
STATUTORY INSTRUMENTS

2016 No. 300

**The Police and Crime Commissioner
Elections (Amendment) Order 2016**

PART 2

**Combination of polls at police and crime commissioner
and National Assembly for Wales elections**

Application of Part 3 of Schedule 4

- 6.**—(1) Amend Schedule 4 (combination of polls)(1) as follows.
- (2) In the shoulder reference, for “article 13” substitute “articles 13 and 13A”.
- (3) After Part 4 (forms referred to in Part 3 of Schedule 4) insert—

“PART 5

Application of Parts 3 and 4 to PCC elections combined with Assembly elections

Introduction

- 46.**—(1) In the application of Part 3 to a combined election—
- (a) a reference to a relevant election is to be construed as a reference to an Assembly election;
- (b) a reference to a counting officer or a relevant referendum is to be disregarded; and
- (c) a provision having effect only in relation to England is to be disregarded.
- (2) In paragraph (1) the reference to a “combined election” is a reference to a PCC election taken together with an Assembly election.

Modification of paragraph 13 (interpretation)

- 47.**—(1) In paragraph 13—
- (a) for sub-paragraph (2) substitute—
- “**(2)** In this Part of this Schedule and in any provisions of the PCC elections rules modified by this Part—
- (a) “Assembly constituency” and “Assembly electoral region” mean an Assembly constituency or (as the case may be) electoral region as provided by section 2 of the Government of Wales Act 2006;

- (b) “combined polls” means the polls to be taken together by virtue of article 16A of the 2007 Order; and
 - (c) a reference to the relevant returning officer is a reference to the returning officer exercising functions by virtue of paragraph 2 of Schedule 4 to the 2007 Order (as it applies to combined polls by virtue of paragraph 1 of Schedule 4A to that Order).”;
- (b) omit sub-paragraphs (3) and (4).

Modification of paragraphs 16 and 17 (corresponding number lists)

48.—(1) In paragraph 16, in paragraph (1) of inserted rule 19A (corresponding number lists: proceedings on issue and receipt of ballot papers combined) for “paragraph 29 of Schedule 2 to this Order and regulation 65 of the 2001 Regulations” substitute “paragraph 29(3) of Schedule 2 to this Order and paragraph 2 of Schedule 3 to the 2007 Order”.

(2) In paragraph 17, in inserted paragraph (A1) of rule 20 (corresponding number lists: proceedings on issue and receipt of ballot papers not combined) for “paragraph 29 of Schedule 2 to this Order and regulation 65 of the 2001 Regulations” substitute “paragraph 29(3) of Schedule 2 to this Order and paragraph 2 of Schedule 3 to the 2007 Order”.

Modification of paragraph 19 (notice of poll)

49. In paragraph 19, for inserted paragraph (3A) of rule 24 (notice of poll) substitute—

“(3A) A notice published under paragraph (3) must, in addition—

- (a) state that the poll for the PCC election is to be taken together with the poll for the Assembly election;
- (b) specify the Assembly constituency or electoral region for which the Assembly election is held;
- (c) where polls for the elections are to be taken together in only part of the voting area, specify that part.”.

Modification of paragraph 35 (correction of errors on day of the poll)

50. In paragraph 35—

(a) for inserted paragraph (2) of rule 45 (correction of errors on day of poll) substitute—

“(2) Where the poll at a PCC election is taken together with an Assembly election the same list may be used for each election and, where it is so used, an entry in that list is to be taken to mean that ballot papers were issued in respect of each election, unless the list identifies the election for which a ballot paper was issued.”;

(b) omit paragraph (3)(2).

Modification of paragraph 42 (the first count)

51. In paragraph 42 (the first count), in inserted paragraph (1C) of rule 52 after “parliamentary constituency” insert “Assembly constituency.”.

Countermand or abandonment of poll on death of candidate

52. After paragraph 44 (rule 66: delivery of documents) insert—

(2) Paragraph (3) is inserted by article 12 of this Order.

“Countermand or abandonment of poll on death of candidate

44A. In rule 69 (countermand or abandonment of poll on death of candidate) after paragraph (5) insert—

“(5A) Neither the countermand of the notice of the poll at the PCC election nor the direction that the poll be abandoned affects the poll at the Assembly election.””””