

2001 No. 3789

**LONDON GOVERNMENT
REPRESENTATION OF THE PEOPLE**

**The Greater London Authority Elections (Amendment)
Rules 2001**

Made - - - - - 26th November 2001
Laid before Parliament 4th December 2001
Coming into force - - 27th December 2001

The Secretary of State in exercise of the powers conferred on him by sections 36(2), (2A) and (2B), 81(7) and 82(2A) and (5A) of the Representation of the People Act 1983(a), and of all other powers enabling him in that behalf, hereby makes the following Rules:

Citation and commencement

1. These Rules may be cited as the Greater London Authority Elections (Amendment) Rules 2001 and shall come into force on 27th December 2001.

Interpretation

2.—(1) In these Rules, “the principal Rules” means the Greater London Authority Elections (No. 2) Rules 2000(b).

(2) Expressions used both in these Rules and in the principal Rules have the same meaning in these Rules as they have in those Rules.

Amendment of the principal Rules

3. The principal Rules are amended—
- (a) in rule 8 (combination of polls)—
 - (i) in paragraph (2), by the substitution for “Subject to paragraph (3), where”, of “Where”; and
 - (ii) by the omission of paragraph (3);
 - (b) in Schedule 1 (the Constituency Members Election Rules)(c), in accordance with Part I of the Schedule to these Rules;
 - (c) in Schedule 2 (the London Members Election Rules)(d), in accordance with Part II of that Schedule;
 - (d) in Schedule 3 (the Mayoral Elections Rules)(e), in accordance with Part III of that Schedule;

(a) 1983 c. 2. Subsections (2A) and (2B) of section 36 were inserted by the Greater London Authority Act 1999 (c. 29), Schedule 3, paragraph 4(2). Subsection (7) of section 81 was inserted by paragraph 23(3) of that Schedule, and amended by the Political Parties, Elections and Referendums Act 2000 (c. 41), Schedule 18, paragraph 7. Subsections (2A) and (5A) of section 82 were inserted by paragraph 24(4) and (6) of that Schedule.

(b) S.I. 2000/427, amended by S.I. 2000/1040.

(c) That is the Rules set out in Schedule 1 to the Greater London Authority Elections (No. 2) Rules 2000.

(d) That is the Rules set out in Schedule 2 to the Greater London Authority Elections (No. 2) Rules 2000.

(e) That is the Rules set out in Schedule 3 to the Greater London Authority Elections (No. 2) Rules 2000.

- (e) in Schedule 5 (Forms), in accordance with Part IV of that Schedule; and
- (f) in Schedule 8 (modifications to apply where poll at a GLA election is taken together with the poll at another election under section 15(1) or (2) of the Representation of the People Act 1983), by the omission of the first entry in columns (1) and (2) of the Table.

Revocation

4. In the Greater London Authority Elections (No. 2) (Amendment) Rules 2000, so much of paragraph (4) of rule 2 (amendment of Rules), as relates to the addition, to Schedule 5 (forms) of the principal Rules, of Forms 17 (election agent's declaration as to election expenses) and 18 (list candidate's declaration as to election expenses), is revoked.

Signed by authority of the Secretary of State
for Transport, Local Government and the Regions

Nick Raynsford
Minister of State,
Department for Transport,
Local Government and the Regions

26th November 2001

PART I

AMENDMENT OF THE CONSTITUENCY MEMBERS ELECTION RULES

1. In rule 3 (timetable), in the Timetable set out in paragraph (1), for the entry in the second column applicable to the last entry in the first column (polling), substitute “Between the hours of 7 in the morning and 10 at night on the day of election.”.
2. In rule 6 (nomination of candidates and nomination papers), for paragraphs (3) to (6), substitute—
 - “(3) The description, if any, which may not comprise more than six words, must consist of either—
 - (a) that authorised as mentioned in paragraph (4); or
 - (b) the word “Independent”.
 - (4) A nomination paper may not include a description of a candidate that is likely to lead voters to associate the candidate with a registered political party unless—
 - (a) the party is a qualifying party in relation to the electoral area; and
 - (b) the description is authorised by a certificate—
 - (i) issued by or on behalf of the registered nominating officer of the party, and
 - (ii) received by the CRO before the last time for the delivery of nomination papers.
 - (5) A person shall be guilty of a corrupt practice if he fraudulently purports to be authorised to issue a certificate under paragraph (4) on behalf of a registered political party’s nominating officer.
 - (6) In this rule, “registered political party” means a party which was registered under Part II (registration of political parties) of the Political Parties, Elections and Referendums Act 2000 at the time by which the notice of election is required to be published by virtue of rule 1 (“the relevant time”), and a registered political party is a qualifying party in relation to an electoral area if, at the relevant time, it was registered in respect of England in the Great Britain register maintained under that Part.”(a).

PART II

AMENDMENT OF THE LONDON MEMBERS ELECTION RULES

1. In rule 2 (interpretation), in paragraph (1), in the definitions of “party list” and “registered party”, for “registered under the Registration of Political Parties Act 1998”, substitute “registered under Part II (registration of political parties) of the Political Parties, Elections and Referendums Act 2000”.
2. In rule 3 (timetable), in the Timetable set out in paragraph (1), for the entry in the second column applicable to the last entry in the first column (polling), substitute “Between the hours of 7 in the morning and 10 at night on the day of election.”.
3. In rule 6 (nomination of candidates and nomination papers: individual candidates), for paragraphs (3) to (6), substitute—
 - “(3) The description, if any, which may not comprise more than six words, must consist of either—
 - (a) that authorised as mentioned in paragraph (4); or
 - (b) the word “Independent”.
 - (4) A nomination paper may not include a description of a candidate that is likely to lead voters to associate the candidate with a registered party unless—
 - (a) the party is a qualifying party in relation to the electoral area; and
 - (b) the description is authorised by a certificate—
 - (i) issued by or on behalf of the registered nominating officer of the party, and
 - (ii) received by the GLRO before the last time for the delivery of nomination papers.
 - (5) A person shall be guilty of a corrupt practice if he fraudulently purports to be authorised to issue a certificate under paragraph (4) on behalf of a registered party’s nominating officer.

(a) 2000 c. 41.

(6) For the purposes of this rule, a registered party is a qualifying party in relation to an electoral area if, at the time by which the notice of election is required to be published by virtue of rule 1, it was registered in respect of England in the Great Britain register maintained under that Part.”.

4. In rule 7 (nomination of parties and nomination papers: list candidates), omit paragraphs (2) and (3).

PART III

AMENDMENT OF THE MAYORAL ELECTION RULES

1. In rule 3 (timetable), in the Timetable set out in paragraph (1), for the entry in the second column applicable to the last entry in the first column (polling), substitute “Between the hours of 7 in the morning and 10 at night on the day of election.”.

2. In rule 6 (nomination of candidates and nomination papers), for paragraphs (4) to (7), substitute—

“(4) The description, if any, which may not comprise more than six words, must consist of either—

- (a) that authorised as mentioned in paragraph (5); or
- (b) the word “Independent”.

(5) A nomination paper may not include a description of a candidate that is likely to lead voters to associate the candidate with a registered political party unless—

- (a) the party is a qualifying party in relation to the electoral area; and
- (b) the description is authorised by a certificate—

- (i) issued by or on behalf of the registered nomination officer of the party, and
- (ii) received by the GLRO before the last time for the delivery of nomination papers.

(6) A person shall be guilty of a corrupt practice if he fraudulently purports to be authorised to issue a certificate under paragraph (5) on behalf of a registered political party’s nominating officer.

(7) In this rule, “registered political party” means a party which was registered under Part II (registration of political parties) of the Political Parties, Elections and Referendums Act 2000 at the time by which the notice of election is required to be published by virtue of rule 1 (“the relevant time”); and a registered political party is a qualifying party in relation to an electoral area if, at the relevant time, it was registered in respect of England in the Great Britain register maintained under that Part.”.

PART IV

AMENDMENT OF THE FORMS SCHEDULE

1. In Form 2 (London member (party list) candidates), omit—

“Description for ballot paper (if different)
(*not to exceed 6 words*)”.

2. In Form 10 (elector’s official poll card), for the line below “Polling hours”, substitute “7 a.m. to 10 p.m.”, and omit the words in italics.

3. In Form 11 (proxy’s official poll card), for “The poll will be open from *[8 a.m. to 9 p.m.] [7 a.m. to 9 p.m.]”, and the words in italics in the two following sentences, substitute “The poll will be open from 7 a.m. to 10 p.m.”.

4. For Form 17 (election agent's declaration as to election expenses(a), substitute the following—

“PART I

Form of declaration as to election expenses by election agent who was not also list candidate

REPRESENTATION OF THE PEOPLE ACTS

GREATER LONDON AUTHORITY

ELECTION OF MEMBERS OF THE LONDON ASSEMBLY

Date of publication of notice of election

Name of registered Party

I, (*full names*) of (*full address*) solemnly and sincerely declare as follows:

1. I was at this election the election agent for the candidates included in the list submitted by the registered party named above.

2. I have examined the return of election expenses *[about to be] delivered by me to the appropriate officer, of which a copy is now shown to me and marked (*indicate how marked*) and to the best of my knowledge and belief it is a complete and correct return as required by law.

**delete if inapplicable*

3. To the best of my knowledge and belief, all expenses shown in the return as paid were paid by me, except as otherwise stated in relation to the personal expenses of the candidates.

4. I understand that the law does not allow any election expenses not mentioned in this return to be defrayed except in pursuance of a court order.

Signature of Declarant

Date

Note: Where there has been a change of election agent, suitable variations may be introduced.

PART II

Modifications to form of declaration set out in Part I where a candidate included in a list is the election agent for candidates on that list

The modifications to the declaration set out in Part I are—

(a) the substitution for paragraph 1 of the following—

“1. At this election I was one of the candidates included in the list submitted by the registered party named above and I was also the election agent for the candidates on that list.”; and

(b) in paragraph 3, the addition, after the word “candidates” of the words “other than myself”.”.

(a) Form 17 was added by S.I. 2000/1040.

5. For Form 18 (list candidate’s declaration as to election expenses(a), substitute the following—

“PART I

Form of declaration as to election expenses by list candidate who was not also election agent

REPRESENTATION OF THE PEOPLE ACTS

GREATER LONDON AUTHORITY

ELECTION OF MEMBERS OF THE LONDON ASSEMBLY

Date of publication of notice of election

Name of registered Party

I, (*full names*) of (*full address*) solemnly and sincerely declare as follows:

- 1. I was at this election one of the candidates included in the list submitted by the registered party named above.
- 2. I have examined the return of election expenses *[about to be] delivered to the appropriate officer by the person who was the election agent for all of the candidates included in that list. A copy of that return is now shown to me and marked (*indicate how marked*) and to the best of my knowledge and belief it is a complete and correct return as required by law.
**delete if inapplicable*
- 3. To the best of my knowledge and belief, all expenses shown in the return as paid were paid by the list candidates’ election agent, except as otherwise stated in relation to my personal expenses.
- 4. I understand that the law does not allow any election expenses not mentioned in this return to be defrayed except in pursuance of a court order.

Signature of Declarant

Date

Note: Where there has been a change of election agent, suitable variations may be introduced.

PART II

Modifications to form of declaration set out in Part I where a candidate included in a list is the election agent for candidates on that list

The modifications to the declaration set out in Part I are—

- (a) the substitution for paragraph 1 of the following—
 - “1. At this election I was one of the candidates included in the list submitted by the registered party named above and I was also the election agent for the candidates on that list.”; and
- (b) in paragraph 3—
 - (i) by the substitution, for the words “by the list candidates’ election agent”, of the words “by me”; and
 - (ii) by the substitution, for the words, “my personal expenses”, of the words “the personal expenses of the candidates other than myself”.

(a) Form 18 was added by S.I. 2000/1040.

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Greater London Authority Elections (No. 2) Rules 2000 (“the principal Rules”).

The effect of the amendments is—

- (a) to extend the hours of polling at Greater London Authority elections from between 8 a.m. and 9 p.m. to between 7 a.m. and 10 p.m.;
- (b) reflecting section 22 of the Political Parties, Elections and Referendums Act 2000, to prohibit candidates at a Greater London Authority election from including in their nomination papers (and on the ballot papers at the election) a description, other than “Independent”, unless they are standing for election in the name of a party registered under Part II of that Act at the time by which the notice of election is required to be published; and
- (c) reflecting an amendment to section 82 (declarations as to election expenses) of the Representation of the People Act 1983, made by paragraph 8 of Schedule 18 to the Political Parties, Elections and Referendums Act 2000, to remove from the prescribed forms of declarations as to election expenses (Forms 17 and 18 in Schedule 5 to the principal Rules, which were added by the Greater London Authority Elections (No. 2) (Amendment) Rules 2000), references to making the declaration before a Justice of the Peace or other specified person. Forms 17 and 18 are substituted, with the consequential revocation of those forms as set out in rule 2(4) of the Greater London Authority Elections (No. 2) (Amendment) Rules 2000.

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Rules 2001

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