
STATUTORY INSTRUMENTS

2011 No. 2914

The Local Authorities (Referendums)
(Petitions)(England) Regulations 2011

PART 2

Petitions and Referendums

Interpretation of Part 2

3. In this Part—

“amalgamated petition” means the single petition resulting from an amalgamation of petitions in accordance with paragraph (1) or (2) of regulation 8;

“constituent petitions” means petitions that have been amalgamated;

“constitutional change”—

- (a) in relation to an authority which are operating a leader and cabinet executive (England), means a proposal that the authority should start to operate a mayor and cabinet executive or the committee system instead;
- (b) in relation to an authority which are operating a mayor and cabinet executive, means a proposal that the authority should start to operate a leader and cabinet executive (England) or the committee system instead;
- (c) in relation to an authority which are operating the committee system, means a proposal that the authority should start to operate a mayor and cabinet executive or a leader and cabinet executive (England) instead;

“electoral register” must be construed in accordance with section 9 of the 1983 Act;

“electoral registration officer” has the meaning given by section 8 of the 1983 Act;

“moratorium period”, in relation to a local authority’s area and a petition, means the period of nine years commencing with the day on which a referendum (“referendum A”) was last held under Part 1A of the 2000 Act⁽¹⁾ in relation to that area, except where—

- (a) referendum A was held by virtue of an order under section 9N; and
- (b) the proposal for the authority to operate a mayor and cabinet executive was rejected;

“notice period”, in relation to a petition means the period of one month beginning with the petition date;

“ordinary day of election” has the meaning given by section 37 of the 1983 Act;

“petition”, unless the context otherwise requires, includes an amalgamated petition;

“petition date”—

⁽¹⁾ Part 1A was substituted for Part 2 in relation to England.

- (a) in relation to a petition submitted prior to the publication of the verification number in accordance with regulation 4(1) means the date on which that verification number is published;
- (b) subject to paragraph (d), in relation to constituent petitions amalgamated in accordance with regulation 8(2), means the latest date on which any of the petitions amalgamated was received by the authority;
- (c) subject to paragraph (d), in relation to any other petition, means the date on which it was received by the authority;
- (d) in relation to a petition received within the period of six months beginning with the date that is twelve months before the earliest date on which a second (or subsequent) referendum may lawfully be held in the area of the authority to whom the petition is addressed(2), means the date on which that period of six months ends;

“petition organiser”—

- (a) in relation to constituent petitions amalgamated in accordance with paragraph (1) of regulation 8, means the person determined in accordance with paragraph (5) of regulation 10;
- (b) in any other case, has the meaning given by paragraph (4) of regulation 10;

“post-announcement petition” means a petition received in the circumstances mentioned in regulation 7(1);

“proper officer” has the meaning given by section 270(3) of the 1972 Act;

“publish” in relation to a local authority or a proper officer’s duty to publish, means to make the specified information available to those persons who live in the area in whatever manner the local authority considers likely to bring it to the attention of those persons;

“revised version of the register” must be construed in accordance with section 13 of the 1983 Act;

“valid petition” has the meaning given by regulation 9(1);

“verification number”, in relation to a petition, means the number to be used for verification purposes by virtue of paragraphs (3) or (4) of regulation 4, as the case may be; and

“verification purposes” means the purposes of establishing the matters mentioned in regulations 8(3) and 9(1)(a).

(2) Section 9MF(1) prevents a local authority from holding a second or subsequent referendum within the period of ten years beginning with the date of the previous referendum.