
WELSH STATUTORY INSTRUMENTS

2001 No. 2292

**The Local Authorities (Referendums) (Petitions
and Directions) (Wales) Regulations 2001**

PART II

PETITIONS AND REFERENDUMS

Amalgamation of petitions

8.—(1) Where more than one petition relating to the same area has been prepared, those petitions may, at any time before their presentation to the authority, be amalgamated; and those petitions shall then be treated for all other purposes of this Part as a single petition.

(2) Where constituent petitions amalgamated under paragraph (1) do not propose the same constitutional change, the amalgamated petition shall not be entertained by the authority unless it is accompanied by a statement, signed by the petition organiser in relation to the amalgamated petition, that the amalgamated petition is presented with the agreement of the petition organiser of each of the constituent petitions.

(3) Subject to paragraphs (4), (5) and (6), where an authority receives more than one petition relating to the same area, the proper officer shall, if satisfied as to their validity in every respect other than that mentioned in regulation 9(1)(a), amalgamate those petitions in accordance with paragraph (7); and those petitions shall then be treated for all other purposes of this Part as a single petition.

(4) The proper officer shall not amalgamate petitions if satisfied that the first petition received by the authority (including constituent petitions amalgamated in accordance with paragraph (1)) contains a number of signatures of local government electors for the authority's area that equals or exceeds the verification number and is, in other respects, a valid petition.

(5) Once an amalgamated petition (amalgamated in accordance with paragraph (3)) contains a number of signatures of local government electors for the authority's area that equals or exceeds the verification number and is, in other respects, a valid petition, the proper officer shall not amalgamate any other petition with that amalgamated petition.

(6) The proper officer

- (a) shall not amalgamate petitions that do not propose the same constitutional change unless the proper officer has obtained in writing the agreement of the petition organiser of each petition that would, after amalgamation, be a constituent petition.
- (b) shall inform each petition organiser whose agreement is required for the purposes of subparagraph (a) of the consequence of amalgamation specified in paragraph (10) below.

(7) Petitions shall be amalgamated in the order in which they are received except that, where more than one petition is received on the same day—

- (a) the petition that contains the greatest number of signatures shall be treated as the first to be received;

- (b) the petition that proposes the same constitutional change as that proposed in the petition identified in accordance with sub-paragraph (a) shall be treated as the second to be received; and if there is more than one such petition, those petitions shall be treated as received in sequence, beginning with the petition that contains the greater number of signatures;
- (c) any other petitions shall be treated as received in the following order—
 - (i) the petition that contains the greatest number of signatures;
 - (ii) the petition, if any, that proposes the same constitutional change as the petition identified in accordance with paragraph (i);
 - (iii) the petition that contains the next greatest number of signatures;
 - (iv) the petition, if any, that proposes the same constitutional change as the petition identified in accordance with paragraph (iii);
 - (v) the petition that contains the next greatest number of signatures; and so on.
- (8) Where—
 - (a) an authority receives more than one petition on the same day; and
 - (b) those petitions each contain a number of signatures of local government electors for the authority's area that equals or exceeds the verification number and are, in other respects, valid petitions; and
 - (c) those petitions do not propose the same constitutional change,that authority shall make a determination as to the petition in relation to which it will hold a referendum.
- (9) Before making a determination under paragraph (8)—
 - (a) the authority shall take into account the outcome of any prior consultation undertaken by that authority in pursuance of sections 25 or 31 or regulations 17 or 19; and
 - (b) if the authority considers it necessary, undertake further consultation with the local government electors for, and other interested persons in, the authority's area.
- (10) Where an amalgamated petition results from the combination of constituent petitions which do not propose the same constitutional change, the amalgamated petition shall be treated for the purposes of this Part as proposing that the authority should operate executive arrangements under which the proposed form of executive is not specified.
- (11) For the purposes of this regulation, constitutional changes shall be treated as the same—
 - (a) if they propose executive arrangements under which the executive takes the same form; or
 - (b) if the proposed form of executive is not specified.