



# 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.

[<sup>F1</sup>(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.

[<sup>F2</sup>(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.]

[<sup>F3</sup>(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 <sup>F4</sup>... 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.]

<sup>F5</sup>(5) .....

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**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- F4** Words in s. 22(4A) repealed (10.7.2011) by Local Government (Wales) Measure 2011 (nawm 4), ss. 34(7)(b), 178(2), **Sch. 4 Pt.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**
- F5** S. 22(5) repealed (30.9.2013) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), s. 75(2)(d), **Sch. 2**

**Modifications etc. (not altering text)**

- C1** S. 22(1) modified (W.) (22.4.2020) by The Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020 (S.I. 2020/442), regs. 1(3), **11(2)**

**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)**

- C2** S. 23 applied (*temp.* from 4.5.1995 to 31.3.1996) by S.I. 1995/1042, **art. 4(1)**
- C3** S. 23 modified (W.) (22.4.2020) by The Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020 (S.I. 2020/442), regs. 1(3), **11(3)**

**24 Vice-chairman.**

- (1) A principal council shall appoint a member of the council to be a vice-chairman of the council.
- [<sup>F6</sup>(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.

<sup>F7</sup>(4) . . . . .

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#### Textual Amendments

- F6** S. 24(6)(1A) inserted (28.7.2001) by 2000 c. 22, ss. 46, 108(4), **Sch. 3 para. 6(1)(2)**  
**F7** S. 24(4) repealed (30.9.2013) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#), s. 75(2)(d), **Sch. 2**

#### Modifications etc. (not altering text)

- C4** S. 24 applied (*temp.* from 4.5.1995 to 31.3.1996) by [S.I. 1995/1042](#), **art. 4(1)**  
**C5** S. 24(2) modified (W.) (22.4.2020) by [The Local Authorities \(Coronavirus\) \(Meetings\) \(Wales\) Regulations 2020 \(S.I. 2020/442\)](#), regs. 1(3), **11(4)**

### [<sup>F8</sup>24A Presiding member

- (1) A principal council may determine to have a presiding member.
- (2) A presiding member is elected by the principal council from among the councillors.
- (3) The principal council may determine—
  - (a) the functions of the presiding member, and
  - (b) the term of office of the member (subject to the limits in subsection (6)).
- (4) The functions of the presiding member may, in particular, include any function of the chairman of the principal council in relation to its meetings and proceedings.
- (5) A member of the executive of a principal council may not be elected as its presiding member.
- (6) A presiding member is to continue in office until the occurrence of—
  - (a) the presiding member's resignation or disqualification,
  - (b) a successor becoming entitled to act as presiding member,
  - (c) the principal council determining not to have an office of presiding member, or
  - (d) an ordinary council election under section 26.

#### Textual Amendments

- F8** Ss. 24A, 24B inserted (30.9.2013) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#), **ss. 51(2), 75(2)(d)**

### 24B Deputy presiding member

- (1) The section applies where a principal council have determined to have a presiding member.
- (2) The principal council must appoint a member of the council to act as deputy to the presiding member (“the deputy presiding member”).
- (3) A member of the executive of a principal council may not be appointed as the deputy presiding member.
- (4) A deputy presiding member is to continue in office until the occurrence of—
  - (a) the deputy presiding member's resignation or disqualification,
  - (b) a successor becoming entitled to act as deputy presiding member,

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- (c) the council determining not to have an office of presiding member, or
  - (d) an ordinary council election under section 26.
- (5) A deputy presiding member may do anything authorised or required to be done by the presiding member.]

#### Textual Amendments

**F8** Ss. 24A, 24B inserted (30.9.2013) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#), **ss. 51(2), 75(2)(d)**

## 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 [<sup>F9</sup>, Part 1] of the [<sup>F10</sup>Representation of the People Act 1983][<sup>F11</sup>, and Part 1 of the Local Government and Elections (Wales) Act 2021].
- [<sup>F12</sup>(2) For the purpose of the election of councillors, every principal area in Wales shall be divided into electoral [<sup>F13</sup>wards], 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 [<sup>F14</sup>or Part 3 of the Local Government (Democracy) (Wales) Act 2013 (anaw 4)][<sup>F15</sup>, or by regulations under paragraph 9 or 10 of Schedule 1 to the Local Government and Elections (Wales) Act 2021].
- (3) There shall be a separate election for each electoral [<sup>F16</sup>ward].]

#### Textual Amendments

- F9** Words in s. 25(1) substituted (W.) (20.3.2021) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(3)(f), **Sch. 2 para. 1(2)(a)(i)**
- F10** Words substituted by [Representation of the People Act 1983 \(c. 2, SIF 42\)](#), s. 206, **Sch. 8 para. 12**
- F11** Words in s. 25(1) inserted (W.) (20.3.2021) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(3)(f), **Sch. 2 para. 1(2)(a)(ii)**
- F12** 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.**
- F13** Word in s. 25(2) substituted (W.) (20.3.2021) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(3)(f), **Sch. 2 para. 1(2)(b)(i)**
- F14** Words in s. 25(2) inserted (30.9.2013) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#), s. 75(2)(d), **Sch. 1 para. 1(2)**
- F15** Words in s. 25(2) inserted (W.) (20.3.2021) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(3)(f), **Sch. 2 para. 1(2)(b)(ii)**
- F16** Word in s. 25(3) substituted (W.) (20.3.2021) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(3)(f), **Sch. 2 para. 1(2)(c)**

## [<sup>F17</sup>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”.]

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[<sup>F18</sup>(3) This section does not apply where a county borough council are operating executive arrangements which involve a mayor and cabinet executive <sup>F19</sup>....]

#### Textual Amendments

- F17** 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**
- F18** S. 25A(3) inserted (28.7.2001) by 2000 c. 22, ss. 46, 108(4), **Sch. 3 para. 7(1)(2)**
- F19** 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**

#### [<sup>F20</sup>25B Title of civic chair

- (1) This section applies where—
- a principal council have determined to have a presiding member under section 24A, and
  - the chairman of the council is not entitled to the style of “mayor” or “maer”.
- (2) The chairman of the council is entitled to the style of “civic chair” or “cadeirydd dinesig”.
- (3) The vice-chairman of the council is entitled to the style of “civic vice-chair” or “dirprwy gadeirydd dinesig”.]

#### Textual Amendments

- F20** S. 25B inserted (30.9.2013) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), **ss. 51(3), 75(2)(d)**

#### [<sup>F21</sup>26 Elections of councillors.

- (1) The ordinary elections of councillors of the new principal councils shall take place in [<sup>F22</sup>2022] and in every [<sup>F23</sup>fifth] year after [<sup>F22</sup>2022].
- (2) The term of office of every such councillor shall be [<sup>F24</sup>five] years.
- (3) On the fourth day after any such ordinary election—
- the persons who were councillors immediately before the election shall retire; and
  - the newly elected councillors shall assume office.]

#### Textual Amendments

- F21** 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.**
- F22** Word in s. 26(1) substituted (W.) (6.11.2019) by The Local Authorities (Change to the Years of Ordinary Elections) (Wales) Order 2019 (S.I. 2019/1269), arts. 1(2), **3(2)**
- F23** Word in s. 26(1) substituted (W.) (20.3.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), **ss. 14(2), 175(3)(d)**

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**F24** Word in s. 26(2) substituted (W.) (20.3.2021) by [Local Government and Elections \(Wales\) Act 2021](#) (asc 1), **ss. 14(3)**, 175(3)(d)

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