

WELSH STATUTORY INSTRUMENTS

2020 No. 1399

The Local Government (Coronavirus) (Postponement of Elections) (Wales) (No. 2) Regulations 2020

Amendment of the 2001 Regulations

8.—(1) The 2001 Regulations are amended in accordance with this regulation.

(2) In regulation 56 (closing date for applications) ^{M1}—

(a) in paragraph (3) for the words “Subject to paragraph (3A),” substitute “ Subject to paragraphs (3A) and (3B), ”;

(b) after paragraph (3A) insert—

“(3B) Where an application is made under paragraph 4(2) of Schedule 4 in relation to a relevant Welsh by-election—

(a) on the ground that the applicant cannot reasonably be expected to vote in person at a polling station as a result of complying with relevant legislation, Welsh Government advice or the advice of a registered medical practitioner in relation to coronavirus; or

(b) on the ground that any person appointed as a proxy to vote for an applicant under paragraph 6 of Schedule 4 is unable to attend a polling station and vote for that applicant as a result of complying with relevant legislation, Welsh Government advice or the advice of a registered medical practitioner in relation to coronavirus,

the application, or an application under paragraph 6(8) of that Schedule made by virtue of that application, shall be refused if it is received after 5pm on the day of the poll at the election for which it is made.

(3C) In paragraph (3B) the term relevant Welsh by-election means—

(a) an election of a councillor to fill a casual vacancy in the office of councillor for any county council or county borough council in Wales; or

(b) the election of a councillor to fill a casual vacancy in the office of community councillor in any community council in Wales,

where the poll for such an election was postponed as a result of the Local Government (Coronavirus) (Postponement of Elections) (Wales) Regulations 2020”.

(3) The Welsh Ministers must review the amendments made to the 2001 Regulations by this regulation at least once every year, with the first review being carried out by 1 October 2021.

^{F1}(4)

Textual Amendments

F1 Reg. 8(4) omitted (10.3.2022) by virtue of [The Local Elections \(Miscellaneous and Consequential Amendments\) \(Wales\) Regulations 2022 \(S.I. 2022/263\)](#), regs. 1(2), **10(4)(a)**

Changes to legislation: There are currently no known outstanding effects for the *The Local Government (Coronavirus) (Postponement of Elections) (Wales) (No. 2) Regulations 2020, Section 8.* (See end of Document for details)

Commencement Information

II Reg. 8 in force at 4.12.2020, see [reg. 2](#)

Marginal Citations

M1 [Regulation 56](#) was amended by [S.I. 2001/1700](#), [S.I. 2006/752](#), [S.I. 2006/2910](#) and [S.I. 2013/3198](#).

Changes to legislation:

There are currently no known outstanding effects for the The Local Government (Coronavirus) (Postponement of Elections) (Wales) (No. 2) Regulations 2020, Section 8.