**Scottish Parliamentary Election – Thursday, 6 May 2021**

**Airdrie and Shotts Burgh Constituency**

**Coatbridge and Chryston Burgh Constituency**

**Cumbernauld and Kilsyth County Constituency**

**Motherwell and Wishaw Burgh Constituency**

**Uddingston and Bellshill Burgh Constituency**

**North Lanarkshire Guidance Notes for Candidates and Election Agents**

This Guidance Note should be read in conjunction with the relevant legislation and supplements the Electoral Commission Guidance for Candidates and Agents which all Candidates and their Election Agents should read. The Commission’s Guidance forms part of the Nomination Pack and is on the Commission’s website at <http://www.electoralcommission.org.uk/i-am-a/candidate-or-agent>

1. **Election Contact Details**

Constituency Returning Officer

Des Murray, Constituency Returning Officer for the above Constituencies

Phone: 01698 302340/302190

Email: [ElectionOffice@northlan.gov.uk](mailto:ElectionOffice@northlan.gov.uk)

Election Office, Civic Centre, Windmillhill Street, Motherwell ML1 1AB

Archie Aitken, Depute Constituency Returning Officer

Phone: 01698 302340/302190

Email: [ElectionOffice@northlan.gov.uk](mailto:ElectionOffice@northlan.gov.uk)

Election Office, Civic Centre, Windmillhill Street, Motherwell ML1 1AB

Stephen Penman, Depute Constituency Returning Officer

Phone: 01698 302340/302190

Email: [ElectionOffice@northlan.gov.uk](mailto:ElectionOffice@northlan.gov.uk)

Election Office, Civic Centre, Windmillhill Street, Motherwell ML1 1AB

Andrew Rose, Depute Constituency Returning Officer

Phone: 01698 302340/302190

Email: [ElectionOffice@northlan.gov.uk](mailto:ElectionOffice@northlan.gov.uk)

Election Office, Civic Centre, Windmillhill Street, Motherwell ML1 1AB

Catherine Johnstone, Depute Constituency Returning Officer

Phone: 01698 302340/302190

Email: [ElectionOffice@northlan.gov.uk](mailto:ElectionOffice@northlan.gov.uk)

Election Office, Civic Centre, Windmillhill Street, Motherwell ML1 1AB

Electoral Registration Officer

Gary Bennett

Phone: 0800 030 4333

Email: [ero@lanarkshire-vjb.gov.uk](mailto:ero@lanarkshire-vjb.gov.uk)

Electoral Registration Office, David Dale House, 45 John Street, Blantyre G72 0AA

1. **Nomination**

With regard to nomination arrangements:-

* Completed and signed **full** Nomination Papers must be lodged **in person** **by the Candidate or Election Agent** **between 10am and 4pm** each weekday (excluding bank holidays) between **Tuesday 16 March 2021** and **by 4pm on** **Wednesday 31 March 2021**. An appointment should be made to ensure appropriate staff are available to assist with your lodging.
* You **must** keep to these times and dates. The Constituency Returning Officer is, by law, unable to accept any forms before or after these dates, or after 4pm on any of these dates.
* You **must** return the forms to the Election Office, Civic Centre, Windmillhill Street, Motherwell ML1 1AB.
* Nominations **cannot** be lodged on Saturdays, Sundays or bank holidays.

**Nomination Papers should be checked by Election Office staff prior to you formally lodging them. Pre-checks and lodging Nomination Papers is by appointment. Please phone 01698 302340/302190 for an appointment and for pre-checks this can be done electronically by e-mailing your papers to** [**ElectionOffice@northlan.gov.uk**](mailto:ElectionOffice@northlan.gov.uk)**.**

**Checklist of Nomination Papers to be lodged**

The forms which **must** be lodged are all in the Nomination Pack and are: -

* Constituency Nomination Form
* Consent to Nomination
* Certificate of Authorisation from Registered Nominating Officer (Party Candidate only)
* Request for a Party Emblem (Party Candidate only)
* Notification of Election Agent
* Notification of Sub-Agent (County Constituencies only i.e. Cumbernauld and Kilsyth)

**Copies of Registers of Electors**

Candidates are entitled to request a copy of the Register of Electors. A form for this and a letter from the Electoral Registration Officer is enclosed in the Nomination Pack. If you wish copies of the electoral register you should complete the Request for Register of Electors form and return it to the Electoral Registration Office

**Deposit**

You **must** also lodge a deposit of £500:-

* by UK Banker’s Draft acceptable to the Returning Officer
* by debit or credit card
* by cash or
* by electronic bank transfer

1. **Candidate**

The Electoral Commission’s Guidance sets out who is eligible to stand for election. A Candidate must be 18 years or older at the day of nomination and must be either born in the United Kingdom, be a Commonwealth citizen or a citizen of the Irish Republic and must not be subject to any legal incapacity.

The Electoral Commission’s Guidance gives full details of disqualifications which are set out in the House of Commons Disqualification Act 1975. It is the Candidate’s responsibility to ensure that none apply to him/her.

**By consenting to be nominated, a Candidate must confirm that he/she is aware of the provisions of the Scotland Act 1998 (as amended), the House of Commons Disqualification Act 1975 (as amended) and The Scottish Parliament (Disqualification) Order 2020.**

1. **Candidate's Description**

Each candidate for return as a Constituency Member of the Scottish Parliament shall be nominated by a separate nomination paper which, if the candidate so desires, shall include the candidate’s description. The candidate’s description will be the word ‘Independent’ unless the candidate is authorised to use the name of a political party which has been registered in respect of Scotland under the Political Parties, Elections and Referendum Act 2000 by a prescribed certificate used by or on behalf of the nominating officer of that party, and received by the Constituency Returning Officer at or before 4.00 pm on Wednesday, 31 March 2021. Unless so authorised on behalf of a registered party, a constituency nomination paper may not include a description of a candidate which is likely to lead voters to associate that candidate with that registered party.

1. **Registered Political Parties and Party Emblems**

Candidates using a description which associates them with a registered Political Party **must** have a signed Certificate of Authorisation from the registered Political Party.

The style of Certificatein the Nomination Pack contains the detail required. A registered Political Party can use its own style but it **must** contain the same details as the style provided. Candidates who have a Certificate of Authorisation from a registered Political Party can have one of the party's registered emblems on the ballot paper alongside his/her name. These forms are included in the Nomination Pack.

The use of emblems applies only to Candidates from registered political parties. No other Candidates are allowed to have emblems on the ballot paper.

**Candidate descriptions and requests for emblems must be made in writing to the Constituency Returning Officer no later than 4pm on Wednesday 31 March 2021.**

1. **Withdrawal of Nomination**

A Candidate can withdraw his/her nomination by lodging a Notice of Withdrawal form with the Constituency Returning Officer **before 4pm on Wednesday 31 March 2021.** A Notice of Withdrawal **must** be signed by the Candidate and one witness.A Notice of Withdrawal is contained in the Nomination Pack.

1. **Appointment of Election Agent**

Every Candidate **must** appoint an Election Agent. A Candidate can be his/her own Election Agent. The Election Agent must have an office within the constituency or an adjoining constituency. The Election Agent **must** sign a consent form. The consent form and the Election Agent’s name and address **must** be advised in writing to the Constituency Returning Officer **no later than 4pm on Wednesday 31 March 2021.** If you do not appoint someone as your Election Agent by the deadline, you will automatically become your own Election Agent.

1. **Appointment of Polling and Counting Agents**

Candidates may appoint:

* **Polling Agents -** A Candidate may appoint polling agents to attend polling stations for the purpose of detecting the offence of personation (that is, voting illegally as another person).
* **Counting Agents -** Each Candidate may appoint counting agents to attend at the counting of the votes. The number of Counting Agents allowed for each Candidate will be determined by the Constituency Returning Officer following the close of nominations. Candidates will be advised of the number of Counting Agents permitted as soon as practicable following the close of nominations.
* **Appointment of Polling and Counting Agents -** The appointment of Polling and Counting Agents must be in writing. A form will be provided to Candidates following the close of nominations and this must be completed and returned to the Constituency Returning Officer no later than **Wednesday 28 April 2021.**

1. **Conduct of the Election Campaign**

The Constituency Returning Officer and his staff **cannot** give advice as to the conduct of the election campaign to Candidates or agents, particularly in relation to the legality of actions by Candidates or agents in such campaign. The Code of Conduct produced by the Electoral Commission is contained in the Nomination Pack.

1. **Arrangements for the Poll**

The hours of poll will be 7am to 10pm on Thursday 6 May 2021.

1. **Notice of Situation of Polling Places**

The Notice of Situation of Polling Places for the Scottish Parliamentary Election is enclosed in this pack**.** Furtherinformation will be published in the Notice of Situation of Polling Places once nominations close.

1. **Issue and Opening of Postal Votes**

The first issue of Postal ballot papers will be around **Wednesday, 14 April 2021** (for applications processed by Wednesday, 31 March 2021)**.** The deadline for postal vote applications is **5pm on Tuesday, 6 April 2021**

Only the Constituency Returning Officer, Constituency Returning Officer staff and official observers from or on behalf of the Electoral Commission are entitled to be present at the issue. Arrangements for the opening of Postal Votes will be advised to Candidates in due course.

1. **Counting of Votes Cast**

The verification and counting of votes cast in the North Lanarkshire area will commence at 9am on Friday, 7 May 2021 and continue at 9am on Saturday, 8 May 2021 at the Ravenscraig Regional Sports Facility, 1 O’Donnell Way, Motherwell ML1 2TZ as follows:-

* **Friday, 7 May 2021**
  + Airdrie and Shotts Constituency
  + Coatbridge and Chryston Constituency
  + Cumbernauld and Kilsyth Constituency
* **Saturday, 8 May 2021**
  + Motherwell and Wishaw Constituency
  + Uddingston and Bellshill Constituency

Admission to the count will be restricted to:-

* members of the Constituency Returning Officer’s staff engaged in the count.
* The Candidate and one other person chosen by them, their Election Agent and Counting Agents.
* observers accredited by the Electoral Commission and the Constituency Returning Officer.

**In addition to admission cards issued by the Constituency Returning Officer, photographic proof of identity may be required to allow entry.**

1. **Registration, Postal or Proxy Voting Arrangements**

Arrangements for registration, postal or proxy voting are dealt with by the Electoral Registration Officer, at David Dale House, 45 John Street, Blantyre, Glasgow G72 0AA. The Voter Registration, Postal and Proxy deadlines for the Scottish Parliament election are as follows:-

* Applications for a new postal vote (including proxies applying to vote by post) or amendments to existing postal or proxy arrangements must reach the Electoral Registration Office (ERO), David Dale House, 45 John Street, Blantyre, Glasgow G72 0AA by **5.00pm on Tuesday, 6 April 2021.**
* Applications to register to vote must reach the Electoral Registration Office by 12 midnight on **Monday 19 April 2021**. Applications can be made online at [www.gov.uk/register-to-vote](http://www.gov.uk/register-to-vote)
* Cancellations to existing postal and proxy arrangements must reach the Electoral Registration Office by **5.00pm on Tuesday 20 April 2021**
* Applications to vote by proxy at this Election must reach the Electoral Registration Office by **5.00pm on Tuesday 27 April 2021**.
* Applications to vote by emergency proxy at this Election on the grounds of physical incapacity or for work/service reasons or you are following Scottish Government advice or the advice of a registered medical practitioner in relation to coronavirus must reach the Electoral Registration Office by **5.00pm on Thursday 6 May 2021.** The physical incapacity must have occurred after **5.00pm on Tuesday 27 April 2021**. To apply on the grounds of work/service, the person must have become aware that they cannot go to the polling station in person after **5.00pm on Tuesday 27 April 2021**. For advice on registering to vote, postal or proxy voting, phone 0800 030 4333 or email [ero@lanarkshire-vjb.gov.uk](mailto:ero@lanarkshire-vjb.gov.uk).

If you have any enquiries relatingto registering to vote, postal or proxy voting arrangements, please contact theElectoral Registration Office, David Dale House, 45 John Street, Blantyre, Glasgow G72 0AA. Phone 0800 030 4333 or email [ero@lanarkshire-vjb.gov.uk](mailto:ero@lanarkshire-vjb.gov.uk).

1. **Election Expenses**

The **Election Agent** of every Candidate **must** deliver to the Election Office a return **and** a declaration of election expenses within thirty-five days after the day on which the result is declared (Saturdays, Sundays and bank holidays are not excluded in reckoning time for this purpose). At the same time, or within seven days afterwards, the **Candidate** must deliver a similar declaration.

Information relating to the limit of election expenses is detailed in the Nomination Pack

If you require clarification of any points in this Guidance Note, please do not hesitate to contact the Election Office on 01698 302340/302190.

**Des Murray**

**Constituency Returning Officer**