any nomination papers received after this time and date will NOT be accepted.

If required, an informal checking service can be provided for all nomination papers that are hand delivered before they are formally accepted. Please note that nomination papers received via Royal Mail or “left” at The Nomination Reception Desk will be deemed to be officially submitted.

We strongly recommend that nomination papers are delivered within the first two weeks so any discrepancies can be resolved before the statutory deadline of **NOON on Friday, 5th April 2013.**

Proposer and Seconder
These electors must be registered for the **Ogbourne St. George Parish** in the electoral register in force at the time the Notice of Election is published. This will be the electoral register as at 1 March 2013.

Please note you are not entitled to receive a copy of the electoral register until the 26 March which is when you officially become a candidate. If you wish to apply for a copy of the register, you will need to send a request in writing to The Returning Officer, Wiltshire Council, Electoral Services, Monkton Park, Chippenham, Wiltshire SN15 1ER.

If you are unable to obtain the poll numbers for your proposer and seconder, the town/parish clerk will have a copy of the register for you to inspect. Alternatively, please contact this office and we will provide you with the information. Please note this service is to assist you in completion of your form and should not be deemed as an acceptance of a valid nomination at this stage.

Please see our dedicated elections webpage for further information, statutory notices and forms which will be regularly updated at each stage of the election process at:

http://www.wiltshire.gov.uk/council/elections/forthcomingelections/unitaryandparishelections.htm

The Returning Officer
Wiltshire Council, Electoral Services, Monkton Park, Chippenham SN15 1ER
Tel: 0300 456 0112
http://www.wiltshire.gov.uk/council/elections/forthcomingelections/unitaryandparishelections.htm

Nomination Paper

Office Use Only

Time delivered	Date delivered	No of Nomination Paper in order of delivery	Initials

ELECTION OF A PARISH COUNCILLOR

for

Ogbourne St. George

Date of Election: Thursday, 2 May 2013

We the undersigned, being local government electors for the said Parish,
do hereby nominate the under-mentioned person as a candidate at the said election.

PLEASE COMPLETE IN CAPITALS (except where a signature is required)

Candidate's surname	**Other forename(s) in full**	Commonly used surname (if any)	Commonly used forenames (if any)	**Description (if any)** use no more than 6 words	**Home Address in full**

Title		**Email Address**		**Telephone**	

	Signature	**Print Name as Signed**	**Electoral Number**	
			Polling District Letters	**Number**
Proposer				
Seconder				

Notes

1. The attention of candidates and electors is drawn to the rules for filling up nomination papers and provisions relating to nomination papers contained the election rules in Schedule 2 to the Local Election (Parishes and Communities) 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 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. 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 ward in a parish or community divided into wards.
6. In this form `elector` -
   (a) means a person who is registered in the register of local government electors for the Parish 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.

Candidate's Consent to Nomination

(To be given on or within one month before the last day for delivery of nomination papers, and delivered at the place and within the time appointed for delivery of nomination papers). Deadline for receipt of this from: NOON on Friday 5 April 2013

Election of a Parish Councillor for

Ogbourne St. George

Date of Election: Thursday, 2 May 2013

I, (*name in full*)

_____

of (*home address in full*)

_____

_____

hereby consent to my nomination as a candidate for election as a Parish Councillor for Ogbourne St. George.

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 another Member State of the European Community, who has attained the age of 18 years and that

* (a) I am registered as a local government elector for the administrative area of the Parish in respect of (*qualifying address in full*)

_____

_____

and my electoral number (*see note below*) is _____ ; or

* (b) I have during the whole of the twelve months preceding that day or those days occupied as owner or tenant of the following land or other premises in the Parish (*description and address of land or premises*)

_____

_____ ; or

* (c) my principal or only place of work during those twelve months has been in that Parish at (*give address of place of work and, where appropriate, name of employer*)

_____

_____ ; or

* (d) I have during the whole of those twelve months resided in that Parish or within 4.8 kilometres of it at (*give address in full*)

_____

_____

** delete whichever is inappropriate, (but you can include all those that apply)*

I declare that to the best of my knowledge and belief I am not disqualified from being elected by reason of any disqualification set out in Section 80 of the Local Government Act 1972, or any decision made under section 79 of the Local Government Act 2000, [copies of which sections are printed overleaf].

Date of Birth: _____ Signature: _____

Date of consent: _____

Signed in my presence

Signature of witness: _____

Name and address of witness (PLEASE PRINT)

_____

_____

NOTES:
1. A person's electoral number is his number in the register to be used at the election (including the distinctive letters of the parliamentary polling district in which he is registered).
2. A candidate who is qualified by more than one qualification may complete any of those that may apply.

Local Government Act 1972

80. Disqualifications for election and holding office as member of local authority.

(1) Subject to the provisions of section 81 below, a person shall be disqualified for being elected or being a member of a local authority if he –

(a) holds any paid office or employment (other than the office of chairman, vice-chairman or deputy chairman or, in the case of a local authority which are operating executive arrangements which involve a leader and cabinet executive, the office of executive leader or member of the executive) appointments or elections to which are or may be made or confirmed by the local authority or any committee or sub-committee of the authority or by a joint committee or National Park authority on which the authority are represented or by any person holding any such office or employment; or

(b) is the subject of a bankruptcy restrictions order or interim order; or

(c) [This has been removed and no longer applies]

(d) has within five years before the day of election or since his election been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and has had passed on him a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine; or

(e) is disqualified for being elected or for being a member of that authority under Part III of the Representation of the People Act 1983 or under the Audit Commission Act 1998.

(2) Subject to the provisions of section 81 below, a paid officer of a local authority who is employed under the direction of –

(a) a committee or sub-committee of the authority any member of which is appointed on the nomination of some other local authority; or

(b) a joint board, joint authority, economic prosperity board, combined authority, joint waste authority or joint committee on which the authority are represented and any member of which is so appointed;

shall be disqualified for being elected or being a member of that other local authority.

(2AA) A paid member of staff of the Greater London Authority who is employed under the direction of a joint committee the membership of which includes –

(a) one or more persons appointed on the nomination of the Authority acting by the Mayor, and

(b) one or more members of one or more London borough councils appointed to the committee on the nomination of those councils,

shall be disqualified for being elected or being a member of any of those London borough councils.

(2A) Subsection (2) above shall have effect as if the reference to a joint board included a reference to a National Park authority.

(2B) For the purposes of this section a local authority shall be treated as represented on a National Park authority if it is entitled to make any appointment of a local authority member of the National Park authority.

(3) Subsection (1)(a) shall have effect in relation to a teacher in a school maintained by the local authority who does not hold an employment falling within that provision as it has effect in relation to a teacher in such a school who holds such an employment.

(5) For the purposes of subsection (1)(d) above, the ordinary date on which the period allowed for making an appeal or application with respect to the conviction expires or, if such an appeal or application is made, the date on which the appeal or application is finally disposed of or abandoned or fails by reason of the non-prosecution thereof shall be deemed to be the date of the conviction.

81. Exception to provisions of section 80

(4) Section 80(2) and (3) above shall not operate so to disqualify –

(a) any person by reason of his being a teacher, or otherwise employed, in a school or other educational institution maintained or assisted by a county council for being a member of a district council by reason that the district council nominates members of the education committee of the county council

Local Government Act 2000

Persons disqualified by eligible tribunals. The following is the legislation that describes how persons disqualified by certain tribunals are disqualified from standing in local government elections.

78A. Decisions of First-tier Tribunal

[(1) Deleted.]

(2) Where the First-tier Tribunal adjudicates on any matter under this Act, it must decide whether or not any person to which that matter relates has failed to comply with the code of conduct of the relevant authority concerned.

(3) Where the tribunal decides that a person has not failed to comply with the code of conduct of the relevant authority concerned, it must give notice to that effect to the standards committee of the relevant authority concerned.

(4) Where the tribunal decides that a person has failed to comply with the code of conduct of the relevant authority concerned, it may—

(a) take in respect of him any action authorised by regulations made by the Secretary of State for the purposes of this subsection, or

(b) decide to take no action against him.

(5) Regulations made under subsection (4) may in particular—

(a) enable the tribunal to censure the person,

(b) enable it to suspend, or partially suspend, the person from being a member or co-opted member of the relevant authority concerned for a limited period,

(c) enable it to disqualify the person, for a period not exceeding five years, for being or becoming (whether by election or otherwise) a member of that or any other relevant authority.

(6) The reference in subsection (5)(b) to the relevant authority concerned is to be read, in relation to a person who is no longer a member or co-opted member of the relevant authority concerned but is a member or co-opted member of another relevant authority in England, as a reference to that other relevant authority.

(7) Regulations made by the Secretary of State may require the First-tier Tribunal to give a notice to the standards committee of the relevant authority concerned where it decides that a person has failed to comply with the code of conduct of that authority and—

(a) decides to suspend or partially suspend the person,

(b) decides to disqualify the person,

(c) decides to take action against the person other than suspension, partial suspension or disqualification, or

(d) decides to take no action against him.

(8) Regulations under subsection (7) may—

(a) prescribe the content of any notice,

(b) provide for the effect that any notice is to have,

(c) provide for provisions of the regulations to have effect with prescribed modifications where the person concerned is no longer a member or co-opted member of the relevant authority concerned, but is a member or co-opted member of another relevant authority in England

79.— Decisions of case tribunals: Wales

(A1) In this section “Welsh case tribunal” means a case tribunal drawn from the Adjudication Panel for Wales.

(1) A Welsh case tribunal which adjudicates on any matter must decide whether or not any person to which that matter relates has failed to comply with the code of conduct of the relevant authority concerned.

(2) Where a Welsh case tribunal decides that a person has not failed to comply with the code of conduct of the relevant authority concerned, it must give notice to that effect to the standards committee of the relevant authority concerned.

(3) Where a Welsh case tribunal decides that a person has failed to comply with the code of conduct of the relevant authority concerned, it must decide whether the nature of the failure is such that the person should be suspended or disqualified in accordance with subsection (4).

(4) A person may be—

(a) suspended or partially suspended from being a member or co-opted member of the relevant authority concerned, or

(b) disqualified for being, or becoming (whether by election or otherwise), a member of that or any other relevant authority.

(5) Where a Welsh case tribunal makes such a decision as is mentioned in subsection (4)(a), it must decide the period for which the person should be suspended or partially suspended (which must not exceed one year or, if shorter, the remainder of the person's term of office).

(6) Where a Welsh case tribunal makes such a decision as is mentioned in subsection (4)(b), it must decide the period for which the person should be disqualified (which must not exceed five years).

(7) Where a Welsh case tribunal decides that a person has failed to comply with the code of conduct of the relevant authority concerned but should not be suspended or disqualified as mentioned in subsection (4), it must give notice to the standards committee of the relevant authority concerned—

(a) stating that the person has failed to comply with that code of conduct, and

(b) specifying the details of that failure.

(8) Where a Welsh case tribunal decides that a person has failed to comply with the code of conduct of the relevant authority concerned and should be suspended or partially suspended as mentioned in subsection (4)(a), it must give notice to the standards committee of the relevant authority concerned—

(a) stating that the person has failed to comply with that code of conduct,

(b) specifying the details of that failure, and

(c) stating that the person is suspended or partially suspended for the period, and in the way, which the tribunal has decided.

(9) The effect of a notice given to the standards committee of a relevant authority under subsection (8) is to suspend or partially suspend the person concerned as mentioned in subsection (8)(c).

(10) Where a Welsh case tribunal decides that a person has failed to comply with the code of conduct of the relevant authority concerned and should be disqualified as mentioned in subsection (4)(b), it must give notice to the standards committee of the relevant authority concerned—

(a) stating that the person has failed to comply with that code of conduct,

(b) specifying the details of that failure, and

(c) stating that the person is disqualified for being, or becoming (whether by election or otherwise), a member of that or any other relevant authority for the period which the tribunal has decided.

(11) The effect of a notice given to the standards committee of a relevant authority under subsection (10) is to disqualify the person concerned as mentioned in subsection (10)(c).

(12) A copy of any notice under this section—

(a) must be given to the Public Services Ombudsman for Wales,

(b) must be given to any person who is the subject of the decision to which the notice relates, and

(c) must be published in one or more newspapers circulating in the area of the relevant authority concerned.

(13) Where the person concerned is no longer a member or co-opted member of the relevant authority concerned but is a member or co-opted member of another relevant authority in Wales—

(a) a copy of any notice under subsection (2), (7) or (10) must also be given to the standards committee of that other relevant authority,

(b) the reference in subsection (4)(a) to the relevant authority concerned is to be treated as a reference to that other relevant authority,

(c) the duty to give notice to the standards committee of the relevant authority concerned under subsection (8) is to be treated as a duty—

(i) to give that notice to the standards committee of that other relevant authority, and

(ii) to give a copy of that notice to the standards committee of the relevant authority concerned,

(d) the reference in subsection (12)(c) to the relevant authority concerned is to be treated as including a reference to that other relevant authority.

(14) A Welsh case tribunal must take reasonable steps to inform any person who made any allegation which gave rise to the adjudication of the decision of the Welsh case tribunal under this section.

(15) Where a Welsh case tribunal decides under this section that a person has failed to comply with the code of conduct of the relevant authority concerned, that person may appeal to the High Court against that decision, or any other decision under this section which relates to him.

(16) An appeal may not be brought under subsection (15) except with the leave of the High Court.

POLITICAL PARTIES, ELECTIONS AND REFERENDUMS ACT
REPRESENTATION OF THE PEOPLE ACTS

Election of a Parish Councillor for

Ogbourne St. George

Deadline for receipt of this form: NOON on Friday 5 April 2013
Date of Election: Thursday, 2 May 2013

You may **not** use a description which is likely to lead voters to associate you with a political party unless the description is authorised by a certificate issued by or on behalf of the party's registered nominating officer. You may only use an emblem if your description has been so authorised.

Registered Political Party Description - Certificate of Authority

In accordance with the Political Parties, Elections and Referendums Act I hereby certify that

_____
name of candidate

is the official candidate of

_____
name of political party

and may use the following description in their nomination paper

_____
authorised description

at the election for Ogbourne St. George on Thursday, 2 May 2013.

Signed _____ Dated _____
registered nominating officer or authorised person

Name _____
(PLEASE PRINT)

Registered Political Party Emblem – Request*

I request that the party's registered emblem (or if there are more than one registered emblem**, specify which one) appear on the ballot paper against my name, described as follows

_____
Description of emblem

Signed _____ Dated _____
candidate

Name _____
(PLEASE PRINT)

Notes

* If this section is not completed a registered emblem of the party will not appear on the ballot paper against your name

** Where there is more than one registered emblem it would be helpful if the emblem requested to appear on the ballot paper is specified by reference to a representation of the emblem that accompanies this certificate.

DECLARATION OF SECRECY
ELECTION OF COUNCILLORS

Applies to all candidates, election agents and polling agents, and to every person attending at the polling stations, the receipt of postal ballot papers and the count

REPRESENTATION OF THE PEOPLE ACT, 1983
Section 66

1. The following persons:-
   (a) every Returning Officer and every Presiding Officer or clerk attending at a polling station,
   (b) every candidate or election agent or polling agent so attending,
   (c) every person so attending by virtue of any sections 6A to 6D of the Political Parties, Elections and Referendums Act 2000,

   shall maintain and aid in maintaining the secrecy of voting and shall not, except for some purpose authorised by law, communicate to any person before the poll is closed any information as to -
   (i) the name of any elector or proxy for an elector who has or has not applied for a ballot paper or voted at a polling station;
   (ii) the number on the register of electors of any elector who, or whose proxy, has or has not applied for a ballot paper or voted at a polling station; or
   (iii) the official mark.
2. Every person attending at the counting of the votes shall maintain and aid in maintaining the secrecy of voting and shall not -
   (a) ascertain or attempt to ascertain at the counting of the votes the number or other unique identifying mark on the back of any ballot paper;
   (b) communicate any information obtained at the counting of the votes as to the candidate for whom any vote is given on any particular ballot paper.
3. No person shall -
   (a) interfere with or attempt to interfere with a voter when recording his vote;
   (b) otherwise obtain or attempt to obtain in a polling station information as to the candidate for whom a voter in that station is about to vote or has voted;
   (c) communicate at any time to any person any information obtained in a polling station as to the candidate for whom a voter in that station is about to vote or has voted, or as to the number or other unique identifying mark on the back of the ballot paper given to a voter at that station;
   (d) directly or indirectly induce a voter to display his ballot paper after he has marked it so as to make known to any person the name of the candidate for whom he has or has not voted.
4. Every person attending the proceedings in connection with the issue or the receipt of ballot papers for persons voting by post shall maintain and aid in maintaining the secrecy of the voting and shall not -
   (a) except for some purpose authorised by law, communicate, before the poll is closed, to any person any information obtained at those proceedings as to the official mark; or
   (b) except for some purpose authorised by law, communicate to any person at any time information obtained at those proceedings as to the number or other unique identifying mark on the back of the ballot paper sent to any person; or
   (c) except for some purpose authorised by law, attempt to ascertain at the proceedings in connection with the receipt of ballot papers the number or other unique identifying mark on the back of any ballot paper; or
   (d) attempt to ascertain at the proceedings in connection with the receipt of the ballot papers the candidate for whom any vote is given in any particular ballot paper or communicate any information with respect thereto obtained at those proceedings.
5. No person having undertaken to assist a blind voter to vote shall communicate at any time to any person any information as to the candidate for whom that voter intends to vote or has voted, or as to the number or other unique identifying mark on the back of the ballot paper given for the use of that voter.
6. If a person acts in contravention of this section, he shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale or imprisonment for a term not exceeding six months.

Notice of Withdrawal of Candidature

ELECTION OF A PARISH COUNCILLOR

for

Ogbourne St. George

Deadline for receipt of this form: NOON on Wednesday 10 April 2013

Date of Election: Thursday, 2 May 2013

I, _____

candidate's name

of _____

candidate's full address

_____

hereby withdraw my candidature from the above election.

Dated _____ **Signed** _____

Candidate

Witnessed by:

Name and address of witness _____

_____

Dated _____ **Signed** _____

Witness

Please note this form is only valid if signed by the candidate **and** a witness

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NOTE

This Notice of Withdrawal should be delivered to the Returning Officer at the place appointed for the delivery of nomination papers by 12:00 noon on Wednesday, 10 April 2013.

Wiltshire Council
Unitary and Parish Elections
Timetable of Proceedings for
Thursday 2 May 2013

Publication of Notice of Election	Friday 15 March 2013
Nomination papers can be received from	Monday 18 March 2013
Deadline for Receipt of Nominations	noon on Friday 5 April 2013
Publication of Statements of Persons Nominated	noon on Tuesday 9 April 2013
Deadline for Receipt of Withdrawal of Candidate	noon on Wednesday 10 April 2013
Deadline for Receipt of Election Agents Appointment (applies only to Unitary Candidates)	noon on Wednesday 10 April 2013
Publication of Notice of Election Agents	Wednesday 10 April 2013
Last Date for Registration	Wednesday 17 April 2013
Deadline for receipt of changes to existing postal or proxy arrangements	5pm Wednesday 17 April 2013
Deadline for Receipt of New Postal Vote Applications	5pm Wednesday 17 April 2013
Publication of Notice of Poll	Wednesday 24 April 2013
Deadline for Receipt of New Proxy Vote Applications	5pm Wednesday 24 April 2013
Deadline for Receipt of Appointment of Poll and Count Agents	Thursday 25 April 2013
First Day to Issue Replacement Lost Postal Ballot Papers	Friday 26 April 2013
Day of Poll	7am to 10pm Thursday 2 May 2013
Deadline for Receipt of Emergency Proxy Vote Applications	5pm Thursday 2 May 2013
Last Day to Issue Replacement Spoilt or Lost Postal Ballot Papers	5pm Thursday 2 May 2013
Deadline for Return of Declaration of Town and Parish Candidates Expenses	Friday 31 May 2013
Deadline for Return of Declaration of Unitary Division Candidates Expenses	Friday 7 June 2013

Printed and published by the Returning Officer, Wiltshire Electoral Services, Monkton Park, Chippenham, Wiltshire, SN15 1ER