



# Electoral Administration Act 2006

## 2006 CHAPTER 22

### PART 6

#### CONDUCT OF ELECTIONS ETC.

##### *Nomination*

#### **21 Use of candidates' common names**

- (1) Schedule 1 to the 1983 Act (parliamentary elections rules) is amended as follows.
- (2) In rule 6 (nomination of candidates), after paragraph (2) insert—
  - “(2A) If a candidate commonly uses—
    - (a) a surname which is different from any other surname he has, or
    - (b) a forename which is different from any other forename he has,the nomination paper may state the commonly used surname or forename in addition to the other name.”
- (3) In rule 14 (publication of statement of persons nominated), after paragraph (2) insert—
  - “(2A) If a person's nomination paper gives a commonly used surname or forename in addition to another name, the statement shall show the person's commonly used surname or forename (as the case may be) instead of any other name.
  - (2B) Paragraph (2A) above does not apply if the returning officer thinks—
    - (a) that the use of the person's commonly used name may be likely to mislead or confuse electors, or
    - (b) that the commonly used name is obscene or offensive.
  - (2C) If paragraph (2B) above applies, the returning officer must give notice in writing to the candidate of his reasons for refusing to allow the use of a commonly used name.”

*Changes to legislation: There are currently no known outstanding effects for the Electoral Administration Act 2006, Cross Heading: Nomination. (See end of Document for details)*

- (4) In the Appendix of forms, in the Form of nomination paper, for the first table following the words “candidate at the said election” substitute—

<i>“Candidate’s surname”</i>	<i>Other names in full</i>	<i>Commonly used surname (if any)</i>	<i>Commonly used forenames (if any)</i>	<i>Description (if any)</i>	<i>Home address in full</i>
SULLIVAN	Arthur Seymour	GILBERT	W. S.	Independent	52, Bunthorne Walk, Basingstoke”

- (5) In the Appendix of forms, in the Note following the Form of nomination paper, after paragraph 2 insert—

“2A  
Where a candidate commonly uses a name which is different from any other name he has, the commonly used name may also appear on the nomination paper, but if it does so, the commonly used name (instead of any other name) will appear on the ballot paper.

2B  
But the ballot paper will show the other name if the 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.”

#### Commencement Information

- I1** S. 21 wholly in force at 1.7.2008; s. 21 not in force at Royal Assent see s. 77; s. 21 in force for E.W.S. at 1.1.2007 by S.I. 2006/3412, art. 3, Sch. 1 para. 14(h) (subject to Sch. 2); s. 21 in force for N.I. at 1.7.2008 by S.I. 2008/1316, arts. 2(2), 4(e)

## 22 Candidate not to stand in more than one constituency

In Schedule 1 to the 1983 Act (parliamentary elections rules), in rule 8(3) (candidate's consent to nomination), after paragraph (b) insert—

“(c) shall state that he is not a candidate at an election for any other constituency the poll for which is to be held on the same day as that for the election to which the consent relates.”.

#### Commencement Information

- I2** S. 22 wholly in force at 1.7.2008; s. 22 not in force at Royal Assent see s. 77; s. 22 in force for E.W.S. at 1.1.2007 by S.I. 2006/3412, art. 3, Sch. 1 para. 14(i) (subject to Sch. 2); s. 22 in force for N.I. at 1.7.2008 by S.I. 2008/1316, arts. 2(2), 4(f)

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*Changes to legislation: There are currently no known outstanding effects for the Electoral Administration Act 2006, Cross Heading: Nomination. (See end of Document for details)*

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## 23 Offences as to false statements in nomination papers

- (1) Section 65A of the 1983 Act (false statements in nomination papers) is amended as follows.
- (2) In subsection (1), after paragraph (b) insert “or
- (c) a certificate authorising for the purposes of rule 6A of the parliamentary elections rules the use by a candidate of a description if he knows that the candidate is standing at an election in another constituency in which the poll is to be held on the same day as the poll at the election to which the certificate relates.”
- (3) After subsection (1) insert—
- “(1A) A person is guilty of a corrupt practice if, in the case of any relevant election, he makes in any document in which he gives his consent to his nomination as a candidate—
- (a) a statement of his date of birth,
- (b) a statement as to his qualification for being elected at that election, or
- (c) a statement that he is not a candidate at an election for any other constituency the poll for which is to be held on the same day as the poll at the election to which the consent relates,
- which he knows to be false in any particular.
- (1B) For the purposes of subsection (1A), a statement as to a candidate's qualification is a statement—
- (a) that he is qualified for being elected,
- (b) that he will be qualified for being elected, or
- (c) that to the best of his knowledge and belief he is not disqualified for being elected.”
- (4) In subsection (2)(b) at the beginning insert “ except for the purposes of subsections (1)(c) and (1A)(c), ”.

### Commencement Information

- I3** S. 23 wholly in force at 1.7.2008; s. 23 not in force at Royal Assent see s. 77; s. 23(1)(3) in force for certain purposes at 11.9.2006 by S.I. 2006/1972, art. 3, Sch. 1 para. 3 (subject to Sch. 2); s. 23 in force for E.W.S. in so far as not already in force at 1.1.2007 by S.I. 2006/3412, art. 3, Sch. 1, para. 14(j) (subject to Sch. 2); s. 23 in force for N.I. at 1.7.2008 by S.I. 2008/1316, arts. 2(2), 4(g)

**Changes to legislation:**

There are currently no known outstanding effects for the Electoral Administration Act 2006,  
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