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## SCHEDULES

### SCHEDULE 3

#### ESTABLISHMENT OF NEW AUTHORITIES IN ENGLAND

##### *Suspension of elections*

- 12 (1) No election of councillors of an existing county, borough (other than a London borough or a borough included in a rural district) or urban or rural district other than a rural district which is co-extensive with a parish shall be held after the end of the year 1972 <sup>F1</sup> . . . .
- (2) <sup>F2</sup> . . . . .
- (3) No election of parish councillors shall be held after the end of the year 1972 for any existing parish mentioned in paragraph 1 of Part IV of Schedule 1 to this Act.
- (4) <sup>F3</sup> . . . . .
- (5) <sup>F3</sup> . . . . .
- (6) <sup>F3</sup> . . . . .
- (7) <sup>F3</sup> . . . . .
- (8) Any ordinary election of councillors of a borough included in a rural district or of a rural district which is co-extensive with a parish due (apart from this Act) to take place in May 1973 shall take place on the same day as the ordinary election in that year of councillors for the new district in which the borough or rural district is situated; and any councillor of any such borough or rural district who (apart from this Act) would ordinarily have retired on 20th May 1973 shall (unless he resigns his office or it otherwise becomes vacant) continue to hold office until the fourth day after the day on which the election of councillors takes place in pursuance of this sub-paragraph.
- (9) The council of a borough included in a rural district shall, as from the date when the persons elected councillors of the borough in pursuance of sub-paragraph (8) above come into office, also be the council of the corresponding parish, and—
- (a) the persons so elected shall also hold office as councillors of the corresponding parish and, in the case of a borough divided into wards, be deemed also to have been elected for the corresponding wards of the parish;
- (b) <sup>F4</sup> . . . . .
- (c) <sup>F4</sup> . . . . .
- (10) Without prejudice to the continued operation, until its repeal by this Act, of section 43(3) of the 1933 Act (council of a rural district which is co-extensive with a parish to have the functions of, and to be deemed to be, the parish council) the council of a rural district which is co-extensive with a parish shall, as from the date when

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the persons elected councillors of the rural district in pursuance of sub-paragraph (8) above come into office, also be the council of the parish, and—

- (a) the persons so elected shall also hold office as councillors of the parish and, in the case of a rural district divided into wards, be deemed also to have been elected for the corresponding wards of the parish;
- (b) <sup>F5</sup> .....
- (c) <sup>F5</sup> .....

(11) <sup>F6</sup> .....

(12) As respects an existing county or borough (other than a London borough)—

- (a) no ordinary election of aldermen shall be held after the passing of this Act;
- (b) <sup>F7</sup> .....
- (c) <sup>F7</sup> .....

(13) <sup>F8</sup> .....

(14) The foregoing provisions of this paragraph shall have effect subject to the provisions of paragraphs 13 and 14 below.

<b>Textual Amendments</b>	
<b>F1</b>	Words in <a href="#">Sch. 3 para. 12(1)</a> repealed (22.7.2004) by <a href="#">Statute Law (Repeals) Act 2004 (c. 14), s. 1(1)</a> , {Sch. 1 Pt. 10 Group 1}
<b>F2</b>	<a href="#">Sch. 3 para. 12(2)</a> repealed (22.7.2004) by <a href="#">Statute Law (Repeals) Act 2004 (c. 14), s. 1(1)</a> , {Sch. 1 Pt. 10 Group 1}
<b>F3</b>	<a href="#">Sch. 3 para. 12(4)-(7)</a> repealed (22.7.2004) by <a href="#">Statute Law (Repeals) Act 2004 (c. 14), s. 1(1)</a> , {Sch. 1 Pt. 10 Group 1}
<b>F4</b>	<a href="#">Sch. 3 para. 12(9)(b)(c)</a> repealed (22.7.2004) by <a href="#">Statute Law (Repeals) Act 2004 (c. 14), s. 1(1)</a> , {Sch. 1 Pt. 10 Group 1}
<b>F5</b>	<a href="#">Sch. 3 para. 12(10)(b)(c)</a> repealed (22.7.2004) by <a href="#">Statute Law (Repeals) Act 2004 (c. 14), s. 1(1)</a> , {Sch. 1 Pt. 10 Group 1}
<b>F6</b>	<a href="#">Sch. 3 para. 12(11)</a> repealed (22.7.2004) by <a href="#">Statute Law (Repeals) Act 2004 (c. 14), s. 1(1)</a> , {Sch. 1 Pt. 10 Group 1}
<b>F7</b>	<a href="#">Sch. 3 para. 12(12)(b)(c)</a> repealed (22.7.2004) by <a href="#">Statute Law (Repeals) Act 2004 (c. 14), s. 1(1)</a> , {Sch. 1 Pt. 10 Group 1}
<b>F8</b>	<a href="#">Sch. 3 para. 12(13)</a> repealed (22.7.2004) by <a href="#">Statute Law (Repeals) Act 2004 (c. 14), s. 1(1)</a> , {Sch. 1 Pt. 10 Group 1}

13 (1) The provisions of this paragraph shall apply in relation to a parish constituted under Part V of Schedule 1 above and falling within paragraph 10(2) above and also in relation to the borough or urban district the area of which is co-extensive with that of the parish; and, in relation to such a parish,—

- (a) references in this paragraph to the order are references to the order under the said Part V constituting the parish, and
- (b) references in this paragraph to the borough or urban district are references to the borough or urban district the area of which is co-extensive with that of the parish.

(2) As from the date specified in the order, the parish councillors shall be the aldermen and councillors for the time being of the borough or as the case may be, the

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councillors for the time being of the urban district, and, if the parish is divided into wards in accordance with paragraph 10(2) above—

- (a) the councillors of the borough or urban district, in their capacity as parish councillors, shall be treated as having been elected for the wards of the parish corresponding to the wards of the borough or urban district for which they were elected; and
- (b) in the case of a borough, each of the aldermen shall be treated, in his capacity as a parish councillor, as having been elected for such ward of the parish as shall be determined at a meeting of the parish council held within fourteen days after the date specified in the order.

(3) <sup>F9</sup> .....

(4) <sup>F9</sup> .....

(5) <sup>F9</sup> .....

(6) Where this paragraph applies to a parish, sub-paragraph (12)(c) and (13) of paragraph 12 above shall not apply in relation to the borough or urban district, as the case may be; and in the case of a borough any person appointed to fill a casual vacancy in the office of alderman of the borough shall be treated, in his capacity as a parish councillor, as having been elected for the same ward of the parish as that for which his predecessor as alderman was treated as having been elected by virtue of sub-paragraph (2)(b) above or this sub-paragraph.

**Textual Amendments**

**F9** Sch. 3 para. 13(3)-(5) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

14 In the case of a parish constituted under Part V of Schedule 1 above and falling within paragraph 10(3) above, the Secretary of State shall by order make such provision in relation to the councillors of the parish, the chairman and vice-chairman of the parish council and the aldermen and councillors of the borough, or as the case may be the councillors of the urban district, concerned as appears to him to be appropriate to secure for the parish and that borough or urban district a result corresponding, so far as practicable, with that produced in the case of a parish falling within paragraph 10(2) above, by sub-paragraphs (2) to (6) of paragraph 13 above.

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