



# Local Government and Elections (Wales) Act 2021

2021 asc 1

## PART 7

### MERGERS AND RESTRUCTURING OF PRINCIPAL AREAS

#### CHAPTER 1

##### VOLUNTARY MERGERS OF PRINCIPAL AREAS

###### *Merger regulations*

#### **126 Voting system**

- (1) Merger regulations must specify whether the voting system that applies to the first ordinary election of councillors to the principal council for the new principal area is to be—
  - (a) the simple majority system provided for by rules made, or having effect as if made, under section 36A of the 1983 Act, or
  - (b) the single transferable vote system provided for by rules made under section 36A of the 1983 Act.
- (2) The voting system specified in the merger regulations must be—
  - (a) the voting system agreed by the merging councils, or
  - (b) in the absence of agreement—
    - (i) the voting system used in both, or where there are three or more merging councils, all or the majority of, the merging councils immediately before the application date, or
    - (ii) if neither of the merging councils used, or (where there are three or more merging councils) the majority of the merging councils did not use, the same voting system immediately before the application date,

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*Status: This is the original version (as it was originally enacted).*

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the voting system determined by the Welsh Ministers after consulting the merging councils.

- (3) In subsection (2)(b), “application date” means the date on which the merger application is made.
- (4) If a merger application is made before section 7 comes into force—
- (a) subsections (1) and (2) of this section do not apply in relation to the merger regulations relating to the application, and
  - (b) those regulations must provide that if section 7 is in force on the day of the first ordinary election of councillors to the principal council for the new principal area, the simple majority system applies to that election.