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STATUTORY INSTRUMENTS

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**2014 No. 370**

**The Local Authorities (Mayoral Elections) (England and Wales) (Amendment) Regulations 2014**

**Amendment of the Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007**

7.—(1) Schedule 3 (the Mayoral Election (Combination of Polls) Rules) is amended as follows.

(2) In rule 3 (timetable), in the column of the table headed “Time”—

- (a) for the entry opposite “Delivery of nomination papers” substitute “Not later than 4 in the afternoon on the nineteenth day before the day of election”;
- (b) for the entry opposite “Publication of statement as to persons nominated” substitute “Not later than 4 in the afternoon on the eighteenth day before the day of election”; and
- (c) for the entry opposite “Delivery of notices of withdrawal of candidate” substitute “Not later than 4 in the afternoon on the nineteenth day before the day of election”.

(3) In rule 5(3) (notice of election) for “returning officer” substitute “registration officer”.

(4) In rule 9 (consent to nomination) for paragraph (b) substitute—

- “(b) is in the appropriate form in the Appendix or a form to the like effect and includes—
  - (i) for a nomination in England, a copy of sections 80 and 81 of the Local Government Act 1972, section 78A of the Local Government Act 2000 and section 34 of the Localism Act 2011; or
  - (ii) for a nomination in Wales, a copy of sections 80 and 81 of the Local Government Act 1972 and sections 78A and 79 of the Local Government Act 2000.”

(5) For rule 28(10) (equipment of polling stations) substitute the following—

“(10) In every compartment of every polling station there must be exhibited the notice:

“PARLIAMENTARY ELECTION

(*[Specify colour]* ballot paper)

Vote for ONLY ONE CANDIDATE by putting a cross [X] in the box next to your choice.

\*EUROPEAN PARLIAMENTARY ELECTION

(*[Specify colour]* ballot paper)

Vote ONLY ONCE by putting a cross [X] in the box next to your choice.

\**[Specify name of council]* COUNCIL ELECTION

(*[Specify colour]* ballot paper)

\*Vote for NO MORE THAN ... CANDIDATES by putting a cross [X] in the box next to EACH of your choices.]

\*Vote ONLY ONCE by putting a cross [X] in the box next to your choice.]

\*ELECTION OF THE MAYOR OF LONDON

(*[Specify colour]* ballot paper)

#On the ballot paper for the election of the Mayor, vote ONCE for your first choice and ONCE for your second choice.

\*ELECTION OF THE LONDON ASSEMBLY

#On the constituency members ballot paper (*[specify colour]*) vote for ONE candidate only.

#On the London members ballot paper (*[specify colour]*) vote for ONE party or individual candidate only.

\*LOCAL MAYORAL ELECTION

(*[Specify colour]* ballot paper)

\*[Vote for ONLY ONE CANDIDATE by putting a cross [X] in the box next to your choice.]

\*[Vote by putting a cross [X] in the box

In column 1 next to your FIRST CHOICE candidate

In column 2 next to your SECOND CHOICE candidate

Your first and second choices should be different.]

\**[Specify other]* ELECTION/REFERENDUM

(*[Specify colour]* ballot paper)

[Specify voting instructions in accordance with the legislation governing the election or referendum]

PUT NO OTHER MARK ON THE BALLOT PAPER OR YOUR VOTE MAY NOT COUNT.

\*[PLEASE DO NOT FOLD THE BALLOT PAPERS FOR *[specify the elections and/or referendum(s) at which the votes are to be counted electronically]*. Post them, face downwards, in the [*\*appropriate*] ballot box.]

\*Complete or omit as necessary.

#*Alternatively, insert such information as the GLRO may decide.*”

(6) In rule 30 (notification of the requirement of secrecy), make the existing provision paragraph (1) and after that paragraph insert—

“(2) In this rule, a reference to a constable includes a person designated as a community support officer under section 38 of the Police Reform Act 2002 (police powers for employees).”

(7) In rule 32 (admission to polling station), after paragraph (5) insert—

“(6) In this rule, a reference to a constable includes a person designated as a community support officer under section 38 of the Police Reform Act 2002 (police powers for employees).”

(8) In rule 37 (voting procedure), after paragraph (6), insert—

“(7) A voter who at the close of the poll is in the polling station, or in a queue outside the polling station, for the purposes of voting shall (despite the close of the poll) be entitled to apply for a ballot paper under paragraph (1); and these rules apply in relation to such a voter accordingly.”

(9) In rule 47 (the first count)—

(a) in paragraph (4)(b) for “sections 45 and 105” substitute “sections 9MG and 105 or sections 45 and 105”; and

(b) after paragraph (8) insert—

“(8A) A postal ballot paper or postal voting statement that reaches the returning officer or a polling station on or after the close of the poll is treated for the purposes of this rule as reaching that officer or polling station before the close of the poll if it is delivered by a person who, at the close of the poll, is in the polling station, or in a queue outside the polling station, for the purpose of returning it.”

(10) In rule 54 (declaration of result), in paragraph (1) for “section 42(2)” substitute “section 9HC(2) or (3), section 42(2) or (3)”.

(11) In the Appendix of Forms, in the “Form of Candidate’s Consent to Nomination”, for the words from “I declare that to the best of my knowledge” to “within the meaning of that Part”, substitute—

“\*For a nomination in England:

I declare that to the best of my knowledge and belief I am not disqualified for being elected by reason of any disqualification set out in, or decision made under, section 80 of the Local Government Act 1972, section 78A of the Local Government Act 2000 or section 34 of the Localism Act 2011 (copies of which are printed overleaf), and I do not hold a politically restricted post, within the meaning of Part 1 of the Local Government and Housing Act 1989, under a local authority, within the meaning of that Part.

\*For a nomination in Wales:

I declare that to the best of my knowledge and belief I am not disqualified for being elected by reason of any disqualification set out in, or decision made under, section 80 of the Local Government Act 1972 or section 78A or 79 of the Local Government Act 2000 (copies of which are printed overleaf), and I do not hold a politically restricted post, within the meaning of Part 1 of the Local Government and Housing Act 1989, under a local authority, within the meaning of that Part.

*\*Delete whichever is inappropriate.\**

(12) In the Appendix of Forms, for the forms listed below substitute the corresponding forms in Schedule 2 to these Regulations—

- (a) Form 3 (ballot paper (two candidates)) including the directions as to printing;
- (b) Form 4 (ballot paper (three or more candidates)) including the directions as to printing;
- (c) Form 7(1) (postal voting statement for use when there is a joint issue and receipt of postal ballot papers);
- (d) Form 7(2) (postal voting statement for use when a mayoral election is combined with another poll but the postal ballot papers are not combined);
- (e) Form 8 (official poll card);
- (f) Form 9 (official postal poll card);
- (g) Form 10 (official proxy poll card);
- (h) Form 11 (official proxy postal poll card);
- (i) Form 12 (directions for the guidance of voters);
- (j) Form 13 (certificate of employment); and
- (k) Form 14 (declaration to be made by the companion of a voter with disabilities).