
Changes to legislation: There are currently no known outstanding effects for the Local Democracy, Economic Development and Construction Act 2009, Cross Heading: Local Government and Public Involvement in Health Act 2007 (c. 28). (See end of Document for details)

SCHEDULES

SCHEDULE 4

BOUNDARY AND ELECTORAL CHANGE: AMENDMENTS

Local Government and Public Involvement in Health Act 2007 (c. 28)

- 11 The Local Government and Public Involvement in Health Act 2007 is amended as follows.

Annotations:

Commencement Information

- I1** Sch. 4 para. 11 in force at 1.4.2010 by [S.I. 2009/3318](#), [art. 4\(ff\)](#)

- 12 (1) Section 4 (request for Boundary Committee for England's advice) is amended as follows.
- (2) In the heading, for “Boundary Committee for England's” substitute “Local Government Boundary Commission's”.
- (3) In subsection (2), for “Boundary Committee” substitute “ Local Government Boundary Commission ”.

Annotations:

Commencement Information

- I2** Sch. 4 para. 12 in force at 1.4.2010 by [S.I. 2009/3318](#), [art. 4\(ff\)](#)

- 13 (1) Section 5 (Boundary Committee's powers) is amended as follows.
- (2) In the heading, for “Boundary Committee's” substitute “Local Government Boundary Commission's”.
- (3) In subsections (1), (2) and (3), for “Boundary Committee” substitute “ Local Government Boundary Commission ”.

Annotations:

Commencement Information

- I3** Sch. 4 para. 13 in force at 1.4.2010 by [S.I. 2009/3318](#), [art. 4\(ff\)](#)

- 14 (1) Section 6 (Boundary Committee's procedures) is amended as follows.
- (2) In the heading, for “Boundary Committee's” substitute “Local Government Boundary Commission's”.
- (3) In subsection (1)—

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- (a) for “Boundary Committee”, in the first place, substitute “ Local Government Boundary Commission ”;
 - (b) for “Boundary Committee”, in the remaining three places, substitute “ Commission ”.
- (4) In subsection (2)—
- (a) for “Boundary Committee” substitute “ Local Government Boundary Commission ”;
 - (b) for “Boundary Committee's” substitute “Commission's”.
- (5) In subsection (4)—
- (a) for “Boundary Committee”, in the first place, substitute “ Local Government Boundary Commission ”;
 - (b) for “Boundary Committee”, in the second place, substitute “ Commission ”.
- (6) In subsection (5), for “Boundary Committee” substitute “ Local Government Boundary Commission ”.

Annotations:

Commencement Information

I4 Sch. 4 para. 14 in force at 1.4.2010 by [S.I. 2009/3318](#), [art. 4\(ff\)](#)

- 15 (1) Section 7 (implementation of proposals by order) is amended as follows.
- (2) In subsection (1)(b), for “Boundary Committee” substitute “ Local Government Boundary Commission ”.
 - (3) In subsection (6)—
 - (a) for “Boundary Committee”, in the first place, substitute “ Local Government Boundary Commission ”;
 - (b) for “Boundary Committee”, in the second place, substitute “ Commission ”.
 - (4) In subsection (7), for “Boundary Committee” substitute “ Local Government Boundary Commission ”.

Annotations:

Commencement Information

I5 Sch. 4 para. 15 in force at 1.4.2010 by [S.I. 2009/3318](#), [art. 4\(ff\)](#)

- 16 (1) Section 8 (review by Boundary Committee of local government areas) is amended as follows.
- (2) In the heading, for “Boundary Committee” substitute “ Local Government Boundary Commission ”.
 - (3) In subsections (1), (2), (5), (6) and (7), for “Boundary Committee” substitute “ Local Government Boundary Commission ”.
 - (4) In subsection (8)—
 - (a) for “Boundary Committee”, in the first place, substitute “ Local Government Boundary Commission ”;

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- (b) for “Boundary Committee”, in the remaining three places, substitute “Commission”.

Annotations:

Commencement Information

I6 Sch. 4 para. 16 in force at 1.4.2010 by [S.I. 2009/3318](#), [art. 4\(ff\)](#)

- 17 (1) Section 9 (Boundary Committee's review: consultation etc) is amended as follows.
- (2) In the heading, for “Boundary Committee's” substitute “Local Government Boundary Commission's”.
- (3) In subsection (2), for “Committee” substitute “Local Government Boundary Commission”.
- (4) In subsection (3)—
- (a) for “Boundary Committee”, in the first place, substitute “Local Government Boundary Commission”;
- (b) for “Boundary Committee”, in the second place, substitute “Commission”.
- (5) In subsections (4) and (5), for “Boundary Committee” substitute “Local Government Boundary Commission”.

Annotations:

Commencement Information

I7 Sch. 4 para. 17 in force at 1.4.2010 by [S.I. 2009/3318](#), [art. 4\(ff\)](#)

- 18 In section 10 (implementation of recommendations by order), in subsections (1), (2), (4) and (5), for “Boundary Committee” substitute “Local Government Boundary Commission”.

Annotations:

Commencement Information

I8 Sch. 4 para. 18 in force at 1.4.2010 by [S.I. 2009/3318](#), [art. 4\(ff\)](#)

- 19 In section 12 (provision relating to membership etc of authorities), in subsection (5), for the words from “the Electoral Commission” to the end substitute “the Local Government Boundary Commission must consider whether to exercise its power under section 56(2) of the Local Democracy, Economic Development and Construction Act 2009 (electoral reviews)”.

Annotations:

Commencement Information

I9 Sch. 4 para. 19 in force at 1.4.2010 by [S.I. 2009/3318](#), [art. 4\(ff\)](#)

- 20 (1) In section 23 (definitions), subsection (1) is amended as follows.
- (2) Omit the definition of “the Boundary Committee”.

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(3) After the definition of “local government area” insert—

““the Local Government Boundary Commission” means the Local Government Boundary Commission for England;”.

Annotations:

Commencement Information

I10 Sch. 4 para. 20 in force at 1.4.2010 by [S.I. 2009/3318](#), [art. 4\(ff\)](#)

- 21 (1) Section 36 (notice to Electoral Commission) is amended as follows.
- (2) In the heading, for “Electoral Commission” substitute “ Local Government Boundary Commission for England ”.
- (3) In subsection (2), for “Electoral Commission” substitute “ Local Government Boundary Commission ”.
- (4) After subsection (2) insert—

“(3) In this Chapter, “Local Government Boundary Commission” means the Local Government Boundary Commission for England.”

Annotations:

Commencement Information

I11 Sch. 4 para. 21 in force at 1.4.2010 by [S.I. 2009/3318](#), [art. 4\(ff\)](#)

- 22 In section 41 (publicity for resolution), in subsection (4)(b), for “Electoral Commission” substitute “ Local Government Boundary Commission ”.

Annotations:

Commencement Information

I12 Sch. 4 para. 22 in force at 1.4.2010 by [S.I. 2009/3318](#), [art. 4\(ff\)](#)

- 23 (1) Section 42 (notice to Electoral Commission) is amended as follows.
- (2) In the heading, for “Electoral Commission” substitute “ Local Government Boundary Commission ”.
- (3) In subsection (2), for “Electoral Commission” substitute “ Local Government Boundary Commission ”.

Annotations:

Commencement Information

I13 Sch. 4 para. 23 in force at 1.4.2010 by [S.I. 2009/3318](#), [art. 4\(ff\)](#)

- 24 (1) Section 43 (Electoral Commission to consider whether electoral review is necessary) is amended as follows.

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- (2) In the heading, for “Electoral Commission” substitute “ Local Government Boundary Commission ”.
- (3) In subsection (1), for “Electoral Commission” substitute “ Local Government Boundary Commission ”.
- (4) In subsection (2), for the words from “the Commission” to “the Boundary Committee” substitute “ the Local Government Boundary Commission must consider whether to exercise its power under section 56(2) of the Local Democracy, Economic Development and Construction Act 2009 ”.
- (5) In subsection (3), for the words from “to direct” to “the Commission” substitute “ to conduct such a review, the Local Government Boundary Commission ”.

Annotations:

Commencement Information

I14 Sch. 4 para. 24 in force at 1.4.2010 by [S.I. 2009/3318](#), **art. 4(ff)**

- 25 (1) Section 44 (Electoral Commission to make order for new electoral scheme) is amended as follows.
- (2) In the heading, for “Electoral Commission” substitute “ Local Government Boundary Commission ”.
 - (3) In subsection (1), for “Electoral Commission” substitute “ Local Government Boundary Commission ”.
 - (4) For subsection (2) substitute—
 - “(2) But the Local Government Boundary Commission must not make the order—
 - (a) before it has decided whether or not conduct an electoral review (see section 43(2)), and
 - (b) if it has decided to conduct such a review, before the review is concluded.”

Annotations:

Commencement Information

I15 Sch. 4 para. 25 in force at 1.4.2010 by [S.I. 2009/3318](#), **art. 4(ff)**

- 26 In sections 45(2)(a) (orders for elections by halves) and 47(2)(a) (orders for elections by thirds), for “Electoral Commission make” substitute “ Local Government Boundary Commission makes ”.

Annotations:

Commencement Information

I16 Sch. 4 para. 26 in force at 1.4.2010 by [S.I. 2009/3318](#), **art. 4(ff)**

- 27 (1) Section 50 (power to Electoral Commission to make incidental etc provision) is amended as follows.

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(2) In the heading, for “Electoral Commission” substitute “ Local Government Boundary Commission ”.

(3) For “Commission” substitute “ Local Government Boundary Commission ”.

Annotations:

Commencement Information

I17 Sch. 4 para. 27 in force at 1.4.2010 by [S.I. 2009/3318](#), [art. 4\(ff\)](#)

28 (1) Section 51 (position if Electoral Commission act under existing powers) is amended as follows.

(2) In the heading, for “Electoral Commission” substitute “ Local Government Boundary Commission ”.

(3) For paragraphs (a) and (b) substitute—

“(a) the Local Government Boundary Commission decides to conduct an electoral review (see section 43(2)), and

(b) pursuant to that review the Commission makes recommendations for electoral changes.”.

(3) In the words after paragraph (b), for “section 17 of the Local Government Act 1992 (c. 19)” substitute “ section 59 of the Local Democracy, Economic Development and Construction Act 2009 ”.

Annotations:

Commencement Information

I18 Sch. 4 para. 28 in force at 1.4.2010 by [S.I. 2009/3318](#), [art. 4\(ff\)](#)

29 (1) Section 52 (publicity for order by Electoral Commission) is amended as follows.

(2) In the heading, for “Electoral Commission” substitute “ Local Government Boundary Commission ”.

(3) In subsection (1), for “Electoral Commission have” substitute “ Local Government Boundary Commission has ”.

Annotations:

Commencement Information

I19 Sch. 4 para. 29 in force at 1.4.2010 by [S.I. 2009/3318](#), [art. 4\(ff\)](#)

30 (1) Section 59 (change of name of electoral area), is amended as follows.

(2) In subsections (5), (6)(a) and (7), for “Electoral Commission” substitute “ Local Government Boundary Commission ”.

(3) In subsection (8)(a), after “Local Government Act 1992 (c. 19)” insert “ , section 59 of the Local Democracy, Economic Development and Construction Act 2009 ”.

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Annotations:

Commencement Information

I20 Sch. 4 para. 30 in force at 1.4.2010 by [S.I. 2009/3318](#), [art. 4\(ff\)](#)

- 31 (1) Section 86 (reorganisation of community governance) is amended as follows.
- (2) In subsections (2) and (3), for “Electoral Commission” substitute “ Local Government Boundary Commission ”.
- (3) In subsection (5), after paragraph (b) insert—
- “(ba) section 59 of the Local Democracy, Economic Development and Construction Act 2009,”.
- (4) In subsection (6)(b) after “under” insert “ section 59 of the Local Democracy, Economic Development and Construction Act 2009, ”.

Annotations:

Commencement Information

I21 Sch. 4 para. 31 in force at 1.4.2010 by [S.I. 2009/3318](#), [art. 4\(ff\)](#)

- 32 In sections 92(2), (3), (4) and (5) (consequential recommendations), 96(7)(b) (publicising outcome), 98(1)(b), (2) and (7) (orders and regulations) and 100(2) (guidance), for “Electoral Commission” substitute “ Local Government Boundary Commission ”.

Annotations:

Commencement Information

I22 Sch. 4 para. 32 in force at 1.4.2010 by [S.I. 2009/3318](#), [art. 4\(ff\)](#)

- 33 In section 102 (interpretation), in subsection (2), after the definition of “local government elector” insert—
- ““Local Government Boundary Commission” means the Local Government Boundary Commission for England.”

Annotations:

Commencement Information

I23 Sch. 4 para. 33 in force at 1.4.2010 by [S.I. 2009/3318](#), [art. 4\(ff\)](#)

- 34 In section 240 (orders, regulations and guidance), in subsections (2) and (7)(a), for “Electoral Commission” substitute “ Local Government Boundary Commission for England ”.

Annotations:

Commencement Information

I24 Sch. 4 para. 34 in force at 1.4.2010 by [S.I. 2009/3318](#), [art. 4\(ff\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Local Democracy, Economic Development and Construction Act 2009, Cross Heading: Local Government and Public Involvement in Health Act 2007 (c. 28).