

SCHEDULE 2

regulation 3(2)

MODIFICATIONS OF ACTS AND STATUTORY INSTRUMENT

TABLE 1

THE REPRESENTATION OF THE PEOPLE ACT 1983

<i>(1)</i> <i>Provision</i>	<i>(2)</i> <i>Modifications (if any)</i>
Section 31 (polling districts and stations at local government elections)(1)	<p>In subsection (1)—</p> <p>(a) after “county councillors” insert “or, or elected mayors of county councils,”; and</p> <p>(b) after “district councillors”, insert “or elected mayors of London borough or district councils”.</p> <p>In subsection (1A), after “county borough councillors”, insert “, or elected mayors of county or county borough councils,”.</p>
Section 35 (returning officers: local elections in England and Wales)(2)	<p>In subsection (1)—</p> <p>(a) after “councillors of the county”, insert “and elected mayors of county council”; and</p> <p>(b) after “councillors of the district”, insert “and elected mayors of of the district council”.</p> <p>In subsection (1A), in paragraph (a), after “councillors of the county or county borough”, insert “and elected mayors of the county or county borough council”.</p> <p>In subsection (3), after “London borough councillors”, insert “or an election of an elected mayor of a London borough council”.</p>
Section 36 (local elections in England and Wales)(3)	<p>In subsection (3), in paragraph (a), after “such a councillor”, insert “or the election of an elected mayor of a district council”.</p> <p>In subsection (3AB), in paragraph (a), after “such a councillor,”, insert “or the election of an elected mayor of a Welsh county or county borough council,”.</p>

- (1) Subsection (1) of section 31 was amended by the Local Government Act 1985 (c. 51), Schedule 17, and the Local Government (Wales) Act 1994 (c. 19), Schedule 16. Subsection (1A) was inserted by the Local Government (Wales) Act 1994, Schedule 16. Subsection (1B) was added by the Greater London Authority Act 1999 (c. 29), Schedule 3.
- (2) Subsection (1) was amended, and subsection (1A) inserted, by the Local Government (Wales) Act 1994.
- (3) Section 36(4) was amended by the Local Government Act 1985, Schedule 17, and the Local Government (Wales) Act 1994, Schedule 16. Subsections (3AB) and (3AC) were inserted by the Local Government (Wales) Act 1994 and the Local Government and Rating Act 1997 (c. 29), respectively.

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(1) Provision	(2) Modifications (if any)
Section 39 (local elections void etc. in England and Wales)(4)	<p>In subsection (3AC), in paragraph (a), after “such a councillor,”, insert “or the election of an elected mayor of the council of a county in England in which there are no district councils”.</p> <p>In subsection (4), after “a London borough” insert “, or the election of an elected mayor of the council of such an area,”.</p> <p>In subsection (6), after “Wales”, insert “, or at an election of an elected mayor of the council of any such area,”.</p> <p>In subsection (2), after “other reason”, insert “a mayoral election or”.</p>
Section 40 (timing as to local elections in England and Wales)(5)	<p>In subsection (5), in paragraph (a), after “section 36 above”, insert “or, in the case of a mayoral election, regulations under section 44 of that Act,”.</p> <p>In subsection (6), in paragraph (a)—</p> <ul style="list-style-type: none"> (a) in sub-paragraph (i), after “section 36”, insert “or Part II of the 2000 Act (and the regulations under section 44)”; (b) omit “, or, as the case may be, the district council, or Welsh county or county borough council,”. <p>In subsection (1), after “the 1999 Act”, insert “or regulations under section 44 of the 2000 Act”.</p> <p>In subsection (2), after “the 1999 Act”, insert “and (in the case of a mayoral election) regulations under section 44 of the 2000 Act”.</p> <p>In subsection (3)—</p> <ul style="list-style-type: none"> (a) after “section 36 above”, insert “or regulations under section 44 of the 2000 Act”; and

(4) Subsection (1) was amended by the Local Government Act 1985, section 19(2) and Schedule 17. Subsection (2) was amended by the Greater London Authority Act 1999, Schedule 3. Subsection (6) was amended by the Local Government (Wales) Act 1994, Schedule 16 and the Greater London Authority Act 1999, Schedule 3. Subsection (1) was amended by the Representation of the People Act 1985 (c. 50), sections 16(2) and 19(1) and the Greater London Authority Act 1999, Schedule 3. Subsection (2) was amended by the Greater London Authority Act 1999, Schedule 3.

(5) Subsection (1) was amended by the Representation of the People Act 1985 (c. 50), sections 16(2) and 19(1) and the Greater London Authority Act 1999, Schedule 3. Subsection (2) was amended by the Greater London Authority Act 1999, Schedule 3.

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(1) Provision	(2) Modifications (if any)
Section 46 (further provision as to local election voting)(6)	(b) after “such rules” (in both places) and “those rules”, insert “or regulations (as the case may be)”. Omit subsection (1).
Section 47 (loan of equipment for local elections)(7)	In subsection (2)— (a) omit paragraph (b); and (b) for “those Acts”, substitute “that Act or Part II of the 2000 Act”.
Section 48 (validity of local elections and legal costs)	In subsection (1), after “section 42 above”, insert “or regulations under section 44 of the 2000 Act”.
Section 50 (effect of misdescription)	In paragraph (c)— (a) after “this Part of this Act”, insert “(as applied for the purposes of mayoral elections), and regulations under section 44 of the 2000 Act,”; and (b) omit “and the parliamentary elections rules,”.
Section 52 (discharge of registration duties)(8)	In subsections (1) and (4), after “this Act”, insert “(including any such functions in relation to mayoral elections”.
Section 54 (payment of expenses of registration)(9)	In subsection (1)— (a) after “this Act”, insert “(including any such functions in relation to mayoral elections)”;
	and (b) omit “(except in Northern Ireland)”.
	Omit subsection (2) and paragraph (b) of subsections (3) and (4).
Section 61 (other voting offences)(10)	In subsection (2), in paragraph (a)— (a) in sub-paragraph (ii), after “councillors”, insert “or a mayoral election”; and (b) in sub-paragraph (iii), after “ordinary election”, insert “or mayoral election”.
Section 67 (appointment of election agent)(11)	In subsection (2)— (a) after “this Act”, where it first appears, insert “or, in the case of a mayoral election, such of the provisions of this

(6) Subsection (1) was amended by the Greater London Authority Act 1999, Schedule 3.

(7) Subsection (1) was amended by S.I.1991/1728, regulation 4.

(8) Subsections (1) to (3) were amended, and subsection (4) substituted, by the Representation of the People Act 1985, Schedule 4, paragraph 12. Subsection (4) was amended by the Local Government (Wales) Act 1994, Schedule 16.

(9) Subsections (1) and (3) were amended by the Representation of the People Act 1985, Schedule 4, paragraph 14.

(10) Amended by the Representation of the People Act 1985, Schedules 2 and 5 and by the Greater London Authority Act 1999 (c. 29), Schedule 3, paragraphs 1 and 10.

(11) Subsection (4) was amended by the Representation of the People Act 1985, Schedule 4, paragraph 20. There are other amendments not relevant to these Regulations.

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(1) Provision	(2) Modifications (if any)
	<p>Act as are applied by regulations under section 44 of the 2000 Act,”; and</p> <p>(b) after “this Act”, in the second place, insert “or, in the case of a mayoral election, any applicable provision of this Act,”.</p>
Section 75 (no election expenses to be incurred by persons other than candidate, election agent or persons authorised by him)(12)	<p>Omit subsections (1)(d), (1A), (4) and (7)</p> <p>In subsection (1ZA)(13), for “a candidate at a local government election”, substitute “a candidate at a mayoral election”.</p>
Section 76 (limitation of election expenses)(14)	<p>For subsection (2), substitute—</p> <p>“(2) That maximum amount is £2,000 together with an additional 5p for every entry in the register of electors to be used at the election.”</p>
Section 76A (power to vary provisions about election expenses)(15)	
Section 85 (penalty for sitting and voting where no return and declarations transmitted)(16)	Omit subsection (2).
Section 85A (disqualification where no return and declarations transmitted after election of Mayor of London)(17)	<p>In subsection (1)—</p> <p>(a) for “an election of the Mayor of London”, substitute “a mayoral election”; and</p> <p>(b) for “Mayor of London”, in the second place, substitute “elected mayor”.</p>
Section 90D (modification of sections 90A to 90C in relation to election of London members of the London Assembly)(18)	Omit.
Section 93 (broadcasting during elections)	In subsection (2), in paragraph (b), after “section 36 above”, insert “or regulations made under section 44 of the 2000 Act”.
Section 94 (imitation of poll cards)(19)	<p>In subsection (2)—</p> <p>(a) after “section 36” insert “above, or regulations made under section 44 of the 2000 Act”; and</p> <p>(b) after “the rules”, insert “or, as the case may be, the regulations”.</p>

(12) Amended by the Greater London Authority Act 1999, Schedule 3, paragraph 19, and the Political Parties and Representation of the People Act 2000, section 131.

(13) Subsection (1ZA) was inserted by the Political Parties and Representation of the People Act 2000, section 131(3).

(14) Amended by the Political Parties and Representation of the People Act 2000, section 132.

(15) Substituted by the Political Parties and Representation of the People Act 2000, section 133.

(16) Subsection (1) was amended, and subsection (3) substituted, by the Representation of the People Act 1985, Schedule 4. Subsection (2A) was inserted by the Greater London Authority Act 1999, Schedule 3, paragraph 25.

(17) Inserted by the Greater London Authority Act 1999, Schedule 3, paragraph 26.

(18) Sections 90A to 90D were inserted by the Political Parties and Representation of the People Act 2000, section 134.

(19) Amended by the Representation of the People Act 1985, Schedule 4.

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(1) Provision	(2) Modifications (if any)
Section 96 (schools and rooms for local election meetings)(20)	In subsection (1), after “section 36”, insert “above, or regulations made under section 44 of the 2000 Act”.
Section 97 (disturbances at election meetings)(21)	In subsection (2), in paragraph (b), after “section 36”, insert “above, or regulations made under section 44 of the 2000 Act”.
Section 99 (officials not to act for candidates)	In subsection (1), in paragraph (b), after “section 36”, insert “above, or regulations made under section 44 of the 2000 Act”.
Section 118A (meaning of candidate)(22)	In subsection (3), after “local government Act”, insert “or at an election for a mayor under the Local Government Act 2000”.
Section 173A (incapacity to hold public or judicial office in Scotland)(23)	
Section 203 (local government provisions as to England and Wales)(24)	<p>In subsection (1)—</p> <p>(a) after the definition of “the 1999 Act”, insert—</p> <p>““the 2000 Act” means the Local Government Act 2000;”;</p> <p>(b) in the definition of “local government election”, at the end of paragraph (b), insert “or (c) any mayoral election;”;</p> <p>(c) after the definition of “London member”, insert—</p> <p>““mayoral election” means the election of an elected mayor under Part II of the 2000 Act”.</p> <p>In subsection (2), in paragraph (b), after “Authority elections”, insert “or mayoral elections”.</p>

(20) Subsection (1) was amended by the Greater London Authority Act 1999, Schedule 3, paragraphs 1 and 29. Subsection (2) was amended by the Representation of the People Act 1985, Schedule 4. Subsection (4) was amended by the Police and Criminal Evidence Act 1984 (c. 60), Schedule 7.

(21) Subsection (2) was amended by the Representation of the People Act 1985, Schedule 4.

(22) Section 118A was inserted by the Political Parties and Representation of the People Act 2000, section 135(2).

(23) Section 173A (with section 173) was substituted by the Political Parties and Representation of the People Act 2000, section 136.

(24) Amended by the Greater London Authority Act 1999, Schedule 3, paragraphs 1 and 39.

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TABLE 2**THE REPRESENTATION OF THE PEOPLE ACT 1985(25)**

<i>(1)</i> <i>Provision</i>	<i>(2)</i> <i>Modification</i>
Section 15 (combination of polls at parliamentary, European Parliamentary and local elections)	In subsection (1), at the end of paragraph (c), insert— “or, (d) a mayoral election and an election of one or more of the descriptions specified in paragraphs (a) to (c),”.
	Omit subsection (5).

TABLE 3**THE REPRESENTATION OF THE PEOPLE ACT 2000(26)**

<i>(1)</i> <i>Provision</i>	<i>(2)</i> <i>Modification</i>
Schedule 4 (absent voting in Great Britain)	In paragraph 1, in sub-paragraph (1)— (a) in the definition of “the appropriate rules”, at the end of paragraph (b), insert “and (c) in the case of a mayoral election, the Mayoral Elections Rules, within the meaning of the Local Authorities (Mayoral Elections) (England and Wales) Regulations 2001”; (b) in the definition of “local government election”, at the end, insert “and includes a mayoral election”; and (c) after that definition, insert the following definition— ““mayoral election” means an election under regulations under section 44 of the Local Government Act 2000;”.

TABLE 4**THE REPRESENTATION OF THE PEOPLE REGULATIONS 1986(27)**

<i>(1)</i> <i>Provision</i>	<i>(2)</i> <i>Modification</i>
Regulation 97 (returning officers and polling stations)	Omit paragraph (1). In paragraphs (2) and (3)—

(25)

(26)

(27)

1985 c. 50.

2000 c. 2.

S.I. 1986/1081.

(1) Provision	(2) Modification
	<p>(a) after “government election”, in the first place, insert “or a mayoral election”; and</p> <p>(b) in sub-paragraphs (a) and (b), after “government election”, insert “or, as the case may be, the mayoral election”.</p> <p>In paragraph (5)—</p> <p>(a) after “district council election”, in the first place, insert “or a mayoral election for a district council”; and</p> <p>(b) in sub-paragraphs (a) and (b), after “district council election”, insert “or, as the case may be, the mayoral election”.</p>
Regulation 98 (functions at combined polls)	<p>In paragraph (1)—</p> <p>(a) at the end of sub-paragraph (c), insert “and”, and the following sub-paragraph—</p> <p style="padding-left: 40px;">“(d) at a mayoral election, by the rules in regulations made under section 44 of the Local Government Act 2000 which correspond to the rules specified in paragraph (2) below;”and</p> <p>(b) for “regulation 78 above” substitute “regulation 65 of the Representation of the People (England and Wales) Regulations 2001”.</p>