SCHEDULES

SCHEDULE 3

AMENDMENTS OF THE REPRESENTATION OF THE PEOPLE ACTS

Consequences of election etc of London members being declared void.

32 (1) In section 135 (consequences of local election declared void) after subsection (1) (which provides for a new election in certain cases) there shall be inserted—

"(1A) Subsection (1) above shall not apply in the case of an election of the London members of the London Assembly at an ordinary election (for which separate provision is made by section 135A below)."

(2) After section 135 there shall be inserted—

"**135A Consequences of election or return of London members being declared void**

(1) This section applies where the election court has made a determination under section 145 below at the conclusion of the trial of a petition questioning the election of the London members of the London Assembly at an ordinary election.

(2) Where, pursuant to section 145(6) below, the proper officer of the Greater London Authority receives the copy of the certificate of the election court's determination in relation to the election which was questioned, he shall send notice of the determination to the Greater London returning officer.

(3) If the election is not declared void but—

(a) the return of a candidate at the election is declared void, and

(b) no other person has been declared returned in his place,

the vacancy shall be filled (or, as the case may be, remain unfilled) as if it were a casual vacancy (see section 11 of the Greater London Authority Act 1999).

(4) If the election is declared void, a new election shall be held in the same manner as at an ordinary election.

(5) The date of the poll at the new election shall be fixed by the Greater London returning officer.

(6) The date fixed shall be no later than three months after the receipt by the Greater London returning officer of the notice under subsection (2) above.

(7) A new election shall not be held if the latest date which may be fixed for the poll falls within the period of three months preceding an ordinary election.

(8) If the determination of the election court is that the election is void, the Greater London returning officer shall inform the returning officer for each Assembly constituency of—

(a) the contents of the notice under subsection (2) above; and

(b) the date fixed for the poll at the new election.

(9) The results of the elections of the constituency members of the London Assembly at the last ordinary election shall have effect for the purposes of ascertaining the results of the new election."