



Greater London Authority Act 1999

1999 CHAPTER 29

PART I

THE GREATER LONDON AUTHORITY

The Authority

1 The Authority.

- (1) There shall be an authority for Greater London, to be known as the Greater London Authority.
- (2) The Authority shall be a body corporate.
- (3) The Authority shall have the functions which are transferred to, or conferred or imposed on, the Authority by or under this Act or any other Act.

Membership

2 Membership of the Authority and the Assembly.

- (1) The Authority shall consist of—
 - (a) the Mayor of London; and
 - (b) an Assembly for London, to be known as the London Assembly.
- (2) The Assembly shall consist of twenty five members, of whom—
 - (a) fourteen shall be members for Assembly constituencies (constituency members); and
 - (b) eleven shall be members for the whole of Greater London (London members).
- (3) There shall be one constituency member for each Assembly constituency.

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- (4) The Assembly constituencies shall be the areas, and shall be known by the names, specified in an order made by [^{F1}statutory instrument by [^{F2}the Local Government Boundary Commission for England]].
- (5) Schedule 1 to this Act (which makes further provision about Assembly constituencies and orders under subsection (4) above) shall have effect.
- (6) The Mayor and the Assembly members shall be returned in accordance with the provision made in or by virtue of this Act for—
- (a) the holding of ordinary elections of the Mayor, the constituency members and the London members; and
 - (b) the filling of vacancies in the office of Mayor or among the constituency members or the London members.
- (7) An ordinary election involves the holding of—
- (a) an election for the return of the Mayor;
 - (b) an election for the return of the London members; and
 - (c) elections for the return of the constituency members.
- (8) The term of office of the Mayor and Assembly members returned at an ordinary election shall—
- (a) begin on the second day after the day on which the last of the successful candidates at the ordinary election is declared to be returned; and
 - (b) end on the second day after the day on which the last of the successful candidates at the next ordinary election is declared to be returned;
- but this subsection is subject to the other provisions of this Act and, in particular, to any provision made by order by virtue of subsection (4) of section 3 below.
- (9) If at any ordinary election the poll at the election of an Assembly member for an Assembly constituency is countermanded or abandoned for any reason, the day on which the last of the successful candidates at the ordinary election is declared to be returned shall be determined for the purposes of subsection (8) above without regard to the return of the Assembly member for that Assembly constituency.
- (10) The validity of proceedings of the Assembly is not affected by any vacancy in its membership.
- (11) The validity of anything done by the Authority is not affected by any vacancy in the office of Mayor or any vacancy in the membership of the Assembly.

Textual Amendments

- F1** Words in s. 2(4) substituted (1.4.2002) by [S.I. 2001/3962](#), art. 9, Sch. 2 para. 13
- F2** Words in s. 2(4) substituted (1.4.2010) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), s. 148(3)(b), [Sch. 4 para. 9](#); [S.I. 2009/3318](#), art. 4(ff)

Modifications etc. (not altering text)

- C1** S. 2(4): transfer of functions (1.4.2010) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), [ss. 60\(2\)\(3\)\(a\), 148\(3\)\(b\)](#) (with s. 63(4)); [S.I. 2009/3318](#), [art. 4\(i\)](#)
- C2** S. 2(4): power to transfer or modify functions conferred (30.11.2000 for specified purposes otherwise 30.10.2001) by [2000 c. 41](#), [s. 18\(3\)\(c\)](#), 163(3) (with s. 156(6)); [S.I. 2001/3526](#), [art. 2\(c\)](#)
 S. 2(4): functions transferred (1.4.2002) by [S.I. 2001/3962](#), [art. 3\(2\)\(c\)](#)

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Commencement Information

- II** S. 2 wholly in force at 14.12.1999: by virtue of s. 425(2) this Act is in force at Royal Assent in regards to any power of a Minister of the Crown to make regulations or an order; s. 2 in force at 14.12.1999 insofar as not already in force by [S.I. 1999/3376](#), [art. 2](#)

Ordinary elections

3 Time of ordinary elections.

- (1) The poll at the first ordinary election shall be held on 4th May 2000 or such later date as the Secretary of State may by order provide.
- (2) The poll at each subsequent ordinary election shall be held on the first Thursday in May in the fourth calendar year following that in which the previous ordinary election was held.
- (3) Subsection (2) above is subject to any order made by virtue of section 37(2) ^{F3}... of the Representation of the ^{M1}People Act 1983 (power by order to fix a day other than the first Thursday in May).
- (4) As respects the first ordinary election, the Secretary of State may by order make provision—
 - (a) modifying section 2(8) above in relation to the Mayor and Assembly members returned at that election;
 - (b) for the returning officer at the election of the Mayor and the election of the London members to be a person, or a person of a description, designated in the order (instead of the person specified in section 35(2C) of the Representation of the ^{M2}People Act 1983);
 - (c) for and in connection with modifying the entitlement to vote or the registration of electors, or with respect to the registers (or parts of registers) of electors to be used;
 - (d) for or in connection with enabling electors to vote in the poll at such polling stations or other places as may be prescribed, at such times as may be prescribed, on such one or more days preceding the date specified in or provided under subsection (1) above for the poll as may be specified in the order.
- (5) The provision that may be made by an order under paragraph (d) of subsection (4) above includes provision for such enactments or statutory instruments as may be specified in the order to have effect with such modifications as may be so specified.
- (6) In this section prescribed means specified in, or determined in accordance with, an order under this section.

Textual Amendments

- F3** Words in s. 3(3) repealed (31.12.2020) by [The European Parliamentary Elections Etc. \(Repeal, Revocation, Amendment and Saving Provisions\) \(United Kingdom and Gibraltar\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1310\)](#), reg. 1, [Sch. 1 Pt. 1](#) (as amended by [S.I. 2019/1389](#), regs. 1, 2(2))

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Commencement Information

I2 S. 3 wholly in force at 14.12.1999: by virtue of s. 425(2) the Act is in force at Royal Assent in regard to the powers of a Minister of the Crown to make regulations or an order; s. 3 in force at 14.12.1999 insofar as not already in force by [S.I. 1999/3376](#), [art. 2](#)

Marginal Citations

M1 1983 c. 2.

M2 1983 c. 2.

4 Voting at ordinary elections.

- (1) Each person entitled to vote as an elector at an ordinary election shall have the following votes—
 - (a) one vote ^{F4}... which may be given for a candidate to be the Mayor;
 - (b) one vote (referred to in this Part as a constituency vote) which may be given for a candidate to be the Assembly member for the Assembly constituency; and
 - (c) one vote (referred to in this Part as a London vote) which may be given in accordance with subsection (5) below.
- (2) The Mayor shall be returned under the simple majority system^{F5}... .
- ^{F6}(3)
- (4) The Assembly member for an Assembly constituency shall be returned under the simple majority system.
- (5) A London vote may be given for—
 - (a) a registered political party which has submitted a list of candidates to be London members; or
 - (b) an individual who is a candidate to be a London member.
- (6) The London members shall be returned in accordance with Part II of Schedule 2 to this Act.
- (7) The persons who are to be returned as—
 - (a) the Mayor, and
 - (b) the constituency members,
 must be determined before it is determined who are to be returned as the London members.
- (8) But if the poll at the election of an Assembly member for an Assembly constituency is countermanded or abandoned for any reason, the persons who are to be returned as the London members shall be determined without regard to the determination of the Assembly member for that Assembly constituency.
- (9) At an ordinary election, a person may not be a candidate to be the Assembly member for more than one Assembly constituency.
- (10) If the person who is returned as the Mayor is also returned as an Assembly member for an Assembly constituency, a vacancy shall arise in the Assembly constituency.

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(11) In this Part registered political party means [^{F7}a party registered under Part II of the Political Parties, Elections and Referendums Act 2000].

Textual Amendments

- F4** Words in s. 4(1)(a) omitted (26.10.2022) by virtue of Elections Act 2022 (c. 37), ss. 13(2)(a), 67(1); S.I. 2022/1093, reg. 2 (with reg. 3)
- F5** Words in s. 4(2) omitted (26.10.2022) by virtue of Elections Act 2022 (c. 37), ss. 13(2)(b), 67(1); S.I. 2022/1093, reg. 2 (with reg. 3)
- F6** S. 4(3) omitted (26.10.2022) by virtue of Elections Act 2022 (c. 37), ss. 13(2)(c), 67(1); S.I. 2022/1093, reg. 2 (with reg. 3)
- F7** Words in s. 4(11) substituted (16.2.2001) by 2000 c. 41, s. 158(1), Sch. 21 para. 15 (with s. 156(6)); S.I. 2001/222, art. 2, Sch. 1 Pt. I (subject to transitional provisions in Sch. 1 Pt. II)

Modifications etc. (not altering text)

- C3** S. 4(5)(a) applied (14.12.1999) by 1983 c. 2, s. 203(1B) (as inserted (14.12.1999) by 1999 c. 29, s. 17, Sch. 3 paras. 1, 39(5) (with Sch. 12 para. 9(1)); S.I. 1999/3376, art. 2)

Vacancies in the Assembly

5 Resignation.

- (1) An Assembly member may at any time resign his membership of the Assembly by giving notice to the proper officer of the Authority.
- (2) Any such resignation shall take effect on the officer's receipt of the notice.

6 Failure to attend meetings.

- (1) If an Assembly member fails, throughout a period of six consecutive months from his last attendance, to attend any meeting of the Assembly, he shall cease to be a member of the Assembly.
- (2) A person shall not cease to be a member by virtue of subsection (1) above if the failure to attend is due to some reason approved by the Assembly before the expiry of that period.
- (3) For the purposes of this section, an Assembly member shall be deemed to have attended a meeting of the Assembly on any occasion on which he attended—
 - (a) as a member at a meeting of any committee or sub-committee of the Assembly; or
 - (b) as a representative of the Assembly or the Authority at a meeting of any body of persons.
- (4) A person shall not cease to be a member of the Assembly by reason only of a failure to attend meetings of the Assembly if—
 - (a) he is a member of any branch of Her Majesty's naval, military or air forces and is at the time employed during war or any emergency on any naval, military or air force service, or

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(b) he is a person whose employment in the service of Her Majesty in connection with war or any emergency is such as, in the opinion of the Secretary of State, to entitle him to relief from disqualification on account of absence, and the failure to attend is due to that employment.

[^{F8}(5) Any period during which an Assembly member is suspended or partially suspended under section 66, ^{F9}[^{F10} ... 73, 78 ^{F9}...] or 79 of the Local Government Act 2000 [^{F11}, or suspended under section 31(4) of the Elections Act 2022,] shall be disregarded for the purpose of calculating the period of six consecutive months under subsection (1).]

Textual Amendments

- F8** S. 6(5) inserted (E.W.) (19.12.2000 for E. and 19.12.2000 for W.(in relation to police authorities) and otherwise 28.7.2001) by 2000 c. 22, ss. 107(1), 108(4), **Sch. 5 para. 31**; S.I. 2000/3335, **art. 2**
- F9** Words in s. 6(5) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by **Localism Act 2011 (c. 20)**, s. 240(2), **Sch. 25 Pt. 5**; S.I. 2012/1463, **art. 5(d)** (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F10** Words in s. 6(5) substituted (1.4.2008) by **Local Government and Public Involvement in Health Act 2007 (c. 28)**, ss. **201(6)**, 245(5) (with s. 201); S.I. 2008/172, art. 4(l)
- F11** Words in s. 6(5) inserted (1.11.2023) by **Elections Act 2022 (c. 37)**, s. 67(1), **Sch. 10 para. 6(2)**; S.I. 2023/1145, reg. 3(k)

Modifications etc. (not altering text)

- C4** S. 6(3)(a) applied (7.6.2012) by **Localism Act 2011 (c. 20)**, ss. **35(7)**, 240(2); S.I. 2012/1463, art. 2(f)

7 Declaration of vacancy in certain cases.

Where an Assembly member—

- (a) ceases to be qualified to be a member of the Assembly, or
- (b) becomes disqualified from being a member otherwise than—
- ^{F12}(i)
[^{F13}(ia) under section 34 of the Localism Act 2011,]
[^{F14}(ib) by virtue of an order under section 30 of the Elections Act 2022 (disqualification of offenders for holding elective office etc),]
(ii) by virtue of a conviction, or
(iii) by virtue of a breach of any provision of Part II of the Representation of the ^{M3}People Act 1983, or
- (c) ceases to be a member of the Assembly by reason of failure to attend meetings of the Assembly,

the proper officer of the Authority shall forthwith declare the member's office to be vacant, unless it has been declared vacant by the High Court.

Textual Amendments

- F12** S. 7(b)(i) omitted (1.4.2015) by virtue of **Local Audit and Accountability Act 2014 (c. 2)**, s. 49(1), **Sch. 12 para. 38**; S.I. 2015/841, art. 3(x)
- F13** S. 7(b)(ia) inserted (1.7.2012) by **Localism Act 2011 (c. 20)**, ss. **34(13)**, 240(2); S.I. 2012/1463, art. 5(c) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2)
- F14** S. 7(b)(ib) inserted (1.11.2023) by **Elections Act 2022 (c. 37)**, s. 67(1), **Sch. 10 para. 6(3)**; S.I. 2023/1145, reg. 3(k)

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Marginal Citations

M3 1983 c. 2.

8 Election of member as Mayor.

If the person who is returned at an election under section 16 below to fill a vacancy in the office of Mayor is an Assembly member, a vacancy shall arise—

- (a) if he is a member for an Assembly constituency, in that Assembly constituency; or
- (b) if he is a London member, in his office as a London member.

9 Date of casual vacancies.

(1) For the purpose of filling a casual vacancy in the membership of the Assembly, the date on which a vacancy is to be regarded as occurring shall be—

- (a) in the case of any person being returned—
 - (i) at an ordinary election, as the Mayor and also as the Assembly member for an Assembly constituency, or
 - (ii) at an election under section 16 below to fill a vacancy in the office of Mayor when he is an Assembly member,
on the date on which he is returned as the Mayor or, as the case may be, to fill the vacancy in that office;
- (b) in the case of any person being returned as mentioned in section 16(10) below, on the date on which he is returned to fill the vacancy in the Assembly constituency;
- (c) in the case of non-acceptance of office by any person who is required to make and deliver a declaration of acceptance of office, on the expiration of the period appointed under this Part of this Act for the delivery of the declaration;
- (d) in the case of resignation, upon the receipt of the notice of resignation by the proper officer of the Authority;
- (e) in the case of death, on the date of death;
- (f) in the case of disqualification under ^{F15}... [^{F16}section 34 of the Localism Act 2011] or by virtue of a conviction—
 - (i) on the expiration of the ordinary period allowed for making an appeal or application with respect to the relevant order or decision under ^{F17}... [^{F18}that section] or (as the case may be) that conviction, or
 - (ii) if an appeal or application is made, on the date on which that appeal or application is finally disposed of or abandoned or fails by reason of its non-prosecution;
- ^{F19}(fa) in the case of disqualification by virtue of an order under section 30 of the Elections Act 2022 (disqualification of offenders for holding elective office etc), on the date the office is vacated in accordance with section 31 of that Act (vacation of office etc);]
- (g) in the case of an election being declared void on an election petition, on the date of the report or certificate of the election court;
- (h) in the case of a person—

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- (i) ceasing to be qualified to be an Assembly member, or becoming disqualified, for any reason other than one mentioned in paragraphs (a) to (g) above, or
 - (ii) ceasing to be an Assembly member by reason of failure to attend meetings,
 on the date on which his office is declared to have been vacated either by the High Court or by the proper officer of the Authority as the case may be.
- [^{F20}(1A) In a case where subsection (1)(fa) and (f) (in the case of a conviction) apply in relation to a vacancy, the vacancy is to be regarded as occurring on the date mentioned in subsection (1)(fa).]
- (2) The proper officer of the Authority shall—
 - (a) give written notice of any casual vacancy among the London members to the Greater London returning officer; and
 - (b) give public notice of any casual vacancy among the constituency members.
 - (3) Any public notice under subsection (2)(b) above shall be given—
 - (a) by posting the notice in some conspicuous place or places in the Assembly constituency concerned; and
 - (b) in such other manner, if any, as the officer considers desirable for giving publicity to the notice.
 - (4) Any notice under subsection (2) above shall be given as soon as practicable after the date on which the vacancy is to be regarded under subsection (1) above as occurring.

Textual Amendments

- F15** Words in s. 9(1)(f) omitted (1.4.2015) by virtue of [Local Audit and Accountability Act 2014 \(c. 2\)](#), s. 49(1), [Sch. 12 para. 39\(a\)](#); S.I. 2015/841, art. 3(x)
- F16** Words in s. 9(1)(f) inserted (1.7.2012) by [Localism Act 2011 \(c. 20\)](#), [ss. 34\(14\)\(a\)](#), 240(2); S.I. 2012/1463, art. 5(c) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2)
- F17** Words in s. 9(1)(f) omitted (1.4.2015) by virtue of [Local Audit and Accountability Act 2014 \(c. 2\)](#), s. 49(1), [Sch. 12 para. 39\(b\)](#); S.I. 2015/841, art. 3(x)
- F18** Words in s. 9(1)(f) inserted (1.7.2012) by [Localism Act 2011 \(c. 20\)](#), [ss. 34\(14\)\(b\)](#), 240(2); S.I. 2012/1463, art. 5(c) (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2)
- F19** S. 9(1)(fa) inserted (1.11.2023) by [Elections Act 2022 \(c. 37\)](#), s. 67(1), [Sch. 10 para. 6\(4\)\(a\)](#); S.I. 2023/1145, reg. 3(k)
- F20** S. 9(1A) inserted (1.11.2023) by [Elections Act 2022 \(c. 37\)](#), s. 67(1), [Sch. 10 para. 6\(4\)\(b\)](#); S.I. 2023/1145, reg. 3(k)

10 Filling a vacancy in an Assembly constituency.

- (1) This section applies where the office of an Assembly member returned for an Assembly constituency is vacant.
- (2) Subject to subsection (8) below, an election shall be held in the Assembly constituency to fill the vacancy.
- (3) At the election to fill the vacancy—
 - (a) each person entitled to vote at the election shall have a constituency vote; and

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- (b) the Assembly member for the Assembly constituency shall be returned under the simple majority system.
- (4) The date of the poll at the election shall be fixed by the constituency returning officer in accordance with subsection (5) below.
- (5) The date fixed shall be no later than 35 days after the date of the relevant event.
- (6) In subsection (5) above, the relevant event means—
- (a) in a case where the High Court or the proper officer of the Authority has declared the office to be vacant, the making of that declaration; or
- (b) in any other case, the giving of notice of the vacancy to the proper officer of the Authority by two or more local government electors for the Assembly constituency concerned.
- (7) Section 243(4) of the ^{M4}Local Government Act 1972 shall apply for the purpose of computing the period of 35 days referred to in subsection (5) above as it applies for the purposes of section 89(1) of that Act.
- (8) If the vacancy occurs within the period of six months preceding an ordinary election, it shall be left unfilled until that election unless subsection (9) below applies.
- (9) This subsection applies if, on the occurrence of the vacancy (or, in the case of a number of simultaneous vacancies, the occurrence of the vacancies) the total number of unfilled vacancies in the membership of the Assembly exceeds one-third of the whole number of Assembly members.
- (10) A person may not be a candidate at an election to fill a vacancy if he is—
- (a) the Mayor;
- (b) an Assembly member; or
- (c) a candidate in another such election.
- (11) The term of office of the person returned at the election—
- (a) shall begin immediately upon his being declared to be returned as the constituency member; and
- (b) shall end at the time when it would have ended had he been returned as the constituency member at the previous ordinary election.

Modifications etc. (not altering text)

C5 S. 10 modified (E.) (7.4.2020) by [The Local Government and Police and Crime Commissioner \(Coronavirus\) \(Postponement of Elections and Referendums\) \(England and Wales\) Regulations 2020 \(S.I. 2020/395\)](#), regs. 1, **9(1)(3)(4)**

Marginal Citations

M4 1972 c. 70.

11 Filling a vacancy among the London members.

- (1) This section applies where the office of a London member is vacant.

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- (2) If the London member was returned as an individual candidate, or the vacancy is not filled in accordance with the following provisions, the vacancy shall remain unfilled until the next ordinary election.
- (3) If the London member was returned (under Part II of Schedule 2 to this Act or this section) from a registered political party's list, the Greater London returning officer shall notify the Chair of the Assembly of the name of the person who is to fill the vacancy.
- (4) The person who is to fill the vacancy must be one who—
 - (a) is included in that list;
 - (b) is willing to serve as a London member; and
 - (c) is not a person to whom subsection (5) below applies.
- (5) This subsection applies to a person if—
 - (a) he is not a member of the party; and
 - (b) the party gives notice to the Greater London returning officer that his name is not to be notified under subsection (3) above as the name of the person who is to fill the vacancy.
- (6) Where more than one person satisfies the conditions in subsection (4) above, the Greater London returning officer shall notify the name of whichever of them is higher, or highest, in the list.
- (7) Where a person's name has been notified under subsection (3) above, his term of office as a London member—
 - (a) shall begin on the day on which the notification is received under that subsection, and
 - (b) shall end at the time when it would have ended had he been returned as a London member at the previous ordinary election,
 and this Act shall apply as if the person had been declared to be returned as a London member on the day on which the notification under subsection (3) above is so received.

Modifications etc. (not altering text)

- C6** S. 11(3) restricted by S.I. 2002/427, Sch. 9 rule 58(3) (as substituted (1.3.2004) by [The Greater London Authority Elections \(Amendment\) Rules 2004 \(S.I. 2004/227\)](#), rules 1(1), 2(8), [Sch. 5](#))

Vacancy in the office of Mayor

12 Resignation.

- (1) The Mayor may at any time resign his office by giving notice to the proper officer of the Authority.
- (2) Any such resignation shall take effect on the officer's receipt of the notice.

13.— Failure to attend meetings.

- [^{F21}(1)] If the Mayor fails on six consecutive occasions to attend meetings of the Assembly held pursuant to section 52(3) below, he shall cease to be the Mayor.

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[^{F22}(2) Any meeting of the Assembly which the Mayor is unable to attend because he is suspended or partially suspended under section 66, ^{F23}[^{F24}... 73, 78 ^{F23}...] or 79 of the Local Government Act 2000 [^{F25}, or suspended under section 31(4) of the Elections Act 2022,] shall be disregarded for the purposes of subsection (1) above.]

Textual Amendments

- F21** S. 13 renumbered as s. 13(1) (19.12.2000 for E. 19.12.2000 for W.(in relation to police authorities) and otherwise 28.7.2001) by 2000 c. 22, ss. 107(1), 108(4), **Sch. 5 para. 32**; S.I. 2000/3335, **art. 2**
- F22** S. 13(2) inserted (E.W.) (19.12.2000 for E. and 19.12.2000 for W.(in relation to police authorities) and otherwise 28.7.2001) by 2000 c. 22, ss. 107(1), 108(4), **Sch. 5 para. 32**; S.I. 2000/3335, **art. 2**
- F23** Words in s. 13(2) repealed (1.7.2012 for specified purposes, 22.11.2012 in so far as not already in force) by **Localism Act 2011 (c. 20)**, s. 240(2), **Sch. 25 Pt. 5**; S.I. 2012/1463, **art. 5(d)** (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2); S.I. 2012/2913, arts. 1(2), 2(b)(c) (with arts. 3-6)
- F24** Words in s. 13(2) substituted (1.4.2008) by **Local Government and Public Involvement in Health Act 2007 (c. 28)**, ss. **201(6)**, 245(5) (with s. 201); S.I. 2008/172, art. 4(l)
- F25** Words in s. 13(2) inserted (1.11.2023) by **Elections Act 2022 (c. 37)**, s. 67(1), **Sch. 10 para. 6(5)**; S.I. 2023/1145, reg. 3(k)

14 Declaration of vacancy in certain cases.

Where the Mayor—

- (a) ceases to be qualified to be the Mayor,
- (b) becomes disqualified from being the Mayor otherwise than—
- ^{F26}(i)
- [^{F27}(ia) under section 34 of the Localism Act 2011,]
- [^{F28}(ib) by virtue of an order under section 30 of the Elections Act 2022 (disqualification of offenders for holding elective office etc),]
- (ii) by virtue of a conviction, or
- (iii) by virtue of a breach of any provision of Part II of the Representation of the ^{M5}People Act 1983, or
- (c) ceases to be the Mayor by reason of failure to attend meetings of the Assembly, the proper officer of the Authority shall forthwith declare his office to be vacant, unless it has been declared vacant by the High Court.

Textual Amendments

- F26** S. 14(b)(i) omitted (1.4.2015) by virtue of **Local Audit and Accountability Act 2014 (c. 2)**, s. 49(1), **Sch. 12 para. 40**; S.I. 2015/841, art. 3(x)
- F27** S. 14(b)(ia) inserted (1.7.2012) by **Localism Act 2011 (c. 20)**, ss. **34(13)**, 240(2); S.I. 2012/1463, **art. 5(c)** (with arts. 6, 7) (as amended (3.7.2012) by S.I. 2012/1714, art. 2)
- F28** S. 14(b)(ib) inserted (1.11.2023) by **Elections Act 2022 (c. 37)**, s. 67(1), **Sch. 10 para. 6(6)**; S.I. 2023/1145, reg. 3(k)

Marginal Citations

M5 1983 c. 2.

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15 Date of casual vacancy.

- (1) Subsection (1) of section 9 above shall apply for the purpose of filling a casual vacancy in the office of Mayor as it applies for the purpose of filling a casual vacancy in the membership of the Assembly, but with the omission of paragraphs (a) and (b) and the substitution for paragraph (h) of—

“(h) in the case of a person—

- (i) ceasing to be qualified to be the Mayor, or becoming disqualified, for any reason other than one mentioned in paragraphs (c) to (g) above, or
- (ii) ceasing to be the Mayor by reason of failure to attend meetings of the Assembly,

on the date on which his office is declared to have been vacated either by the High Court or by the proper officer of the Authority, as the case may be.”

- (2) If a casual vacancy arises in the office of Mayor, the proper officer of the Authority shall give—
- (a) notice of the vacancy to the Greater London returning officer; and
 - (b) public notice of the vacancy in every Assembly constituency.
- (3) Any public notice under subsection (2)(b) above shall be given—
- (a) by posting the notice in some conspicuous place or places in each Assembly constituency; and
 - (b) in such other manner, if any, as the officer considers desirable for giving publicity to the notice.
- (4) Any notice under subsection (2) above shall be given as soon as practicable after the date on which the vacancy is to be regarded by virtue of subsection (1) above as occurring.

16 Filling a vacancy.

- (1) This section applies where a vacancy occurs in the office of the Mayor.
- (2) Subject to subsection (9) below, an election shall be held to fill the vacancy.
- (3) At the election, each person entitled to vote as an elector at the election shall have [^{F29}one vote which may be given for a candidate to be the Mayor].
- [^{F30}(4) Section 4(2) (simple majority system) applies in relation to the election as it applies in relation to the election of the Mayor at an ordinary election.]
- (5) The date of the poll at the election shall be fixed by the Greater London returning officer in accordance with subsection (6) below.
- (6) The date fixed shall be no later than 35 days after the date of the relevant event.
- (7) In subsection (6) above, the relevant event means—
- (a) in a case where the High Court or the proper officer of the Authority have declared the office to be vacant, the making of that declaration; or
 - (b) in any other case, the giving of notice of the vacancy to the proper officer of the Authority by two or more local government electors for Greater London.

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- (8) Section 243(4) of the ^{M6}Local Government Act 1972 shall apply for the purpose of computing the period of 35 days referred to in subsection (6) above as it applies for the purposes of section 89(1) of that Act.
- (9) If the vacancy occurs within the period of six months preceding an ordinary election, it shall be left unfilled until that election.
- (10) If—
- (a) a person who is a candidate in an election to fill a vacancy in the office of Mayor is also a candidate in an election to fill a vacancy in an Assembly constituency, and
 - (b) that person is returned in both elections, but
 - (c) the circumstances are such that a vacancy does not arise in the Assembly constituency by virtue of section 8 above,
- a vacancy shall arise in the Assembly constituency.
- (11) The term of office of the person returned as the Mayor at the election—
- (a) shall begin immediately upon his being declared to be returned as the Mayor; and
 - (b) shall end at the time when it would have ended had he been returned as the Mayor at the previous ordinary election.

Textual Amendments

F29 Words in s. 16(3) substituted (26.10.2022) by [Elections Act 2022 \(c. 37\)](#), **ss. 13(3)(a)**, 67(1); S.I. 2022/1093, reg. 2 (with reg. 3)

F30 S. 16(4) substituted (26.10.2022) by [Elections Act 2022 \(c. 37\)](#), **ss. 13(3)(b)**, 67(1); S.I. 2022/1093, reg. 2 (with reg. 3)

Modifications etc. (not altering text)

C7 S. 16 modified (E.) (7.4.2020) by [The Local Government and Police and Crime Commissioner \(Coronavirus\) \(Postponement of Elections and Referendums\) \(England and Wales\) Regulations 2020 \(S.I. 2020/395\)](#), regs. 1, **9(2)-(4)**

Marginal Citations

M6 1972 c. 70.

Franchise, conduct of elections etc

17 Franchise, conduct of elections etc.

Schedule 3 to this Act (which, by amending the Representation of the People Acts, makes provision for and in connection with treating elections under this Act as local government elections for the purposes of those Acts) shall have effect.

[^{F31}17A Free delivery of election addresses.

- (1) Each candidate at the first election of the Mayor shall be entitled (subject to and in accordance with the provisions of Schedule 3A to this Act) to have an election address prepared on behalf of the candidate included in a booklet of election addresses—

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- (a) prepared by the Greater London returning officer; and
 - (b) sent by that officer, by post, to each elector in Greater London.
- (2) In subsection (1) above elector, in relation to the election mentioned in that subsection—
- (a) means a person who is registered in the register of local government electors for an electoral area in Greater London on the last day for publication of notice of the election; and
 - (b) includes a person then shown in any such register [^{F32}(or, in the case of a person who has an anonymous entry in any such register, in the record of anonymous entries for that electoral area)] as below voting age if (but only if) it appears from the register [^{F33}(or from the record)] that he will be of voting age on the day fixed for the poll.

[In subsection (2)(b), “anonymous entry” and “record of anonymous entries” have the ^{F34}(2A) meaning given in section 202(1) of the Representation of the People Act 1983.]

- (3) The Secretary of State ^{F35}... may by order make such provision as he considers appropriate for and in connection with enabling candidates—
- (a) at ordinary elections other than the first such election, or
 - (b) at elections to fill vacancies in the office of Mayor or Assembly member,
- to have their election addresses (within the meaning of the order) delivered, at the Authority’s expense, by [^{F36}a universal service provider (within the meaning of the [^{F37}Part 3 of the Postal Services Act 2011])] or by any other means specified in the order.
- (4) Without prejudice to the generality of subsection (3) above, an order under that subsection may make provision—
- (a) for free delivery of election addresses to be available under the order only in the case of any specified description of election falling within paragraph (a) or (b) of that subsection or within section 2(7) above;
 - (b) for enabling the Authority to determine the descriptions of elections (if any) in the case of which free delivery of election addresses is to be so available;
 - (c) for regulating in any respect the form and manner in which free delivery of election addresses is to be so available;
 - (d) for restricting the number of separate mailings in respect of the free delivery of election addresses, whether—
 - (i) by limiting the number of separate election addresses by reference to any specified circumstances, or
 - (ii) by requiring the preparation of a single document incorporating all the election addresses to be delivered on behalf of candidates at a particular election,
 or otherwise;
 - (e) for imposing conditions which must be satisfied by any candidate or candidates seeking to avail themselves of free delivery of election addresses under the order;
 - (f) for authorising election addresses falling to be delivered under the order to be disseminated by such means (other than those by which they are to be so delivered) as may be specified;
 - (g) for securing that civil or criminal liability in respect of material contained in any election address falling to be delivered under the order (including any

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such liability arising in connection with any dissemination of the material in pursuance of paragraph (f) above) is incurred only by the candidate on behalf of whom it falls to be so delivered or his election agent.

- (5) In subsection (4) above—
- free delivery of election addresses means the delivery of election addresses, in accordance with an order under subsection (3) above, at the Authority's expense;
 - specified means specified in an order under subsection (3) above.
- (6) Before making an order under subsection (3) above the Secretary of State^{F38} ... shall consult—
- (a) the Mayor and the London Assembly; and
 - (b) such other persons and bodies as he may determine to be appropriate.
- (7) Schedule 3A to this Act (which makes provision supplementing subsection (1) above) shall have effect.]

Textual Amendments

- F31** S. 17A inserted (9.3.2000) by 2000 c. 2, s. 14(1)(2)
- F32** Words in s. 17A(2)(b) inserted (1.1.2007) by Electoral Administration Act 2006 (c. 22), s. 77(2), **Sch. 1 para. 18(2)(a)**; S.I. 2006/3412, art. 3, Sch. 1 para. 12(a)
- F33** Words in s. 17A(2)(b) inserted (1.1.2007) by Electoral Administration Act 2006 (c. 22), s. 77(2), **Sch. 1 para. 18(2)(b)**; S.I. 2006/3412, art. 3, Sch. 1 para. 12(a)
- F34** S. 17A(2A) inserted (1.1.2007) by Electoral Administration Act 2006 (c. 22), s. 77(2), **Sch. 1 para. 18(3)**; S.I. 2006/3412, art. 3, Sch. 1 para. 12(a)
- F35** Words in s. 17A(3) omitted (8.12.2021) by virtue of The Transfer of Functions (Secretary of State for Levelling Up, Housing and Communities) Order 2021 (S.I. 2021/1265), art. 1(2), **Sch. 2 para. 11** (with art. 12)
- F36** Words in s. 17A(3) substituted (26.3.2001) by S.I. 2001/648, art. 4(1), **Sch. 1 para. 14**
- F37** Words in s. 17A(3) substituted (1.10.2011) by Postal Services Act 2011 (c. 5), s. 93(2)(3), **Sch. 12 para. 155**; S.I. 2011/2329, art. 3
- F38** Words in s. 17A(6) omitted (8.12.2021) by virtue of The Transfer of Functions (Secretary of State for Levelling Up, Housing and Communities) Order 2021 (S.I. 2021/1265), art. 1(2), **Sch. 2 para. 11** (with art. 12)

Modifications etc. (not altering text)

- C8** S. 17A functions made exercisable concurrently (18.8.2010) by The Lord President of the Council Order 2010 (S.I. 2010/1837), arts. 1(2), 3
- C9** S. 17A functions transferred (22.6.2015) by The Chancellor of the Duchy of Lancaster Order 2015 (S.I. 2015/1376), arts. 1(2), 3(1), **Sch. 1** (with art. 9)
- C10** S. 17A functions transferred (9.11.2016) by The Transfer of Functions (Elections, Referendums, Third Sector and Information) Order 2016 (S.I. 2016/997), arts. 1(2), 3(1), **Sch. 1(f)** (with arts. 3(2), 6, 12)
- C11** S. 17A: functions cease to be exercisable concurrently (8.12.2021) by The Transfer of Functions (Secretary of State for Levelling Up, Housing and Communities) Order 2021 (S.I. 2021/1265), arts. 1(2), 9, **Sch. 1(f)** (with arts. 11, 12)
- C12** S. 17A(3) amended (16.2.2001) by 2000 c. 41, s. 7(2)(i); S.I. 2001/222, art. 2, **Sch. 1 Pt. I** (subject to transitional provisions in **Sch. 1 Pt. II**)

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18 Cost of holding the first ordinary elections.

- (1) A returning officer shall be entitled to recover expenditure properly incurred by him in relation to the holding of the first ordinary election if the expenditure—
 - (a) is of a kind determined by the Secretary of State; and
 - (b) is reasonable.
- (2) The Secretary of State may determine a maximum recoverable amount for expenditure of such description as he may determine; and the returning officer may not recover more than that amount in respect of any such expenditure.
- (3) The amount of any expenditure recoverable in accordance with this section shall be charged on and paid out of the Consolidated Fund on an account being submitted to the Secretary of State; but the Secretary of State must, before payment, satisfy himself that the expenditure in the account is properly payable.
- (4) A returning officer must furnish the Secretary of State with such information or documents relating to an account submitted under subsection (3) above as the Secretary of State may require.
- (5) The Secretary of State must prepare an account of any sums which are issued to him out of the Consolidated Fund by virtue of this section and of his use of those sums.
- (6) The account required to be prepared under subsection (5) above must be audited by such body or person as the Treasury may determine.
- (7) Any exercise by the Secretary of State of his functions under subsections (1) and (2) above shall require the consent of the Treasury.
- (8) This section has effect in relation to the first ordinary election instead of section 36(4B) of the Representation of the ^{M7}People Act 1983.

Marginal Citations

M7 1983 c. 2.

19 Expenditure of Secretary of State in connection with holding the first ordinary election.

- (1) The Secretary of State may incur expenditure in doing anything which he considers expedient—
 - (a) in preparation for the holding of the first ordinary election,
 - (b) for the purpose of facilitating the conduct of the first ordinary election, or
 - (c) otherwise in connection with the holding of the first ordinary election.
- (2) The Secretary of State must not, by virtue of subsection (1) above, incur expenditure of a kind which is recoverable by a returning officer under section 18 above.

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Qualifications and disqualifications

20 Qualification to be the Mayor or an Assembly member.

(1) Subject to any disqualification by virtue of this Act or any other enactment, a person is qualified to be elected and to be the Mayor or an Assembly member if he satisfies the requirements of subsections (2) to (4) below.

(2) The person must be—

- (a) a [^{F39} qualifying] Commonwealth citizen;
- (b) a citizen of the Republic of Ireland; or
- (c) [^{F40} qualifying EU citizen or an EU citizen with retained rights].

(3) On the relevant day, the person must have attained the age of [^{F41} 18] years.

(4) The person must satisfy at least one of the following conditions—

- (a) on the relevant day he is, and from that day continues to be, a local government elector for Greater London;
- (b) he has, during the whole of the twelve months preceding that day, occupied as owner or tenant any land or other premises in Greater London;
- (c) his principal or only place of work during that twelve months has been in Greater London;
- (d) he has during the whole of that twelve months resided in Greater London.

(5) This section applies in relation to being returned as a London member under section 11 above otherwise than at an election as it applies in relation to being elected.

(6) References in this section to election shall accordingly be construed as if a London member so returned were elected at an election on the day on which he is to be treated as returned.

(7) In the application of this section by virtue of subsection (5) above, any reference to the day on which a person is nominated as a candidate shall be taken as a reference to the day on which notification of the person's name is given under section 11(3) above by the Greater London returning officer.

[^{F42}(7A) For the purposes of this section, a person is a qualifying Commonwealth citizen if he is a Commonwealth citizen who either—

- (a) is not a person who requires leave under the Immigration Act 1971 to enter or remain in the United Kingdom, or
- (b) is such a person but for the time being has (or is, by virtue of any enactment, to be treated as having) indefinite leave to remain within the meaning of that Act.

(7B) But a person is not a qualifying Commonwealth citizen by virtue of subsection (7A)

(a) if he does not require leave to enter or remain in the United Kingdom by virtue only of section 8 of the Immigration Act 1971 (exceptions to requirement for leave in special cases).]

(8) In this section—

^{F43}
...

the relevant day, in relation to any candidate, means—

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- (a) the day on which he is nominated as a candidate and also, if there is a poll, the day of the election; or
- (b) if the election is not preceded by the nomination of candidates, the day of the election.

[^{F44}“qualifying EU citizen” and “EU citizen with retained rights” have the same meaning as in the Representation of the People Act 1983 (see sections 203A and 203B of that Act);]

Textual Amendments

- F39** Word in s. 20(2)(a) inserted (1.1.2007 for E.W.S., 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), s. 77(2), [Sch. 1 para. 42\(2\)](#); S.I. 2006/3412, art. 3, [Sch. 1 para. 14\(bb\)\(i\)](#) (with [Sch. 2 para. 1](#)); S.I. 2008/1316, arts. 2(2), 4(z)(i)
- F40** Words in s. 20(2)(c) substituted (1.11.2023 for specified purposes) by [Elections Act 2022 \(c. 37\)](#), s. 67(1), [Sch. 8 para. 4\(a\)](#); S.I. 2023/1145, reg. 3(i)(iii)
- F41** Word in s. 20(3) substituted (1.1.2007 for E.W.S., 7.2.2007 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), [ss. 17\(5\)](#), 77(2); S.I. 2006/3412, art. 3, [Sch. 1 para. 14\(d\)](#) (with [Sch. 2 para. 1](#)); S.I. 2007/230, art. 2
- F42** S. 20(7A)(7B) inserted (1.1.2007 for E.W.S., 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), s. 77(2), [Sch. 1 para. 42\(3\)](#); S.I. 2006/3412, art. 3, [Sch. 1 para. 14\(bb\)\(i\)](#) (with [Sch. 2 para. 1](#)); S.I. 2008/1316, arts. 2(2), 4(z)(i)
- F43** Words in s. 20(8) omitted (1.11.2023 for specified purposes) by virtue of [Elections Act 2022 \(c. 37\)](#), s. 67(1), [Sch. 8 para. 4\(b\)\(i\)](#); S.I. 2023/1145, reg. 3(i)(iii)
- F44** Words in s. 20(8) inserted (1.11.2023 for specified purposes) by [Elections Act 2022 \(c. 37\)](#), s. 67(1), [Sch. 8 para. 4\(b\)\(ii\)](#); S.I. 2023/1145, reg. 3(i)(iii)

21 Disqualification from being the Mayor or an Assembly member.

- (1) A person is disqualified from being elected or being the Mayor or an Assembly member if—
- (a) he is a member of staff of the Authority;
 - (b) he holds any of the offices or appointments for the time being designated by the Secretary of State in an order as offices or appointments disqualifying persons from being the Mayor or an Assembly member;
 - [^{F45}(c) he is the subject of a bankruptcy restrictions order [^{F46}or an interim bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB of the Insolvency Act 1986];]
 - (d) he has within five years before the day of the election, or since his election, been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and has had passed on him a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine;^{F47} ...
 - (e) he is disqualified under—
 - (i) section 85A or Part III of the Representation of the ^{M8}People Act 1983,
^{F48} ...
 - ^{F48}(ii)
 from being elected or being the Mayor or an Assembly member[^{F49}; or
 - (f) the person is incapable of being elected to or holding—
 - (i) the office of member of the Northern Ireland Assembly having been reported personally guilty or convicted of a corrupt practice under

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section 114A of the Representation of the People Act 1983 (as applied by Schedule 1 to the Northern Ireland Assembly (Elections) Order 2001 (S.I. 2001/2599)) (undue influence);

(ii) the office of member of a district council in Northern Ireland having been reported personally guilty or convicted of a corrupt practice under paragraph 3 of Schedule 9 to the Electoral Law Act (Northern Ireland) 1962 (undue influence).]

[^{F50}(1A) Subsection (1)(a) does not prevent a person appointed under section 67(1)(b) as the Deputy Mayor for Fire, or appointed under section 67(1)(b) and designated as the Deputy Mayor for Fire, from being elected as or being an Assembly member.]

(2) A paid officer of a London borough council who is employed under the direction of—

(a) any of that council’s committees or sub-committees the membership of which includes the Mayor or one or more persons appointed on the nomination of the Authority acting by the Mayor, or

(b) a joint committee the membership of which includes one or more members appointed on the nomination of that council and one or more members appointed on the nomination of the Authority acting by the Mayor,

[^{F51}(c) the executive or any committee of the executive of that council, where that council are operating executive arrangements and the membership of that executive includes the Mayor or one or more persons appointed on the nomination of the Authority acting by the Mayor, or

(d) a member of the executive of that council, where that council are operating executive arrangements and that member is also the Mayor or a person appointed on the nomination of the Authority acting by the Mayor.]

shall be disqualified from being elected or being the Mayor or an Assembly member.

[^{F52}(2A) In this section executive and executive arrangements have the same meaning as in Part II of the Local Government Act 2000.]

^{F53}(3)

^{F54}(4)

(5) For the purposes of subsection (1)(d) above—

(a) the ordinary date on which the period allowed for making an appeal or application with respect to the conviction expires, or

(b) if such an appeal or application is made, the date on which the appeal or application is finally disposed of or abandoned or fails by reason of its non-prosecution,

shall be deemed to be the date of the conviction.

(6) This section shall apply in relation to being returned as a London member under section 11 above otherwise than at an election as it applies in relation to being elected.

(7) References in this section to election shall accordingly be construed as if a London member so returned were elected at an election on the day on which he is to be treated as returned.

Textual Amendments

F45 S. 21(1)(c) substituted (29.6.2006) by [The Enterprise Act 2002 \(Disqualification from Office: General\) Order 2006 \(S.I. 2006/1722\)](#), art. 1(1), [Sch. 2 para. 6\(a\)](#)

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- F46** Words in s. 21(1)(c) substituted (1.10.2012) by [The Tribunals, Courts and Enforcement Act 2007 \(Consequential Amendments\) Order 2012 \(S.I. 2012/2404\)](#), art. 1, **Sch. 2 para. 42** (with arts. 5, 6)
- F47** Word in s. 21 omitted (1.11.2023) by virtue of [Elections Act 2022 \(c. 37\)](#), s. 67(1), **Sch. 5 para. 5(a)**; [S.I. 2023/1145](#), reg. 3(g) (with [Sch. paras. 9\(2\)\(4\)](#))
- F48** S. 21(1)(e)(ii) and preceding word omitted (1.4.2015) by virtue of [Local Audit and Accountability Act 2014 \(c. 2\)](#), s. 49(1), **Sch. 12 para. 41**; [S.I. 2015/841](#), art. 3(x)
- F49** S. 21(f) and word inserted (1.11.2023) by [Elections Act 2022 \(c. 37\)](#), s. 67(1), **Sch. 5 para. 5(b)**; [S.I. 2023/1145](#), reg. 3(g) (with [Sch. paras. 9\(2\)\(4\)](#))
- F50** S. 21(1A) inserted (E.W.) (31.1.2017 for specified purposes, 1.3.2018 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), **Sch. 2 para. 2**; [S.I. 2018/227](#), art. 2(b)(i)
- F51** S. 21(2)(c)(d) inserted (E.) (11.7.2001) by [S.I. 2001/2237](#), **art. 35(a)**
- F52** S. 21(2A) inserted (E.) (11.7.2001) by [S.I. 2001/2237](#), **art. 35(b)**
- F53** S. 21(3) omitted (29.6.2006) by virtue of [The Enterprise Act 2002 \(Disqualification from Office: General\) Order 2006 \(S.I. 2006/1722\)](#), art. 1(1), **Sch. 2 para. 6(b)**
- F54** S. 21(4) omitted (29.6.2006) by virtue of [The Enterprise Act 2002 \(Disqualification from Office: General\) Order 2006 \(S.I. 2006/1722\)](#), art. 1(1), **Sch. 2 para. 6(b)**

Commencement Information

- I3** S. 21 wholly in force at 14.12.1999: by virtue of s. 425(2) this Act comes into force at Royal Assent in regards to any powers of a Minister of the Crown to make regulations or an order; s. 21 in force at 14.12.1999 insofar as not already in force by [S.I. 1999/3376](#), **art. 2**

Marginal Citations

- M8** [1983 c. 2](#).

[^{F55}21A Disqualification relating to sexual offences etc

- (1) A person is disqualified from being elected or being the Mayor or an Assembly member if the person is subject to—
- (a) any relevant notification requirements, or
 - (b) a relevant order.
- (2) In this section “relevant notification requirements” means—
- (a) the notification requirements of Part 2 of the Sexual Offences Act 2003;
 - (b) the notification requirements of Part 2 of the Sex Offenders (Jersey) Law 2010;
 - (c) the notification requirements of Part 2 of the Criminal Justice (Sex Offenders and Miscellaneous Provisions) (Bailiwick of Guernsey) Law 2013;
 - (d) the notification requirements of Schedule 1 to the Criminal Justice Act 2001 (an Act of Tynwald: c. 4).
- (3) In this section “relevant order” means—
- (a) a sexual harm prevention order under section 345 of the Sentencing Code;
 - (b) a sexual harm prevention order under section 103A of the Sexual Offences Act 2003;
 - (c) a sexual offences prevention order under section 104 of that Act;
 - (d) a sexual risk order under section 122A of that Act;
 - (e) a risk of sexual harm order under section 123 of that Act;
 - (f) a risk of sexual harm order under section 2 of the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005;

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- (g) a sexual risk order under section 27 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016;
 - (h) a restraining order under Article 10 of the Sex Offenders (Jersey) Law 2010;
 - (i) a child protection order under Article 11 of that Law;
 - (j) a sexual offences prevention order under section 18 of the Criminal Justice (Sex Offenders and Miscellaneous Provisions) (Bailiwick of Guernsey) Law 2013;
 - (k) a risk of sexual harm order under section 22 of that Law;
 - (l) a sexual offences prevention order under section 1 of the Sex Offenders Act 2006 (an Act of Tynwald: c. 20);
 - (m) a risk of sexual harm order under section 5 of that Act.
- (4) For the purposes of subsection (1)(a), a person who is subject to any relevant notification requirements is not to be regarded as disqualified until—
- (a) the expiry of the ordinary period allowed for making an appeal or application against the conviction, finding, caution, order or certification in respect of which the person is subject to the relevant notification requirements, or
 - (b) if such an appeal or application is made, the date on which it is finally disposed of or abandoned or fails because it is not prosecuted.
- (5) For the purposes of subsection (1)(b), a person who is subject to a relevant order is not to be regarded as disqualified until—
- (a) the expiry of the ordinary period allowed for making an appeal against the relevant order, or
 - (b) if such an appeal is made, the date on which it is finally disposed of or abandoned or fails because it is not prosecuted.
- (6) This section applies in relation to being returned as a London member under section 11 otherwise than at an election as it applies in relation to being elected.]

Textual Amendments

F55 S. 21A inserted (E.W.) (28.6.2022) by [Local Government \(Disqualification\) Act 2022 \(c. 17\)](#), ss. **3(1)**, 6(2) (with s. 5)

Modifications etc. (not altering text)

C13 S. 21A: power to amend conferred (28.6.2022) by [Local Government \(Disqualification\) Act 2022 \(c. 17\)](#), ss. **4(1)(2)(c)**, 6(2) (with s. 5)

22 Validity of acts done by unqualified persons.

The acts and proceedings of any person elected to an office under this Act and acting in that office shall, notwithstanding his disqualification or want of qualification, be as valid and effectual as if he had been qualified.

23 Proceedings for disqualification.

Section 92 of the ^{M9}Local Government Act 1972 (proceedings for disqualification) shall apply in relation to the Authority as it applies in relation to a local authority within the meaning of that section, but taking—

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- (a) any reference to a member of a local authority as a reference to the Mayor or an Assembly member;
- (b) any reference to a local government elector for the area concerned as a reference to a local government elector for Greater London; and
- (c) any reference to meetings of the local authority as a reference to meetings of the Assembly.

Marginal Citations

M9 1972 c. 70.

[^{F56}Salaries, expenses, pensions and other payments]

Textual Amendments

F56 S. 24 heading substituted (E.W.) (21.1.2008) by [Greater London Authority Act 2007 \(c. 24\), ss. 1\(3\), 59\(7\)](#); [S.I. 2008/113, art. 2\(a\)](#)

24 Salaries and expenses.

- (1) The Authority shall pay to the Mayor and the Assembly members salaries at such levels—
 - (a) as the Authority from time to time determines; or
 - (b) before the first determination, as the Secretary of State directs.
- (2) The Authority may pay to the Mayor and the Assembly members, in respect of expenses incurred in the exercise of their functions, allowances at such levels—
 - (a) as the Authority may from time to time determine; or
 - (b) before the first determination, as the Secretary of State may direct.
- (3) A determination or direction under subsection (1) above may provide—
 - (a) for a higher level of salary to be payable to the Mayor than to any Assembly member;
 - (b) for higher levels of salaries to be payable to Assembly members holding the offices specified in subsection (4) below than to other Assembly members; and
 - (c) for different salaries to be payable to Assembly members holding different such offices.
- (4) The offices mentioned in subsection (3)(b) above are—
 - (a) Deputy Mayor;
 - (b) Chair of the Assembly.
- (5) A determination or direction under subsection (2) above may provide for different allowances for different cases.
- (6) A determination under this section may provide for levels of salaries or allowances to change from time to time by reference to a specified formula.

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- (7) The Authority’s functions of making determinations under this section shall be functions of the Authority which are exercisable by the Mayor and the Assembly acting jointly on behalf of the Authority.
- (8) The standing orders of the Authority must include provision for the publication of every determination under this section.
- (9) The Secretary of State shall publish any direction under this section as soon as is reasonably practicable after it is given.

25 Limit on salaries of members of other public bodies.

- (1) The Secretary of State may by order make provision such as is specified in subsection (3) below in relation to any Authority members to whom relevant remuneration is payable—
 - (a) pursuant to a resolution (or combination of resolutions) of either House of Parliament relating to the remuneration of members of that House; [^{F57}or]
 - ^{F58}(b)
 - ^{F58}(ba)
 - (c) in respect of their membership of any other public body (whether elected or appointed) which is specified in the order.
- (2) In this section—
 - Authority member means—
 - (a) the Mayor; or
 - (b) an Assembly member;
 - relevant remuneration means—
 - (a) a salary; or
 - (b) any allowance of a description specified by order made by the Secretary of State.
- (3) The provision referred to in subsection (1) above is provision that the amount of the salary payable to an Authority member under section 24 above—
 - (a) shall be reduced to a specified proportion of what it otherwise would be or to a specified amount; or
 - (b) shall be reduced by the amount of the relevant remuneration payable to him as mentioned in subsection (1) above, by a specified proportion of that amount or by some other specified amount.
- (4) An order under subsection (1) above may make different provision in relation to Authority members—
 - (a) to whom (apart from the order) different amounts of salary would be payable under section 24 above; or
 - (b) to whom different amounts of relevant remuneration are payable as mentioned in subsection (1) above.
- (5) Such an order may include provision that it (or a specified part of it) is not to apply to a specified Authority member or description of Authority members—
 - (a) either indefinitely or for a specified period; and
 - (b) either unconditionally or subject to the fulfilment of specified conditions.

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Textual Amendments

- F57** Word in s. 25(1) inserted (31.12.2020) by [The European Parliamentary Elections Etc. \(Repeal, Revocation, Amendment and Saving Provisions\) \(United Kingdom and Gibraltar\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1310\)](#), reg. 1, **Sch. 2 para. 3(a)** (as amended by S.I. 2019/1389, regs. 1, 2(2))
- F58** S. 25(1)(b)(ba) omitted (31.12.2020) by virtue of [The European Parliamentary Elections Etc. \(Repeal, Revocation, Amendment and Saving Provisions\) \(United Kingdom and Gibraltar\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1310\)](#), reg. 1, **Sch. 2 para. 3(b)** (as amended by S.I. 2019/1389, regs. 1, 2(2))

Commencement Information

- I4** S. 25 wholly in force at 14.12.1999: by virtue of s. 425(2) the Act comes into force at Royal Assent in regards to any power of a Minister of the Crown to make regulations or an order; s. 25 in force at 14.12.1999 insofar as not already in force by [S.I. 1999/3376](#), **art. 2**

26 Pensions.

- (1) The Authority may make such provision for the payment of pensions to or in respect of persons who have ceased to be the Mayor or an Assembly member—
 - (a) as the Authority may from time to time determine; or
 - (b) before the first determination, as the Secretary of State may direct.
- (2) The provision which may be made under this section includes, in particular, provision for—
 - (a) the making of payments towards the provision of superannuation benefits;
 - (b) establishing and administering one or more schemes for the provision of such benefits;
 - (c) the making of such payments as are mentioned in paragraph (a) above to any scheme (whether or not established or administered by virtue of paragraph (b) above) of which the Mayor or an Assembly member may be or become a member.
- (3) Different provision may be made under this section for different cases.
- (4) The Authority's function of determining the provision that may be made under subsection (1) above shall be a function of the Authority which is exercisable by the Mayor and the Assembly acting jointly on behalf of the Authority.
- (5) The standing orders of the Assembly must include provision for the publication of every determination under this section.
- (6) The Secretary of State shall publish any direction under this section as soon as is reasonably practicable after it is given.
- (7) A determination or direction under this section shall not affect pensions in payment before the making of the determination or the giving of the direction.

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[^{F59}26A Payments on ceasing to hold office

- (1) The Authority may establish and administer such schemes as it may from time to time determine for the making of payments to or in respect of persons on their ceasing to hold office as the Mayor or as an Assembly member.
- (2) The power conferred by subsection (1) above includes power to make different provision for different cases.
- (3) The Authority's functions under subsection (1) above are exercisable by the Mayor and the Assembly acting jointly on behalf of the Authority.
- (4) The standing orders of the Assembly must include provision for the publication of every determination under this section.
- (5) A determination under this section does not affect benefits in payment under this section before the making of the determination.]

Textual Amendments

F59 S. 26A inserted (E.W.) (21.1.2008) by [Greater London Authority Act 2007 \(c. 24\), ss. 1\(1\), 59\(7\)](#); S.I. 2008/113, art. 2(a)

27 Publication of information about remuneration paid.

The standing orders of the Authority must contain provision for the publication of information relating to sums paid under sections 24^{F60}, 26 and 26A] above for each financial year.

Textual Amendments

F60 Words in s. 27 substituted (E.W.) (21.1.2008) by [Greater London Authority Act 2007 \(c. 24\), ss. 1\(2\), 59\(7\)](#); S.I. 2008/113, art. 2(a)

Supplementary provisions

28 Declaration of acceptance of office.

- (1) A person elected to the office of Mayor or of an Assembly member shall not act in that office unless—
 - (a) he has made a declaration of acceptance of the office in a form prescribed in an order made by the Secretary of State; and
 - (b) within two months from the day of the election, the declaration has been delivered to the proper officer of the Authority.
- (2) If such a declaration is not made and delivered to that officer within that time, the office of the person elected shall become vacant at the expiration of that time.
- (3) The declaration shall be made before—
 - (a) two members of the Assembly;
 - (b) the proper officer of the Authority;

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- (c) a justice of the peace or magistrate in the United Kingdom, the Channel Islands or the Isle of Man; or
 - (d) a commissioner appointed to administer oaths in the [^{F61}Senior Courts].
- (4) Any person before whom a declaration is authorised to be made under this section may take the declaration.
- (5) In relation to the first ordinary election, an order under section 3(4) above may make provision with respect to the making and delivery of declarations of acceptance of office in the case of the persons elected as the Mayor or Assembly members.
- (6) An order made by virtue of subsection (5) above may (in particular) make provision—
- (a) permitting declarations to be made before such person (other than those specified in subsection (3) above) as may be specified or described in the order;
 - (b) authorising any person specified or described under paragraph (a) above to take declarations;
 - (c) requiring declarations to be delivered to such person as may be specified or described in the order instead of the officer mentioned in subsection (1)(b) above; and
 - (d) requiring declarations delivered in accordance with provision made under paragraph (c) above to be transmitted to the proper officer of the Authority when one has been appointed.
- (7) No salary, and no payment towards the provision of superannuation benefits, shall be paid under this Act to or in respect of the Mayor or an Assembly member until he has complied with the requirements of subsection (1) above.
- (8) Subsection (7) above does not affect any entitlement of the Mayor or an Assembly member to payments in respect of the period before he complies with the requirements of subsection (1) above once he has complied with those requirements.
- (9) This section applies in relation to a London member returned otherwise than at an election as if he had been elected on the day on which he is to be treated as returned.

Textual Amendments

F61 Words in Act substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), s. 148\(1\), Sch. 11 para. 4; S.I. 2009/1604, art. 2\(d\)](#)

Commencement Information

I5 S. 28 wholly in force at 14.12.1999: by virtue of s. 425(2) the Act is in force at Royal Assent in regards to any powers of a Minister of the Crown to make regulations or an order; s. 28 in force at 14.12.1999 insofar as not already in force by [S.I. 1999/3376, art. 2](#)

29 Interpretation of Part I.

In this Part, except where the context otherwise requires—

constituency returning officer means the returning officer at an election of an Assembly member for an Assembly constituency (see section 35(2B) of the Representation of the ^{M10}People Act 1983);

constituency vote has the meaning given by section 4(1)(b) above;

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elector has the same meaning as in the Representation of the ^{M11}People Act 1983 (see section 202(1) of that Act);

F62
...

Greater London returning officer means the person who is for the time being the proper officer of the Authority for the purposes of section 35(2C) of the Representation of the ^{M12}People Act 1983 (returning officer at elections of Mayor and London members);

local government elector means a person registered as a local government elector in the register of electors in accordance with the provisions of the Representation of the People Acts;

F63
...

London vote has the meaning given by section 4(1)(c) above;

F64
...

registered political party has the meaning given by section 4(11) above;

F65
...

vote and voter have the same meaning as in the Representation of the ^{M13}People Act 1983 (see section 202(1) of that Act).

Textual Amendments

F62 Definition in s. 29 omitted (27.5.2000) by virtue of S.I. 2000/1435, art. 2, Sch. Pt. 1 para. 2

F63 Definition in s. 29 omitted (27.5.2000) by virtue of S.I. 2000/1435, art. 2, Sch. Pt. 1 para. 2

F64 Words in s. 29 omitted (26.10.2022) by virtue of Elections Act 2022 (c. 37), ss. 13(4), 67(1); S.I. 2022/1093, reg. 2 (with reg. 3)

F65 Definition in s. 29 omitted (27.5.2000) by virtue of S.I. 2000/1435, art. 2, Sch. Pt. 1 para. 2

Modifications etc. (not altering text)

C14 S. 29 modified (7.3.2000) by S.I. 2000/308, art. 3

Marginal Citations

M10 1983 c. 2.

M11 1983 c. 2.

M12 1983 c. 2.

M13 1983 c. 2.

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 334(2A)-(2E) substituted for s. 334(2)-(6) by [2023 c. 55 s. 95\(2\)](#)
- s. 334(9)-(11) inserted by [2023 c. 55 s. 95\(3\)](#)
- s. 337(1A) inserted by [2023 c. 55 s. 96\(1\)\(c\)](#)
- s. 337(2)(ca) inserted by [2023 c. 55 Sch. 6 para. 15](#)
- Sch. 23 para. 1(3A) inserted by [2023 c. 55 s. 244\(2\)](#)
- Sch. 23 para. 3A3B and cross-heading inserted by [2023 c. 55 s. 244\(3\)](#)
- Sch. 23 para. 4(2A)(2B) inserted by [2023 c. 55 s. 244\(4\)](#)
- Sch. 23 para. 4A and cross-heading inserted by [2023 c. 55 s. 244\(6\)](#)