Election agents

This document is for

Prospective candidates, parties and election agents who want more detail about the role of an agent at the Scottish Parliamentary election on 5 May 2011.

The document covers

- What is an election agent?
- Who can be an election agent?
- Appointing an election agent

Related documents

- [Candidate spending at a Scottish Parliamentary election](#)
- [Getting nominated](#)
- [Campaigning dos and don’ts](#)
- [Postal voting](#)
- [The poll](#)
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- [Appointment of postal voting agent](#)
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Introduction

What is an election agent?

The election agent is the person responsible for the proper management of the candidate’s or regional list’s election campaign. Every candidate and regional list must have an election agent.

Who can be an election agent?

There are no particular qualifications needed to be an election agent and candidates may prefer to be their own agent.

However, the following people are not allowed to be election agents:

- a Returning Officer or a member of their staff
- a partner or clerk of the above
- anyone not entitled to vote at the election as a result of the report of an election court or a conviction for a corrupt or illegal practice under the Representation of the People Act 1983

For more information about managing candidate spending see: Candidate spending.
Appointing an election agent

Because of the responsibilities attached to the role of an election agent, candidates and parties should consider carefully who they are going to appoint and make sure that they understand their obligations.

For the election on 5 May 2011, constituency candidates, individual candidates and parties at the regional election must declare in writing the name, home address and office address of their election agent to the relevant Returning Officer before 4pm on Tuesday 29 March 2011. The declaration should be signed by the election agent to show their acceptance of the appointment.

The relevant Returning Officer will provide a declaration form, or the candidate or party could use a form produced by the Commission. If constituency candidates, individual candidates or parties at the regional election do not appoint someone else as their agent, then the candidate, or the first candidate on a party's regional list, will automatically become the agent.

The declaration must also give the agent’s office address.

The agent’s office address will often be their home address, but it might be the local political party office or an office set up for the election. If a candidate acts as their own election agent or as the agent for a list, the office address is deemed to be the address given on the nomination paper (see guidance on getting nominated).

Revoking an appointment

A candidate or party can revoke the appointment of their election agent and a new appointment can be made in the manner outlined above. If a candidate acts as their own election agent or as the agent for a regional list, they can revoke their own ‘appointment’ and appoint a new agent.

Once an agent has signed their acceptance they cannot resign and must fulfil the duties required of them, unless the candidate or party revokes the appointment.

For the constituency election, the relevant Returning Officer will be the Constituency Returning Officer. For the regional election, the relevant Returning Officer will be the Regional Returning Officer.

It is helpful to also provide a contact telephone number and email address for the election agent, so that they can be quickly contacted by the Returning Officer.
Sub-agents

The election agent can appoint a deputy or sub-agent to cover part of the relevant constituency or electoral region.

Within the area of their appointment, the sub-agent has the same powers and responsibilities as the election agent.

The election agent must give written notice to the Returning Officer of the name and address of any sub-agents no later than Tuesday 3 May 2011. The notice must also state the part of the constituency or region in which each sub-agent is allowed to act.

Other agents

Constituency candidates, individual regional candidates and the election agent of a party list may appoint other people as agents to attend postal vote openings, polling stations and the count.

To find out more about the roles of these agents and how they are appointed, see the guidance on postal voting, the poll and the count.
How we can help

You can view our full range of guidance and up-to-date resources on our website.

If it’s easier, you can also call us using the phone number below or email us. We are here to help, so please get in touch.

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