

This Statutory Instrument has been made as a correcting instrument in respect of [SI 2007/1024](#) and is being issued free of charge to all known recipients of that Statutory Instrument.

Draft Regulations laid before Parliament under section 105(6) of the Local Government Act 2000, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2017 No.XXX

LOCAL GOVERNMENT, ENGLAND AND WALES

The Local Authorities (Mayoral Elections) (England and Wales) (Amendment) Regulations 2017

Made - - - - ******

Coming into force in accordance with regulation 1

The Minister for the Cabinet Office makes the following Regulations in exercise of the powers conferred by sections 9HE(1)(a), 44(1)(a) and 105(2)(a), (2A) (3) and (4) of the Local Government Act 2000(1).

The Minister for the Cabinet Office has consulted the Electoral Commission about these Regulations in accordance with sections 9HE(4) and 44(3A) of that Act(2).

In accordance with section 105(6) of that Act, a draft of these Regulations has been laid before and approved by resolution of each House of Parliament.

Citation and commencement

1. These Regulations may be cited as the Local Authorities (Mayoral Elections) (England and Wales) (Amendment) Regulations 2017 and come into force on the day after the day on which they are made.

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- (1) [2000 c. 22](#). Section 9HE was inserted by paragraph 1 of Schedule 2 to the Localism Act [2011 \(c. 20\)](#); it is contained within Part 1A of the Local Government Act 2000, which deals with local authority governance in England. Section 44 is contained within Part 2 of the Local Government Act 2000 which, as amended by the Localism Act 2011, deals with local authority governance in Wales. The powers conferred on the Secretary of State by section 44 were made exercisable concurrently by the Lord President of the Council and the Secretary of State by the Lord President of the Council Order 2010 ([S.I. 2010/1837](#)). The powers conferred on the Secretary of State by section 9HE were made exercisable concurrently by the Lord President of the Council and the Secretary of State by the Transfer of Functions (Elections and Referendums) Order 2013 ([S.I. 2013/2597](#)). The Lord President of the Council's functions were transferred to the Chancellor of the Duchy of Lancaster by the Chancellor of the Duchy of Lancaster Order 2015 ([S.I. 2015/1376](#)) and were subsequently transferred to the Minister for the Cabinet Office by the Transfer of Functions (Elections, Referendums, Third Sector and Information) Order 2016 ([S.I. 2016/997](#)). Section 105 of the Local Government Act 2000 was amended by paragraph 70 of Schedule 3 and Part 5 of Schedule 25 to the Localism Act 2011; and by paragraph 8(5)(a) of Schedule 2 to [S.I. 2015/1376](#) and paragraph 13(d) of Schedule 2 to [S.I. 2016/997](#).
- (2) Section 44(3A) was inserted by paragraph 18(2) of Schedule 21 to the Political Parties, Elections and Referendums Act [2000 \(c. 41\)](#).

Amendment of the Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007

2. In Table 3 (the Representation of the People Act 2000) of Schedule 2 (modifications of Acts and statutory instrument) to the Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007(3) before the entry relating to Schedule 4 (absent voting in Great Britain) insert—

“Section 10 (pilot schemes for local elections in England and Wales)	In subsection (2), for “Representation of the People Acts” substitute “Local Government Act 2000”.
	In subsection (7), in paragraph (a) for “Representation of the People Acts” substitute “Local Government Act 2000”.
Section 11 (revision of procedures in the light of pilot schemes)	In subsection (6) for “Rules made under section 36 of the 1983 Act (local election in England and Wales)” substitute “Regulations made under section 9HE or 44 (power to make provision about elections) of the Local Government Act 2000”.

Name
Minister for the Constitution
Cabinet Office

(3) [S.I. 2007/1024](#); as amended by [S.I. 2014/370](#); there are other amending instruments but none is relevant.

EXPLANATORY NOTE

(This note is not part of these Regulations)

These Regulations amend the Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007 (S.I. 2007/1024) which prescribe the rules for the conduct of local mayoral elections in England and Wales.

Regulation 2 makes a modification to section 10(2) and 10(7)(a) and section 11(6) of the Representation of the People Act 2000 as it is to apply in respect of pilot schemes for the conduct of mayoral elections. The regulations which prescribe the procedure for the conduct of mayoral elections are made under the Local Government Act 2000 and so references to this Act have been substituted for the references to the Representation of the People Acts.

A full impact assessment has not been produced for this instrument because no, or no significant, impact on the private, voluntary or public sectors is foreseen.