

**Regulation 5 to the Elections (Local Authorities)
Regulations 2022
PORT ST MARY COMMISSIONERS
NOTICE OF BY- ELECTION**

An election is to be held of two members of the Port St Mary Commissioners 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 Port St Mary 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' 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 St Mary	Mrs Hayley Kinvig, Town Hall, The Promenade Port St Mary IM9 5DA

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 indictment, — (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