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STATUTORY INSTRUMENTS

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**2021 No. 52**

**LOCAL GOVERNMENT, ENGLAND**

The Local Government and Police and Crime Commissioner  
(Coronavirus) (Postponement of Elections and Referendums)  
(England and Wales) (Amendment) (England) Regulations 2021

<i>Made</i>	- - - -	<i>18th January 2021</i>
<i>Laid before Parliament</i>		<i>19th January 2021</i>
<i>Coming into force</i>	- -	<i>9th February 2021</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 61 and 63 of the Coronavirus Act 2020<sup>(1)</sup>.

**Citation and commencement**

1. These Regulations may be cited as the Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) (Amendment) (England) Regulations 2021 and come into force on 9th February 2021.

**Extent and application**

2. These Regulations extend to England and Wales and apply to England only.

**Amendment of the Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020**

3. In regulation 12 of the Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020<sup>(2)</sup>, for paragraph (3) substitute—

“(3) Regulation 9 of the 2011 Regulations (validity of petitions) is to be read during the relevant period as if that period were to be disregarded for the purposes of calculating the period of 12 months mentioned in paragraph (5) of that regulation.

(3A) Subject to paragraph (3B), for the purposes of the 2011 Regulations a petition presented to, or received by, a local authority on any day during the period beginning

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(1) 2020 c. 7.  
(2) S.I. 2020/395.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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with 16th March 2020 and ending with 8th February 2021 is to be treated as having been presented or received on 9th February 2021.

(3B) In relation to a petition mentioned in paragraph (3A), for the purposes of satisfying himself or herself of the validity of the petition in accordance with regulations 9 (validity of petitions) and 11 (procedure on receipt of petition) of the 2011 Regulations, the proper officer must use the version of the electoral register (or versions of the registers) which had effect for the area on the day during the period beginning with 16th March 2020 and ending with the 8th February 2021 on which the petition was presented to the authority.”.

Signed by authority of the Secretary of State for Housing, Communities and Local Government

*Luke Hall*  
Minister of State  
Ministry of Housing, Communities and Local  
Government

18th January 2021

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020 ([S.I. 2020/395](#)) to remove the restriction on petitions for a referendum on a change of local authority governance being validly presented to a local authority during the period from 16th March 2020 to 5th May 2021 (inclusive).

Regulation 3 substitutes paragraph (3) to remove this restriction and inserts new paragraphs (3A) and (3B) into regulation 12 of [S.I. 2020/395](#) to provide that a petition presented during the period from 16th March 2020 to 8th February 2021 (inclusive) is to be treated for the purposes of the Local Authorities (Referendums) (Petitions) (England) Regulations 2011 ([S.I. 2011/2914](#)) as having been presented on 9th February 2021 but that, for the purposes of establishing the validity of the petition, the local authority must use the version of the electoral register which had effect on the day on which the petition was actually presented to the authority.

A full regulatory impact assessment has not been prepared as this instrument will have no impact on the costs of business and the voluntary sector.