You must print off the forms in this pack before submitting them. Please refer to local guidance notes for the arrangements for the submission of nomination papers.

### The following papers must be delivered by hand:

SPE1: Nomination form

SPE2: Candidate's consent to nomination

### The following papers can be delivered by hand or by post:

SPE3: Certificate of authorisation

SPE4: Request for a party emblem

SPE5: Notification of election agent (constituency candidate)

SPE6: Notification of sub-agent

SPE7. Request for electoral register

SPE8. Request for absent voting lists

SPE9. Appointment of Polling Agents

SPE10. Appointment of Counting Agents

SPE11. Appointment of Postal Voting Agents

Ensure that where signatures are required, you submit the **original signed version** of each completed paper. Documents without original signatures cannot be accepted.

Nominations for the Scottish Parliamentary Elections on Thursday 6 May 2021 may be lodged with the Constituency Returning Officer at the Election Office, Digital Reprographics Unit, Sylvie Way, Orchardbank Business Park, Forfar, DD8 1AY between the hours of 10am and 4pm on any working day after the date of the publication of the Notice of Election, but in any event **no later than 4pm on Wednesday 31st March 2021**.

#### **Guidance Notes:**

Requirement of Secrecy

Guidance for candidates and agents on spending and donations

<u>Code of Conduct for campaigners: electoral registration, postal voting, proxy</u> voting and polling stations

Candidate Imprints at Scottish Parliamentary elections

**Tellers Guidance** 

Tellers Do's and Don'ts

#### **UK General Data Protection Regulation (UK GDPR)**

Data protection legislation applies to the processing of all personal data. Please contact the <u>Information Commissioner's Office</u> for further information about how the legislation affects you.

The data controller will only use the information you have provided on this form for electoral purposes and will look after your personal information securely, following data protection legislation. The data controller will not give personal information about you and the personal information you may provide on other people to anyone else or another organisation unless required by law.

The lawful basis to collect the information on the attached forms is that it is necessary for the performance of a task carried out in the public interest and exercise of official authority as vested in the Returning Officer as set out in the Representation of the People Act 1983 and associated regulations.

The Returning Officer is the Data Controller. For further information relating to the processing of personal data please refer to the <u>Returning Officer's Privacy Statement</u>.

# Contents

Form	Description
number	
CL	Constituency candidate checklist
SPE1	Nomination form
SPE2	Consent to nomination
SPE3	Certificate of authorisation
SPE4	Request for a party emblem
SPE5	Notification of election agent (constituency candidate)
SPE6	Notification of sub-agent
SPE7	Request for Electoral Register
SPE8	Request for Absent Voting Lists
SPE9	Appointment of Polling Agents
SPE10	Appointment of Counting Agents
SPE11	Appointment of Postal Voting Agents

CL	Scottish Parliament	Constituency candidate
		checklist

This checklist is designed to assist constituency candidates at the Scottish Parliamentary election in preparing to submit their nomination, and should be read alongside the Electoral Commission's *Guidance for candidates and agents*.

Task	Tick
Please complete all forms in CAPITALS	
Nomination form (all candidates)	
Insert the name of the constituency and election date – check with the CRO if you are unsure	
Add your full name – surname and all other names in full in the relevant boxes	
Optional – Use the commonly used name(s) box(es) if you commonly use a name that is different, or partly different, from your actual name and you want it to be used instead of your full name	
Description – Party candidates can use the party name as registered with the Electoral Commission and supported by a certificate of authorisation from that party; the registered name of a party may be preceded by the word "Scottish". Others can use 'Independent' or leave this blank	
Add your home address in full	
Sign and date the form in the presence of a witness. There are no restrictions on who can be a witness	
Witness – your witness needs to sign and provide their name and address.	
Method of submitting the nomination form to the CRO: by hand. There are no restrictions on who can deliver it, but it should be someone you trust	
Candidate's consent to nomination (all candidates)	
Complete all the details on the form and read the declaration carefully. Make sure that you read the Electoral Commission guidance on standing for election as well as the legislation listed. If you are not sure if you are able to stand you should contact your employer (where relevant), consult the legislation or, if necessary, take your own independent legal advice. If you are satisfied that you meet all of the criteria listed and so are eligible to stand, sign the declaration	
Add your full date of birth	
Sign and date the document in the presence of another person. Don't sign the consent form earlier than one month before the deadline for submitting your nomination papers	
Get the other person to complete and sign the witness section	
Method of submitting the consent to nomination form to the CRO: by hand. There are no restrictions on who can deliver it, but it should be someone you trust	
Certificate of authorisation (party candidates only)	
Ensure the certificate contains the candidate's full name and that the other details are completed	
Check the certificate allows the registered party name given on the nomination paper to be used; the registered name of a party may be preceded by the word "Scottish"	
Ensure it is issued by the party Nominating Officer (or someone that they have authorised to issue it on their behalf)	
Method of submitting the certificate of authorisation to the CRO: by hand or by post. There are	

no restrictions on who can deliver it, but it should be someone you trust	
Request for an emblem (party candidates only)	
Write the name or description of an emblem registered by the party and published on the Electoral Commission's website	
The request must be made by the candidate	
Method of submitting the emblem request form to the CRO: by hand or by post. There are no restrictions on who can deliver it, but it should be someone you trust	
Notification of election agent (all candidates)	
Give the name, address and office address of your appointed election agent	
Ensure the appointed agent signs the form showing their acceptance	
Method of submitting the notification form to the CRO: by hand or by post. There are no restrictions on who can deliver it, but it should be someone you trust	
Notification of sub-agent (all candidates)	
The <b>election agent</b> may appoint one or more sub-agents to act on their behalf in any part of the constituency but each must have a separate area. Sub-agent areas <b>must not overlap</b>	
Give the name, address and office address of the sub-agent	
Method of submitting the notification form(s) to the CRO: by hand or by post. There are no restrictions on who can deliver these, but it should be someone you trust	
Deposit (all candidates)	
Confirm with the CRO that your preferred method of payment is acceptable, and deposit £500 with the CRO by the deadline for nominations	

Office use only	Date received	Time received	Initials	No
Election of a Member to serve in the Scottish Parliament	SPE1 –	Nominatio	n pape	er
	Co	onstituency nar	me:	
Date of election: Thursday 6 May 2021				

I, the undersigned, am nominated as a candidate at the said election.

DETAILS OF CANDIDAT	Έ			
Candidate's surname:				
Other names in full:				
Commonly used surname (if any) <sup>1</sup> :	Э			
Commonly used forename (if any)1:	nes			
Description (if desired) <sup>2</sup> :				
Candidate's home addres in full (including postcode				
Signature of candidate:			Date:	
DETAILS OF WITNESS				
Signature of witness:			Date:	
Witness name in full (Please use BLOCK CAPITALS):				
Address of witness (including postcode):				

The attention of candidates and electors is drawn to the rules for filling up nomination papers and other provisions relating to nominations contained in Schedule 2 to the Scottish Parliament (Elections etc.) Order 2015.

The nomination period closes at 4pm on 31 March 2021 and completed nomination papers must be delivered to the Constituency Returning Officer by this deadline.

See notes overleaf

#### **Notes**

- 1. Where a candidate is commonly known by some title, they may be described by that title as if it was their surname. Where a candidate has a commonly used name, that commonly used surname or forename may also be used in addition to or instead of the other name on the nomination paper, but if it does so, the commonly used name (instead of any other name) will appear on the statement of persons standing nominated and the ballot paper (Schedule 2, rules 4 and 18). However, the statement of persons standing nominated and the ballot paper will show the other name if the Constituency Returning Officer thinks
  - (a) that the use of the commonly used name may be likely to mislead or confuse electors, or (b) that the commonly used name is obscene or offensive (Schedule 2, rule 18(5)).
- 2. The candidate may, if desired, use a description or may leave this line blank to indicate that they do not want to use a description. If a description is to be used then it must either be "Independent" or the name of the candidate's registered political party (or the name of two such parties). If the registered name of a party is used then this may be preceded by the word "Scottish" in terms of rule 4(7). If a party name is to be used then a certificate of authorisation must also be submitted to the Constituency Returning Officer (Schedule 2, rule 7).

Office use only			Date rece	eived	Time received	Initials	No	
Scottish Parliament			SI			idates co	nsent	to
Constituency name								
Date of the election:			Thurs	day 6 May	/ 202	1		
Section 1 - Candidate	's details and dec	laration						
I (candidate's name in full):								
of (home address including postcode)								
Office address in ca you are required to l an agent. See note 3	be							
hereby consent to my	nomination as a	candidate	at the	above-men	ntione	ed Election.		
Council made under some disqualified from bein  I am aware of the proknowledge and belief	I am aware of the provisions of sections 15 to 18 of the Scotland Act 1998 and of any Order in Council made under section 15 of that Act, and to the best of my knowledge and belief I am not disqualified from being a member of the Scottish Parliament.  I am aware of the provisions of sections 5(2) and 9(6) of the 1998 Act and, to the best of my knowledge and belief, I may stand as a candidate to be a member for the above-mentioned							
constituency.	Day (DD)	Month (	(MM)			Year (YYYY)		
My date of birth is:	) Day (55)		()			1001 (1111)		
	Note: It is an o	offence to	make	a false ded	clara	tion.		
Candidate's Signature:				Date:				
Section 2 – To be cor	npleted by the witr	ness						
The declaration abo	ve was signed in	my pres	ence b	y the cand	didate	e named abo	ve.	
Signed (name in full	):			Date:				
Witness' Name (Block Capitals):								

Deliver to the **Constituency Returning Officer** by no later than **4pm on Wednesday 31 March 2021** See notes overleaf

#### **Notes**

- 1. A person shall not be validly nominated unless their consent to nomination
  - (a) is given and dated in writing on, or within one month before, the day fixed as the last day for delivery of nomination papers;
  - (b) is attested by one witness, and
  - (c) is delivered at the place and within the time for the delivery of nomination papers, subject to paragraph 2 below.
- 2. If the Constituency Returning Officer is satisfied that owing to the absence of a person from the United Kingdom it has not been reasonably practicable for their consent in writing to be given as mentioned above, a facsimile (or similar means of communication) consenting to his or her nomination and purporting to have been sent by him or her shall be deemed to be consent in writing given by him or her on the day on which it purports to have been sent, and attestation of his or her consent shall not be required. Contact the Constituency Returning Officer for full details of this procedure.
- 3. There are no restrictions on where the office address can be located.

Scottish Parliament	SPE3	- Certific	ate of aut	thoris	ation
Office use only		Date received	Time received	Initials	No

To accompany the nomination of a candidate standing on behalf of a registered political party. (Note: candidates standing on behalf of two or more parties require a certificate from each party and each must allow the same registered joint description to be used).

Constituency:		Date of Election:	Thursday 6 May 2021
In accordance with the Scott	sh Parliament (Elections etc.) C	Order 2015, I	hereby certify that
(Candidate's name in full)			
may include the following d in the above constituency of	escription <sup>1</sup> on their constituency n Thursday 6 May 2021	nomination	paper for the election
(Description¹)			
Signature of Nominating Officer (or person authorised by the Nominating Officer):		Date:	
(Name of person signing)			

#### Notes:

- Description means the name (or one of the names) of the political party registered in terms of section 28 of the Political Parties, Elections and Referendums Act 2000. That name may be preceded by the word "Scottish" where this is allowed under rule 4(7) of the Scottish Parliamentary Election Rules.
- 2. If the candidate is standing in the name of two parties jointly, then the description must be the names of both of those parties and may include the word "and" between them. This is the description that will appear on the constituency ballot paper.

This form must be provided to the Constituency Returning Officer where a nomination paper is submitted for a candidate standing on behalf of a political party.

Deliver to the Constituency Returning Officer by no later than 4pm on Wednesday 31 March 2021

Office use only		Date received	Time received	Initials	No
Scottish Parliament	S		quest for a	a part	у

This form is for a candidate of a political party who is subject to a certificate of authorisation and who wishes to have a party emblem printed on the ballot paper next to their name.

This form must be signed by the candidate.

Tino formi mast be signed	~,	Janaato.		
Constituency:			Date of election:	Thursday 6 May 2021
Candidate name in full:				
I request that the bal	lot papei	shall contain, again	st my name, the	following registered
emblem (please id	entify wh	ich emblem if the pa	rty has registere	ed more than one):
Emblem to be used: (Please use name or description as on Electo Commission website):	<u>ral</u>			
Candidate's signature:				
Date:				

This form is only effective if delivered for a candidate standing on behalf of a political party to the Constituency Returning Officer by no later than 4pm on Wednesday 31 March 2021

Candidates standing on behalf of more than one political party and using a joint description may choose one emblem from one of the parties that they are standing for. Please indicate the name of the party and the emblem name in the 'Emblem to be used' box above.

Office use only			Date received	Time received	Initials	No	
Scottish Parliament		SPE5 – Notification of election agent (constituency candidate)					
Constitue	ency name:						
Date of th	ne election:			Thursda	ay 6 May 202	1	
Candidata's natificati	ion of their class	otion agai	ot .				
I, (Candidate name		Silon age	i II.				
full):	""						
Here	eby declare tha	at the nar	ne and addı	ress of my ele	ection agent is	3	
Agent's name:							
Agent's address (in	full):						
The office addres	The office address of my election agent to which all claims, notices, legal process and other documents may be sent is:						
Agent's office address in full:							
Candidate's signature (or signature on behalf of candidate):							
Name of person signing (if on behalf of the candidate):							
Date:							
Confirmation of acceptance by election agent							
I confirm my accept I understand that I is penalties if I fail to t	must carry ou	t my dut	ies accordi	ing to law. Ι ι			e are
Agent's signature							
Date							
Agent's other details in case of query (Optional – will not be published)							
Home telephone:		W	ork telephone	<b>e</b> :			
Mobile telephone:			<u>,                                      </u>		·		
Email address:							

Office use only			Date received	Time received	d Initials	No
Scottish Parliament		SPE	6 – Notific	cation of	sub ag	jent
Constituency n	name:					
Date of the ele	ction:		Thursd	ay 6 May 20	21	
Candidate na	me					
The <b>election agent</b> may a constituency but each mu		•				of the
	Details and	d extent of	sub-agent			
Name of sub-agent:						
Sub-agent address:						
Office address to which all claims, notices, legal process and other documents may be sent is (if different):						
Extent of appointmen (describe area):	t					
	Election agent signature					
I d	eclare the above r	named pers	on to be a su	b-agent		
Signature of election agent:						
Name:				Date:		
Con	ptance by	sub-agent (	optional)			
I understand that I must c	I understand that I must carry out my duties according to law. I understand that there are penalties if I fail to fulfil my duties according to law					
I confirm my acceptance as sub-agent for the above named candidate						
Signature of sub-agent:				Date:		
Sub-agent's other details in case of query (Optional – will not be published)						
Home telephone:		W	ork telephon	e:		
Mobile telephone:						
Email address:						

Deliver this form to the Constituency Returning Officer by no later than Tuesday 4 May 2021

	ed to the Electoral Registration Officer for the electoral area. Some ver more than one registration area so you may need to apply to each area
	ted by the candidate, except in the case of party lists such as at GLA Londentary regional or Senedd Cymru regional elections where this form must agent.
Declaration of candidacy	and confirmation of legal use of electoral register information
Name of Candidate / party list election agent	
copy of the electoral regilular will only allow others who for the same purposes of purposes is illegal and is the fine can be up to £5,000.	lidate / party list election agent at the above-named election. I will use my ster for electoral purposes and checking the validity of donations only. o are assisting me in my campaign to use my copy of the electoral register ly. I understand that any use other than for electoral or donation checking punishable by a fine. In England and Wales, the fine is unlimited; in Scotla 00. My request is for the register as at the last date for notice of election are amendment while I am a candidate.
Signed (Candidate / party list election agent)	
Delivery details	
My application is for the	electoral register in (tick one box only):
Paper format	
Data format	
Delivery address:	
Contact details (in case of	f query)
Telephone	
Mobile	
Email	
•	only be supplied when you officially become a candidate. Further ained in Part 4 of our guidance for candidates and agents.

SPE7 - Request for electoral register

Date of

election

6 May 2021

Name of electoral area:

(e.g. constituency)

We will only use the information you give us on this form for electoral purposes. We will look after your personal information securely and we will follow data protection legislation. We will not give personal information about you, or any personal information you may provide on other people, to anyone else or another organisation unless we have to by law.

The lawful basis to collect the information in this form is that it is necessary for the performance of a task carried out in the public interest and exercise of official authority as vested in the Electoral Registration Officer as set out in Representation of the People Act 1983 and associated regulations.

The Electoral Registration Officer is the Data Controller. You can find their contact details at <a href="https://www.electoralcommission.org.uk/i-am-a/voter">https://www.electoralcommission.org.uk/i-am-a/voter</a>

For further information relating to the processing of personal data you should refer to their privacy notice on their website. You can find their website address at <a href="https://www.electoralcommission.org.uk/i-am-a/voter">https://www.electoralcommission.org.uk/i-am-a/voter</a>

## SPE8 - Request for a copy of the lists of postal and proxy voters

Name of electoral area: (e.g constituency)	Date of election	6 May 2021
ooristituerioy)	Cicolion	

The lists of postal and proxy voters are maintained and held locally by the <u>Electoral Registration Officer</u>. Some elections/referendums cover more than one registration area so you may need to make separate requests to **each of the relevant Electoral Registration Officers**. Contact details can be found on <u>www.yourvotematters.co.uk</u>.

This form must be completed by the candidate, except in the case of party lists such as at GLA London Member, European Parliament, Scottish Parliamentary regional or Welsh Assembly regional elections where this form must be completed by the election agent.

The data controller will only use the information you provide on this form for electoral purposes and will look after your personal information securely, following data protection legislation. The data controller will not give personal information about you and the personal information you may provide on other people to anyone else or another organisation unless required to by law.

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For further information relating to the processing of personal data you should refer to their privacy notice on the data controller's website. You can find their website address at www.yourvotematters.co.uk. Declaration of candidacy and confirmation of legal use of absent vote list information						
Name of Candidate / party list election agent						
I declare that I am a candidate / party list election agent at the above-named election. I will use my copy of the absent vote list (postal and/or proxy voters list) for <b>electoral purposes only</b> . I will only allow others who are assisting me in my campaign to use my copy of this data for the same purposes only. I understand that any use other than electoral purposes is illegal and is punishable by a fine. In England and Wales, the fine is unlimited; in Scotland, the fine can be up to £5,000.						
Signed (Candidate / party list election agent)						

y boxes that you wish):

Application and delivery details				
My application is for the absent vote list in (you may tick as mar				
The current list of postal voters				
The current list of proxy voters				
The final list of postal voters				
The final list of proxy voters				

Please supply the data in (please tick one box only):					
Paper format					
Data format					
Delivery address:					
Contact details (in case of query)					
Contact details (in case	or query)				
Telephone					
Mobile					
Email					

# SPE9 - Appointment of polling agents

Polling agents can be appointed using this form by the candidate or their election agent.					
Local authority / combined authority / voting area:					
Name of ward / division / constituency / region / voting area / constituent council (if different from above)					
Name of candidate (Optional: include description, if any):					
Signature of candidate or election agent:					
I appoint the following people a	as polling agents:				
Name and address of (include postc		List of polling stations to which they are appointed			

Name and address of polling agent (include postcode)	List of polling stations to which they are appointed
(include postcode)	appointed

The data controller will only use the information you have provided on this form for electoral purposes and will look after your personal information securely, following data protection legislation. The data controller will not give personal information about you and the personal information you may provide on other people to anyone else or another organisation unless required by law.

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## SPE10 - Appointment of counting agents

Counting agents may be appointed using this form by the candidate. The CRO will advise you of the number of counting agents who may be appointed after close of nominations.					
Local authority:					
Name of constituency / region (if different from above):					
Name of candidate:					
Signature of candidate or election agent:					
I appoint the following people as counting	agents:				
Name of counting agent	Address of counting agent (including postcode)				

The data controller will only use the information you have provided on this form for electoral purposes and will look after your personal information securely, following data protection legislation. The data controller will not give personal information about you and the personal information you may provide on other people to anyone else or another organisation unless required by law.

The lawful basis to collect the information in this form is that it is necessary for the performance of a task carried out in the public interest and exercise of official authority as vested in the Returning Officer as set out in Representation of the People Act 1983 and associated regulations.

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## SPE11 - Appointment of postal vote agents

Postal vote agents may be appointed by the candidate or their election agent using this form.  Contact the Elections Office to find out the maximum number that you may appoint to each session.					
agents to attend postal vote openings:					
Address of postal vote agent	Opening Session (Date)				
	agents to attend postal vote openings:				

The data controller will only use the information you have provided on this form for electoral purposes and will look after your personal information securely, following data protection legislation. The data controller will not give personal information about you and the personal information you may provide on other people to anyone else or another organisation unless required by law.

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