



ANGUS COUNCIL
SCOTTISH PARLIAMENTARY ELECTION
THURSDAY 6 MAY 2021
ANGUS NORTH AND MEARNS/ANGUS SOUTH CONSTITUENCIES

Notes for the Guidance of Candidates

These notes should be read in full before completing and submitting your nomination papers



FACE COVERINGS



AVOID CROWDS



CLEAN HANDS



TWO METRES



SELF-ISOLATE

[Book a test if you have symptoms.](#)

**Stopping the spread starts
with all of us.**

Contents

Page No

1. [Administration & Management of Election](#)
2. [Election Team](#)
3. [Nomination of Candidates](#)
 - 3.1 [General Provisions](#)
 - 3.2 [Qualifications/Disqualifications](#)
 - 3.3 [Nomination Papers](#)
 - 3.4 [Informal Check of Nomination Papers](#)
 - 3.5 [Withdrawal of Nominations](#)
4. [Appointment of Election Agent](#)
 - 4.1 [Appointment of Sub Agent](#)
5. [Appointment of Polling Agents](#)
6. [Appointment of Counting Agents](#)
7. [Opening of Postal Votes](#)
8. [Notification of Requirement of Secrecy](#)
9. [Verification and Counting of Votes Cast](#)
10. [Copy of Register of Electors/Absent Voters Lists](#)
11. [Election Expenses](#)
12. [Candidate Mailing](#)
13. [Situation of Polling Stations](#)
14. [Summary of Key Dates](#)
15. [Arrangements in Force at the Poll](#)
16. [Meeting for Candidates and Agents](#)

NOTES FOR THE GUIDANCE OF PROSPECTIVE CANDIDATES

These notes are produced for the guidance and convenience of prospective candidates in at the election of a constituency Member of the Scottish Parliament (MSP) for the Angus North And Mearns and Angus South constituencies at the Scottish Parliamentary Election on Thursday 6 May 2021.

These guidance notes have been updated to take account of additional measures that the Constituency Returning Officer has put in place to ensure that public health guidelines are being followed and the safety of everyone taking part.

While every care has been taken in the preparation of these notes, they do not have any binding force and candidates are advised, where necessary, to consult the relevant statutory authorities. For the Register of Electors or qualifications for absent and proxy voting, information may be obtained from the relevant Electoral Registration Officer (ERO).

The Constituency Returning Officer and their staff cannot give advice as to the conduct of the election campaign by candidates or agents, particularly in relation to the legality or otherwise of their actions.

Candidates should refer to the comprehensive guidance for candidates and agents which has been prepared by the Electoral Commission before submitting their nomination papers. A copy of this is available to download from the [Electoral Commission's](#) website.

Coronavirus

The way in which this election will be delivered will look and feel different from previous elections. Planning has already commenced to review our working practices and to ensure that our venues can be used safely. The guidance provided by Scottish Government, Public Health Scotland, the Electoral Commission, and the Election Management Board will all be considered as we plan each aspect of delivering this election.

There are general public health principles that everyone should follow in all aspects of daily life to help mitigate the risk of the spread of coronavirus and these will underpin all aspects of our election planning and delivery:

1. Maintain physical distancing
2. Clean hands regularly
3. Avoid touching your face
4. Limit your number of contacts
5. Wear a face covering, where necessary
6. Self-isolate and get tested, where necessary

There will be a variety of changes to our processes and procedures to ensure that we can undertake a safe and secure poll on 6 May 2021 and the Constituency Returning Officer will keep you updated on these changes and how they will impact on you.

The Constituency Returning Officer will be holding a virtual briefing session on Wednesday 7 April 2021 @ 6pm. This session will cover the arrangements for the poll, postal voting sessions and the verification and counting of votes cast.

1. Administration & Management of Election

The persons involved in the administration and management of this election are as follows: -

Constituency Returning Officer	Depute Constituency Returning Officer
<p>Margo Williamson Chief Executive Angus Council Angus House Orchardbank Business Park Forfar DD8 1AN</p> <p>T: 01307 492616 E: CHIEFEXEC@angus.gov.uk</p>	<p>Jackie Buchanan Director – Legal & Democratic Services Angus Council Angus House Orchardbank Business Park Forfar DD8 1AN</p> <p>T: 01307 492546 E: BuchananJ@angus.gov.uk</p>
Manager – Elections, Commercialisation & Facilities	Electoral Registration Officer (Angus)
<p>Shona Cameron Legal & Democratic Services Angus Council Election Office Digital Reprographics Unit Sylvie Way Orchardbank Business Park Forfar DD8 1AY</p> <p>T: 01307 491843 E: CameronSD@angus.gov.uk</p>	<p>Alastair Kirkwood Electoral Registration Officer Tayside Valuation Joint Board Floor 1 William Wallace House Orchard Loan Forfar DD8 1WH</p> <p>T: 01307 499910 F: 01307 499950 E: angus@tayside-vjb.gov.uk</p>
Electoral Registration Officer (Aberdeenshire)	
<p>Ian Milton Grampian Valuation Joint Board Woodhill House Westburn Road Aberdeen AB15 5GE</p> <p>T: 01224 068400 E: ero@grampian-ero.gov.uk</p>	

Information on the election is available to members of the public via the [Angus Council website](#). This will include the "Statement of Persons Nominated and Notice of Poll" which details the candidates standing in each constituency after the close of nominations.

2. Election Team

The Election Team is based in the Election Office, Digital Reprographics Unit, Sylvie Way, Orchardbank Business Park, Forfar, DD8 1AY.

T: (01307) 492070 or 491781.

E: elections@angus.gov.uk

3. Nomination of Candidates

3.1 General Provisions

- 3.1.1 The nomination form and consent to nomination form must be submitted by hand and cannot be submitted by post, fax, email, or other electronic means. The only exception to this is where a candidate is overseas, in which case their consent to nomination may be sent electronically. Certificates of authorisation and emblem request forms may be submitted by hand or by post, but cannot be submitted by fax, email, or other electronic means.
- 3.1.2 Please ensure where signatures are required on any form that you submit the original signed version of each completed form and not a copy. Documents without original signatures cannot be accepted.
- 3.1.3 There are no restrictions on who may deliver your nomination papers. However, we recommend that you, your election agent or someone you trust does this, so you can be sure they are delivered to the CRO by the deadline of for receipt of nomination papers **4pm on Wednesday 31 March 2021**.
- 3.1.4 Nomination papers for this election may be completed and lodged with the **Constituency Returning Officer, Election Office, Digital Reprographics Unit, Sylvie Way, Orchardbank Business Park, Forfar, DD8 1AY** from **10.00am to 4.00pm** on any week day after the date of publication of the Notice of Election, but in any event not later than **4.00pm on Wednesday 31 March 2021**.

Due to current COVID restrictions in the Election Office, no more than one person may visit the Election Office at any one time. If more than one person will be attending the submission of nominations process, please contact the Election team prior to submission to allow alternative arrangements to be made.

Anyone submitting nomination papers will be required to wear a face covering at all times unless medically exempt. There are also facilities for sanitising hands at the entrance/exit to the building.

In addition, the Election Office will be cleaned after each submission of nomination papers has taken place so you may have a slight wait while this is being undertaken.

Please refer to [Section 3.4](#) for information on the informal check of nomination papers prior to formal submission.

- 3.1.5 It is a criminal offence to knowingly make a false statement on nomination papers. This includes a commonly used name given by a candidate on the nomination form which they do not actually commonly use.

The penalty for a false statement is either a fine, currently set at a maximum of £10,000 and/or up to one year's imprisonment.

3.2 Qualifications/Disqualifications

To be able to stand as a constituency candidate at a Scottish Parliamentary election you must on the day you are nominated and on polling day be:

- be at least 18 years old on the day of your nomination, and
- be a British citizen, Irish citizen, an eligible Commonwealth citizen or a qualifying foreign national.

There is no requirement in law for you to be a registered elector in Scotland.

Apart from meeting the qualifications for standing for election, you must also not be disqualified from standing on the day of your nomination and on polling day. Please refer to [Part 1 of the Electoral Commission's Guidance](#) for Candidates and Agents if you require more detailed guidance on this.

Questions of eligibility or disqualification are a matter for the candidate only and the Constituency Returning Officer cannot give advice on such matters.

You cannot stand in more than one constituency at the same Scottish Parliamentary Election.

3.3 Nomination Papers

3.3.1 Nomination Form (SPE1)

If you wish to stand as a constituency candidate, you must submit the following completed forms to the Constituency Returning Officer by **4.00pm on Wednesday 31 March 2021**:

SPE 1	Nomination Form
SPE 2	Consent to Nomination Form

These forms must be delivered by hand.

Attention is drawn to the rules for completing nomination papers and other provisions relating to nominations, as contained in Schedule 2 to the Scottish Parliament (Elections etc.) Order 2015.

3.3.2 Consent to Nomination Form (SPE2)

You must formally consent to your nomination in writing using the prescribed form. You are required to give your date of birth and declare that you are not disqualified from standing.

If you are absent from the United Kingdom this consent may be sent electronically. In all other circumstances this must be delivered by hand.

3.3.3 Commonly Used Names

If a constituency candidate uses a name which is different or partly different to their actual name, the candidate may request this be used instead of their actual name.

Please note that you may not use your first name as a commonly used name so that only your first name and surname appear on the ballot paper, thus excluding your middle name.

Please refer to [Part 2a of the Electoral Commission guidance](#) for candidates and agents for more information on the use of commonly used names.

3.3.4 Description of a Candidate/Use of Party Emblems (SPE3/SPE4)

A constituency candidate may only use one of the following descriptions:

- the word "Independent"
- the registered party name of one registered political party
- the registered party names of two registered political parties

Constituency Candidates **may not** use any of a party's registered descriptions.

If you are standing on behalf of a registered political party and wish to use the registered party name and emblem, you must also submit the following forms to the Constituency Returning Officer by **4.00pm on Wednesday 31 March 2021**:

SPE3	Certificate of Authorisation
SPE4	Request for a Party Emblem

These forms may be delivered by hand or by post.

A party name may only be used if the request is supported by a Certificate of Authorisation signed by or on behalf of the party's Nominating Officer before the close of nominations.

A candidate standing on behalf of a political party whose nomination is supported by a valid Certificate of Authorisation (**Form SPE3**) may request, in writing, to have that party's emblem, or one of them, printed next to their name on the ballot paper. **Form SPE4** is provided for this purpose. It would be helpful for candidates from registered political parties, who wish to take advantage of this provision, to supply a copy of the chosen emblem when the request is made.

If you are standing on behalf of two parties, you must use the registered names of both parties as your description. You may include the word "and" between them.

Both the certificate of authorisation and the request to use a party emblem must be received by the Constituency Returning Officer by close of nominations i.e. not later than **4.00pm on Wednesday 31 March 2021**.

3.3.7 Candidate's deposit

In order for you to be validly nominated, your or someone acting on your behalf must deposit the sum of £500 with the Constituency Returning Officer by **4.00pm on Wednesday 31 March 2021**. This sum may be paid by in legal tender, bankers draft or by

debit or credit card telephone payment. Please contact the Election team if you require more information.

3.4 Informal Check of Nomination Papers

Nomination papers must be checked for accuracy and conformity with statutory requirements when they are lodged. Occasionally the nomination papers cannot be accepted, and candidates are required to amend them to meet statutory requirements. It is therefore in the interest of candidates when lodging nomination papers to ensure that there is adequate time for any such amendment, as in no circumstances may the Constituency Returning Officer accept a nomination paper after **4.00pm on Wednesday 31 March 2021**.

Nomination papers may be submitted to the Manager – Elections, Commercialisation & Facilities by email cameronsd@angus.gov.uk or elections@angus.gov.uk for an informal check to be carried out before the formal submission of nomination papers. Any errors found will be communicated to the candidate and/or their election agent by email to allow these to be corrected before formal submission. However, it should be noted that the correct completion of the nomination forms remains your responsibility or that of your election agent.

Candidates and agents are urged to make an appointment for the formal submission of nomination papers.

3.5 Withdrawal of Nominations

If you wish to withdraw your nomination, you may do so by lodging a Notice of Withdrawal signed by you and attested by one witness. The Notice of Withdrawal must be lodged with the Constituency Returning Officer at the address shown in paragraph 3.1.4 within the time for delivery of nomination papers.

4. Appointment of Election Agent (SPE5)

Each nominated candidate must appoint an election agent. You may act as your own election agent if you wish.

Notice of appointment of an election agent must be delivered to the Constituency Returning Officer at the address detailed in paragraph 3.1.4 by the close of nominations i.e. not later than **4.00pm on Wednesday 31 March 2021**. **Form SPE5** is provided for this purpose.

If you fail to notify the Constituency Returning Officer of the name and address of an election agent by the above-mentioned date, you shall be deemed to be acting as your own election agent.

4.1 Appointment of Sub Agent (SPE6)

Election agents may appoint sub-agents for particular parts of the constituency in which you are standing as long as these do not overlap.

In the event of such appointments being made, the name and address of the sub-agents must be declared in writing to the Constituency Returning Officer at the address detailed in paragraph 3.1.4, no later than **Wednesday 28 April 2021**. **Form SPE6** is provided for this purpose. The Constituency Returning Officer will publish the name and address of each sub-agent appointed.

5. Appointment of Polling Agents (SPE9)

You may appoint polling agents to attend at polling stations for the purpose of detecting personation or to observe the procedures being followed in the polling station. Such appointments should be made by giving notice in writing to the Constituency Returning Officer at the address detailed in paragraph 3.1.4 not later than **Wednesday 28 April 2021**. **Form SPE9** is provided for this purpose. Please ensure that a polling agent's full name and home address (including postcode) is provided to the Constituency Returning Officer.

Whilst there is no limit to the number of polling agents you may appoint, by law only one polling agent may be admitted at the same time to a polling station on behalf of the same candidate. If you wish your spouse/partner to visit polling stations with you on polling day, it will be necessary for them to be appointed as a polling agent.

The Constituency Returning Officer will discuss the additional COVID measures that will be in place at polling stations on the day or poll at the Candidates and Agents meeting on Wednesday 7 April 2021. It will be your responsibility to ensure that anyone appointed by you adheres to these measures at all times.

6. Appointment of Counting Agents (SPE10)

You may appoint counting agents to attend at the counting of the votes. The Constituency Returning Officer will confirm the number of counting agents who you may appoint at the Candidates and Agents meeting on Wednesday 7 April 2021.

The Constituency Returning Officer will discuss the additional COVID measures that will be in place at the Count Centre at the Candidates and Agents meeting on Wednesday 7 April 2021. It will be your responsibility to ensure that anyone appointed by you adheres to these measures at all times.

Notice of the appointment of counting agents, stating their names and full addresses, should be given in writing to the Constituency Returning Officer at the address indicated in paragraph 3.1.4, not later than **Wednesday 28 April 2021**. **Form SPE10** is provided for this purpose.

7. Opening of Postal Votes

The opening of postal votes will take place on the following dates: -

- Wednesday 28 April 2021
- Thursday 29 April 2021
- Friday 30 April 2021
- Monday 3 May 2021
- Tuesday 4 May 2021
- Wednesday 5 May 2021

The venue for opening postal votes and the time of each session will be confirmed at the Candidates & Agents briefing on the 7 April 2021

The first session will be for the opening of covering envelopes only. The actual verification of postal vote personal identifiers will be undertaken electronically, and the formal adjudication process will commence on Thursday 29 April 2021.

A contingency opening session has also been arranged for Saturday 1 May 2021 should this be required.

The **final opening of postal votes** will take place in the Saltire Centre on **Thursday 6 May 2021 commencing at 8.00pm**. This session will include the opening of any postal votes handed in at polling stations before the close of poll.

Candidates may appoint **one** postal voting agent to be present at each postal vote opening session and you should give notice of any such appointment to the Constituency Returning Officer at the address shown in paragraph 3.1.4 before the start of the opening session that the agent wishes to attend. **Form SPE11** is provided for this purpose.

The Constituency Returning Officer will discuss the additional COVID measures that will be in place at the Postal Vote opening venue at the Candidates and Agents meeting on Wednesday 7 April 2021. It will be your responsibility to ensure that anyone appointed by you adheres to these measures at all times.

There will be a briefing session explaining the scanning, verification and adjudication process for candidates and agents prior to the start of the first opening session.

8. Notification of Requirement of Secrecy

The Constituency Returning Officer is required to ensure that all persons involved in the election are given a copy in writing of the appropriate secrecy provisions of Article 31 of the Scottish Parliament (Elections etc) Order 2015. A link to this is enclosed with your nomination pack.

9. Counting of Votes Cast

The verification and counting of the votes cast at the election will take place in the **Saltire Centre, Montrose Road, Arbroath** commencing on the morning of Friday 7 May 2021. The Constituency Returning Officer will confirm the arrangements for the verification and counting of votes cast at the Candidates and Agents meeting on 7 April 2021.

Admission to the count will be restricted to those members of the Constituency Returning Officer's staff engaged in the count, the Police, candidates, their election agent and counting agents, one guest for each candidate, accredited observers and members of the media authorised by the Constituency Returning Officer. Admission letters will be issued by the Constituency Returning Officer on receipt of the appropriate forms.

10. Copy of Registers of Electors/Absent Voters Lists

Candidates are entitled to one free copy of the full Electoral Register and Absent Voter lists for the constituency in which they are standing. The Electoral Registration Officer cannot supply a copy of the register or absent voter lists to any candidate earlier than 28 days before the 6 May 2021, the earliest a person can officially become a candidate.

For a candidate to receive a copy of the full Electoral Register and Absent Voter lists forms **SPE7/SPE8** should be completed, signed, and returned to the Election Office. The Election team will pass the completed forms to the relevant Electoral Registration Officer for action.

It is important to note that candidates who have been supplied with a copy of the full register must not pass on a copy of the register to any other person, must not disclose any information from the register (which is not contained in the edited version of the register) or make use of such information except for electoral purposes. Any person who is found guilty of breaching these conditions may face a fine of up to £5,000.

11. Election Expenses

Please refer to the Electoral Commission's guidance for candidates and agents, [Part 3 - Spending and Donations](#) for detailed information on the rules on spending and donations in the run up to the Scottish Parliamentary election.

Candidate spending and donation rules apply during the regulated period. The regulated period is divided into two periods: the "long campaign" and "the short campaign" and each period has its own spending limit.

The "**long campaign**" begins on **6 January 2021** and ends on the day you officially become a candidate. The earliest date you can officially become a candidate is Thursday 25 March 2021. The "**short campaign**" begins on the day you officially become a candidate and ends on polling day.

In both the long and short campaigns, the spending limit is calculated by adding a base amount and a variable amount based on the number of electors in the constituency in which you are standing on 24 March 2021 (the electorate figure will be provided to candidates in due course). Details of spending limits can be found on page 12 of the Electoral Commission's guidance. Angus North And Mearns and Angus South constituencies are "**county**" constituencies for the purpose of election expenses.

Election agents must, within 35 days of the day on which the result of the election has been declared make a return of election expenses on the appropriate form, together with all bills and receipts. At the same time that the election agent transmits that return, or within 7 days afterwards, the candidate must return a declaration as to these expenses.

A copy of the Electoral Commission's candidate spending return along with the appropriate declarations which must be completed and further guidance are available to download from the [Electoral Commission website](#).

Please note that all queries regarding candidate election expenses should be directed to the Electoral Commission T: 0333 103 1928,
E: infoscotland@electoralcommission.org.uk.

12. Candidate Mailings

Each constituency candidate is entitled to free postage on an election communication sent to electors in their constituency. Please consult the Royal Mails; guidance on candidate mailings www.royalmail.com/candidatemail. If you would like to make use of this service, please contact Royal Mail directly.

13. Situation of Polling Stations

The situation of polling stations in both constituencies will be published along with the Statement of Persons Nominated and Notice of Poll on Wednesday 31 March 2021. A copy will be provided to your Election Agent after the close of nominations.

14. Summary of Dates

A summary of the key dates at this election is set out below: -

Monday 15 March 2021	Publication of Notice of Election
Wednesday 31 March 2021 (4pm)	Deadline for delivery of Nomination Papers Deadline for Withdrawals of Nomination Deadline for notification of appointment of election agent
Wednesday 31 March 2021 (5pm)	Publication of Notice of Poll including Situation of Polling Stations, if no objections received
Monday 6 April 2021 (5pm)	Deadline for receiving new postal vote and postal proxy applications and for changes to an existing postal vote or proxy vote
Wednesday 7 April 2021 (5pm)	Virtual Candidates & Agents Briefing Session
Monday 19 April 2021	Deadline for receiving applications for registration
Tuesday 20 April 2021(5pm)	Deadline to cancel existing postal or postal proxy votes and cancel proxy appointments.
Tuesday 27 April 2021 (5pm)	Deadline for receiving new applications to vote by proxy (not postal proxy or emergency proxies)
Wednesday 28 April 2021	Deadline for notification of appointment of polling and counting agents
Tuesday 4 May 2021	Deadline for the notification of appointment of sub-agents
Thursday 6 May 2021	POLLING DAY (7am to 10pm)

Thursday 6 May 2021 (5pm)

Deadline for emergency proxy applications

Friday 7 May 2021

Verification and Count process commences

15. Arrangements in force at the Poll

A copy of the arrangements in force on the day of poll for the Scottish Parliamentary election in Angus will be forwarded to your election agent. Anyone campaigning for you on the day of poll **must** be given a copy of this document for information. This will include information on the COVID safety measures which will be in place at polling places on the day of poll.

15. Meeting of Candidates and Election Agents

A meeting of candidates and election agents will be held remotely on Wednesday 7 April 2021. Joining instructions for the meeting will be issued to all Candidates and Election Agents after the close of nominations. Any candidate who is unable to attend may wish to be represented by their election agent or other representative.

Margo Williamson
Constituency Returning Officer
February 2021