

Representation of the People (Candidate's Disclosure) Bill

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Make provision for the disclosure of convictions and sentences etc. by candidates for election to specified public roles; and for connected purposes.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Application of Section 2

- (1) Section 2 shall apply to candidates standing for election to the role of—
- (a) member of the House of Commons;
 - (b) hereditary member of the House of Lords;
 - (c) member of the Scottish Parliament; 5
 - (d) member of the National Assembly for Wales;
 - (e) member of the Northern Ireland Assembly;
 - (f) member of the European Parliament for a UK constituency;
 - (g) member of the Greater London Assembly;
 - (h) elected mayor, including Mayor of London; 10
 - (i) district, borough, county, county borough or unitary authority councillor;
 - (j) parish or community councillor; or
 - (k) Police and Crime Commissioner.
- (2) The Secretary of State may amend the list set out in subsection (1) by an order subject to the negative resolution procedure. 15
- (3) For the purposes of this Act, the roles mentioned in subsection (1) are exempt from the Rehabilitation of Offenders Act 1974.

2 Disclosure of convictions and sentences by candidates

- (1) A candidate for election to a role mentioned in subsection (1) shall submit a statement disclosing his or her past convictions and sentences etc. to the Returning Officer by the same deadline as nomination papers for the candidacy are required. 20

- (2) A nomination for a candidacy for election for a role mentioned in subsection (1) shall not be valid if not accompanied by a statement as mentioned in subsection (1) which is compliant with subsection (3).
- (3) The statement referred to in subsection (1) shall be identical in all respects to an Enhanced Disclosure with Lists check and include information about: 5
- (a) convictions;
 - (b) spent convictions;
 - (c) cautions;
 - (d) consideration status;
 - (e) suitability information; 10
 - (f) prescribed court orders and sex offenders notification requirements; and
 - (g) any other non-conviction information considered to be relevant by the police or a relevant Government body.
- 3 Offences: definition and sanction 15**
- (1) It shall be an offence for a person described in section 2(1) deliberately to submit an inaccurate, incomplete, false or misleading statement under that subsection.
- (2) A person guilty of an offence under this section is liable— 20
- (a) on summary conviction to a fine not exceeding the statutory maximum; or
 - (b) on conviction on indictment, to imprisonment for a term not exceeding one year, or to a fine, or to both.
- 4 Orders and regulations**
- (1) Any power to make an order or regulations under this Act is exercisable by statutory instrument. 25
- (2) A statutory instrument containing an order or regulations under this Act is subject to annulment in pursuance of a resolution of either House of Parliament.
- 5 Short title, commencement and extent 30**
- (1) This Act may be cited as the Representation of the People (Candidate's Disclosure) Act 2015.
- (2) This Act comes into force at the end of the period of 3 months beginning with the day on which it is passed.
- (3) This Act extends to England and Wales, Scotland and Northern Ireland. 35

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*Ordered to be brought in by
Mr Jim Hood,
Mr Brian M. Donohoe, Mr Dennis Skinner,
Jim Sheridan, Mr Tom Clarke,
Pamela Nash, Sir Alan Meale,
Mr Frank Roy, Mr Ian Davidson,
John Robertson, Ian Lavery
and Mr Russell Brown.*

*Ordered, by The House of Commons,
to be Printed, 17 March 2015.*

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