

## SCHEDULES

### SCHEDULE 16

#### OTHER CONSEQUENTIAL AMENDMENTS

##### *The Representation of the People Act 1983 (c. 2)*

- 68 (1) In section 8 of the Representation of the People Act 1983 (registration officers), in subsection (2) omit “and Wales” and after subsection (2) insert—
- “(2A) In Wales, the council of every county or county borough shall appoint an officer of the council to be registration officer for any constituency or part of a constituency coterminous with or situated in the area of the council.”
- (2) In section 18(2) of that Act (polling districts), omit “and Wales” and after “borough” insert “, and in Wales it is the duty of the council of each county or county borough,”.
- (3) In section 24(1) of that Act (returning officers), in paragraphs (a), (b) and (c) after “constituency” insert, in each case, “in England” and insert the following paragraphs in the appropriate places—
- “(aa) in the case of a county constituency in Wales which is coterminous with or wholly contained in a preserved county as defined by section 64 of the Local Government (Wales) Act 1994, the sheriff of the county;”;
- “(bb) in the case of a borough constituency in Wales which is coterminous with or wholly contained in a county or county borough, the chairman of the county or county borough council;”;
- “(cc) in the case of any other constituency in Wales, such sheriff or chairman of a county or county borough council as may be designated in an order by the Secretary of State so made;”.
- (4) In section 28(1) of that Act (discharge of returning officer’s functions), in paragraph (a) after “constituency” insert “in England” and after that paragraph insert—
- “(aa) in the case of a constituency in Wales for which the chairman of a county or county borough council is returning officer by virtue of that section, by the registration officer appointed by that council;”.
- (5) In section 28(5) of that Act (power of acting returning officer to appoint deputies), after “and a” insert “Welsh county council or county borough council or a”.
- (6) In section 31 of that Act (polling districts and stations at local government elections), in subsection (1) after “county councillors” insert “in England” and after that subsection insert—
- “(1A) For elections of county or county borough councillors in Wales, the county or county borough council may divide an electoral division into polling districts and may alter any polling district.”

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*Status: This is the original version (as it was originally enacted).*

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- (7) In section 35 of that Act (returning officers for local elections), in subsection (1) omit “and Wales” and “or communities” and after that subsection insert—
- “(1A) In Wales the council of every county or county borough shall appoint—
- (a) an officer of the council to be the returning officer for elections of councillors of the county or county borough; and
- (b) an officer of the council to be the returning officer for elections of councillors of communities within the county or county borough.”
- (8) In section 36 of that Act (local elections), in subsection (3) omit “or community” in both places in paragraph (b) and after that subsection insert—
- “(3AB) Where the polls at—
- (a) the ordinary election of councillors for any electoral division of a Welsh county or county borough or an election to fill a casual vacancy occurring in the office of such a councillor, and
- (b) the ordinary election of community councillors for any community or an election to fill a casual vacancy occurring in the office of such a councillor,
- are to be taken on the same day and the elections are for related electoral areas, the polls at those elections shall be taken together.”
- (9) In section 36(4) of that Act (payment of expenses), after “county” insert “a county borough”.
- (10) In section 36 of that Act, in subsection (5) omit “or community”, in both places, and “or the community” and after that subsection insert—
- “(5A) All the expenditure properly incurred by a returning officer in relation to the holding of an election of a community councillor shall, in so far as it does not, in cases where there is a scale fixed for the purposes of this section by the council of the county or county borough in which the community is situated (“the principal council”), exceed that scale, be paid by the principal council; and if the principal council so require, any expenditure so incurred shall be repaid to them by the community council.”
- (11) In section 39 of that Act (void local elections)—
- (a) in subsections (4) and (6)(a), after “district council” insert, in each case, “or Welsh county or county borough council”; and
- (b) in subsection (6)(b), omit “district”.
- (12) In section 52(4) of that Act (discharge of registration duties), in paragraph (a) omit “and Wales” and for second “and” substitute—
- “(aa) in Wales, of a county or county borough council, and”.
- (13) In section 69(2) of that Act (location of offices of election agents and sub-agents), in paragraphs (a) and (b), in each case for “or in a London borough or district” substitute “or in a Welsh county or county borough, or London borough or district”.
- (14) In section 82(4) of that Act (persons before whom declaration as to expenses may be made), in paragraph (a), after “county council” insert “, a county borough council”.

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- (15) In section 159 of that Act (candidate reported guilty of corrupt or illegal practice), in the definition of “corporate office” in subsection (3) after “county” insert “, county borough”.
- (16) In section 203(1) of that Act (interpretation)—
  - (a) in the definition of “local authority”, after “county council,” insert “a county borough council,”; and
  - (b) in the definition of “local government area”, after “county,” insert “county borough,”.
- (17) In Schedule 1 to that Act (parliamentary election rules), in paragraph 10(2)(c) after “district” insert “or Welsh county or county borough”.
- (18) In Schedule 2 to that Act (provisions which may be contained in regulations as to registration etc.), in paragraph 1(1) after “district” insert “, Welsh county or county borough”.
- (19) In Schedule 3 to that Act (form of return and declaration), in the first passage in brackets in each form (which provides for an alternative in relation to a local government election), after “county of” insert “county borough of”.
- (20) In Schedule 5 to that Act (use of certain rooms for parliamentary election meetings), in paragraph 3(1) after “council” insert “and every Welsh county and county borough council”.