



# Greater London Authority Act 1999

## 1999 CHAPTER 29

### PART I

#### THE GREATER LONDON AUTHORITY

##### *Vacancies in the Assembly*

#### **10 Filling a vacancy in an Assembly constituency.**

- (1) This section applies where the office of an Assembly member returned for an Assembly constituency is vacant.
- (2) Subject to subsection (8) below, an election shall be held in the Assembly constituency to fill the vacancy.
- (3) At the election to fill the vacancy—
  - (a) each person entitled to vote at the election shall have a constituency vote; and
  - (b) the Assembly member for the Assembly constituency shall be returned under the simple majority system.
- (4) The date of the poll at the election shall be fixed by the constituency returning officer in accordance with subsection (5) below.
- (5) The date fixed shall be no later than 35 days after the date of the relevant event.
- (6) In subsection (5) above, the relevant event means—
  - (a) in a case where the High Court or the proper officer of the Authority has declared the office to be vacant, the making of that declaration; or
  - (b) in any other case, the giving of notice of the vacancy to the proper officer of the Authority by two or more local government electors for the Assembly constituency concerned.
- (7) Section 243(4) of the <sup>M1</sup>Local Government Act 1972 shall apply for the purpose of computing the period of 35 days referred to in subsection (5) above as it applies for the purposes of section 89(1) of that Act.

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**Changes to legislation:** Greater London Authority Act 1999, Section 10 is up to date with all changes known to be in force on or before 22 July 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) View outstanding changes

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- (8) If the vacancy occurs within the period of six months preceding an ordinary election, it shall be left unfilled until that election unless subsection (9) below applies.
- (9) This subsection applies if, on the occurrence of the vacancy (or, in the case of a number of simultaneous vacancies, the occurrence of the vacancies) the total number of unfilled vacancies in the membership of the Assembly exceeds one-third of the whole number of Assembly members.
- (10) A person may not be a candidate at an election to fill a vacancy if he is—
- (a) the Mayor;
  - (b) an Assembly member; or
  - (c) a candidate in another such election.
- (11) The term of office of the person returned at the election—
- (a) shall begin immediately upon his being declared to be returned as the constituency member; and
  - (b) shall end at the time when it would have ended had he been returned as the constituency member at the previous ordinary election.

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

- C1** S. 10 modified (E.) (7.4.2020) by [The Local Government and Police and Crime Commissioner \(Coronavirus\) \(Postponement of Elections and Referendums\) \(England and Wales\) Regulations 2020 \(S.I. 2020/395\)](#), regs. 1, **9(1)(3)(4)**
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**Marginal Citations**

- M1** 1972 c. 70.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 235(3)(w) inserted by [2024 c. 13 Sch. 30 para. 25\(b\)](#)
- s. 334(2A)-(2E) substituted for s. 334(2)-(6) by [2023 c. 55 s. 95\(2\)](#)
- s. 334(9)-(11) inserted by [2023 c. 55 s. 95\(3\)](#)
- s. 337(1A) inserted by [2023 c. 55 s. 96\(1\)\(c\)](#)
- s. 337(2)(ca) inserted by [2023 c. 55 Sch. 6 para. 15](#)
- Sch. 23 para. 1(3A) inserted by [2023 c. 55 s. 244\(2\)](#)
- Sch. 23 para. 3A3B and cross-heading inserted by [2023 c. 55 s. 244\(3\)](#)
- Sch. 23 para. 4(2A)(2B) inserted by [2023 c. 55 s. 244\(4\)](#)
- Sch. 23 para. 4A and cross-heading inserted by [2023 c. 55 s. 244\(6\)](#)