Draft Regulations laid before Parliament under section 105(6) of the Local Government Act 2000, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2012 No.

LOCAL GOVERNMENT, ENGLAND AND WALES

The Local Authorities (Mayoral Elections) (England and Wales) (Amendment) Regulations 2012

Made - - - - ***

Coming into force in accordance with regulation 1

The Lord President of the Council, in exercise of the powers conferred by sections 44 and 105 of the Local Government Act 2000(**1**), makes the following Regulations.

The Lord President of the Council has consulted the Electoral Commission about these Regulations in accordance with section 44(3A) of the Local Government Act 2000.

In accordance with section 105(6) of the Local Government Act 2000, a draft of these Regulations has been laid before and approved by a resolution of each House of Parliament.

Citation and commencement

1. These Regulations may be cited as the Local Authorities (Mayoral Elections) (England and Wales) (Amendment) Regulations 2012 and come into force on the day after the day on which they are made.

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

2.—(1) The Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007(**2**) are amended as follows.

(2) In regulation 3 (conduct of mayoral elections)—

(a) at the beginning of paragraph (4)(c), insert the words "Subject to paragraph (4A)";

(b) after paragraph (4), insert—

(**1**) 2000 c.22. Sections 44(3A) and (3B) were inserted by section 158(1) of, and paragraphs 18(1) and (2) of Schedule 21 to, the Political Parties, Elections and Referendums Act 2000 (c.41). The powers conferred on the Secretary of State by section 44 were made exercisable concurrently by the Lord President of the Council and the Secretary of State by the Lord President of the Council Order 2010 (S.I. 2010/1837).

(**2**) S.I. 2007/1024, amended by S.I. 2012/xxxx; there are other amending instruments but none is relevant.

"(4A) Where the poll at a mayoral election is taken alone, or is taken together with a poll at a police and crime commissioner election(**3**) but not with a poll at any other relevant election or referendum, section 199B of the 1983 Act(**4**) (translation of certain documents) has effect in relation to the conduct of the mayoral election subject to the modification in the Table in Schedule 2A instead of the modification to that section in Table 1 of Schedule 2.".

(3) Regulation 4 (combination of polls) is renumbered as paragraph (1) of that regulation.

(4) After that paragraph as so renumbered insert—

"(2) Where the poll at a mayoral election is taken together with a poll at a police and crime commissioner election and is not also taken together with a poll at any other relevant election or referendum, Schedule 3 has effect subject to the modifications set out in Schedule 3A.".

(5) In Schedule 1 (the Mayoral Elections Rules), in rule 5(3) (notice of election) for "returning officer" substitute "registration officer".

(6) In the Appendix of Forms in Schedule 1, for the forms listed below substitute the corresponding forms in Schedule 1 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 (postal voting statement);

(d) Form 8 (official poll card);

(e) Form 9 (official postal poll card);

(f) Form 10 (official proxy poll card);

(g) Form 11 (official proxy postal poll card);

(h) Form 12 (directions for the guidance of voters);

(i) Form 13 (certificate of employment);

(j) Form 14 (declaration to be made by the companion of a voter with disabilities).

(7) After Schedule 2 (modifications of Acts and statutory instrument) insert, as Schedule 2A, the Schedule set out in Schedule 2 to these Regulations.

(8) In Schedule 3 (the Mayoral Election (Combination of Polls) Rules) in rule 5(3) (notice of election) for "returning officer" substitute "registration officer".

(9) After Schedule 3 insert, as Schedule 3A, the Schedule set out in Schedule 3 to these Regulations.

Parliamentary Secretary (Minister for Political and Constitutional Reform)
Cabinet Office

[Date]

(**3**) A definition of "police and crime commissioner election" was inserted into regulation 2 of S.I. 2007/1024 by article 13(2) of, and paragraph 12 of Schedule 4 to, the Police and Crime Commissioner Elections Order 2012 (S.I. 2012/xxxx).

(**4**) "the 1983 Act" is defined in regulation 2 of S.I. 2007/1024 to mean the Representation of the People Act 1983 (c.2). Section 199B was inserted by section 36 of the Electoral Administration Act 2006 (c.22).

SCHEDULE 1 Regulation 2(6)

Amended forms for use at a mayoral election not taken together with another election or referendum

Form 3

Ballot paper (two candidates)
Form of front of ballot paper

Election of the Mayor for *(insert name of authority)*

Vote ☒ for **one** candidate only

BASWRA, Paresh 2 The Cottages, Anytown XY8 9JG Cream Party	Cream Party emblem	
CRANLEY, Alana 4 The Walk, Anytown XY9 5JJ Purple Party	Purple Party emblem	

Form of back of ballot paper

Number

Other unique identifying mark

Election of the Mayor for [*insert name of authority*]

on……20….

Directions for printing the ballot paper

1. Nothing is to be printed on the ballot paper except in accordance with these directions.

2. So far as practicable, the arrangements set out in paragraphs 3 to 5 must be observed in the printing of the ballot paper.

3. No word may be printed on the face except:

a. the heading "Election of the Mayor for [*insert name of authority*]"
b. the direction "Vote [X] for one candidate only"
c. the particulars of the candidates and words forming part of emblems mentioned at paragraphs 6 and 7 below.

4. No rule may be printed on the face except:

a. as part of a box around the direction mentioned in paragraph 3b
b. a horizontal rule separating the direction mentioned in paragraph 3b from the particulars of the candidates
c. the horizontal rules separating the particulars of the candidates from one another
d. a final horizontal rule at the foot of the ballot paper
e. as part of the boxes on the right-hand side of the ballot paper where votes are to be marked.

5. The space between the horizontal rules mentioned in paragraphs 4b and 4d is to be equally divided between each of the candidates by the horizontal rules mentioned in paragraph 4c.

6. The surname of each candidate is to be printed in large bold capitals, with their forename(s) and other particulars set out in ordinary type, except that small capitals are to be used:

a. if the surname is the same as another candidate's, for their forename(s)
b. if the forename(s) are also the same as the other candidate's, either for their home address or for their description unless each of them is the same as that of another candidate with the same surname and forename(s).

7. Where an emblem is to be printed against a candidate's particulars:

a. it is to be printed along the horizontal rule to the right of the candidate's particulars and to the left of the box where the vote is to be marked
b. its size as printed must not exceed two centimetres square.

8. The number and other unique identifying mark must be printed on the back of the ballot paper.

Form 4

Ballot paper (three or more candidates)
Form of front of ballot paper