
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which extend to England and Wales, contain, in Schedule 1, the Mayoral Elections Rules that apply in relation to elections under the Local Government Act 2000 (“the 2000 Act”) of elected mayors of county, district and London borough councils (England) and county and county borough councils (Wales).

The Rules are similar to those that apply in relation to the election of councillors at local authority elections. However, each candidate’s nomination paper must be subscribed by 30 electors, and a deposit of £500 must be paid. If there are three or more mayoral candidates, the elected mayor will be returned under the supplementary vote system, for which provision is made in section 42(3) of, and Schedule 2 to, the 2000 Act. (The supplementary vote system is also used for the election of the Mayor of London under the Greater London Authority Act 1999 where there are three or more candidates.)

Provisions of Acts and Regulations relating to local authority elections are applied, by regulation 3(2), to mayoral elections, subject to the modifications listed in Tables 1 to 4 of Schedule 2 to these Regulations. The modifications include, in Table 1 of that Schedule, provision limiting election expenses.

Regulation 4 makes provision in relation to the forms to be used at mayoral elections.

Regulation 5 provides for the combination of polls. Part I of Schedule 3 sets out modifications to—

regulation 100 of the Representation of the People Regulations 1986, which modifies the Parliamentary Elections Rules (contained in Schedule 1 to the Representation of the People Act 1983),

the Local Elections (Principal Areas) Rules 1986,

the Local Elections (Parishes and Communities) Rules 1986,

the European Parliamentary Elections Regulations 1999 (including the European Parliamentary Elections Rules),

the Greater London Authority Elections (No. 2) Rules 2000,

the Representation of the People (England and Wales) Regulations 2001, and

the Local Authorities (Conduct of Referendums) (England) Regulations 2001.

Part II of Schedule 3 sets out modifications to the Mayoral Elections Rules (the Rules in Schedule 1 to the Regulations).

The modifications have effect—

- (a) where a mayoral election is combined with a parliamentary, European Parliamentary, Greater London Authority or other local government election, or another mayoral election, or
- (b) where the election of a mayor for a county is combined with a referendum for a county borough (Wales) or a district (England) as to whether the council for that area should be run in a way which includes a mayor, or includes a councillor elected by the other councillors, to lead the council and the community which it serves.

As indicated in regulation 5, the first modification in Part II of Schedule 3 (which relates to the hours of polling) applies only where the poll at the mayoral election is taken together with the poll at a parliamentary or European Parliamentary election.

Regulation 6 provides for mayoral elections to be questioned using the same procedures (in Part III of the Representation of the People Act 1983) that apply to the questioning of local authority elections.

Regulation 7 and Schedule 4 provide for the free delivery of election addresses. The provisions are generally comparable to those that apply at Greater London Authority elections. Candidates at mayoral elections who wish to have their election addresses included in the election booklet prepared and distributed by the returning officer are required to pay a contribution of such reasonable amount as the returning officer may determine towards the expenses incurred by the returning officer in printing the election booklet.

Regulation 8 makes a consequential amendment to the Local Elections (Principal Areas) Rules 1986.

It is intended that provisions relating to the combination of polls at a mayoral election and an election of members of the National Assembly for Wales should be contained in a future statutory instrument.