



# Wales Act 2017

## 2017 CHAPTER 4

### PART 1

#### CONSTITUTIONAL ARRANGEMENTS

##### *Elections*

### **8 Elections of police and crime commissioners**

- (1) Section 50 of the Police Reform and Social Responsibility Act 2011 (timing of ordinary election of police and crime commissioners) is amended as set out in subsections (2) to (4).
- (2) In subsection (3), for ““the ordinary day of election”” substitute “ the first Thursday in May ”.
- (3) In subsection (5)—
  - (a) in paragraph (a), for ““the ordinary day of election”” substitute “ the first Thursday in May ”;
  - (b) in paragraph (b), for the words from ““the ordinary day of election”” to ““in relation to Wales,”” substitute “ the first Thursday in May ”.
- (4) Omit subsection (6).
- (5) In section 51 of that Act (election to fill vacancy in office of commissioner), for subsection (6) substitute—
  - “(6) A person is a relevant elector for the purposes of subsection (5) in relation to a police area in England if the person is registered in a register of local government electors in respect of an address within the police area.
  - (6A) A person is a relevant elector for the purposes of subsection (5) in relation to a police area in Wales if subsection (6B) or (6C) applies.
  - (6B) This subsection applies if—

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**Changes to legislation:** *Wales Act 2017, Section 8 is up to date with all changes known to be in force on or before 10 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (a) the person is registered in a register of parliamentary electors in respect of an address within the police area, and
- (b) the registration is not in pursuance of an overseas elector's declaration.

(6C) This subsection applies if—

- (a) the person is disqualified as a peer from voting as an elector at parliamentary elections, or is a relevant citizen of the Union, and
- (b) the person is registered in a register of local government electors in respect of an address within the police area.”

(6) Section 52 of that Act (persons entitled to vote) is amended as set out in subsections (7) and (8).

(7) In subsection (1), after ““a police area”” insert “ in England ”.

(8) After subsection (1) insert—

“(1A) A person is entitled to vote as an elector at an election of a police and crime commissioner for a police area in Wales if subsection (1B) or (1C) applies.

(1B) This subsection applies if on the date of the poll—

- (a) the person would be entitled to vote as an elector at a parliamentary election in a constituency wholly or partly comprised in the police area,
- (b) the address in respect of which the person is registered in the register of parliamentary electors for that constituency is within the police area, and
- (c) the registration is not in pursuance of an overseas elector's declaration.

(1C) This subsection applies if on the date of the poll—

- (a) the person is disqualified as a peer from voting as an elector at parliamentary elections, or is a relevant citizen of the Union who has attained the age of 18,
- (b) the person would be entitled to vote as an elector at a local government election in an electoral area wholly or partly comprised in the police area, and
- (c) the address in respect of which the person is registered in the register of local government electors for that electoral area is within the police area.”

(9) Section 64 of that Act (disqualification for election as police and crime commissioner) is amended as set out in subsections (10) and (11).

(10) In subsection (1), after ““a police area”” insert “ in England ”.

(11) After subsection (1) insert—

“(1A) A person is disqualified from being elected to the office of police and crime commissioner for a police area in Wales at any election unless—

- (a) the person has attained the age of 18 when nominated as a candidate at the election, and
- (b) on each relevant day subsection (1B) or (1C) applies.

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(1B) This subsection applies if—

- (a) the person is registered in a register of parliamentary electors in respect of an address within the police area, and
- (b) the registration is not in pursuance of an overseas elector's declaration.

(1C) This subsection applies if—

- (a) the person is disqualified as a peer from voting as an elector at parliamentary elections, or is a relevant citizen of the Union, and
- (b) the person is registered in a register of local government electors in respect of an address within the police area.”

(12) In section 102 of that Act (interpretation of Part 1), in subsection (1), at the appropriate places insert—

“““overseas elector's declaration”” has the meaning given by section 2 of the Representation of the People Act 1985;”;

“““relevant citizen of the Union”” has the meaning given by section 202(1) of the Representation of the People Act 1983;”.

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**Commencement Information**

**II** [S. 8](#) in force at 1.4.2018 by [S.I. 2017/1179](#), [reg. 3\(b\)](#)

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**Changes and effects yet to be applied to :**

- specified provision(s) transitional and savings provisions for commencing S.I. 2017/1179 by [S.I. 2018/278](#) [reg. 2](#)[Sch.](#)