
STATUTORY INSTRUMENTS

2022 No. 1354

**The Police and Crime Commissioner Elections
and Welsh Forms (Amendment) Order 2022**

Citation, commencement, transitional provision and extent

1.—(1) This Order may be cited as the Police and Crime Commissioner Elections and Welsh Forms (Amendment) Order 2022.

(2) This Order comes into force on 21st December 2022, but does not apply to an election of a police and crime commissioner in accordance with Chapter 6 of Part 1 of the Police and Social Responsibility Act 2011 where the date of the poll specified in the notice of election is before 4th May 2023.

(3) Amendments made by this Order have the same extent as the provision amended.

Amendment of the Police and Crime Commissioner Elections Order 2012

2. The Police and Crime Commissioner Elections Order 2012⁽¹⁾ is amended in accordance with articles 3 to 6.

Amendment of article 85

3. In article 85 (translations etc of certain documents), for paragraph (6), substitute—

“(6) The sample copy mentioned in paragraph (5)—

- (a) must have printed at the top of the list of candidates the words “Vote (X) for one candidate only”, and
- (b) may include a translation of those words into such other languages as the local returning officer thinks appropriate.”.

Amendment of Schedule 2

4. In Schedule 2 (absent voting in PCC elections)—

(a) in paragraph 30 (form of postal voting statement)⁽²⁾—

- (i) in sub-paragraph (4), omit “appropriate”;
- (ii) for sub-paragraph (6)(b), substitute—

“(b) “the voting instructions for PCC elections” are—

“Vote for only one candidate by putting a cross [X] in the box next to your choice.””;

(b) in paragraph 60 (forms)—

- (i) for Form 2, substitute the Form at Schedule 1 to these Regulations;
- (ii) for Form 4, substitute the Form at Schedule 2 to these Regulations.

(1) [S.I. 2012/1917](#).

(2) Paragraph 30 was amended by [S.I. 2014/921](#).

Amendment of Schedule 3

5.—(1) Schedule 3 (rules for the conduct of PCC elections where poll not taken together with poll at another election) is amended as follows.

(2) In rule 17 (method of election: contested and uncontested election)—

(a) omit paragraph (a);

(b) in paragraph (b), for the words “only two” substitute “two or more”.

(3) In rule 19 (the ballot papers), for paragraph (1) substitute—

“(1) (1) The ballot of every voter must consist of a ballot paper which is in Form 8B set out in Part 8 of this Schedule and is printed according to the directions specified in that Part.”.

(4) In rule 29 (equipment of polling stations), omit paragraphs (8) and (9).

(5) In rule 30 (notices for the guidance of voters)(3)—

(a) for paragraph (1)(a) substitute—

“(a) notices for the guidance of voters for exhibition in voting compartments at polling stations in the form “Vote for ONLY ONE CANDIDATE by putting a cross [X] in the box next to your choice.”; and”;

(b) omit paragraph (3).

(6) In the cross heading before rule 51, omit “first”.

(7) In the heading of rule 51 (attendance at the first count), omit “first”.

(8) In rule 52 (the first count)—

(a) in the heading, omit “first”;

(b) for paragraph (3), substitute—

“(3) The local returning officer must then count the votes given for each candidate.”.

(9) In rule 53 (rejected ballot papers)—

(a) in paragraph (1)—

(i) in sub-paragraph (b), omit the words “first preference”;

(ii) in sub-paragraph (e), omit the words “as to the first preference vote”;

(b) in paragraph (2), for “condition A or condition B” substitute “the condition in paragraph (4)”;

(c) omit paragraph (3);

(d) for paragraph (4), substitute—

“(4) The condition is that—

(a) an intention that a vote is for only one of the candidates clearly appears, and

(b) the way the paper is marked does not itself identify the voter and it is not shown that the voter can be identified from it.”;

(e) omit paragraph (5);

(f) in paragraph (7), in sub-paragraphs (b) and (d), omit the words “as to the first preference vote”;

(g) omit paragraph (8).

(10) In rule 57 (procedure at conclusion of the first count)—

(a) in the heading, omit “first”;

(3) Rule 30 was amended by [S.I. 2014/921](#).

- (b) in paragraph (1)—
 - (i) omit sub-paragraph (c);
 - (ii) in sub-paragraph (d), omit the words “at an election contested by only two candidates.”.
- (11) In rule 59 (the first calculation and resolution of equality)—
 - (a) in the heading, omit “first”;
 - (b) for paragraph (1), substitute—

“(1) As soon as the police area returning officer has received the information required by rule 57 from every local returning officer, the police area returning officer must ascertain the total number of votes given in the police area to each candidate.”;
 - (c) for paragraph (4), substitute—

“(4) In paragraphs (2) and (3), “the relevant figures” means the total number of votes given in the police area for each candidate.”;
 - (d) omit paragraph (5);
 - (e) in paragraph (6), omit the words before “the person to be returned”;
 - (f) for paragraph (7), substitute—

“(7) (7) Where no single candidate receives a majority of the votes, and the highest number of votes is shared between two or more candidates who have received an equal number of votes, the police area returning officer must decide, by drawing lots, which of those candidates is to be returned to the office of police and crime commissioner for the police area.”
- (12) Omit Part 4 (further provision: three or more candidates).
- (13) In rule 62 (declaration of result)(4)—
 - (a) in paragraph (1)—
 - (i) in sub-paragraph (a), for the words in brackets, substitute “voting at elections of police and crime commissioners”;
 - (ii) omit sub-paragraph (b);
 - (b) in paragraph (2)—
 - (i) in sub-paragraph (b), omit the words “first preference”;
 - (ii) in sub-paragraph (c), for “(53(5)), and” substitute “(53(7))”;
 - (iii) omit sub-paragraph (d).
- (14) In rule 63 (return or forfeiture of candidate’s deposit), in paragraph (5)—
 - (a) for “first calculation” substitute “calculation”;
 - (b) omit the words “first preference”.
- (15) In rule 70 (forms)—
 - (a) in the list of forms—
 - (i) omit the entry for Form 8A,
 - (ii) in the entry for Form 8B(5)—
 - (aa) omit the words “(two candidates only)”;
 - (bb) for the reference to “rule 19(1)(b)”, substitute “rule 19(1)”;

(4) Rule 62 was amended by [S.I. 2021/1265](#).

(5) Form 8B was amended by [S.I. 2014/921](#).

- (b) omit form 8A;
- (c) for form 8B, substitute the form at Schedule 3.

Amendment of Schedule 4

- 6.**—(1) Schedule 4 (combination of polls) is amended as follows—
- (2) In paragraph 25 (notices for the guidance of voters)(**6**), in substituted rule 30—
 - (a) in paragraph (3)(a), omit “appropriate” the second time it occurs;
 - (b) for paragraph (3A), substitute—
 - “(3A) For the purposes of this rule, “the voting instructions for PCC elections” are — “Vote for ONLY ONE CANDIDATE by putting a cross [X] in the box next to your choice.””;
 - (c) omit paragraph (5).
 - (3) In paragraph 38 (attendance at verification), in sub-paragraph (3)(a) of substituted rule 48, omit “first”.
 - (4) In the heading of paragraph 41 (attendance at the first count), omit “first”.
 - (5) In the heading of paragraph 42 (the first count), omit “first”.
 - (6) In paragraph 51 (modification of paragraph 42 (the first count))(**7**)—
 - (a) in the heading, omit “first”;
 - (b) in the parenthetical description of paragraph 42, omit “first”.

Amendment of the Police and Crime Commissioner Elections (Welsh Forms) Order 2012

- 7.**—(1) The Police and Crime Commissioner Elections (Welsh Forms) Order 2012(**8**) is amended as follows.
- (2) For article 2(1), substitute—
 - “(1) The form set out in the Schedule is prescribed as the form of the ballot paper which must be used at a PCC election in Wales in place of the form specified by rule 19(1) of the PCC elections rules (the ballot papers).”;
 - (3) In the Schedule, for Form A and Form B, substitute the form at Schedule 4.

Amendment of the Police and Crime Commissioner Elections (Welsh Forms) Order 2021

- 8.**—(1) The Police and Crime Commissioner Elections (Welsh Forms) Order 2021(**9**) is amended as follows.
- (2) In article 3 (Welsh versions of forms of words)—
 - (a) omit paragraph (1),
 - (b) in paragraph (2), for Table 1b substitute—

(6) Paragraph 25 was amended by [S.I. 2014/921](#).

(7) Paragraph 51 was inserted by [S.I. 2016/300](#).

(8) [S.I. 2012/2768](#).

(9) [S.I. 2021/291](#).

“Table 1b

<i>Form of words</i>	<i>English version in the 2012 Order</i>
Notice for the guidance of voters	Words in quotation marks in rule 30(1)(a)(10) of the PCC elections rules
	Words in quotation marks in rule 30(3A) of the PCC elections rules, as modified by paragraph 25 of Schedule 4(11)

(3) In Schedule 1 (Welsh versions of forms of words)—

- (a) omit Part 1A,
- (b) in the heading of Part 1B, omit the words “where there are two candidates only”.

(4) In Schedule 3 (Welsh and English versions of prescribed forms)—

- (a) for Form 2, substitute the form at Schedule 5,
- (b) for Form 4, substitute the form at Schedule 6.

14th December 2022

Chris Philp
Minister of State
Home Office

(10) Rule 30(1)(a) is substituted by article 5 of this Order.

(11) Paragraph 25 of Schedule 4 is amended by article 6 of this Order.