



Local Government Act 1972

1972 CHAPTER 70

PART II

LOCAL GOVERNMENT AREAS AND AUTHORITIES IN WALES

Members of principal councils

22 Chairman.

- (1) The chairman of a principal council shall be elected annually by the council from among the councillors.
- [^{F1}(1A) Where a council falling within subsection (1) are operating executive arrangements which involve a mayor and cabinet executive or a mayor and council manager executive, the council shall consist of an elected mayor, a chairman and councillors.]
- (2) The chairman shall, unless he resigns or becomes disqualified, continue in office until his successor becomes entitled to act as chairman.
- (3) During his term of office the chairman shall continue to be a member of the council notwithstanding the provisions of this Act relating to the retirement of councillors.
- [^{F2}(4) The chairman of a principal council shall have precedence in the area of that council, but not so as to affect Her Majesty's prerogative prejudicially.]
- [^{F3}(4A) Subsection (4) above shall have effect in relation to a principal council which are operating executive arrangements which involve a mayor and cabinet executive ^{F4}... as if it provided for the elected mayor of the council to have precedence in the area of that council, but this subsection shall not apply if the executive arrangements provide for it not to apply.]
- (5) A principal council may pay the chairman for the purpose of enabling him to meet the expenses of his office such allowance as the council think reasonable.

Status: Point in time view as at 10/07/2011.

Changes to legislation: Local Government Act 1972, Cross Heading: Members of principal councils is up to date with all changes known to be in force on or before 23 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F1** S. 22(1A) inserted (28.7.2001) by 2000 c. 22, ss. 46, 108(4), **Sch. 3 para. 5(1)(2)**
- F2** S. 22(4) substituted (1.4.1996) by 1994 c. 19, s. 66(5), **Sch. 15 para. 2** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**
- F3** S. 22(4A) inserted (28.7.2001) by 2000 c. 22, ss. 46, 108(4), **Sch. 3 para. 5(1)(3)**
- F4** Words in s. 22(4A) repealed (10.7.2011) by Local Government (Wales) Measure 2011 (nawm 4), ss. 34(7)(b), 178(2), **Sch. 4 Pt. B**

23 Election of chairman.

- (1) The election of the chairman shall be the first business transacted at the annual meeting of a principal council.
- (2) If, apart from section 22(3) above or section 24(2) below, the person presiding at the meeting would have ceased to be a member of the council, he shall not be entitled to vote in the election except in accordance with subsection (3) below.
- (3) In the case of an equality of votes the person presiding at the meeting shall give a casting vote in addition to any other vote he may have.

Modifications etc. (not altering text)

- C1** S. 23 applied (*temp.* from 4.5.1995 to 31.3.1996) by S.I. 1995/1042, **art. 4(1)**

24 Vice-chairman.

- (1) A principal council shall appoint a member of the council to be a vice-chairman of the council.
- [^{F5}(1A) A member of the executive of a principal council may not be appointed as the vice-chairman of the council.]
- (2) The vice-chairman shall, unless he resigns or becomes disqualified, hold office until immediately after the election of a chairman at the next annual meeting of the council and during that time shall continue to be a member of the council notwithstanding the provisions of this Act relating to the retirement of councillors.
- (3) Subject to any standing orders made by the council, anything authorised or required to be done by, to or before the chairman may be done by, to or before the vice-chairman.
- (4) A principal council may pay the vice-chairman for the purpose of enabling him to meet the expenses of his office such allowance as the council think reasonable.

Textual Amendments

- F5** S. 24(6)(1A) inserted (28.7.2001) by 2000 c. 22, ss. 46, 108(4), **Sch. 3 para. 6(1)(2)**

Modifications etc. (not altering text)

- C2** S. 24 applied (*temp.* from 4.5.1995 to 31.3.1996) by S.I. 1995/1042, **art. 4(1)**

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25 Term of office and retirement of councillors.

(1) Councillors for a principal area shall be elected by the local government electors for that area in accordance with this Act and Part I of the [^{F6}Representation of the People Act 1983].

[^{F7}(2) For the purpose of the election of councillors, every principal area in Wales shall be divided into electoral divisions, each returning such number of councillors as may be provided by an order under paragraph 2 of Schedule 5 to this Act or under or by virtue of the provisions of Part IV of this Act.

(3) There shall be a separate election for each electoral division.]

Textual Amendments

- F6** Words substituted by [Representation of the People Act 1983 \(c. 2, SIF 42\)](#), s. 206, [Sch. 8 para. 12](#)
F7 S. 25(2)(3) substituted for s. 25(2) (20.3.1995) by [1994 c. 19, s. 4\(1\)](#) (with ss. 54(5)(7), 55(5), [Sch. 17 paras. 22\(1\), 23\(2\)](#)); [S.I. 1995/546](#), art. 3, [Sch.](#)

[^{F8}25A Title of chairman or vice-chairman of county borough council.

(1) The chairman of a county borough council is entitled to the style of “mayor” or “maer”.

(2) The vice-chairman of a county borough council is entitled to the style of “deputy mayor” or “dirprwy faer”.]

[^{F9}(3) This section does not apply where a county borough council are operating executive arrangements which involve a mayor and cabinet executive ^{F10}....]

Textual Amendments

- F8** S. 25A inserted (3.4.1995) by [1994 c. 19, s. 66\(5\)](#), [Sch. 15 para. 3](#) (with ss. 54(5)(7), 55(5), [Sch. 17 paras. 22\(1\), 23\(2\)](#)); [S.I. 1995/852](#), art. 9(1), [Sch. 5](#)
F9 S. 25A(3) inserted (28.7.2001) by [2000 c. 22, ss. 46, 108\(4\)](#), [Sch. 3 para. 7\(1\)\(2\)](#)
F10 Words in s. 25A(3) repealed (10.7.2011) by [Local Government \(Wales\) Measure 2011 \(nawm 4\)](#), ss. 34(7)(c), 178(2), [Sch. 4 Pt. B](#)

[^{F11}26 Elections of councillors.

(1) The ordinary elections of councillors of the new principal councils shall take place in [^{F12}2004] and in every fourth year after [^{F12}2004].

(2) The term of office of every such councillor shall be four years.

(3) On the fourth day after any such ordinary election—
(a) the persons who were councillors immediately before the election shall retire; and
(b) the newly elected councillors shall assume office.]

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Textual Amendments

- F11** S. 26 substituted (20.3.1995) by 1994 c. 19, s. 4(2) (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/546, art. 3, Sch.
- F12** Words in s. 26(1) substituted (15.11.2001) by S.I. 2001/3540, art. 2(1)(3)

Status:

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