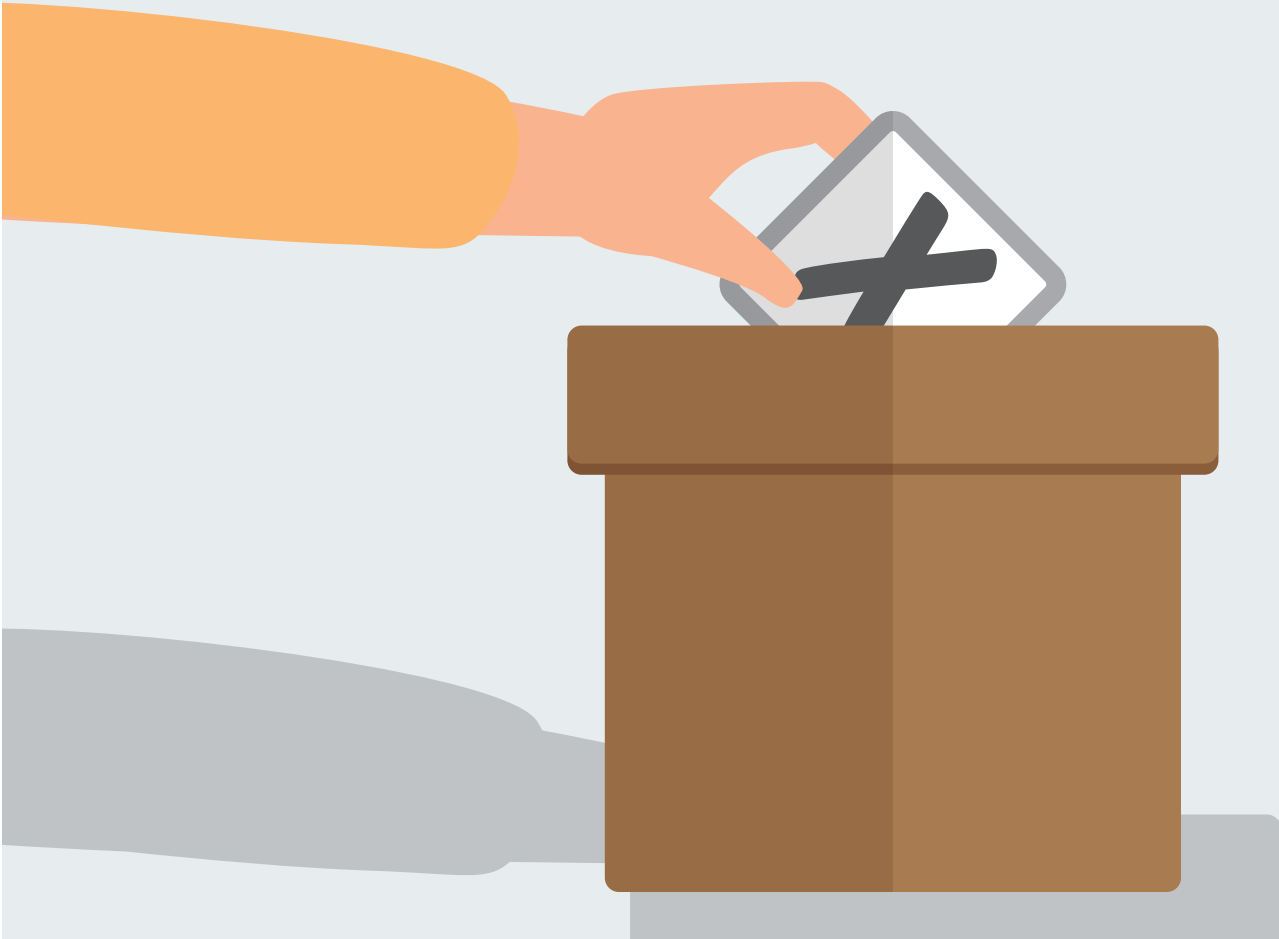


Code of Practice in respect of Election Materials



Isle of Man
Government

Reiltys Ellan Vannin

House of Keys
General Election 2021

Code of Practice in respect of election materials

1. Introduction

This Code of Practice is made under Section 97(6) of the Elections (Keys and Local Authorities) Act 2020 ("the Act").

This Code provides guidance for candidates in respect of election publications. It is not legal advice and candidates should ensure that they are familiar with the provisions of the Act and the Elections (Keys) Regulations 2021.

This Code is one document in a suite of information that is available to candidates, voters and election officials which can be accessed at www.gov.im/elections or by calling 685754.

This Code consolidates the legislation and guidance in the following documents –

- The Elections (Keys and Local Authorities) Act 2020
- The Town and Country Planning (Control of Advertisements) Regulations 2013
- Joint guidance issued by the Department of Infrastructure and Manx Utilities
- Highways Division Management Procedure Number MP-00-028
- Guidance on the conduct of tellers in and around polling places issued by The Electoral Commission to the extent that it refers to the wearing of rosettes.

Any queries that you have should be directed to one of the following –

- Crown & Elections – 685754
- Manx Utilities – enquiries@manxutilities.im
- Highways – 850000
- Planning – 685910

2. Inclusion of the name of the publisher on campaign materials

To help ensure that an election campaign is transparent, all printed and electronic campaign material, for example, manifestos, leaflets, bills, placards, posters and newspaper advertisements, must bear the name and address of the publisher on the face of it. This is to show who is responsible for its production.

This will usually be the prospective candidate/candidate or their agent, but it could be someone else.

2.1 Single-sided campaign material

If the campaign material is single-sided, such as a poster, the name and address of the publisher must be visible on the face of the document.

2.2 Multi-sided campaign material

If the campaign material is multi-sided, such as a brochure or leaflet, the name and address of the publisher must appear on the first or the last page.

2.3 Social media, websites and emails

Candidates should display their full names and addresses on their social media profile, websites and emails.

Candidates can include a shortened link in a social media post, but must include the full link on any paid-for social media advertising.

Government social media accounts should not be utilised for any advertising purposes.

3. Manifestos

A manifesto is a statement which sets out a candidate's aims and policies to voters to promote their election to national or local government.

3.1 Electronic Manifesto

Every candidate can forward a copy of his or her manifesto to Crown & Elections in the Cabinet Office who will arrange for it to be displayed online at www.gov.im/elections for the duration of the election campaign.

3.2 Printed Manifestos

Manifestos can be delivered by the Isle of Man Post Office to persons on the register of electors.

A candidate should ensure that copies of his or her manifesto are delivered to the Isle of Man Post Office for delivery in sufficient time to allow the Isle of Man Post Office to frank and deliver them before polling day. If there is insufficient time for this to happen then the Isle of Man Post Office may refuse to deliver them.

The cost of delivery of manifestos by the Isle of Man Post Office to households containing persons on the electoral register is disregarded in calculating election expenses and donations, subject to the following key provisions –

- The funding of the cost of a manifesto by the Isle of Man Post Office is limited to the minimum charge for a standard letter. A standard letter must weigh less than 100g, have a maximum size of 220mm x 155mm (C5 envelope) and be less than 5mm thick.
- If the delivery of a manifesto would exceed the charge for a standard letter, the Isle of Man Post Office may refuse to deliver them unless the candidate pays for the increase in postage. Any such payment for the increase in postage must be included as an election expense or donation.
- If two or more candidates issue a manifesto jointly, the funding of the cost of the manifesto is limited to the supply of one copy of the manifesto to each household. The Isle of Man Post Office may refuse to deliver any more than one copy per household unless the candidate or candidates pay for the increase in postage. Any such payment for the increase in postage must be included as an election expense or donation.

3.3 Delivery Service Providers

If a candidate chooses to use a delivery service provider other than the Isle of Man Post Office, the cost of delivery is payable by the Treasury up to the amount that would have been incurred if the candidate had used the Isle of Man Post Office and is to be disregarded when calculating a candidate's election expenses and donations.

Any amounts incurred over and above that which would have been permitted had the candidate used the Isle of Man Post Office must be declared as an expense or donation as the case may be.

4. Siting of display of bills, posters and placards

In addition to the requirement for bills, posters and placards and other campaign material to display the name of the publisher, there are also requirements as to where and how they can be displayed.

Great care should be taken in recording where and how signage is placed.

4.1 Requirements of the Act regarding election material

The Act provides that any bill, placard, poster or other material must not be posted in any of the following places –

- in any polling station,
- in any building of which a polling station forms part,
- within the curtilage of any building of which a polling station forms part,
- on any building that is owned or occupied by a Department, Statutory Board, Government Office, Local Government Building or Municipal Office.

Except where:

- such building is domestic accommodation, or
- has been sublet to any person other than a Department of Government or Statutory Board, or
- the bill, placard, poster or other printed material is on a vehicle which is either delivering a voter to a polling station or collecting a voter from a polling station. However, whilst waiting for a voter any such vehicle should not park with the curtilage of any building of which a polling station forms part.

Non-compliance with the provisions of section 97 are an offence and a person who acts in contravention of them may be prosecuted, convicted summarily and liable to a fine.

4.2 Other requirements regarding the siting of election material

The display of election materials must comply with any guidance on election campaign publicity on the public highway and Manx Utilities property produced by the Department of Infrastructure and Manx Utilities.

4.2.1 Permission

Permission is to be sought from the relevant person/organisation before erecting any signage.

- The appropriate local authority should be approached for permission to affix banners and posters to street lighting and furniture or to be placed on any land in their ownership, for which each individual local authority is responsible.
- The Department of Infrastructure, Highways Services, should be contacted on 850000 regarding the erection of signage on roads, footpaths, pavements, street furniture, railings and road sign poles.
- Manx Utilities should be contacted on 687687 regarding the erection of any signage on electricity poles.
- Manx Telecom should be contacted on 624624 regarding the erection of signage on telephone poles.
- In respect of private property an advertisement must not be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

The Department of Infrastructure may request specific details of signage and their proposed locations to ensure that the signage is placed safely, and that accidents do not occur due to inappropriately parked vehicles, or people being in the road without proper safety precautions being taken.

No signs are allowed to be placed on any Public Right of Way unless they are a legal requirement and will be removed if found.

No posters should be placed around verges in an excessive display.

4.2.2 Removal of Signs

The Department of Infrastructure retains the right to remove signs if there is a safety concern, an upheld complaint, or if an employee feels that the sign is inappropriate or unsightly.

If campaign material is requested to be removed by the Department of Environment, Food and Agriculture pursuant to the provisions of the Town and Country Planning (Control of Advertising) Regulations 2013, the removal must be carried out to the reasonable satisfaction of the Department.

4.2.3 Security & Hazards

All signage should be securely fixed, should not be erected where it causes confusion or unnecessary distraction, should not obscure visibility especially at junctions (on verges) and should not cause a hazard in high winds.

In addition, under the Town and Country Planning (Control of Advertising) Regulations 2013 –

- Any structure or hoarding erected or used principally for the purpose of displaying advertisements must be maintained in a safe condition.
- Any advertisements displayed, and any site used for the display of advertisements, must be maintained in a clean and tidy condition to the reasonable satisfaction of the Department.

Under the Town and Country Planning (Control of Advertisements) Regulation 2013, an advertisement must not be sited or displayed so as to obscure, or hinder the ready interpretation of, any traffic sign, railway or tramway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, tramway, harbour or aerodrome.

There is potential danger of electrocution when affixing bills, placards and posters to Manx Utilities electricity poles and substations. Similarly there may also be dangers in relations to pumping stations and service reservoirs. Permission must therefore be sought from Manx Utilities prior to attempting to display material.

Banners and posters should not be affixed to or installed on the following –

- Traffic signals.
- Regulatory signs, *such as* 'Stop', 'No Exit', 'Give Way' and speed limit signs.
- Railings and guard rails.
- Roundabout islands.
- In any location which could cause hazard or reduced visibility for road users.

5. Timing of the display of election campaign material

Signage for events should be placed out immediately before the event for the minimum amount of time necessary.

Bills, placards and posters can be displayed from the date six weeks prior to Election Day and must be removed as follows –

- Bills, placards and posters that are not displayed on private land must be removed within 2 days of the date of the election.
- In all other respects the election materials must be removed, along with any fixings, promptly after the election and not later than two weeks after the close of the poll.

If a sign is removed by Department of Infrastructure in contravention of this Code and guidance issued by the DOI, it will be destroyed if it is not collected within a week. Contact 850000 to arrange collection.

6. Size of campaign material

The maximum size of any material to be displayed on a public highway or Manx Utilities property is 15" x 24" (38cm x 61cm), subject to compliance with the other provisions of this Code.

7. Wearing of rosettes on Polling Day

During the hours of the poll, candidates and their assistants, including Tellers, may wear coloured rosettes or a badge of a reasonable size, as this assists electors by making it clear that the person is a campaigner for a candidate and not an electoral official. The rosette or badge may display the name of a candidate and/or an emblem or description; the rosette or badge should not bear a slogan and must not be oversized.

Candidates and campaigners must not wear, carry or display any headwear, footwear or other apparel that carries any writing, picture or sign relating to any candidate or party apart from a rosette.



Cabinet Office
Government Office
Bucks Road
Douglas
IM1 3PN