



## COUNCILLOR QUALIFICATION AND DISQUALIFICATION GUIDANCE

The following summarises the main points about being qualified/disqualified to be a parish councillor.

### **Nominations: Qualifications and Disqualifications for candidature**

To qualify as a candidate a person must, on both the day of nomination and the day of the election, be 18 years of age and a British or Commonwealth citizen, or a citizen of the Republic of Ireland, or a citizen of a Member State of the European Union. In addition, the candidate must also meet at least one of the following four qualifications, again both on the day they are nominated and on polling day:

- (a) be registered as a local government elector within the parish; or
- (b) have occupied as owner or tenant any land or other premises during the previous twelve months within the parish; or
- (c) his/her principal or only place of work during the previous twelve months has been in the area of the parish; or
- (d) have resided within the parish or within 4.8 kilometres (three miles) thereof during the previous twelve months.

The 'previous twelve months' means the whole of the twelve months preceding the day on which they are nominated as a candidate.

There are certain disqualifications for election and holding office as a member of a local authority. The relevant legislation is reproduced on the sheets which accompany the consent to nomination form attached to the nomination paper.

The main disqualifications are if the person:

- (a) is employed by or holds a paid office under the local authority (including joint boards or committees); or
- (b) is the subject of a bankruptcy restrictions order or interim order; or
- (c) has been sentenced to a term of imprisonment (whether suspended or not) of not less than three months without the option of a fine, during the five years before polling day; or
- (d) has been disqualified under Part III of the Representation of the People Act 1983 (which covers corrupt or illegal electoral practices and offences relating to donations).

A person may also be disqualified from standing for election to a local authority under the provisions of section 34 of the Localism Act 2011.

The full range of disqualifications is complex and certain exceptions may also apply. Candidates should carefully check the position before signing their consent to nomination, in order to ensure that no disqualifications apply, and should seek legal advice if necessary.