

SCHEDULE 2

MINOR AND CONSEQUENTIAL AMENDMENTS RELATING TO PART 1: ELECTIONS

PART 1

PRIMARY LEGISLATION

Local Government Act 1972 (c. 70)

- 1 (1) The 1972 Act is amended as follows.
- (2) In section 25 (term of office and retirement of councillors)—
 - (a) in subsection (1)—
 - (i) for “and Part 1” substitute “, Part 1”;
 - (ii) after “1983” insert “, and Part 1 of the Local Government and Elections (Wales) Act 2021”;
 - (b) in subsection (2)—
 - (i) for “divisions” substitute “wards”;
 - (ii) after “2013 (anaw 4)” insert “, or by regulations under paragraph 9 or 10 of Schedule 1 to the Local Government and Elections (Wales) Act 2021”;
 - (c) in subsection (3) for “division” substitute “ward”.
- (3) In section 80 (disqualifications for election and holding office as member of local authority)—
 - (a) in subsection (1), after “local authority”, where it first occurs, insert “in England”;
 - (b) in subsection (2), after “paid officer of a local authority” insert “in England”;
 - (c) omit subsection (3B);
 - (d) in the heading, for “local authority” substitute “a local authority in England”.
- (4) In section 86(1)(b) (declaration of vacancy of local authority member), after “otherwise than under” insert “section 80A(1)(c) of this Act”.
- (5) In section 87(1)(date of casual vacancies), after paragraph (d) insert—
 - “(da) in the case of disqualification of a member of a local authority in Wales under paragraph (c) of section 80A(1), on the date on which the person becomes disqualified under that paragraph;”.
- (6) In section 89 (filling of casual vacancies in case of councillors), in subsection (6), at the end, insert “in the case of a parish council or, in the case of a community council, made under section 36A of the 1983 Act”.
- (7) In section 116 (members of local authorities not to be appointed as officers)—
 - (a) after “local authority”, in both places where it occurs, insert “in England”;
 - (b) in the heading, after “local authorities” insert “in England”.
- (8) In Schedule 12, in paragraph 34(5)(polls consequent on community meetings)—
 - (a) for “Secretary of State” substitute “Welsh Ministers”;
 - (b) for “section 36” substitute “section 36A”.

Status: This is the original version (as it was originally enacted).

- (9) In this Act, omit paragraph 2 of Schedule 6 (modification of sections 80 and 116 of the 1972 Act relating to assistants to the executive).