

NOMINATION PAPER
BABERGH DISTRICT COUNCIL
ELECTION OF A DISTRICT COUNCILLOR
for the
GREAT CORNARD NORTH WARD

<u>Office Use Only</u>
Date delivered ____/____/____
Time delivered ____:____
Initials _____

Date of Election: 22 July 2010

We, the undersigned, being local government electors for the said ward do hereby nominate the undermentioned person as a candidate at the said election.

Please read the notes below before completing the form
(Use CAPITAL LETTERS except where it is indicated that a signature is required)

Candidate's Surname	Other forenames in full	Commonly used surname (if any)	Commonly used forenames (if any)	Description (if any) Use no more than six words	Home Address in full		
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; padding: 2px;">Mr/Mrs/Miss/Ms/Dr/Other</td> <td style="width: 15%; padding: 2px;">_____</td> </tr> </table>						Mr/Mrs/Miss/Ms/Dr/Other	_____
Mr/Mrs/Miss/Ms/Dr/Other	_____						

			Electoral Number	
			Polling District Letters	Number
Proposer		PRINT NAME AS SIGNED		
Seconder				
We, the undersigned, being local government electors for the said ward, do hereby assent to the foregoing nomination		Signature		
1				
2				
3				
4				
5				
6				
7				
8				

NOTES

1. The attention of candidates and electors is drawn to the rules for filling up nomination papers and other provisions relating to nomination papers contained in the election rules in Schedule 2 to the Local Elections (Principal Areas) Rules 2006

CANDIDATE'S CONSENT TO NOMINATION

Date of election: 22 July 2010

I, [Name in full].....

of [Home address in full].....

.....
hereby consent to my nomination as a candidate for election as councillor for the Great Cornard North ward of the Babergh District Council.

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 Union, who has attained the age of 18 years and that –

**Delete whichever is inappropriate*

*(a) I am registered as a local government elector for the area of the District Council named above in respect of *[qualifying address in full]*.....

.....
and my electoral number is *[see note below]*.....; **or**

*(b) I have during the whole of the 12 months preceding that day or those days occupied as owner or tenant the following land or other premises in the area *[description and address of land or premises]*.....

.....; **or**

*(c) my principal or only place of work during those 12 months has been in that district at *[give address of place of work and, where appropriate, name of employer]*.....

.....; **or**

*(d) I have during the whole of those 12 months resided in that area at *[give address in full]*.....

.....

I declare that to the best of my knowledge and belief I am not disqualified for being elected by reason of any disqualification set out in Section 80 of the Local Government Act 1972 or any decision made under [Section 79 of the Local Government Act 2000](#) (copies of which are printed below as part of this document) and I do not hold a politically restricted post within the meaning of Part I of the Local Government and Housing Act 1989, under a local authority, within the meaning of that Part.

Date of birth.....

Signature.....Date of consent.....

Signed (or marked) in my presence

Signature of witness..... Date.....

Name and address of witness
(WRITE CLEARLY).....

.....
.....

NOTES

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

Extracts from the Local Government Act 1972 – Part V (as amended)
Section 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 on which the authority are represented or by any person holding any such office or employment; or
 - (aa) holds any employment in a company which, in accordance with Part V of the Local Government and Housing Act 1989 other than section 73, is under the control of the local authority; or
 - (b) is the subject of a bankruptcy order or interim order; or
 - (c) *[repealed]*
 - (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 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 purpose 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) Teachers in a school maintained but not established by a local education authority shall be in the same position as respects disqualification for office as members of the authority as teachers in a school established by the authority.

- (4) *[repealed]*

- (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.

- (6) *[repealed]*

Section 81 - Exceptions to provisions of section 80

- (1) [repealed]
- (2) [repealed]
- (3) [repealed]
- (3A) [repealed]
- (4) Section 80(2) and (3) above shall not operate so as 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.
 - (b) [repealed]

Local Government Act 2000 – Section 79

Decisions of case tribunals

79. - (1) A 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 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 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 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 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 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 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 must be suspended or partially suspended by the relevant authority concerned for the period, and in the way, which the tribunal has decided.

(9) A relevant authority must comply with any notice given to its standards committee under subsection (8).

(10) Where a 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-

(i) to the Standards Board for England, where the relevant authority concerned is in England,

(ii) to the Commission for Local Administration in Wales, where the relevant authority concerned is in 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 the same country (that is to say, England or 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 references in subsections (4)(a) and (8)(c) to the relevant authority concerned are to be treated as references 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 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 case tribunal under this section.

(15) Where a 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.

LOCAL GOVERNMENT ELECTIONS

ELECTION OF COUNCILLORS

for the

Great Cornard North Ward of the Babergh District Council

ON

22 July 2010

To: The Returning Officer,
Babergh District Council
Council Offices
Corks Lane
Hadleigh
IPSWICH IP7 6SJ

NOTICE OF APPOINTMENT OF ELECTION AGENT

I, [insert name].....

Of [insert address].....

.....

a candidate at the above-mentioned election, **HEREBY GIVE YOU NOTICE**

that I have appointed [insert agent's name].....

.....

of [insert agent's home address].....

.....

to be my agent for such election and the address of the Election Agent's office
to which all notices, writs, summonses and documents may be sent is -

.....

.....

Dated thisday of.....2010.

Signed.....(Candidate at the election)

I HEREBY ACCEPT THE ABOVE APPOINTMENT.

Dated this.....day of.....2010.

Signed.....

(Election Agent)

NOTE This form of appointment should be delivered to the Returning Officer at the place appointed for the delivery of nomination papers by the last time for delivery of notice of withdrawal of candidature. If no such appointment is made by that time, the candidate shall be deemed to act as his/her own election agent.

BABERGH DISTRICT COUNCIL ELECTION

22 July 2010

POLITICAL PARTIES, ELECTIONS AND REFERENDUMS ACT 2000

Under the provisions of the above Act, a candidate may not use a description on their nomination paper that is likely to lead electors to associate the candidate with a registered political party, unless the party is a qualifying party in relation to the electoral area and the description is authorized by a certificate issued by or on behalf of the party's registered Nominating Officer.

You may only complete Part B of this form if Part A has been completed and signed.

PART A – CERTIFICATION OF CANDIDATE OF A REGISTERED POLITICAL PARTY¹

I hereby certify that (name of candidate)_____

is the official candidate of the (name of political party)_____

at the election in the Great Cornard North ward

of the Babergh District Council to be held on 22 July 2010 and I authorize the following description to be used on the Nomination Paper : -

.....
(specify the description, which must be IDENTICAL to the wording on the Nomination Paper²)

Signed : **Date :**

PART B – REQUEST FOR USE OF REGISTERED PARTY EMBLEM³

The Rules permit a candidate authorized by the Certificate above to request that the ballot paper contain the registered party's registered emblem (or one of the emblems if the party has registered more than one). If you wish to request the use of an emblem, complete the following : -

I hereby request that the (name of emblem)_____

registered by the (name of political party)_____

be used against my name on the ballot paper.

Signed : **Date :**
(Candidate at this election)

¹ If the candidate wishes to use the name of a political party as his/her description on the nomination paper, this Certificate, properly completed by a person authorized to do so, must be received by the Returning Officer during the period allowed for the delivery of nomination papers for this election

² The description may be the name of the party registered under Section 28 of the Political Parties, Elections and Referendums Act 2000 or a description of the party registered under Section 28A of that Act

³ The emblem may only be used if the description of the candidate has been authorized by a certificate issued by or on behalf of the Party whose emblem it is proposed to use

Notice of Withdrawal of Candidature

ELECTION OF COUNCILLOR

For the
Great Cornard North Ward of the

Babergh District Council

Date of Election: 22 July 2010

I,

_____ *(candidate's name)*

of _____

_____ *(candidate's full address)*

hereby give you notice that I WITHDRAW my candidature from the above-mentioned election.

Dated _____ Signed _____
(Candidate)

Witness details

Witnessed by:

_____ *(Name and address of witness)*

Dated _____ Signed _____
(Witness)

NOTE

This Notice of Withdrawal should be delivered to the Returning Officer at the place appointed for the delivery of nomination papers not later than noon on the SIXTEENTH day before the day of election.

In computing any period of time for this purpose, a Saturday, Sunday, Christmas Eve, Christmas Day, Good Friday, Bank Holiday or any day appointed for public thanksgiving or mourning must be disregarded

Babergh District Council Great Cornard North Timetable of Proceedings for Thursday 22 July 2010

Publication of Notice of Election	Thursday 17 June 2010
Receipt of Nominations	no later than noon on Friday 25 June 2010
Publication of Statements of Persons Nominated	noon on Tuesday 29 June 2010
Withdrawal of Candidate	no later than noon on Wednesday 30 June 2010
Appointment of Election Agents	no later than noon on Wednesday 30 June 2010
Publication of Notice of Election Agents	Wednesday 30 June 2010
Last Date for Registration	Wednesday 7 July 2010
Receipt of Postal Vote Applications	no later than 5:00 pm Wednesday 7 July 2010
Publication of Notice of Poll	Wednesday 14 July 2010
Receipt of Proxy Vote Applications	no later than 5:00 pm Wednesday 14 July 2010
Appointment of Poll and Count Agents	Thursday 15 July 2010
First Day to Issue Replacement Lost Postal Ballot Papers	Friday 16 July 2010
Receipt of Emergency Proxy Vote Applications	5:00 pm Thursday 22 July 2010
Last Day to Issue Replacement Spoilt/Lost Postal Ballot Papers	5:00 pm Thursday 22 July 2010
Day of Poll	7:00 am to 10:00 pm Thursday 22 July 2010
Declaration of Candidates Expenses	Thursday 26 August 2010

Dated Thursday 10 June 2010

**BEFORE SUBMITTING THE NOMINATION
PAPER, PLEASE MAKE SURE THAT YOU
HAVE READ THE GUIDANCE FOR
CANDIDATES STANDING AT LOCAL
GOVERNMENT ELECTIONS –**

<http://www.babergh.gov.uk/NR/rdonlyres/9219DFBE-CA58-46A6-AAAE-4E6A86FFEB3C/0/CandidateGuide2010.pdf>