

## **You must print off the forms in this pack before submitting them**

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

- 1: Nomination form
- 2: Candidate's consent to nomination

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

- 3: Certificate of authorisation
- 4: Request for a party emblem
- 5: Notification of election agent (constituency candidate)
- 6: Notification of sub-agent

The notice of election published by the Constituency Returning Officer (CRO) will specify the times and exact location to which nomination papers must be delivered.

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

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

Data protection legislation applies to the processing of all personal data. Please contact the [Information Commissioner's Office](#) for further information about how the legislation affects you.

When collecting subscriber information, you should point out what the information will be used for, and how personal data will be processed and kept secure. The lawful basis to collect the information in these forms is that it is necessary for the performance of a task carried out in the public interest and exercise of official authority as set out in the Representation of the People Act 1983 and associated regulations.

You should also explain that the information will be shared with the Returning Officer. For further information on data protection and data processing, you should refer to the Returning Officer's privacy notice on their website.

# Contents

<b>Form number</b>	<b>Description</b>	<b>Candidate type</b>
<b>CL</b>	Constituency candidate checklist	All (for guidance only)
<b>1</b>	Nomination form	All
<b>2</b>	Consent to nomination	All
<b>3</b>	Certificate of authorisation	Party candidates only
<b>4</b>	Request for a party emblem	Party candidates only
<b>5</b>	Notification of election agent (constituency candidate)	All
<b>6</b>	Notification of sub-agent	All (optional)

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	
<b>Nomination form (all candidates)</b>	
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	
<b>Candidate’s consent to nomination (all candidates)</b>	
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	
<b>Certificate of authorisation (party candidates only)</b>	
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	
<b>Request for an emblem (party candidates only)</b>	
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	
<b>Notification of election agent (all candidates)</b>	
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	
<b>Notification of sub-agent (all candidates)</b>	
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	
<b>Deposit (all candidates)</b>	
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
<b>Election of a Member to serve in the Scottish Parliament</b>	<b>1 – Nomination paper</b>			
Midlothian North and Musselburgh	Constituency			
Date of election: 6 May 2021				

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

#### DETAILS OF CANDIDATE

Candidate's surname:			
Other names in full:			
Commonly used surname (if any) <sup>1</sup> :			
Commonly used forenames (if any) <sup>1</sup> :			
Description (if desired) <sup>2</sup> :			
Candidate's home address 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 received	Time received	Initials	No
<b>Scottish Parliament</b>		<b>2 – Candidates consent to nomination</b>		
Constituency name		Midlothian North and Musselburgh		
Date of the election:		6 May 2021		

**Section 1 - Candidate's details and declaration**

I (candidate's name in full):	
-------------------------------	--

of (home address including postcode)	
--------------------------------------	--

Office address in case you are required to be an agent. See note 3.	
---	--

hereby consent to my nomination as a candidate at the above-mentioned Election.

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.

My date of birth is:	Day (DD)	Month (MM)	Year (YYYY)
----------------------	----------	------------	-------------

**Note: It is an offence to make a false declaration.**

Candidate's Signature:		Date:	
------------------------	--	-------	--

**Section 2 – To be completed by the witness**

The declaration above was signed in my presence by the candidate named above.

Signed (name in full):		Date:	
------------------------	--	-------	--

Witness' Name (Block Capitals):	
---------------------------------	--

Deliver this form to the Constituency Returning Officer by the deadline for nominations  
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.



Office use only	Date received	Time received	Initials	No
<b>Scottish Parliament</b>		<b>3 – Certificate of authorisation</b>		

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:	Midlothian North and Musselburgh	Date of Election:	6 May 2021
---------------	----------------------------------	-------------------	------------

<b>In accordance with the Scottish Parliament (Elections etc.) Order 2015, I hereby certify that</b>			
(Candidate's name in full)			
may include the following description <sup>1</sup> on their constituency nomination paper for the election in the above constituency on <b>[date of election]</b> .			
(Description <sup>1</sup> )			
Signature of Nominating Officer (or person authorised by the Nominating Officer):		Date:	
(Name of person signing)			

## Notes

1. 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. It must be received by the Constituency Returning Officer by the deadline for the delivery of nomination papers.**

Office use only	Date received	Time received	Initials	No
<b>Scottish Parliament</b>		<b>4 – Request for a party emblem</b>		

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.**

Constituency:	Midlothian North and Musselburgh	Date of election:	6 May 2021
Candidate name in full:			
I request that the ballot paper shall contain, against my name, the following registered emblem (please identify which emblem if the party has registered more than one):			
Emblem to be used: (Please use name or description as on <a href="#">Electoral Commission website</a> ):			
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 the last day to deliver nominations.**

*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
<b>Scottish Parliament</b>	<b>5 – Notification of election agent (constituency candidate)</b>			
Constituency name:	Midlothian North and Musselburgh			
Date of the election:	6 May 2021			

**Candidate's notification of their election agent**

I, (Candidate name in full):	
------------------------------	--

*Hereby declare that the name and address of my election agent is*

Agent's name:	
---------------	--

Agent's address (in full):	
----------------------------	--

*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 acceptance as the election agent for the above named candidate.  
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.

Agent's signature	
-------------------	--

Date	
------	--

**Agent's other details in case of query (Optional – will not be published)**

Home telephone:		Work telephone:	
-----------------	--	-----------------	--

Mobile telephone:	
-------------------	--

Email address:	
----------------	--

Deliver this form to the Constituency Returning Officer by the deadline for nominations

Office use only	Date received	Time received	Initials	No
<b>Scottish Parliament</b>	<b>6 – Notification of sub agent</b>			
Constituency name:	Midlothian North and Musselburgh			
Date of the election:	6 May 2021			
Candidate name				

The **election agent** 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 **must not overlap**.

Details and 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 appointment (describe area):	

Election agent signature			
I declare the above named person to be a sub-agent			
Signature of election agent:			
Name:		Date:	

Confirmation of acceptance by sub agent (optional)			
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:		Work telephone:	
Mobile telephone:			
Email address:			

Deliver this form to the Constituency Returning Officer by the deadline for submission of sub-agent notification forms