

Office Use only	Date received	Time received	Initials

1b

Local Council Elections

Consent to nomination

District	
District Electoral Area	
Date of poll	Thursday 2 May 2019

Candidate's details and declaration

I (name in full)	
of (home address in full)	

hereby consent to my nomination as a candidate for election as councillor for the district electoral area named above.

I declare that I have attained the age of 18 years and that I am a qualifying Commonwealth citizen or citizen of the Republic of Ireland or a citizen of another Member State of the European Union and that:

Select **one** of the declarations below. (Tick box)

* (a) I am a local elector for the district of the Council;	
* (b) during the whole of the period of twelve months preceding the day of the poll: * (i) I have occupied as owner or tenant land in that district, or * (ii) resided in that district;	
* (c) my principal or only place of work during that 12 months has been in that district. <i>*delete as appropriate</i>	

I further declare that to the best of my knowledge and belief I am not disqualified for being elected by reason of any disqualification set out in section 4 of the Local Government Act (Northern Ireland) 1972, a copy of which is printed overleaf, and I am not a candidate at an election in the same local government electoral area the poll for which is to be held on the same day as the election to which this consent relates.

I declare that, if elected, I will not by word or deed express support for or approval of:
(a) any organisation that is for the time being a proscribed organisation specified in Schedule 2 to the Terrorism Act 2000; or
(b) acts of terrorism (that is to say, violence for political ends) connected with the affairs of Northern Ireland.

My date of birth is	Day (DD)	Month (MM)	Year (YYYY)
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Note: it is an offence to make a false declaration. Maximum penalty one year imprisonment.

Candidate's signature		Date	
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Witness details

I confirm the candidate named above signed this declaration in my presence.

Witness' full name			
Witness' address (in full)			
Witness' signature		Date	

This form must be delivered to the Deputy Returning Officer by 1pm on Monday 8 April 2019.

Candidates are advised to seek their own legal advice if they think they may be disqualified.

The law disqualifies certain people from being a councillor. The full range of disqualifications is set out in various statutory provisions. The most common disqualifications are set out in section 4 of the Local Government Act (NI) 1972 and Part 2 of the Local Government Act (NI) 2014.

Section 3 of the Local Government Act (NI) 2014 states:

A member of:

- (a) the Assembly;
- (b) the House of Commons;
- (c) the House of Lords;
- (d) the legislature of any other country; or
- (e) the European Parliament,

is disqualified for being a councillor.

Section 4 of the Local Government Act 1972 states:

- (1) Subject to section 5, a person shall be disqualified for being elected or being a councillor if:
 - (a) he holds any paid office or other employment, appointments to which are made by a council if it is a prescribed office or employment; or
 - (b) is the subject of—
 - (i) a bankruptcy restrictions order; or
 - (ii) a debt relief restrictions order;
 - (c) he is disqualified for being elected or being a councillor under Article 19 or 20 of the Local Government (Northern Ireland) Order 2005;
 - (cc) he has been found guilty of one or more offences by any court in Northern Ireland or elsewhere in the British Islands and sentenced or ordered to be imprisoned or detained indefinitely or for three months or more without the option of a fine and either of the periods mentioned in subsection (3) is current; or
 - (d) he has within the five years immediately preceding the day of his election or at any time subsequent to that day been guilty of any conduct which the High Court has by order declared was reprehensible within the meaning of section 31; or
 - (dd) within the five years immediately preceding the day of his election or at any time subsequent to that day, a determination has been made by the High Court that he has acted in breach of the terms of a declaration against terrorism as defined in section 7 of the Elected Authorities (Northern Ireland) Act 1989; or
 - (e) he is disqualified for being elected or being a councillor either under section 6(2) or under any other statutory provision (including a provision relating to corrupt or illegal practices).
 - (f) he has received a severance payment (within the meaning of section 19 of the Local Government (Miscellaneous Provisions) Act (Northern Ireland) 2010).

Subs.(2) rep. by 1985 NI 15

- (3) The periods referred to in subsection (1)(cc) are—
- (a) the period of his actual imprisonment or detention (including any time when he is unlawfully at large), and
 - (b) the period of five years beginning with his discharge.
- (4) For the purposes of subsections (1)(cc) and (3)—
- (a) consecutive terms of imprisonment or detention imposed in respect of offences of which the offender was found guilty in the same proceedings are to be treated as a single term,
 - (b) the release of an offender on licence or in pursuance of a grant of remission is to be treated as his discharge, whether or not his release is subject to conditions, but if, in respect of the same offence or offences, he is required to return to prison or detention for a further period the reference in subsection (3) to his discharge includes a reference to his discharge in respect of that further period, and
 - (c) the reference in subsection (1)(cc) to a sentence or order does not, except in a case where the sentence or order does take effect for any term, include one that is ordered not to take effect unless the conditions specified in the order are fulfilled and, in such a case, the original sentence or order is to be treated as a sentence or order of imprisonment or detention for that term.
- (5) In the application of this section to a person who is a candidate to be returned under section 11D, 11E or 11F (casual vacancies) of the Electoral Law Act (Northern Ireland) 1962, references to the day of the person's election are to the date of the person's response under section 11D or declaration under section 11E or 11F (as the case may be).

The Local Government (Disqualification) (Prescribed Offices and Employments) Regulations (NI) 2014 provides that a council employee cannot stand for election to the council which employs them. Some council employees may not stand for election as a councillor at all. These are:

- (a) Clerk of a council appointed under section 41 of the 1972 Act;
- (b) Chief financial officer designated under section 1 of the Local Government Finance Act 2011;
- (c) Scrutiny officer of a council designated under section 29 of the 2014 Act; or
- (d) An officer remunerated in excess of Spinal Column point 32 on the NJC scale.

In addition to the above, a person cannot be validly nominated as a candidate in more than one DEA within the same Council area.