Guide for candidates and agents

General Election Thursday 8 June 2017

Constituency of:-
Tonbridge and Malling
### Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Introduction</td>
</tr>
<tr>
<td>2</td>
<td>Roles and responsibilities - who does what?</td>
</tr>
<tr>
<td>3</td>
<td>Deadlines - the election timetable</td>
</tr>
<tr>
<td>4</td>
<td>Getting nominated</td>
</tr>
<tr>
<td>5</td>
<td>Your campaign: polling agents, counting agents, tellers &amp; election communications</td>
</tr>
<tr>
<td>6</td>
<td>Register of Electors &amp; absent voters lists</td>
</tr>
<tr>
<td>7</td>
<td>Polling day</td>
</tr>
<tr>
<td>8</td>
<td>The count</td>
</tr>
<tr>
<td>9</td>
<td>Election expenses</td>
</tr>
<tr>
<td>10</td>
<td>Inspection of materials and documents after the election</td>
</tr>
<tr>
<td>11</td>
<td>Glossary of terms</td>
</tr>
<tr>
<td></td>
<td>Feedback form</td>
</tr>
</tbody>
</table>
1 Introduction

1.1 This guide aims to provide practical advice for people who want to stand as a candidate in the General Election on Thursday 8 June 2017 in the Constituency of Tonbridge and Malling.

1.2 This guide provides information specific to the Constituency of Tonbridge and Malling, and more importantly complements the comprehensive guide produced by the Electoral Commission. This guide does not set out to duplicate the information contained in the Electoral Commission’s guide. All prospective candidates and their agents are strongly encouraged to access the Electoral Commission guide on their website – http://www.electoralcommission.org.uk/i-am-a/candidate-or-agent/uk-parliamentary-general-election-great-britain

How to use this guide

1.3 The advice is provided as a guide to the requirements for candidates and agents during the election. It should not be relied on as legally definitive and neither Tonbridge & Malling Borough Council, nor the Acting Returning Officer can accept any responsibility for any errors or omissions, or any act arising from them. If candidates or agents have any doubts about a particular point they are strongly recommended to consult the appropriate legislation and seek their own legal advice.
2 Roles and responsibilities - who does what?

The Returning Officer (RO)

2.1 The Returning Officer for a General Election is largely a ceremonial position. For the Constituency of Tonbridge and Malling the Returning Officer is the High Sheriff of Kent

Acting Returning Officer (ARO)

2.2 The High Sheriff has delegated all of his responsibilities for the Tonbridge and Malling Constituency to Julie Beilby, Chief Executive of Tonbridge & Malling Borough Council and appointed her as Acting Returning Officer. Julie Beilby has appointed Pav Ramewal as a Deputy Acting Returning Officer for the parts of Sevenoaks District within the Tonbridge and Malling Constituency.

Deputy Acting Returning Officers (DARO’s)

2.3 The ARO has delegated most of the day-to-day responsibilities for the planning and conduct of the election in the Constituencies to four Deputy Acting Returning Officers (DARO’s). Pav Ramewal, the Chief Executive of Sevenoaks District Council is responsible for the day-to-day conduct and planning of the arrangements for the identification of polling stations, appointment of staff and the conduct of the poll in relation to the part of the Tonbridge and Malling Constituency in Sevenoaks District.

2.4 The Acting Returning Officer and her staff must act impartially in their dealings with candidates and agents at all times during the conduct of the election. However, it is important to note that they are not responsible for monitoring the conduct of candidates, agents and campaigners, and any concerns regarding such conduct should be brought to the attention of the police.

Advice
The contact details for those involved in the election are as follows:

Julie Beilby – ARO Julie.Beilby@tmbc.gov.uk tel 01732 876002
Sharon Shelton – DARO Sharon.Shelton@tmbc.gov.uk tel 01732 876092
Adrian Stanfield – DARO Adrian.Stanfield@tmbc.gov.uk tel 01732 876346
Jackie Geddes – DARO Jackie.Geddes@tmbc.gov.uk tel 01732 876375
Pav Ramewal – DARO pav.ramewal@sevenoaks.gov.uk tel 01732 227298
3 Deadlines – the election timetable

3.1 The General Election will take place on **Thursday 8 June 2017**. Certain key dates and deadlines are included in the statutory election timetable, and are shown in Table 1 below. If no time is specified as the deadline for an event or requirement (e.g. noon or 5pm), then the deadline will be **midnight** on that day.

*Table 1: Timetable for the General election, 8 June 2017*

<table>
<thead>
<tr>
<th>Event</th>
<th>Day</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dissolution of Parliament</td>
<td>Wednesday 3 May</td>
</tr>
<tr>
<td>Receipt of Writs</td>
<td>Thursday 4 May</td>
</tr>
<tr>
<td>Notice of election to be published on (subject to receipt of Writs)</td>
<td>Monday 8 May</td>
</tr>
<tr>
<td>Delivery of nomination papers: between 10am and 4pm,</td>
<td>Tuesday 9 May</td>
</tr>
<tr>
<td>Monday-Friday (excl. bank holidays) from</td>
<td></td>
</tr>
<tr>
<td>Last day for delivery of nomination papers: not later than <strong>4pm</strong> on</td>
<td>Thursday 11 May</td>
</tr>
<tr>
<td>Last day for withdrawals of candidature: not later than <strong>4pm</strong> on</td>
<td>Thursday 11 May</td>
</tr>
<tr>
<td>Last day for notice of appointment of election agents: not</td>
<td>Thursday 11 May</td>
</tr>
<tr>
<td>later than <strong>4pm</strong> on</td>
<td></td>
</tr>
<tr>
<td>Statement of persons nominated to be published: not later than</td>
<td>Thursday 11 May</td>
</tr>
<tr>
<td><strong>5pm</strong> on (if no objections)</td>
<td></td>
</tr>
<tr>
<td>Last day for applications to register to vote in the elections on</td>
<td>Monday 22 May</td>
</tr>
<tr>
<td>Last day for new applications to vote by post, or to change or</td>
<td>Tuesday 23 May</td>
</tr>
<tr>
<td>cancel an existing postal vote or proxy vote appointment: not later</td>
<td></td>
</tr>
<tr>
<td>than <strong>5pm</strong> on</td>
<td></td>
</tr>
<tr>
<td>Last day for new applications to vote by proxy: not later than</td>
<td>Wednesday 31 May</td>
</tr>
<tr>
<td><strong>5pm</strong> on</td>
<td></td>
</tr>
<tr>
<td>Last day for notice of appointment of counting agents and poll agents</td>
<td>Thursday 1 June</td>
</tr>
<tr>
<td><strong>Polling day 7am to 10pm</strong></td>
<td><strong>Thursday 8 June</strong></td>
</tr>
<tr>
<td>Last day for the receipt of candidates’ return of election expenses</td>
<td><strong>Friday 14 July</strong></td>
</tr>
<tr>
<td>(if result declared on 9 June)</td>
<td></td>
</tr>
</tbody>
</table>
4 Getting nominated

How do I become a candidate?

4.1 Subject to receipt of the Writs that formally call the elections it is expected that we will publish the Notice of Election on Monday 8 May. Candidates will be able to start to deliver nomination papers between the hours of 10am and 4pm each day between Tuesday 9 May and the deadline at 4pm on Thursday 11 May.

Qualifications and disqualifications

4.2 In order to be eligible to stand for election a person must be qualified to stand and not be disqualified.

4.3 To qualify as a candidate a person must satisfy the following criteria on the day they are nominated and on polling day. They must be:

- at least 18 years old, and
- either a British citizen, a citizen of the Republic of Ireland or an eligible Commonwealth citizen
- Citizens of other countries (including EU member states other than the UK, Republic of Ireland, Cyprus and Malta) are not eligible to become a Member of the UK Parliament.

4.4 There is no requirement in law for you to be a registered elector in the UK

Disqualifications

4.5 Certain post-holders are disqualified from becoming a Member of Parliament. You should read the provisions of the House of Commons Disqualification Act 1975, a copy of which is attached to the nomination papers available from the ARO or the Electoral Commission website.

4.6 Being a Member of the European Parliament is incompatible with being a Member of the UK Parliament.
4.7 Bankruptcy in itself is not a disqualification. You are, however, disqualified if:
- you are currently subject to a bankruptcy restrictions order or debt relief restrictions order made by a court in England, Wales or Northern Ireland, or
- your estate has been sequestrated by a court in Scotland and you have not been discharged

4.8 If a person has been adjudged bankrupt by a court in England, Wales or Northern Ireland, or is subject to an interim bankruptcy restrictions order, they are not disqualified on that basis, as long as they are not also currently subject to any of the particular bankruptcy disqualifications listed above.

4.9 You are disqualified under the Representation of the People Act 1981 if you have been convicted of an offence, have been sentenced to be imprisoned or detained for more than a year and are detained anywhere in the UK, the Republic of Ireland, the Channel Islands or the Isle of Man, or are unlawfully at large.

4.10 You are also disqualified under the Representation of the People Act 1983 (as amended), if you have been convicted or have been reported guilty of a corrupt or illegal electoral practice or of an offence relating to donations.

4.11 You cannot stand in more than one Constituency at the same UK Parliamentary general election.

4.12 The full range of disqualifications is complex and if you are in any doubt about whether you are disqualified, you must do everything you can to check that you are not disqualified before submitting your nomination papers. You must be sure that you are not disqualified as you will be asked to sign one of the required nomination papers to confirm that you are not disqualified. It is a criminal offence to make a false statement on your nomination papers as to your qualification for being elected, so if you are in any doubt, you should contact your employer, consult the legislation or, if necessary, take your own independent legal advice. ARO will not be able to confirm whether or not you are disqualified
Nomination

Getting nominated

4.13 To become nominated as a candidate, a person will need to complete a set of nomination papers and submit them by hand to the ARO by **4pm** on Thursday 11 May.

4.14 You can be supplied with as many copies of the nomination form and the forms of consent to nomination as are needed. Electronic copies are available to download from the Council’s website as well as the Electoral Commission’s website (see link on page 1). The ARO will also prepare the nomination paper for signature if required.

The nomination pack

The nomination form

4.15 Anyone wishing to stand as a candidate needs to complete a nomination form. You can use the one supplied by the ARO, or a form to the same effect.

4.16 Nomination papers must be completed in English.

Name

4.17 The nomination form must include the candidate’s surname and other names in full. A candidate risks having their nomination paper rejected by the ARO if they use initials.

4.18 Candidates may ask for their commonly used surname(s) and forename(s) to be printed on the statement of persons nominated, the notice of poll and on the ballot papers, instead of their actual name. **A candidate can only state a commonly used name on the nomination paper if they actually commonly use a name that is different from their full name.**

There is no requirement to use a commonly used name: candidates have the option to stand either under their full name or any commonly used name they have. If a candidate is commonly called by a name that is not their full name, they are not required to put it on the nomination paper. If a candidate wishes to use their full name they should leave the commonly used name box(es) blank.
4.19 Commonly used names that the ARO considers likely to mislead or confuse electors, or are obscene or offensive, will be disallowed. If the name(s) are not permissible, the ARO will write to the candidate stating the reason for disallowing the commonly used name. In such a case, the candidate’s full names will be used.

4.20 Titles or prefixes such as Mr., Mrs., or Dr. should not be used.

4.21 The exact wording of the candidate’s name, as entered on the nomination paper, will appear on the statement of persons nominated, the notice of poll and on the ballot paper. If the ARO does allow the commonly used name(s), they will appear on each of these occasions instead of the candidate’s full name.

**Description**

4.22 If you are NOT standing as a candidate on behalf of a political party, then you may choose to use one of the following descriptions on the Statement of Persons Nominated and underneath your name on the ballot paper:

- the description “independent”
- No description – it is optional to have a description, so you do not have to use one. No other description is allowed for candidates who are not standing on behalf of a registered political party

4.23 Candidates representing a registered political party can use a party description, but this may only be one of the descriptions registered with the Electoral Commission, or the registered name of the party. The current name and list of descriptions registered by political parties is available at [http://registers.electoralmart.com.org.uk/regulatory-issues/regpoliticalparties.cfm](http://registers.electoralmart.com.org.uk/regulatory-issues/regpoliticalparties.cfm). A certificate of authorisation from the registered party’s nominating officer (or a person appointed by them to act on their behalf) giving the candidate permission to use that description must be submitted to the ARO before the close of nominations. If a description is used which has not been registered with the Electoral Commission then the ARO must hold the entire nomination invalid. The Certificate of Authorisation is included in the nomination pack.

4.24 It is important to note that the description supplied on a candidate’s nomination paper must match exactly the description authorised by the relevant registered party officer. Where the description does not correspond the ARO may hold the nomination invalid.
4.25 In summary, therefore, candidates have four main options with regard to the description:

(a) Leave the description part of the form blank, in which case no description will appear on the ballot paper
(b) Use the description 'Independent'
(c) Use a description that is registered with the Electoral Commission and has been authorised in writing by the nominating officer of a registered political party or someone appointed to act on their behalf
(d) Use the name of the party as it is registered with the Electoral Commission, with the authorisation in writing from the nominating officer of a registered political party or someone acting on their behalf

4.26 If a candidate wants to register a political party, thus enabling them to use a party political description, details about the process for doing so can be found on the Electoral Commission website.

Signatures of subscribers

4.27 Each nomination paper needs to be signed by ten electors (the first two of which are known as the proposer and seconder) registered in the register of UK parliamentary electors for the constituency that is in force on Wednesday 26 April. Where a nomination paper has more than ten signatures, only the first ten will be accepted. If any of the subscribers are invalid, the ARO must hold the nomination paper invalid, regardless of whether the form contains more than ten subscribers. However, if you have made a mistake on the nomination paper and crossed out the complete row containing the details of a subscriber, then that subscriber will be ignored and treated as if it was not on the form.

4.28 The electoral number of each elector, including the letters of the polling district AND the elector number in the left-hand column next to their name on the Register of Electors, must be entered on the nomination paper.

4.29 The candidate must ensure that the names of the people signing their nomination paper appear in the relevant electoral register for the Constituency where they wish to stand.

4.30 Whilst there is no requirement for the subscribers to print their name on the nomination paper it is helpful so that the ARO can readily verify that they are registered to vote as required.
4.31 To ensure the nomination paper is completed correctly, candidates are entitled to receive a copy of the register for the Constituency they are contesting and should make a request to receive the register in writing to the Electoral Services section, using the contact numbers on page 2. Further information on this process can be found in Section 7.

4.32 All the candidate’s particulars must be completed before the nomination papers are subscribed – it cannot be altered after signatures have been added.

4.33 An elector must not subscribe more than one nomination paper at a General Election. If they do, their signature will only be valid on the first paper to be delivered to the ARO, even if it was not the first paper they signed.

4.34 The names of the ten subscribers will appear on the Statement of Persons Nominated and this will be displayed in the Constituency and the Council’s web sites at the very least. The candidate may wish to advise the subscribers of this.

4.35 Once a nomination paper has been formally accepted by the ARO, signatures cannot be withdrawn.

Consent to nomination

4.36 In order for the nomination as a candidate to be valid, the candidate must also formally give their consent to nomination in writing. The candidate will be asked to state that they are qualified and not disqualified from standing and to give their date of birth. A form for this purpose will be provided in the pack from the ARO, or on the Council or Electoral Commissions’ websites.

4.37 Candidates must sign and date the consent to nomination within one calendar month before the last day for delivery of nomination papers. The candidate’s signature must be witnessed, and the witness must also sign the form and give their full name and address. The rules do not specify who can witness this form, and so there are no restrictions on who can do this, however please note that it is not appropriate for any member of the ARO’s staff to do it. The declaration of consent should be delivered by hand to the ARO with the other nomination papers and must be delivered before 4pm on Thursday 11 May.
Home Address

4.38 All candidates must complete and deliver a Home Address form. A form is included in the nomination pack, and this must be submitted to the ARO no later than the deadline for the submission of the completed nomination paper, consent to nomination and deposit (Thursday 11 May).

4.39 A candidate can request that their home address is not published on the formal notices or, more importantly, the ballot papers. Instead, they may simply show the Constituency in which they currently reside. They must sign the statement on the Home Address form and provide the UK Parliamentary Constituency in which their home address is situated. If the home address is outside the UK the country in which their home address is situated must be included. If no such request is submitted by the deadline, the address as shown on the nomination paper will be published as normal.

4.40 The Home Address form is available for inspection along with the nomination form.

4.41 The content of the Home Address form will not be passed on to the public without the express permission of the candidate.

4.42 Home address forms will be kept securely stored for a period of 21 calendar days after the writ has been returned. They will then be securely destroyed.

Request to use emblem on the ballot paper

4.43 Only candidates who have been authorised by a political party to use a description on the ballot paper, can also request that one of the party’s official emblems is used on the ballot paper next to their name. Each registered party can register several emblems, and they can be viewed or downloaded from the Electoral Commission’s website at http://registers.electoralcommission.org.uk/regulatory-issues/regexpoliticalparties.cfm

4.44 The request to use an emblem must be made in writing by the candidate, and they must deliver it to the ARO before 4pm on Thursday 11 May. The request should state both the name of the political party and the description of the emblem to be used, as listed on the Electoral Commission’s website. Registered emblems cannot be varied in any way. A form for this purpose is provided in the nomination pack provided by the ARO.
Deposit

4.45 A deposit of £500 is required. This sum must be paid before 4pm on the
deadline for nomination – Thursday 11 May. Payment must be by legal
tender and the ARO will accept cash, cheque or a bankers draft made out
to Tonbridge & Malling Borough Council. **We will not accept payment by**
BACS, credit or debit cards.

Checking of nomination papers

4.46 The ARO can check all draft papers before final submission and her
contact details are shown on page 2. **It is recommended this be done at**
least 48 hours before the deadline for the submission of nominations
so there is sufficient time if more work is needed to rectify a
difficulty. It is strongly recommended that appointments are made in
advance for the checking so that candidates are not kept waiting.
Candidates don’t necessarily need to wait while the informal checking is
undertaken; the nomination papers can be emailed and then the
candidates will be contacted with the outcome. **This applies to the**
informal checking procedure only. **Full nominations must be**
delivered by hand.

Correction of nomination papers

4.47 The DARO is permitted to correct minor errors made on a nomination
paper, including errors to a person’s elector number and obvious errors of
spelling in relation to the details of a candidate. For example, where an
elector number has been entered incorrectly, the DARO may amend it if
they are satisfied as to the cause of the error (for example, wrong polling
district prefix, transposed number, etc.). Where the elector number has
been omitted altogether, however, the nomination paper will be rejected
on the basis that no error has been made to the number – it has simply not
been supplied.

Submission of nomination papers

4.48 The Electoral Commission has recently clarified the law regarding the
submission of nomination papers. For your nomination to be valid you
must ensure that:

- Nomination papers are only submitted on working days **between 10am**
and **4pm** from Tuesday 9 May until **4pm on Thursday 11 May**
- The nomination paper and consent to nomination **are submitted by**
hand and **cannot be submitted by post, fax, email or any other**
electronic means. Papers must be delivered to the ARO,
TMBC, Gibson Building, Gibson Drive, Kings Hill, West Malling,
ME19 4LZ
• Any nomination papers left at the Gibson Building reception desk or received in the post will automatically be declared invalid by the ARO.
• Any Certificate of Authorisation and emblem request form may be delivered by hand or by post, but cannot be submitted by fax, email or other electronic means. A copy attached to an email submitted and then printed out by the ARO is deemed to be a copy and not the original document. They must be received by 4pm on Thursday 11 May
• The original of each completed paper must be submitted

4.49 Candidates are strongly advised to make an appointment in advance for the final submission so that candidates are not kept waiting. The ARO’s staff will deal with those who have made appointments before any other candidates who arrive without an appointment. It may take up to 30 minutes to formally check and accept a nomination paper. To make an appointment please phone the Elections Office on 01732 876375 or email voting@tmbc.gov.uk

Delivery of nomination papers

4.50 Only a limited number of people may deliver the nomination form and Home Address form. They may only be delivered by:

• The candidate
• The election agent
• One of the first two subscribers shown on the nomination paper (known as the proposer and seconder)

4.51 There are no restrictions on who can deliver the consent to nomination certificate of authorisation and emblem request form, but candidates are recommended to deliver them all at the same time.

People entitled to be present at submission of nomination papers and inspection thereof

4.52 The submission of nomination papers is not a public event open to everyone. The people listed below may be present for the nomination of their own candidate but can inspect and object to any nomination or any delivered nomination papers from the point where their own candidate’s nomination papers are delivered until their own candidate’s nomination is ruled invalid or the nomination deadline has passed, whichever is the earlier.
4.53 The eligible people are:
   • a candidate
   • an election agent
   • a candidate who is their own agent can appoint one other person to attend
   • a proposer or seconder of the selected nomination paper of a candidate while that candidate remains validly nominated as well as when they are delivering a nomination paper themselves

4.54 Additionally, there are some people who are entitled to attend the nomination of candidates but they may not object to any of the nominations. These people are:
   • one person appointed by each of the candidates to attend
   • Electoral Commission representatives, but not accredited observers

No other person except someone attending to assist the ARO is allowed to attend the delivery of nomination papers. Nomination papers are not open to public inspection during this period - they are only open to the people mentioned in this section.

Decisions on validity

4.55 If a nomination is ruled as invalid, the ARO or her representative will try to contact the candidate/election agent as soon as possible.

Withdrawing as a candidate

4.56 Once the ARO has accepted a candidate’s nomination papers, they can still withdraw from the election if they deliver a written notice to the ARO before 4pm on Thursday 11 May. The notice, which is normally in the form of a letter, must be signed by the candidate and witnessed by one other person. Please note that after this date it is not possible to withdraw a candidate’s name from the election, and the candidate’s name will appear on the ballot paper.

Determination of nominations

4.57 As soon as possible after the checking of a nomination being submitted formally, the ARO will advise the candidate whether the nomination is valid or whether an issue needs to be resolved.

4.58 A formal letter of validity or invalidity will be sent to the candidate to their home address as given on the nomination paper as soon as possible after the deadline for nominations.
4.59 Once the ARO has formally made a determination on a nomination paper it cannot be challenged during the election, but may be challenged by way of an election petition.

Publication of the list of valid nominations

4.60 On Thursday 11 May – around 5pm, lists of the persons nominated in the Constituency (called a Statement of Persons Nominated) will be published. They will be published on the Council’s website and copies will be sent to each candidate and election agent for the Constituency.

Summary

Your nomination papers must be submitted by hand before 4pm on Thursday 11 May and must include:

1. Form of nomination;
2. Candidate’s consent to nomination;
3. Home Address form;
4. A deposit of £500;

And, if you are standing as a party candidate, you must also include:
5. Certificate of authorisation signed on behalf of a registered political party;
6. Request to use a registered party’s emblem on the ballot paper (if desired).

You are advised to make an appointment to deliver your nomination papers for an informal check by contacting the Elections Office on 01732 876375 or email voting@tmbc.gov.uk

Nomination papers must be delivered by hand to the ARO, Electoral Services, TMBC, Gibson Building, Gibson Drive, Kings Hill, West Malling, ME19 4LZ

<table>
<thead>
<tr>
<th>It is a serious offence to include false information relating to the name or address of a candidate in nomination papers, for a candidate to state that they are qualified and not disqualified when this is not true, or to falsify the signature of a subscribing elector. If a person is found guilty of such an offence, they may be sentenced to imprisonment for up to a year, or face an unlimited fine, or both. If a candidate is elected and subsequently they or their agent are found guilty of making a false statement in a nomination paper, the election is void.</th>
</tr>
</thead>
</table>
5  Your campaign; polling agents, counting agents and tellers & election communications

5.1 During the campaign, you may have concerns about the literature published by other candidates or members of the public may approach you with similar concerns. Please note that the ARO is not a referee. All concerns should be reported to the police if they cannot be resolved with the candidate or election agent concerned.

Election agent

5.2 Each candidate must appoint their own election agent, but he or she may appoint themselves to act as their own agent. If no agent is appointed by the statutory deadline, the candidate is deemed to be his or her own agent.

5.3 The election agent is the person responsible to the candidate and in law for the proper management of the candidate’s campaign. In particular, the election agent is responsible for the financial management of the election campaign and for ensuring that the declarations and returns of expenses are properly completed and delivered to the ARO.

5.4 Even if you do appoint an election agent, you should read the relevant Electoral Commission guidance about expenses so that you are fully aware of the rules, and ensure your agent is following them.

5.5 As well as your election agent, you can also appoint people to help you on election day in polling stations and at the count. These are known as your polling or counting agents. You could also act as your own polling or counting agent.

5.6 A form for the appointment of an election agent is included in the pack of papers available from the ARO or the downloadable version on the Council’s and Electoral Commission’s websites.

5.7 The deadline to appoint an election agent is the same as for submission of nominations – 4pm Thursday 11 May.
5.8 The election agent is required by law to have an office, to which all claims, notices and documents may be sent. The office has to be:

- Within the Constituency in which the candidate is standing, or
- Within a Constituency which adjoins the Constituency in which the candidate is standing

5.9 If you appoint yourself as your own election agent you must give an office address within the qualifying area as defined above.

5.10 If you act as your own election agent as a result of not appointing anybody else, your home address as given on the nomination paper will be deemed as the election agent office address. If that address is outside the qualifying area as defined above, the office address will be deemed to be the address of the person named as proposer to your nomination.

5.11 A list of election agents in the Constituency, including the office address will be published and displayed in the Constituency and on the Council’s website on Thursday 11 May.

Election sub-agents

5.12 Candidates standing in the Tonbridge and Malling Constituency may appoint election sub-agents. They can act for particular parts of the Constituency as long as those parts do not overlap. The office of any sub-agents must be within the area for which they have been appointed.

5.13 A form for the appointment of an election agent is included in the pack of papers available from the ARO or the downloadable version on the Council’s and Electoral Commission’s websites.

5.14 The deadline to appoint a sub-agent is **Tuesday 6 June**.

Polling Agents

5.15 There is no limit to the number of polling agents you can appoint for a General Election, but only one of your polling agents will be allowed in to a polling station at any time. However, each agent may be appointed to attend more than one polling station – you might appoint a polling agent to cover all of the polling stations for example.
5.16 The Electoral Services Section will send you forms on which to appoint polling and counting agents but you do not have to use these forms. You must notify the ARO in writing of the names and addresses of any polling agents no later than Thursday 1 June.

Counting Agents

5.17 Section 8 of this guide describes the arrangements for the counting of the votes in more detail. The ARO will decide the maximum number of counting agents you will be allowed to appoint. Each candidate will be allowed to appoint exactly the same number of counting agents. The formula will be calculated by dividing the number of counting staff engaged by the ARO by the number of candidates. The ARO will advise you and your election agents of the maximum number of counting agents allowed soon after the close of nominations on Thursday 11 May.

Postal vote opening agents

5.18 Each candidate and election agent is entitled to attend the sessions that take place where returned postal votes are opened. The candidate may also appoint agents for this purpose as well. They are specifically entitled to observe the opening of the postal voters’ ballot box, the opening of returned postal votes and the checking of signatures and dates of birth provided on returned postal voting statements. It should be noted that the votes on the ballot papers are not counted during these sessions. These sessions will take place each day between Monday 30 May to 8 June (inclusive) at Gibson Building, Gibson Drive, Kings Hill and at the Angel Centre, Angel Lane, Tonbridge on Thursday 8 June. We will provide more details to candidates and agents in due course.

5.19 Everyone who attends the postal vote opening sessions must be aware of, and comply with, the secrecy provisions contained in section 66 of the Representation of the People Act 1983. In particular this means that it is an offence either to attempt to ascertain the number of votes for each candidate (i.e. keep a tally) or to communicate the result. Attempting to ascertain is itself an offence, even if there is no communication. Therefore the ARO will not tolerate anyone attempting to keep such a tally at any of the opening sessions.

Written notification of Polling, Opening of Postal Votes and Count Agents must be delivered to the ARO, c/o Electoral Services, TMBC, Gibson Building, Gibson Drive, Kings Hill, West Malling, ME19 4LZ

- Before the start of any particular postal vote opening session that a postal vote opening agent is seeking to attend
- No later than Thursday 1 June in respect of polling and counting agents
**Election communications**

5.20 Each candidate at a General Election is entitled to free postage on one piece of election material to be sent to all electors in the Constituency. It is the responsibility of the candidate to contact Royal Mail to make the arrangements. It is likely that there will be reasonable terms and conditions. Candidates may have the postage paid on:

- One unaddressed election communication up to 60 grams to every postal address OR
- One election communication up to 60 grams addressed to each elector

Further details can be found on the Royal Mail website –


5.21 The number of households in the Tonbridge and Malling Constituency as at 1 April 2017 is shown below:

<table>
<thead>
<tr>
<th>Constituency</th>
<th>No of households</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tonbridge and Malling</td>
<td>43,642</td>
</tr>
</tbody>
</table>
6 The Register of Electors & absent voters lists

6.1 As a candidate you are entitled to a free copy of the section of the full electoral register for the electoral area you are contesting, and a free copy of the list of overseas electors for the area. You will need this to identify the elector numbers of the subscribers for your nomination paper at the very least. You are encouraged to request your copy of the register in good time once you have become a candidate. This should be in writing to Electoral Services, TMBC, Gibson Building, Gibson Drive, Kings Hill, West Malling, ME19 4LZ. Or scan the completed form and email to: voting@tmbc.gov.uk. You need to specify the Constituency register you require and the format (see below).

6.2 The register will be supplied to you in data form, unless you specifically request a paper copy. The data will be supplied in a CSV (comma-separated values) format. It will be sent as an attachment to an email; we do not have the facility to copy it onto a disk or USB pen. Paper copies will have to be collected from the Council Offices, Gibson Building, Kings Hill.

*Using data in a Comma Separated Values (CSV) format*
CSV files are a simple form of spreadsheet representation that can be read or modified with a number of common desktop applications.

CSV files can be opened using most spreadsheet or database applications, including Microsoft Excel and Access, and can also be read or modified with any text editor or word processing programmes such as Microsoft Word. In particular, CSV files can be used with the mail merge function of most word-processing programmes to create mailing labels or form letters.

6.3 The registration data provided will include the relevant part of the register for the electoral area that was published on 1 December 2016 as well as reflecting any alterations made to the register published at the beginning of January, February, March and April depending on when you request a copy of it.

6.4 The Electoral Registration Officer (ERO) is required to publish two versions of the electoral register: a full version containing the details of all electors in the area, and an open version which is available for sale and which does not contain information about electors who have requested that their details are not included.
6.5 It is important to note that a number of legal restrictions apply to the use of information in the full electoral register. If you have been supplied with a copy of the full electoral register for a particular area, you must not:

- pass on a copy of the register to any other person;
- disclose any information from the register (which is not contained in the Open version of the register also published by the ERO); or
- make use of any information from the register other than for electoral purposes.

6.6 If you are found guilty of breaching these conditions you may face a fine of up to £5,000.

6.7 You are also entitled to a copy of the lists of postal and proxy voters for the Constituency on request to voting@tmbc.gov.uk. The lists will be provided in data format as described in paragraph 6.2 unless notified otherwise. The list of postal and proxy voters will be updated after the respective deadlines for applications on 23 May and 31 May and lists of the additions can be provided on request.

6.8 Electors can claim to be added to the register as soon as they move home, or whenever they find they are not on the current register. There is a timetabled process for making additions or deletions to the register.

6.9 To be able to vote at the elections on 8 June 2017, an application to register must be received by the ERO by 22 May. Electors can now register online, which is much quicker and easier than completing paper applications, and they should be encouraged to visit the website www.gov.uk/register-to-vote. They will need their National Insurance number and date of birth which will be checked against the Department for Works and Pensions database before they are verified as being registered to vote.
7 Polling day

7.1 Polling day for the General election is **Thursday 8 June**, and polling hours are between **7am and 10pm**.

7.2 Details of the locations of polling stations will be confirmed by the ARO in a notice to your election agent.

Entitlement to attend the polling station

7.3 As a candidate, you are entitled to visit any polling station in the Constituency you are standing in, as is your election agent. Your polling agents may also attend at the polling station for which they have been appointed. Only one of your polling agents is allowed to enter each polling station at any time on the day of the election.

7.4 The Presiding Officers at polling stations will ensure that electors can quietly and privately cast their vote free of any intimidation (whether real or perceived) and provide a space where the secrecy of the ballot will be respected.

7.5 Electors should be able to enter the surrounding area of a polling station in the same manner.

7.6 There must be no long-term parking of vehicles for campaign purposes, for example displaying election materials or using loudspeakers, immediately outside the entrances or within a reasonable distance of entrances to polling stations. Cars being used to transport electors may need to wait for the elector to vote, but this must not be an unduly prolonged period.

7.7 The Presiding Officers will not allow large groups of a candidate’s supporters or detractors to gather in the vicinity of a polling station, and will be particularly alert to acts that may lead to electors feeling intimidated or influenced. Influencing includes deterring an elector from voting at all, as well as influencing them to vote or not for a particular candidate.

Tellers

7.8 Candidates may use ‘tellers’ to stand outside polling stations and request the electoral numbers of people who have attended the polling station. However, tellers have no status in electoral law, and they are not allowed to actually enter the polling station itself other than to cast their vote.
7.9 Your tellers should not hand out election material, or try to influence the way someone should vote. They should not ask any voter who they voted for, or how they intend to vote. Voters are not required to give any information to tellers, and they should not be pressed if they refuse to answer. Any tellers working for you should not give the impression that the information they request is required for official purposes.

7.10 In view of the lack of legal guidelines for tellers, you may wish to ensure that your tellers are given a copy of Code of Conduct issued by the Electoral Commission that is available from the Elections office or the Electoral Commission’s website http://www.electoralcommission.org.uk/guidance/resources-for-those-we-regulate/candidates-and-agents/guidance-for-candidates-and-agents-standing-for-election/standing-for-local-government-elections-in-England

7.11 The ARO will allow Tellers to wear coloured rosettes that also bear the emblem of a registered political party and the name of any candidate but not the words “Vote for (name of candidate)”. Presiding Officers will be briefed to ask any teller wearing rosettes that do not comply with this guidance to remove them.
8 The count

8.1 The verification and count of ballot papers for the election will take place on **Thursday 8 June** at The Angel Centre, Angel Lane, Tonbridge TN9 1SF from the close of poll at 10pm. Further information about the verification and count will be provided by the ARO at a briefing for candidates and agents on Thursday 18 May at 6pm at TMBC, Gibson Building, Gibson Drive, Kings Hill, West Malling, ME19 4LZ.

Count procedure

8.2 Other than the ARO and her staff, only the following people are entitled to attend the count:

- you as candidate, and your partner, husband or wife;
- your election agent;
- any of your appointed counting agents;
- Electoral Commission staff; and
- observers accredited by the Electoral Commission

8.3 The ARO may also permit other people to attend the count at her discretion, but is not obliged to do so. The decision of the ARO as to who may attend the count is final.

8.4 The maximum number of counting agents to be appointed by each candidate will be determined by the ARO, but will be not less than the total number of counting staff divided by the total number of candidates in each Constituency. The number permitted must be the same for each candidate.
9 Election expenses

9.1 The Electoral Commission provides comprehensive advice and information on election expenses. The ARO cannot advise candidates or election agents on these matters.

9.2 All candidates contesting the election are subject to limits on expenditure incurred. Part of the limit is calculated using the number of electors on the Register as it stands on the last date for publication of the notice of election – Monday 8 May. The current limits for the short campaign are shown below along with the current electorate in the Constituency.

<table>
<thead>
<tr>
<th>Constituency</th>
<th>Parliamentary electorate at 1 April 2017</th>
<th>Set fee £</th>
<th>Variable fee – pence per elector</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tonbridge and Malling</td>
<td>76141</td>
<td>8700</td>
<td>9p</td>
</tr>
</tbody>
</table>

Form of return

9.3 Your election agent must deliver to the ARO a return as to your election expenses within 35 days after the result is declared ie 14 July if the result is declared on 9 June. Forms are available from the Electoral Services Section on request or else downloadable versions are available on the Electoral Commission website. A return must be submitted even if it is a "nil" return.

Deadlines

9.4 Statutory deadlines that apply to the declaration and return of election expenses are calculated from the day after the result of the election is declared and include weekends and bank holidays etc.
Inspection of expense returns

9.5 Election spending returns can be inspected by any person after they have been submitted for two years from the date of poll. Appointments to view the documents should be made by emailing voting@tmbc.gov.uk. A fee of 20p per side will be charged for any copies made.

9.6 The ARO is obliged to send a copy of all candidates expenses returns to the Electoral Commission within 4 weeks of the deadline for submission.
10 Inspection of materials and documents after the election

10.1 A number of documents are available for inspection by any person after the election, however, ballot papers and corresponding numbers lists are not available, to ensure the secrecy of the ballot.

Marked register of electors and marked absent voters list

10.2 These documents show who has been issued with a ballot paper in a polling station and who has returned their postal ballot paper, or who has had their proxy vote on their behalf. They are available for inspection under supervision free of charge where hand written notes may be taken. Appointments for inspection should be made to voting@tmbc.gov.uk

10.3 Copies of the marked register from polling stations can be supplied to candidates and election agents and those who are entitled to a copy of the Full Register. It is only available in PDF format and will be charged at a statutory fee of £2 per 1000 entries (or part thereof) plus a £10 administrative charge.

10.4 The marked register of postal ballot papers can also be supplied to candidates and election agents and those who are entitled to a copy of the Full Register. It is only available in data format as described in paragraph 6.2 and a statutory fee of £1 per 1000 entries (or part thereof) plus a £10 administrative charge.

10.5 The marked registers from polling stations and of postal ballot papers are only retained for a year and the ERO is then obliged to destroy them.
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Candidate</td>
<td>Person standing for election</td>
</tr>
<tr>
<td>Counting Agent</td>
<td>Person appointed by a candidate to observe the counting of the votes</td>
</tr>
<tr>
<td>Election agent</td>
<td>A person appointed by a candidate on whose behalf expenses of the election campaign are incurred. The election agent is responsible for the submission of an expenses return to the Acting Returning Officer within a specified time after the Declaration of the Result</td>
</tr>
<tr>
<td>Electoral number</td>
<td>The unique number given to each elector in the Register of Electors. It comprises the letters signifying the Ward as well as a number. The electoral number must be included for each of the people assenting to a candidates' Nomination Paper and can be found next to the persons' entry in the Register of Electors</td>
</tr>
<tr>
<td>Nomination Papers</td>
<td>The forms that must be provided to the Acting Returning Officer by the specified deadline in respect of each candidates' nomination (See section 4)</td>
</tr>
<tr>
<td>Notice of Election</td>
<td>Formal notice that initiates the election.</td>
</tr>
<tr>
<td>Notice of Poll</td>
<td>Formal notice advising electors of the arrangements for the election, including the polling station to which they have been allocated</td>
</tr>
<tr>
<td>Polling agent</td>
<td>People appointed by a candidate to detect personation at the polling station, i.e. if they suspect a person has already voted or that a person pretends someone who they are not, they may request the Presiding Officer to ask statutory questions. If the elector does not give satisfactory answers to those questions, they will not be given a ballot paper</td>
</tr>
<tr>
<td>Polling Station</td>
<td>The premises within a polling place in which voting takes place. Only specified people may visit a polling station</td>
</tr>
<tr>
<td>Postal vote</td>
<td>An elector may choose to cast their vote by post rather than attend the polling station in person</td>
</tr>
<tr>
<td>Presiding Officer</td>
<td>A member of staff appointed by the Acting Returning Officer who has a statutory responsibility for the conduct of the poll at the Polling Station to which they are appointed</td>
</tr>
<tr>
<td>Proxy vote</td>
<td>An elector may appoint a proxy to vote on their behalf if the elector cannot attend the polling station in person. The proxy can apply to vote by post</td>
</tr>
<tr>
<td>Tellers</td>
<td>People appointed by a candidate to stand outside a polling station and ask electors for their elector number so that they can see who has voted. They are not allowed to ask for which candidate an elector has voted, nor are they entitled to be in the room where the voting is taking place</td>
</tr>
<tr>
<td>Statement of Persons Nominated</td>
<td>Formal notice comprising a list of the candidates standing in each Constituency as well as the proposer and seconder for each candidate</td>
</tr>
</tbody>
</table>
Appendix – Feedback Form

It would help us to have your comments on this guide and how useful you found it. Please return the completed form to, Electoral Services, TMBC, Gibson Building, Gibson Drive, Kings Hill, West Malling, ME19 4LZ. Or scan the completed form and email to: voting@tmbc.gov.uk

Content

<table>
<thead>
<tr>
<th>Strongly agree</th>
<th>Agree</th>
<th>Disagree</th>
<th>Strongly disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>I found the guide useful</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The content of the guide was relevant to my needs

Was any topic missing from the guide that you had expected to be covered in it? YES/NO

If YES, please provide details below:
_____________________________________________________________________________________________________________________________________________________________________________________

_____________________________________________________________________________________________________________________________________________________________________________________

Style

The guide was clearly written & easy to understand

The level of detail provided was appropriate

Was there any aspect of the guide that you found either particularly useful or unhelpful? YES/NO

If YES, please provide details below:
_____________________________________________________________________________________________________________________________________________________________________________________

_____________________________________________________________________________________________________________________________________________________________________________________

It would help us if you completed the contact details below, but please return the form anonymously if you wish:

Name: ____________________________________________________________________________________________________________________

Organisation: ___________________________________________________________________________________________________________

Contact address: _________________________________________________________________________________________________________

Phone: ___________________________ email: ____________________________________________