

SCHEDULE 4

Article 4(2)

Combination of polls – amendment of secondary legislation

European Parliamentary Elections Regulations 2004

- 1.—(1) The European Parliamentary Elections Regulations 2004⁽¹⁾ are amended as follows.
- (2) In regulation 2(1) (interpretation) after the definition of “the City” insert—
““combined authority mayoral election” means an election of a mayor for a combined authority under Part 6 of the Local Democracy, Economic Development and Construction Act 2009;”
- (3) In regulation 11 (combination of polls) after paragraph (b) insert—
“(c) the poll at a combined authority mayoral election in accordance with the Combined Authorities (Mayoral Elections) Order 2017;”
- (4) In rule 23(4) and (5) of Schedule 1 (European Parliamentary Election Rules) after paragraph (b) in each place insert “or (c) the poll at a combined authority mayoral election in accordance with the Combined Authorities (Mayoral Elections) Order 2017”.
- (5) In paragraph 17(9) of Schedule 2 (absent voting) at the end insert “or under the Combined Authorities (Mayoral Elections) Order 2017”.
- (6) In paragraph 40(1) of Schedule 2 (interpretation of Part 4 of that Schedule), in the definition of “relevant election or referendum”, after paragraph (ca) insert—
“(cb) a combined authority mayoral election;”.
- (7) In paragraph 41 of Schedule 2 after sub-paragraph (b) insert—
“(c) the poll at a combined authority mayoral election in accordance with the Combined Authority (Mayoral Elections) Order 2017.”.
- (8) In paragraph 2(1) of Schedule 3 (definitions for the purposes of modifications of the European Parliamentary elections rules set out in Schedule 1 to the European Parliamentary Elections Regulations 2004)—
 - (a) before the definition of “police and crime commissioner” insert—
““combined authority mayoral election” means an election of a mayor for a combined authority under Part 6 of the Local Democracy, Economic Development and Construction Act 2009;”
 - (b) in the definition of “relevant election or referendum”, after paragraph (c) insert—
“(ca) a combined authority mayoral election;”.

The Representation of the People (Combination of Polls) (England and Wales) Regulations 2004

- 2.—(1) The Representation of the People (Combination of Polls) (England and Wales) Regulations 2004⁽²⁾ are amended as follows.
- (2) In regulation 2 (interpretation)—
 - (a) after the definition of “2002 Act” insert—
““2009 Act” means the Local Democracy, Economic Development and Construction Act 2009;”
 - (b) before the definition of “GLRO” insert—

(1) [S.I. 2004/293](#). Relevant amendments were made by [S.I. 2009/186](#).

(2) [S.I. 2004/294](#); relevant amendments were made by [S.I. 2012/1917](#) and [S.I. 2014/920](#).

““combined authority mayoral election” means an election of a mayor for a combined authority under Part 6 of the 2009 Act;”.

- (3) In regulation 4 (returning officers and polling stations)—
- (a) in paragraphs (1)(a), (2)(a), (3)(a), (4)(a), (5)(a), (6)(a) and (7)(a) for “or police area” substitute “, police area or combined authority area”;
 - (b) after paragraph (7A) insert—
 - “(7B) Where none of the above paragraphs applies and the poll at a combined authority mayoral election is taken together with the poll at a European Parliamentary election under a relevant enactment—
 - (a) those functions of the returning officer at the European Parliamentary election which are specified in regulation 5 shall be discharged by the returning officer at the combined authority mayoral election for such part of the electoral region as is situated in the combined authority area; and
 - (b) only polling stations used for the combined authority mayoral election shall be used for the European Parliamentary election.”;
- (c) in paragraph (9)—
 - (i) for “paragraphs (1) to (7A) above” substitute “paragraphs (1) to (7B) above”;
 - (ii) in sub-paragraph (a) after “mayoral election” insert “or a combined authority mayoral election”;
- (d) in paragraph (10), in the definition of “the listed provisions”, after sub-paragraph (c) insert—
 - “(d) section 117 of, and paragraph 12 of Schedule 5B to, the 2009 Act;”
- (e) in paragraph (10), before the definition of “county council election” insert—
 - “combined authority area” means the area of the combined authority established by an order under section 103 of the 2009 Act;”
- (f) in paragraph (11), after sub-paragraph (c) insert—
 - “(d) the returning officer at a combined authority mayoral election shall be construed as including a reference to the combined authority returning officer.”
- (4) In regulation 5 (functions at combined polls)—
- (a) in paragraph (1), after sub-paragraph (f) insert—
 - “(g) at a combined authority mayoral election, by those rules in an order made under section 117 of, and paragraph 12 of Schedule 5B to, the 2009 Act which correspond to the rules specified in paragraph (2);”
 - (b) in paragraph (3)—
 - (i) omit “and” at the end of sub-paragraph (b);
 - (ii) after sub-paragraph (c) insert—
 - “; and
 - (d) that regulation and that part as applied by an order made under section 117 of, and paragraph 12 of Schedule 5B to, the 2009 Act.”
- (5) In regulation 8 (modification of parliamentary elections rules) in paragraph (c) for “or PCC election” substitute “, PCC election or combined authority mayoral election”.
- (6) In paragraph 2 of Schedule 2 (definitions for the purposes of modifications of the parliamentary elections rules set out in Schedule 1 to the 1983 Act)—
- (a) after the definition of “Combination of Polls Regulations” insert—

““combined authority mayoral election” means an election of a mayor for a combined authority under Part 6 of the 2009 Act;”

- (b) in the definition of “relevant election or referendum”, after paragraph (c) insert—
“(ca) a combined authority mayoral election,”

The Local Elections (Principal Areas) (England and Wales) Rules 2006

3.—(1) The Local Elections (Principal Areas) (England and Wales) Rules 2006⁽³⁾ are amended as follows.

(2) In rule 2 (interpretation)—

- (a) in paragraph (1), after the definition of “Combination of Polls Regulations” insert—

““combined authority mayoral election” means an election of a mayor for a combined authority under Part 6 of the Local Democracy, Economic Development and Construction Act 2009;”

- (b) in paragraph (2), after sub-paragraph (d) of the definition of “relevant election or referendum” substitute insert—

“(da) a combined authority mayoral election;”

The Local Elections (Parishes and Communities) (England and Wales) Rules 2006

4.—(1) The Local Elections (Parishes and Communities) (England and Wales) Rules 2006⁽⁴⁾ are amended as follows.

(2) In rule 2 (interpretation)—

- (a) in paragraph (1), after the definition of “Combination of Polls Regulations” insert—

““combined authority mayoral election” means an election of a mayor for a combined authority under Part 6 of the Local Democracy, Economic Development and Construction Act 2009;”

- (b) in paragraph (2), after sub-paragraph (d) of the definition of “relevant election or referendum” insert—

“(da) a combined authority mayoral election;”

The Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007

5.—(1) The Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007⁽⁵⁾ are amended as follows.

(2) In regulation 2 (interpretation)—

- (a) in paragraph (1), after the definition of “candidate” insert—

““combined authority mayoral election” means an election of a mayor for a combined authority under Part 6 of the Local Democracy, Economic Development and Construction Act 2009;”

- (b) after paragraph (e) of the definition of “relevant election or referendum” insert—

“(ea) a combined authority mayoral election.”

(3) [S.I. 2006/3304](#); relevant amendments were made by [S.I. 2012/1917](#).

(4) [S.I. 2006/3305](#); relevant amendments were made by [S.I. 2012/1917](#).

(5) [S.I. 2007/1024](#); relevant amendments were made by [S.I. 2012/1917](#).

The Local Authorities (Conduct of Referendums) (England) Regulations 2012

6.—(1) The Local Authorities (Conduct of Referendums) (England) Regulations 2012⁽⁶⁾ are amended as follows.

(2) In regulation 2(1) (interpretation)—

(a) after the definition of “the Local Government Act Referendums (Combination of Polls) Rules” insert—

““combined authority mayoral election” means an election of a mayor for a combined authority under Part 6 of the Local Democracy, Economic Development and Construction Act 2009;”

(b) in the definition of “relevant election or referendum” after sub-paragraph (e) insert—

“(ea) a combined authority mayoral election;”

The Local Authorities (Conduct of Referendums) (Council Tax Increases) (England) Regulations 2012

7.—(1) The Local Authorities (Conduct of Referendums) (Council Tax Increases) (England) Regulations 2012⁽⁷⁾ are amended as follows.

(2) In regulation 2(1) (interpretation)—

(a) after the definition of “chief counting officer” insert—

““combined authority mayoral election” means an election of a mayor for a combined authority under Part 6 of the Local Democracy, Economic Development and Construction Act 2009;”

(b) in the definition of “relevant election or referendum” after sub-paragraph (e) insert—

“(ea) a combined authority mayoral election;”

The Police and Crime Commissioner Elections Order 2012

8.—(1) The Police and Crime Commissioner Elections Order 2012⁽⁸⁾ is amended as follows.

(2) In article 13(1) (combination of polls) after sub-paragraph (e) insert—

“(ee) an election in England for the return of a mayor as provided for in an order made under section 107A⁽⁹⁾ of the Local Democracy, Economic Development and Construction Act 2009.”.

(3) In Schedule 4 (combination of polls) in paragraph 1(2) in the modified version of section 15 of the Representation of the People Act 1985—

(a) in subsection (1)(d) after sub-paragraph (v) insert—

“(vi) an election in England for the return of a mayor as provided for in an order made under section 107A of the Local Democracy, Economic Development and Construction Act 2009,”

(b) in subsection (3)(a) after sub-paragraph (vi) insert—

“(vii) an election in England for the return of a mayor as provided for in an order made under section 107A of the Local Democracy, Economic Development and Construction Act 2009,”

⁽⁶⁾ [S.I. 2012/323](#).

⁽⁷⁾ [S.I. 2012/444](#).

⁽⁸⁾ [S.I. 2012/1917](#).

⁽⁹⁾ Section 107A was inserted by section 2 of the Cities and Local Government Devolution Act 2016 (c. 1).

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Draft Legislation: *This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The Combined Authorities (Mayoral Elections) Order 2017 No. 67*