

**Regulation 5 to the Elections (Local Authorities)
Regulations 2022
THE COMMISSIONERS OF THE VILLAGE DISTRICT OF
PORT ERIN
NOTICE OF BY- ELECTION**

An election is to be held of two members of the Commissioners of the village district of Port Erin listed below.

Nomination papers may be obtained from the **Crown and Elections Unit, Cabinet Office, Third Floor, Government Office, Bucks Road, Douglas**; or can be downloaded from the Cabinet Office website at www.gov.im/local-authority-elections.

To become nominated as a candidate in the Commissioners of the village district of Port Erin election, candidates must submit a completed Nomination Paper and a Declaration of Relevant Interests form to the Returning Officer for the local authority between **10.00 on 02 November 2022** and **13.00 on 09 November 2022** at a time and place to be agreed with the Returning Officer. The nomination process is described in the Guidance for Candidates published in the 'Candidate's section at www.gov.im/local-authority-elections.

Copies of the Nomination Form and the Declaration of Relevant Interest are available to download from the 'candidate' section at www.gov.im/local-authority-elections.

Local Authority	Name and Address of Returning Officer
Port Erin	Mr Jason Roberts, Commissioners' Office, Bridson Street, Port Erin, IM9 6AN

In the event of a contested election, polling will take place on:

08 DECEMBER 2022

Candidates may obtain one copy of the register of electors of the local authority for which they are standing from the **Cabinet Office** free of charge upon registering with the Information Commissioner.

Copies of the Elections (Keys and Local Authorities) Act 2020 and the Elections (Local Authorities) Regulations 2021 are available from the **Tynwald Library, Legislative Buildings, Douglas**; or they can be downloaded from the Cabinet Office website at www.gov.im/local-authority-elections.

POSTAL VOTERS

The Elections (Keys and Local Authorities) Act 2020 provides that a person who is or will be entitled to vote at an election may apply to the Returning Officer of their constituency to vote by post.

Applications to be treated as a postal voter must be made on an Application for a Postal Vote form, which must be submitted to the relevant Returning Officer:

- If the postal ballot paper is to be marked within the Isle of Man – not later than **30 November 2022**;
- If the postal ballot paper is to be marked within the British Isles, but outside the Isle of Man – not later than **24 November 2022**;
- If the postal ballot paper is to be marked overseas (outside the Isle of Man and the British Isles) – not later than **15 November 2022**.

Application forms are available from the **Crown and Elections Unit, Cabinet Office, Third Floor, Government Office, Bucks Road, Douglas**; or can be downloaded from the Cabinet Office website at www.gov.im/local-authority-elections.

PROXY VOTES

A person entitled to vote at the election but who cannot do so in person at a polling station or by casting an advance vote by post, can appoint a proxy to vote on their behalf. Anyone who wishes a proxy to be appointed to vote for him or her must apply to the **Electoral Registration Officer, Cabinet Office, Third Floor, Government Office, Bucks Road, Douglas, Isle of Man, IM1 3PN** on an Application for the Appointment of a Proxy form not later than **5pm on 07 December 2022**.

The Elections (Keys and Local Authorities) Act 2020 provides that, on an application by an elector, the Electoral Registration Officer may appoint a proxy to vote for the elector, if he or she is satisfied that the elector cannot cast his or her vote at a polling station or in advance by post, and that the person to be appointed proxy is not disqualified and is capable of being and willing to be appointed.

A person is disqualified for appointment as a proxy if he or she –

- (a) has not attained the age of 16 years, or
- (b) is subject to any incapacity to vote at an election.

A person may not be appointed proxy to vote on behalf of more than two electors in any constituency unless that person is the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of each of those electors.

PLEASE NOTE: Section 93 of the Elections (Keys and Local Authorities) Act 2020 provides:

(2) Each of the following persons perpetrates a corrupt practice –

- a) a person who commits, or aids, abets, counsels or procures the commission of, personation;
- b) A person who perpetrates bribery;
- c) A person who exerts undue influence on any person in connection with an election.

Such offences being described in more detail in sections 93 to 96 of the Elections (Keys and Local Authorities) Act 2020 .

Section 102 (2) provides that:

A person who engages in a corrupt practice commits an offence and is liable, –

- (a) on conviction on information, –
 - (i) in the case of personation or aiding, abetting, counselling or procuring the commission of personation, to custody for a term not exceeding two years or to a fine, or to both; or
 - (ii) in any other case, to custody for a term not exceeding one year or to a fine, or to both; or
- (b) on summary conviction (including conviction under section 125 by the High Court), to custody for a term not exceeding 6 months or to a fine not exceeding level 5 on the standard scale, or to both.

(3) A person who engages in an illegal practice (other than an illegal payment or hiring) commits an offence and is liable on summary conviction (including conviction under section 125 by the High Court) to a fine not exceeding level 5 on the standard scale.

By Order Chief Secretary

Port Erin 2022 By-Election Schedule

DAY	DATE	Activity/Deadline	Day No:
Thursday	27 th October	Deputy Returning Officer issues Notice of Election to the Cabinet Office	0
Friday	28 th October		1
Saturday	29 th October		2
Sunday	30 th October		3
Monday	31 st October		4
Tuesday	01 st November	Deputy Returning Officer publishes Notice of Election in press (Examiner) The Deputy Returning officer should also arrange for the Notice of Election to be displayed on an appropriate website in an appropriate manner and may also be published by placard posted up in some public and conspicuous situation in the electoral area to which the notice refers.	5
Wednesday	02 nd November	First day for receipt of nomination papers (from 10am)	6
Thursday	03 rd November		7
Friday	04 th November		8
Saturday	05 th November		9
Sunday	06 th November		10
Monday	07 th November		11
Tuesday	08 th November		12
Wednesday	09 th November	Last day for receipt of nomination papers "Nomination Day" (until 1pm). Objection period 1pm -2pm	13
Thursday	10 th November	Suggested date for arranging ballot print	14
Friday	11 th November		15
Saturday	12 th November		16
Sunday	13 th November		17
Monday	14 th November		18
Tuesday	15 th November	Publish Notice of Poll Last date for receipt of postal voting applications from overseas electors	19
Wednesday	16 th November	Last day for issue of postal voting ballot packs by Deputy Returning Officer to overseas electors	20
Thursday	17 th November	Final opportunity to register to vote in the by-election	21
Friday	18 th November		22
Saturday	19 th November		23
Sunday	20 th November		24
Monday	21 st November		25
Tuesday	22 nd November		26
Wednesday	23 rd November		27
Thursday	24 th November	Last day for receipt of postal voting applications from electors within the British Isles (but outside the IOM)	28
Friday	25 th November	Last day for issue of postal ballot packs by Deputy Returning Officer to applicants within the British Isles (but outside the IOM)	29
Saturday	26 th November		30
Sunday	27 th November		31

Monday	28 th November		32
Tuesday	29 th November		33
Wednesday	30 th November	Last day for receipt of postal voting applications from electors within the Isle of Man	34
Thursday	01 st December	Publication of the "seven day" register which details any changes to the Local Authorities electoral register. Last day for issue of postal ballot packs by the Deputy Returning Officer to applicants within the Isle of Man	35
Friday	02 nd December		36
Saturday	03 rd December		37
Sunday	04 th December		38
Monday	05 th December	Last day for notification to Deputy Returning Officer of polling/counting agents	39
Tuesday	06 th December		40
Wednesday	07 th December	Last day (5pm) for receipt of completed postal voting ballot packs (any postal ballot packs not mailed in, can be hand-delivered at the polling station by 8pm on election Day) Last day (5pm) for receipt of Proxy applications/revocations Electoral Registration Officer to issue a copy of the list of proxies to the Deputy Returning Officer by 6pm	41
Thursday	08 th December	ELECTION – Polling Day – 8.00am to 8.00pm	42