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*Changes to legislation: There are currently no known outstanding effects for the European Parliamentary and Local Elections (Pilots) Act 2004. (See end of Document for details)*

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## SCHEDULE

Section 8

### OTHER ELECTIONS, ETC

#### *Parliamentary by-elections*

- 1 (1) Rule 1 of the Parliamentary Elections Rules (timetable for elections) in Schedule 1 to the Representation of the People Act 1983 (c. 2) must be construed subject to this paragraph.
- (2) The writ for a by-election in a constituency which is situated in a pilot region must not be issued on a day which by virtue of the timetable is likely to result in the by-election being held on the same day as the date of the poll at the European Parliamentary general election of 2004.

#### *Local government by-elections: England and Wales*

- 2 (1) This paragraph applies to an election to fill a casual vacancy in the office of councillor (the local election) in pursuance of section 89 of the Local Government Act 1972 (c. 70) if the election is held in a pilot region.
- (2) In computing any period for the purposes of—
  - (a) section 89(1), or
  - (b) determining the period within which a casual vacancy must be filled in pursuance of section 89(6),the period which begins four weeks before, and ends three weeks after, the date of the poll at the European Parliamentary general election of 2004 must be ignored.
- (3) If, before the commencement of this paragraph, a date has been fixed for the poll at a local election which is within the period mentioned in sub-paragraph (2)—
  - (a) the poll must not be held on that day, and
  - (b) a date which falls not later than 7 days after the end of that period must be fixed for the poll.
- (4) Sub-paragraphs (2) and (3) do not apply to the extent that a pilot order makes different provision in relation to the date of the poll at the local election.

#### *Mayoral elections, etc*

- 3 (1) This paragraph applies to—
  - (a) an election for the elected mayor of a local authority;
  - (b) a referendum to be held in pursuance of Part 2 of the Local Government Act 2000 (c. 22) (referendums on proposals for local authority executive arrangements),if the election or referendum is held in a pilot region.
- (2) If the date of the poll at the election or referendum (the mayoral poll) is to be fixed without reference to any time or timetable the date must not fall within the period which begins three weeks before and ends three weeks after the date of the poll at the European Parliamentary general election of 2004.
- (3) If the date of the mayoral poll is to be calculated by reference to any time or timetable that period must be ignored.

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- (4) If, before the commencement of this paragraph, the date of the mayoral poll was fixed or calculated as a date which falls within that period—
- (a) the mayoral poll must not be held on that date, and
  - (b) a new date must be fixed or calculated as mentioned in sub-paragraph (2) or (3) (as the case may be).
- (5) Local authority has the same meaning as in Part 2 of the Local Government Act 2000 (c. 22).

*Modification of European election timetable immaterial*

- 4 For the purposes of this Schedule any modification of the timetable for the European Parliamentary general election by a pilot order which permits voting to take place on more than one day must be ignored.

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