

Status: This version of this part contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects
for the Elections Act 2022, Part 4. (See end of Document for details)

SCHEDULES

PROSPECTIVE

SCHEDULE 8

VOTING AND CANDIDACY RIGHTS OF EU CITIZENS

PART 4

TRANSITIONAL PROVISION ETC

Holders of elected offices

- 12 (1) This paragraph applies where—
- (a) immediately before the coming into force of a particular provision of this Schedule (the “relevant provision”), a person holds an office falling within sub-paragraph (4),
 - (b) the person’s term in that office is due to continue after that time, and
 - (c) apart from this paragraph, the person would become disqualified for continuing to hold that office as a result of the coming into force of the relevant provision.
- (2) The coming into force of the relevant provision does not affect the person’s qualification to continue holding that office until the end of their current term in that office.
- (3) For the purposes of this paragraph, a person is to be treated as holding an office from the time when the person is elected as, or declared to be returned as, the holder of the office (and accordingly the person’s term of office is to be treated as beginning at that time).
- (4) The following offices fall within this sub-paragraph—
- (a) member of the Northern Ireland Assembly;
 - (b) member of a local authority in England;
 - (c) elected mayor (within the meaning of Part 1A of the Local Government Act 2000);
 - (d) mayor for the area of a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;
 - (e) Mayor of London;
 - (f) member of the London Assembly;
 - (g) police and crime commissioner.

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- (5) In sub-paragraph (4)(b), “local authority in England” means a county council in England, a district council, a parish council, a London borough council or the Council of the Isles of Scilly.

Commencement Information

II Sch. 8 para. 12 not in force at Royal Assent, see [s. 67\(1\)](#)

Power to make transitional and saving provision

- 13 (1) The Secretary of State may by regulations make transitional or saving provision in connection with provision made by this Schedule.
- (2) Regulations under this paragraph may—
- (a) make provision modifying the effect of any statutory provision (including this Act);
 - (b) make different provision for different purposes.
- (3) Regulations under this paragraph are to be made by statutory instrument.
- (4) A statutory instrument containing regulations under this paragraph may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- (5) Nothing in this paragraph affects the generality of section 67(4) (power to make transitional etc provision in connection with commencement).

Commencement Information

I2 Sch. 8 para. 13 not in force at Royal Assent, see [s. 67\(1\)](#)

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