

Status: Point in time view as at 20/03/2021.

Changes to legislation: There are currently no known outstanding effects for the Local Government and Elections (Wales) Act 2021, Cross Heading: Local Government Act 1972 (c. 70). (See end of Document for details)

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 ”;

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(b) for “section 36” substitute “ section 36A ”.

(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).

Commencement Information

- I1** Sch. 2 para. 1(1)(2) in force at 20.3.2021, see s. 175(3)(f)
- I2** Sch. 2 para. 1(6) in force at 20.3.2021, see s. 175(3)(f)
- I3** Sch. 2 para. 1(8) in force at 20.3.2021, see s. 175(3)(f)

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