

# LAND DRAINAGE ACT 1991

## Form of Nomination Paper

### AXE BRUE INTERNAL DRAINAGE BOARD

### ..... ELECTORAL DISTRICT

#### *Election of Members of Axe Brue Internal Drainage Board in the Year 2022*

I, the undersigned, being an elector of the said (Electoral) District, or otherwise qualified to nominate candidates for election, do hereby nominate the under-mentioned person as a candidate at the said Election.

Names of Candidate		Place of Abode 3.	Description 4.	Qualification (specify qualification according To directions in the Instructions on back.) 5.
Surname 1.	Other names in full 2.			

#### *Particulars of Lands in respect of which qualification of the Candidate is claimed:*

Parish	No. of Assessment in Rate Book (As given in rate Demand)	Description (As given in rate Demand)

Name of proposer in full .....

Postal Address .....

#### *Particulars of Lands in respect of which qualification of the Proposer is claimed.*

Parish	No. of Assessment in Rate Book (As given in rate Demand)	Description (As given in rate Demand)

Signature of Proposer.....

Signature of Witness (1).....

Postal Address .....

Signature of Witness (2).....

Postal Address .....

# INSTRUCTIONS

The Land Drainage Act 1991, Schedule 1, paragraph 4, provides that the qualification for membership of an Internal Drainage Board shall be as follows:—

“4.—(1) A person shall not be qualified for election as a member of an internal drainage board unless he is —

- (a) both the owner and the occupier of not less than four hectares of land in respect of which a drainage rate may be levied by the board and which is situated in the electoral district for which he is a candidate for election; or
- (b) the occupier, whether under tenancies of year to year or otherwise, of not less than eight hectares of such land as aforesaid; or
- (c) the occupier of land which is of an assessable value of £30 or upwards and is situated in the electoral district for which he is a candidate for election; or
- (d) a person nominated as a candidate for election by the person (whether the owner is an individual or a body of persons) who is both the owner and the occupier of land which —
  - (i) is situate in the electoral district in question; and
  - (ii) is either of not less than four hectares in extent or of an assessable value of £30 or upwards.

(2) A person shall not be qualified for the purposes of sub-paragraph (1) above as being an occupier of any land or, as being the owner and occupier of any land or a person nominated by the owner and occupier of any land, if at the date of election any amount demanded in respect of any drainage rate levied on that land has remained unpaid for more than one month.

(3) In sub-paragraph (1) above, the reference to the assessable value of any land is a reference to the amount which for the purposes of any drainage rate levied at the relevant date would be the annual value of the land.

(4) The preceding provisions of this paragraph shall have effect subject to the provisions of paragraph 18 of Schedule 2 to the Water Consolidation (Consequential Provisions) Act 1991 (which makes provision with respect to relevant dates falling before 1st April 1993).

(5) In this paragraph “the relevant date” means the date as at which the qualifications of candidates for the election in question are determined in accordance with rules made under paragraph 1 above.”

Under the Land Drainage (Election of Drainage Boards) Regulations 1938 as amended by the Land Drainage Boards (Election of Drainage Boards) (Amendment) Regulations 1977 the value of land for the purpose of determining whether a candidate at an election is or is not duly qualified at the date thereof on the first day of the month of April preceding the election as entered in the register of electors as approved by the internal drainage board.

In column 5 (Qualification) insert either “Ownership and occupation of land”, “Occupation of land”, or “Nominated by owner and occupier” as the case may be.

The paper must be signed by the proposer in the presence of two witnesses. The place of abode of the proposer and the witnesses and the qualification of the proposer must also be inserted. Instead of signing the proposer may affix his or her mark if it is witnessed by the witnesses.

An elector must not sign more nomination papers than there are members to be elected for the (electoral districts of the) Internal Drainage Board and he must not sign a nomination paper for (any electoral district of) the Internal Drainage Board unless he is registered as an elector therein. An elector registered as an elector in two or more electoral districts in the above Internal Drainage Board may sign nomination papers for candidates in each of such electoral districts.

N.B. — If at the date of the election any amount demanded in respect of any drainage rate levied on any land in respect of the occupation of which the qualification of the candidate or of the proposer is claimed has remained unpaid for more than one month, the nomination will be void.