STATUTORY INSTRUMENTS

2016 No. 24

LONDON GOVERNMENT REPRESENTATION OF THE PEOPLE

The Greater London Authority Elections (Amendment) Rules 2016

Made - - - -	*12th January 2016*
Laid before Parliament	*14th January 2016*
Coming into force - -	*8th February 2016*

The Chancellor of the Duchy of Lancaster makes the following Rules in exercise of the powers conferred by section 36(2A) and (2B) of the Representation of the People Act 1983(**1**).

In accordance with section 7(1) and (2)(d) of the Political Parties, Elections and Referendums Act 2000(**2**) the Chancellor of the Duchy of Lancaster has consulted the Electoral Commission before making these Rules.

Citation, commencement and interpretation

1.—(1) These Rules may be cited as the Greater London Authority Elections (Amendment) Rules 2016.

(2) They come into force on 8th February 2016.

(3) Rules 2 to 10 apply only in respect of an Authority election the poll for which is on or after 1st May 2016.

(4) In these Rules—

(a) "the 2007 Rules" means the Greater London Authority Rules 2007(**3**); and

(b) a reference to the amendment of a numbered rule or Schedule in the rules below is, unless the contrary intention appears, a reference to that numbered rule in, or Schedule to, the 2007 Rules.

(**1**) 1983 c. 2; the Secretary of State's functions under this Act are exercisable concurrently with the Chancellor of the Duchy of Lancaster by virtue of S.I. 2015/1376. Subsections (2A) and (2B) were inserted by section 17 of, and paragraph 4 of Schedule 3 to, the Greater London Authority Act 1999 (c. 29). That paragraph also inserted subsections (4B) and (6A). Other amendments have been made to section 36 but they are not relevant to these Rules.

(**2**) 2000 c. 41; amendments have been made to section 7 but they are not relevant to these Rules.

(**3**) S.I. 2007/3541. These Rules have been amended by S.I. 2010/1172 and S.I. 2012/198.

Amendment of the 2007 Rules

2. The 2007 Rules are amended in accordance with rules 3 to 10.

GLRO's power of direction

3.—(1) Amend rule 11 (GLRO's power of direction) as follows.

(2) In paragraph (1), omit the full-out words at the end.

(3) In paragraph (4), for "Instructions to the voter" substitute "Instructions for voting by post".

(4) In paragraph (7), for "(5)(b)" substitute "(5)(a)".

Supply of postal voters lists, etc.

4. After rule 11 insert—

"**Supply of postal voters lists, etc.**

12.—(1) Paragraphs (2) and (3) apply where a registration officer ("R") for any part of an Assembly constituency is not the CRO for that constituency.

(2) As soon as practicable after 5pm on the sixth day before the day of the poll at an Authority election, R must send the CRO a copy of the lists R is required to keep in respect of that election under paragraphs 5 and 7(8) of Schedule 4 to the Representation of the People Act 2000 (absent voters lists and proxy postal voters list)(**4**).

(3) R must, on a request made at any time, supply the CRO with a copy of the lists mentioned in paragraph (2).

(4) In relation to an Authority election, for the purposes of paragraph (2), "the sixth day before the day of the poll" is to be computed in the same way as a period of time mentioned in the timetable for that election(**5**)."

Community support officers

5.—(1) In rule 2 (interpretation), in the appropriate place insert—

""2002 Act" means the Police Reform Act 2002(**6**);".

(2) In Schedule 1 (Constituency Members Election Rules)—

(a) in rule 31 (notification of requirement of secrecy), make the existing provision paragraph (1) and after that paragraph insert—

"(2) In paragraph (1) a reference to a constable includes a person designated as a community support officer under section 38 of the 2002 Act (police powers for employees)(**7**).";

(b) in rule 33 (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 2002 Act.".

(**4**) 2000 c. 2; paragraph 5 was amended by paragraphs 22 and 137 of Schedule 1 to the Electoral Administration Act 2006 (c. 22); paragraph 7 was amended by sections 14 and 38 of, and paragraphs 23 and 137 of Schedule 1 to, that Act. Other amendments have been made to both paragraphs 5 and 7 but they are not relevant to these Rules.

(**5**) The CMER LMER and MER all contain a rule governing the computation of periods of time for the purposes of the timetable at that election: see rule 4 of the CMER; rule 4 of the LMER; and rule 4 of the MER.

(**6**) 2002 c. 30.

(**7**) Relevant amendments to section 38 have been made by paragraphs 277 and 292 of Schedule 16 to the Police Reform and Social Responsibility Act 2011 (c. 13) (which amended the heading and subsection (1)). Other amendments have been made to section 38 but they are not relevant to these Rules.

(3) In Schedule 2 (London Members Election Rules)—

(a) in rule 32 (notification of requirement of secrecy), make the existing provision paragraph (1) and after that paragraph insert—

"(2) In paragraph (1) a reference to a constable includes a person designated as a community support officer under section 38 of the 2002 Act (police powers for employees).";

(b) in rule 34 (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 2002 Act.".

(4) In Schedule 3 (Mayoral Election Rules)—

(a) in rule 31 (notification of requirement of secrecy), make the existing provision paragraph (1) and after that paragraph insert—

"(2) In paragraph (1) a reference to a constable includes a person designated as a community support officer under section 38 of the 2002 Act (police powers for employees).";

(b) in rule 33 (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 2002 Act.".

(5) In Schedule 5 (Constituency Members Election Rules at a combined election)—

(a) in rule 31 (notification of requirement of secrecy), make the existing provision paragraph (1) and after that paragraph insert—

"(2) In paragraph (1) a reference to a constable includes a person designated as a community support officer under section 38 of the 2002 Act (police powers for employees).";

(b) in rule 33 (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 2002 Act.".

(6) In Schedule 6 (London Members Election Rules at a combined election)—

(a) in rule 32 (notification of requirement of secrecy), make the existing provision paragraph (1) and after that paragraph insert—

"(2) In paragraph (1) a reference to a constable includes a person designated as a community support officer under section 38 of the 2002 Act (police powers for employees).";

(b) in rule 34 (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 2002 Act.".

(7) In Schedule 7 (Mayoral Election Rules at a combined election)—

(a) in rule 31 (notification of requirement of secrecy), make the existing provision paragraph (1) and after that paragraph insert—

"(2) In paragraph (1) a reference to a constable includes a person designated as a community support officer under section 38 of the 2002 Act (police powers for employees).";

(b) in rule 33 (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 2002 Act.".

Timing of nominations, etc.

6.—(1) In rule 7 (modifications to the election timetable at by-elections), in the timetable—

(a) in the right-hand column, in the entry alongside "delivery of nomination papers", for "noon" substitute "4 in the afternoon";

(b) after that entry insert—

"Delivery of notices of withdrawals of candidature	Not later than 4 in the afternoon on the nineteenth day before the day of election";

(c) in the right-hand column, in the entry alongside "publication of statement as to persons nominated"—

(i) for "noon" substitute "4 in the afternoon"; and

(ii) for "seventeenth" substitute "eighteenth"; and

(d) after that entry, omit the entry for delivery of notices of withdrawals of candidature.

(2) In rule 3 of Schedule 1 (timetable), in the timetable—

(a) in the right-hand column, in the entry alongside "delivery of nomination papers", for "noon" substitute "4 in the afternoon";

(b) after that entry insert—

" Delivery of notices of withdrawals of candidature	Not later than 4 in the afternoon on the twenty-fourth day before the day of election";

(c) in the right-hand column, in the entry alongside "publication of statement as to persons nominated" for "noon" substitute "4 in the afternoon; and

(d) after that entry, omit the entry for delivery of notices of withdrawals of candidature.

(3) In rule 10 of Schedule 1 (publication of statement of persons nominated)—

(a) in paragraph (1), after "prepare and" insert "(subject to paragraph (11))";

(b) for paragraph (8) substitute—

"(8) Paragraphs (9) to (11) apply at an ordinary election.

(9) As soon as possible after all decisions under rule 9 which are required to be made have been made, the CRO must arrange for a copy of the statement that the CRO has prepared and proposes to publish to be delivered to the GLRO.

(10) If, after having delivered the statement mentioned in paragraph (9) to the GLRO, the CRO receives notification from the GLRO under rule 13(4) that a candidate is deemed to have withdrawn his or her candidature, the CRO must amend that statement accordingly.

(11) The CRO may not publish the statement under paragraph (1) until—

(a) the CRO has made any amendments required under paragraph (10), or

(b) where no notification under rule 13(4) is received from the GLRO, the time by which the GLRO must give such a notification has passed."

(4) For rule 13 of Schedule 1 (nomination in more than one Assembly constituency) substitute—

"**13.**—(1) This rule applies at an ordinary election.

(2) A candidate who is validly nominated in more than one Assembly constituency must withdraw his or her candidature, in accordance with rule 14, in all but one of those constituencies.

(3) Where a candidate does not withdraw his or her candidature as mentioned in paragraph (2), he or she is deemed, after the last time for delivery of notices of withdrawals, to have withdrawn his or her candidature from all the Assembly constituencies in which he or she is, but for this rule, validly nominated.

(4) Where, having reviewed the proposed statements of persons nominated delivered under rule 10(9), it appears to the GLRO that a candidate ("C") appears (but for this rule) to have been validly nominated in more than one Assembly constituency ("a relevant constituency"), the GLRO must at least one hour before the last time for publication of the statement as to persons nominated as set out in the timetable in rule 3, notify the CRO for each relevant constituency that C's candidature is deemed to have been withdrawn in that constituency.

(5) A CRO must, as soon as practicable after receiving the notification mentioned in paragraph (4), notify C that C's candidature is deemed to have been withdrawn in that constituency."

(5) In rule 15 of Schedule 1 (method of election), for "rule 14", both times it occurs, substitute "these Rules".

(6) In rule 3 of Schedule 2 (timetable), in the timetable—

(a) in the entry for "delivery of nomination papers"—

(i) in the left-hand column, after "delivery of nomination papers" insert "and party lists";

(ii) in the right-hand column, for "noon" substitute "4 in the afternoon";

(b) after that entry insert—

" Delivery of notices of withdrawals of candidature	Not later than 4 in the afternoon on the twenty-fourth day before the day of election";

(c) in the right-hand column, in the entry alongside "publication of statement as to persons nominated" for "noon" substitute "4 in the afternoon"; and

(d) after that entry omit the entry for delivery of notices of withdrawals.

(7) In rule 3 of Schedule 3 (timetable), in the timetable—

(a) in the right-hand column, in the entry alongside "delivery of nomination papers" for "noon" substitute "4pm";

(b) after that entry insert—

" Delivery of notices of withdrawals of candidature	Not later than 4 in the afternoon on the twenty-fourth day before the day of election";

(c) in the right-hand column, in the entry alongside "publication of statement as to persons nominated" for "noon" substitute "4 in the afternoon"; and

(d) after that entry, omit the entry for delivery of notices of withdrawals of candidature.

(8) In rule 3 of Schedule 5 (timetable), in the timetable—

(a) in the right-hand column, in the entry alongside "delivery of nomination papers" for "noon" substitute "4 in the afternoon";

(b) after that entry insert—

"Delivery of notices of withdrawals of candidature	Not later than 4 in the afternoon on the twenty-fourth day before the day of election";