

Candidates and agents Briefing

Aberdeenshire By-Elections
Thursday 7 November 2024

Topics

- who's who
- key dates of the election timetable
- qualifications
- disqualifications
- nominations
- agents
- postal votes
- the poll
- the count
- candidate spending
- contacts

The Electoral Commission

Who's who

- **The Returning Officer** is the person responsible for running the elections. The Returning Officer is Jim Savege.
- **The Electoral Registration Officer** is responsible for maintaining the register of electors and absent voters' lists. The Electoral Registration Officer is Mark Adam.

The Electoral Commission

Election timetable

<p>Publication of notice of election</p> <p>The Convener of the Electoral Management Board may direct the date on which all Returning Officers must publish the notice of election</p>	<p>Thursday 19 September 2024</p>
<p>Nominations commence</p>	<p>Friday 20 September 2024</p>
<p>Close of nominations / last time to withdraw</p>	<p>4pm on Monday 7 October 2024</p>
<p>Notification of appointment of election agents</p>	<p>4pm on Monday 7 October 2024</p>
<p>Publication of notice of poll/situation of polling stations</p>	<p>As soon as practicable after 4pm on Monday 7 October 2024</p>

Election timetable (cont'd)

Deadline for applications to register to vote	Midnight on Tuesday 22 October 2024
Deadline for new postal votes/changes to existing postal or proxy votes	5pm on Wednesday 23 October 2024
Deadline for applications for new proxy votes	5pm on Wednesday 30 October 2024
Appointment of polling and counting agents	Thursday 31 October 2024
Polling day	Thursday 7 November 2024 7am to 10pm
Deadline to apply for new applications to vote by proxy on grounds of medical emergency or if unexpectedly called away because of employment or service	5pm on polling day

Election timetable (cont'd)

Replacement for lost/spoilt postal votes ends	10pm – on polling day
Alterations to register to correct clerical error	9pm – on polling day
Return of candidate spending return	+ 35 calendar days from declaration of result

Qualifications

- Candidates must satisfy criteria on day they are nominated:
 - be at least 18 years of age
 - be British, an Irish citizen, qualifying Commonwealth citizen, a qualifying foreign national, or a schedule 6A national
- Also at least one of the following:
 - Registered local government elector for local authority area
 - Occupied as owner or tenant any land or premises in the local authority area during the whole 12 months preceding nomination
 - Principal or only place of work (including unpaid) during last 12 months in local authority area
 - Lived in local authority area during the last 12 months

Disqualifications

- A person **cannot** be a candidate if they:
 - Hold a **politically restricted post**
 - have had your **estate sequestrated** by a court in Scotland and have not been discharged, been adjudged bankrupt by a court elsewhere, or are the subject of a bankruptcy restrictions order under either the Bankruptcy (Scotland) Act 2016 or the Insolvency Act 1986
 - have been **sentenced to a term of imprisonment of three months or more** (incl. suspended sentence) without option of a fine, during the 5 years before polling day
 - are serving a disqualification due to being **found guilty of a corrupt or illegal practice** by an election court
 - have been disqualified by a decision of the **Accounts Commission or the Standards Commission**

Submitting nomination papers

- The documents that must be submitted by all candidates by 4pm on Monday 7 October 2024
 - the nomination form
 - the home address form
- Party candidates will also need to submit, by 4pm on Monday 7 October 2024:
 - A certificate authorising the use of a party name/ registered description on the ballot paper
 - A written request to use one of the party's emblems on the ballot paper (optional)

Submitting nomination papers

- Take care when completing your nomination papers, as mistakes may invalidate your nomination
- Complete nomination papers early and arrange for us to provide an informal check
- The nomination and home address forms must be delivered by hand and cannot be submitted by post, fax, email or other electronic means

Nomination form

- Include your full name
- Optional: use commonly used name box(es) if commonly known by a name other than full name and wish to use it instead
- Description field – 3 options:
 - leave blank
 - Independent
 - party candidates can use party name or registered description authorised by a certificate issued by or on behalf of the Nominating Officer

Nomination form

- Must also include:
 - which ward you are standing in
 - confirmation of qualification(s) that apply (at least 1, but complete all that apply)
 - candidate's declaration and signature
 - witness' name and signature

Home address form

- Part 1 of the home address form must state:
 - your full name and home address in full
 - your qualifying address, or, where you have declared on your consent to nomination that you meet more than one qualification, your qualifying addresses
 - which of the qualifications your qualifying address or addresses relate to (a, b, c and/or d)
 - the full name and the home address in full of the witness to your consent to nomination

Home address form (cont.)

- Part 2 of the home address form must be completed by all candidates
 - The name of the relevant area in which your home address is situated (if your home address is in the UK),
 - if you live outside the UK, the name of the country in which your home address is situated.
- If you wish for your home address to be made public you must indicate this on the form and sign a statement

Certificate of authorisation

- Party candidates must have written permission to use the party name/description from the Nominating Officer (or a person authorised to act on their behalf)
- The certificate may:
 - allow the use of the party name or a particular description
 - allow candidate to choose whether to use the party name or any of the descriptions registered with the Electoral Commission
- Must be submitted by 4pm on Monday 7 October 2024

Emblem request form

- Party candidates can ask for an emblem to be printed on the ballot paper
- Emblem request form must be submitted by 4pm on Monday 7 October 2024
- Party candidates should supply an electronic version of the emblem to the Returning Officer if required

Joint candidates

- Nominated by **more than one party**
- May use registered joint descriptions
 - must be supported by certificate of authorisation **from each party**
- May use one emblem of one of the parties but there are no joint emblems

Election agent

- Responsible for the proper management of your election campaign; particularly its financial management.
- Notification of appointment must reach the Returning Officer by 4pm on Monday 7 October 2024. Form is included in nomination pack.
- You will become your own agent by default if none is appointed.

Other agents

- Other agents can be appointed to attend postal vote openings, polling stations and the count on your behalf:
 - You must give notice in writing of any people appointed as polling and counting agents by Thursday 31 October 2024.
 - The appointment of postal voting agents attending a particular opening session must be made before the start of the session. We will give 48 hours' notice.

Access to electoral register/absent voting lists

- Access by candidates – once you **officially** become a candidate:
 - earliest, on Monday 30 September 2024 if you, or others declared yourself a candidate; or
 - once you or others have declared yourself a candidate after this date or on date you submit your nomination papers, whichever is earliest
- Make **written** request to the ERO – forms are available from the office / are included in your nomination pack.

Access to
electoral
register /
absent voting
lists

- You can use your copy of the electoral register and absent voting lists for campaigning purposes.
- Only use data for this permitted purpose!

Registration

- As a candidate you are uniquely placed to encourage people to register to vote.
- You should encourage people to register as soon as possible.
- The deadline for applying for the election is Tuesday 22 October 2024.
- Individuals can apply to register online at **<https://www.gov.uk/register-to-vote>**. It only takes a few minutes.

Registration

- When discussing registering to vote with individuals, you will need to make them aware that they will need to provide:
 - their National Insurance number
 - date of birth and address
- People who do not have / cannot retrieve their National Insurance number can still register, but they may need to provide further information. If so, they will be contacted by the ERO.

Absent voting

- If you are encouraging people who don't have a postal (or proxy) vote to apply for one, make sure you explain that they will only qualify for one at the elections if they are (or will be) registered in time to vote at the elections.

Campaigning dos and don'ts

- Do use imprints on all your campaign material, including websites.
- Do comply with planning rules relating to advertising hoardings and large banners.
- Do make sure outdoor posters are removed 2 weeks after the election.
- Do not produce material that looks like a poll card.
- Do not pay people to display your adverts (unless they display adverts as part of their normal business).

Code of conduct for campaigners

- Campaigners are an essential element of a healthy democracy, but their activities should not bring into question the integrity of the electoral process.
- Electoral registration and absent vote applications:
 - Ensure forms fully conform to the requirements of electoral law
 - Include the ERO's address for the return of forms
 - Ensure unaltered applications are sent to ERO within **two working days**.
 - Make sure electors understand implications of applying for an absent vote.
 - Do not encourage postal ballot pack redirection.
 - Do not encourage electors to appoint a campaigner as proxy.

Code of conduct for campaigners

- Postal ballot packs:
 - Never touch a postal ballot paper
 - Never observe electors completing their postal vote.
 - Never handle or take any completed ballot paper or postal ballot pack from voters
- Campaigning outside polling stations:
 - You are allowed to put your messages to voters on polling day, including public spaces outside polling places.
 - Keep access to polling places and the pavements around polling places clear to allow voters to enter.

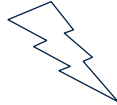




Polling day

- Polling stations open from 7am to 10pm
- Office open 8:45am to 5pm for queries or problems relating to the administration of the elections
 - for queries relating to election finance issues, contact the Electoral Commission (*contact details shown later*)
- Voters in the polling station or in a queue outside the polling station at 10pm can apply for a ballot paper
- Postal votes – can be handed into polling stations within the council area or delivered to the elections office until 10pm
- A person in a queue at a polling station at 10pm waiting to hand in a postal vote can do so after 10pm.

How to mark the ballot paper at council elections

- Voters will rank candidates in their order of preference using numbers (1, 2, 3, 4, 5, 6, etc).
- Voters can rank as many or as few candidates as they wish.
- The same number cannot be used twice and there should not be a break in the sequence.

Ballot papers

BALLOTSIRE COUNCIL: ANYTOWN & DISTRICT WARD		
<p>Three of the candidates listed below will be elected. You can make as many or as few choices as you wish.</p> <p>Put the number 1 in the voting box next to your first choice. Put the number 2 in the voting box next to your second choice. Put the number 3 in the voting box next to your third choice. And so on.</p>		
<p>ANDERSON Hans (address in <i>[relevant area or country]</i>) Rowan Party</p>		<input type="checkbox"/>
<p>CRANSTON Helen 912 Main Street, Anytown Beech Party</p>		<input type="checkbox"/>
<p>FLEMING Douglas Martin 112 South Street, Anytown Independent</p>		<input type="checkbox"/>
<p>HAMILTON Flora (address in <i>[relevant area or country]</i>) Willow Party</p>		<input type="checkbox"/>
<p>KUMAR Kuldip (address in <i>[relevant area or country]</i>) Elm Party</p>		<input type="checkbox"/>

Counting of votes

- The count will be held in Inverurie Town Hall
- Ballot papers will be counted electronically
- Count centre will open to candidates and agents from 9.30am on Friday 8 November 2024
- Candidates, election agents, up to two counting agents and one other person (guest) are entitled to attend.

Allocation of seats

- The voting system used at council elections is the **Single Transferable Vote**
- Candidates who reach a minimum number of votes known as the quota will win a seat. The quota is calculated as follows:

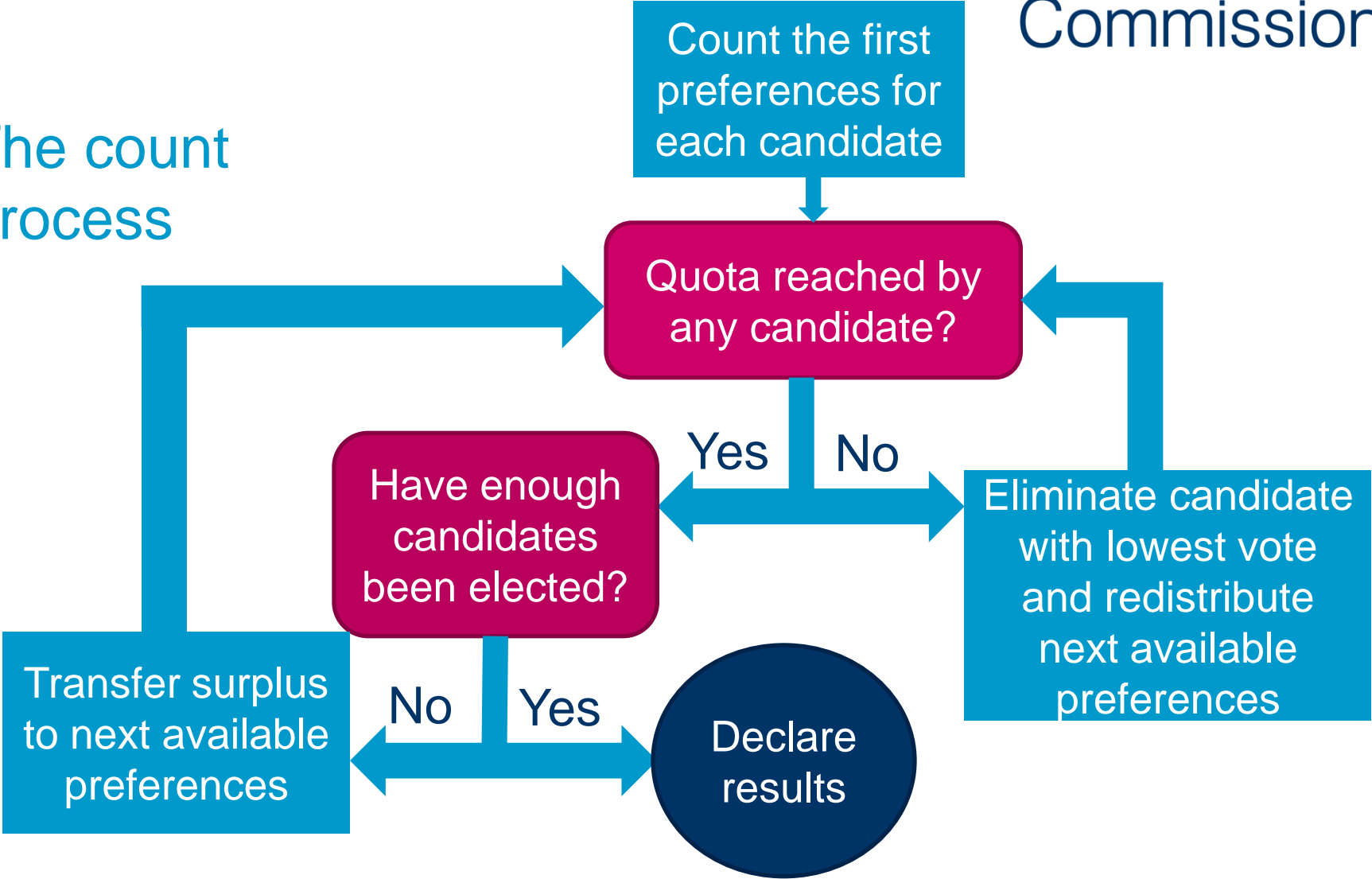
$$\left[\frac{\text{Total number of valid ballot papers}}{\text{Number of councillors to be elected} + 1} \right] + 1$$

Allocation of seats

- **Surpluses** of candidates who reach the quota are transferred to the voters' next choice. If there are still seats to fill after all the surpluses have been transferred, the candidate with the fewest votes will be **excluded** and their votes will be redistributed.
- The e-counting system will perform these calculations and produce a detailed report which will be shared with candidates and agents.

The Electoral Commission

The count process



Spending issues

Candidate spending

- Defined as certain expenditure ‘used for the purposes of the candidate’s election’ starting from the day after the date you officially become a candidate and ending on polling day
- Responsibility of **election agent**
- Spending limits:
 - £806 + 7 pence per elector in ward on register in force on Monday 30 September 2024
 - reduced for joint candidates
- Must get and keep receipts (over £20)

The Electoral Commission

Campaign spending returns

- Returns due 35 calendar days after result of election.
- Returns made public by **Returning Officer**
- Failure to submit a spending return is a criminal offence enforceable by police
- No spending will be reimbursed

Contacts

Contacts

- Elections office – elections@aberdeenshire.gov.uk
- Electoral registration office – ero@grampian-ero.gov.uk
- Electoral Commission
 - Scotland Office - 0131 225 0200