
STATUTORY INSTRUMENTS

2014 No. 494

**The Local Elections (Principal Areas)
(England and Wales) (Amendment) Rules 2014**

Citation, commencement, transition and interpretation

1.—(1) These Rules may be cited as the Local Elections (Principal Areas) (England and Wales) (Amendment) Rules 2014.

(2) These Rules come into force on 6th April 2014 but have no effect in relation to any election in respect of which the date of the poll specified in the notice of election is on or before 21st May 2014.

(3) In these Rules “the 2006 Rules” means the Local Elections (Principal Areas) (England and Wales) Rules 2006⁽¹⁾.

(4) In these Rules, unless otherwise stated, any reference to a numbered rule or Schedule is a reference to the rule or Schedule bearing that number in the 2006 Rules.

Amendment of the Local Elections (Principal Areas) (England and Wales) Rules 2006

2.—(1) Rule 2 (interpretation) is amended as follows.

(2) Wherever it appears, for “Local Authorities (Conduct of Referendums) (England) Regulations 2001⁽²⁾” substitute “Local Authorities (Conduct of Referendums) (England) Regulations 2012⁽³⁾”.

(3) In the definition of “mayoral election” for “Local Authorities (Mayoral Elections) (England and Wales) Regulations 2002⁽⁴⁾” substitute “Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007⁽⁵⁾”.

3.—(1) Schedule 2 (Rules for Conduct of an Election of Councillors of a Principal Area where Poll is not taken together with Poll at another Election) is amended as follows.

(2) In rule 1 (timetable), in the column of the table headed “Time”—

- (a) for the entry opposite “Delivery of nomination papers” substitute “Not later than 4 in the afternoon on the nineteenth day before the day of election”;
- (b) for the entry opposite “Publication of statement as to persons nominated” substitute “Not later than 4 in the afternoon on the eighteenth day before the day of election”; and
- (c) for the entry opposite “Delivery of notices of withdrawal of candidature” substitute “Not later than 4 in the afternoon on the nineteenth day before the day of election”.

(3) In rule 7 (consent to nomination) for paragraph (b) substitute—

- “(b) is in the appropriate form in the Appendix or a form to the like effect and includes—

(1) [S.I. 2006/3304](#); to which there are amendments not relevant to these Rules.
(2) [S.I. 2001/1298](#); revoked by [2007/2089](#).
(3) [S.I. 2012/323](#).
(4) [S.I. 2002/185](#); revoked by [2007/1024](#).
(5) [S.I. 2007/1024](#).

- (i) for a nomination in England, a copy of sections 80 and 81 of the Local Government Act 1972(6), section 78A of the Local Government Act 2000(7) and section 34 of the Localism Act 2011(8); or
- (ii) for a nomination in Wales, a copy of sections 80 and 81 of the Local Government Act 1972 and sections 78A and 79 of the Local Government Act 2000(9).”
- (4) For rule 26(8) (equipment of polling stations) substitute—
- “(8) In every compartment of every polling station there must be exhibited the notice:
- “[Vote for NO MORE THAN ... CANDIDATES by putting a cross [X] in the box next to EACH of your choices.]
- [Vote ONLY ONCE by putting a cross [X] in the box next to your choice.]
- PUT NO OTHER MARK ON THE BALLOT PAPER OR YOUR VOTE MAY NOT COUNT.””
- (5) In rule 28 (notification of requirement of secrecy), make the existing provision paragraph (1) and after that paragraph insert—
- “(2) In this rule, a reference to a constable includes a person designated as a community support officer under section 38 of the Police Reform Act 2002(10) (police powers for employees).”
- (6) In rule 30 (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 Police Reform Act 2002 (police powers for employees).”
- (7) In rule 35 (voting procedure), after paragraph (5), insert—
- “(6) A voter who at the close of the poll is in the polling station, or in a queue outside the polling station, for the purposes of voting shall (despite the close of the poll) be entitled to apply for a ballot paper under paragraph (1); and these rules apply in relation to such a voter accordingly.”
- (8) In rule 45 (the count) after paragraph (4) insert—
- “(4A) A postal ballot paper or postal voting statement that reaches the returning officer or a polling station on or after the close of the poll is treated for the purposes of this rule as reaching that officer or polling station before the close of the poll if it is delivered by a
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- (6) 1972 c.70; section 80 was amended by section 38 of, and Schedule 6 to, the Local Government Finance Act 1982 (c.32), paragraph 12 of Schedule 8 to the Representation of the People Act 1983 (c.2), section 139 of and Schedule 8 to the Transport Act 1985 (c.67), section 84 of and paragraph 3 of Schedule 14 to the Local Government Act 1985 (c.51), section 237 of and Schedules 12 and 13 to the Education Reform Act 1988 (c.40), sections 1 and 194 of, and Schedules 11 and 12 to, the Local Government and Housing Act 1989 (c.42), section 78 of and paragraph 10 of Schedule 10 to the Environment Act 1995 (c.25), section 69 of the Greater London Authority Act 1999 (c.29), section 267 of the Enterprise Act 2002 (c.40), sections 46 and 107 of, and paragraph 8 of Schedule 3, paragraph 8 of Schedule 5 and Schedule 6 to, the Local Government Act 2000, sections 74, 216 and 241 of and paragraphs 1 and 6 of Schedule 3, paragraph 2 of Schedule 14 and part 3 of Schedule 18 to the Local Government and Public Involvement in Health Act 2007 (c.28), section 119 of and paragraphs 10 and 12 of Schedule 6 to the Local Democracy, Economic Development and Construction Act 2009 (c.20), and S.I. 1996/263, 1999/2267, 2001/2237, 2002/808, 2012/2404.
- (7) 2000 c.22; section 78A was inserted by section 198 of the Local Government and Public Involvement in Health Act 2007, and repealed by sections 26 and 237 of, and paragraphs 7 and 44 of Schedule 4 and part 5 of Schedule 25 to, the Localism Act 2011 (c.20), subject to the transitional provision in article 7 of S.I. 2012/1463..
- (8) 2011 c.20.
- (9) Section 79 was amended by section 199 of the Local Government and Public Involvement in Health Act 2007 and sections 26 and 237 of, and paragraphs 7 and 46 of Schedule 4 and part 5 of Schedule 25 to, the Localism Act 2011.
- (10) 2002 c.30; section 38 was amended by section 120 of and paragraphs 179 and 181 of Schedule 4 and part 2 of Schedule 17 to the Serious Organised Crime and Police Act 2005 (c.15), section 7 of and paragraphs 1 and 2 of Schedule 5 to the Police and Justice Act 2006 (c.48), paragraph 125 and part 13 of Schedule 7 and part 13 of Schedule 8 to the Policing and Crime Act 2009 (c.26) and section 99 and paragraphs 277 and 292 of Schedule 16 to the Police Reform and Social Responsibility Act 2011 (c.13).

person who, at the close of the poll, is in the polling station, or in a queue outside the polling station, for the purpose of returning it.”

(9) In the Appendix of Forms, in the “Form of Candidate’s Consent to Nomination”, for the words from “I declare that to the best of my knowledge” to “within the meaning of that Part”, substitute—

“*For a nomination in England:

I declare that to the best of my knowledge and belief I am not disqualified for being elected by reason of any disqualification set out in, or decision made under, section 80 of the Local Government Act 1972, section 78A of the Local Government Act 2000 or section 34 of the Localism Act 2011 (copies of which are printed overleaf), and I do not hold a politically restricted post, within the meaning of Part 1 of the Local Government and Housing Act 1989, under a local authority, within the meaning of that Part.

*For a nomination in Wales:

I declare that to the best of my knowledge and belief I am not disqualified for being elected by reason of any disqualification set out in, or decision made under, section 80 of the Local Government Act 1972 or section 78A or 79 of the Local Government Act 2000 (copies of which are printed overleaf), and I do not hold a politically restricted post, within the meaning of Part 1 of the Local Government and Housing Act 1989, under a local authority, within the meaning of that Part.

Delete whichever is inappropriate.”.

(10) In the Appendix of Forms, for the following forms substitute the corresponding forms in Schedule 1 to these Rules—

- (a) Form of Front of Ballot Paper;
- (b) Form of Back of Ballot Paper;
- (c) Directions as to Printing the Ballot Paper;
- (d) Form of Postal Voting Statement;
- (e) Official Poll Card (to be sent to an elector voting in person);
- (f) Official Postal Poll Card (to be sent to an elector voting by post);
- (g) Official Proxy Poll Card (to be sent to an appointed proxy voting in person);
- (h) Official Proxy Postal Poll Card (to be sent to an appointed proxy voting by post);
- (i) Form of directions for the guidance of the voters in voting;
- (j) Form of Certificate of Employment; and
- (k) Form of Declaration to be made by the companion of a voter with disabilities.

4.—(1) Schedule 3 (Rules for Conduct of an Election of Councillors of a Principal Area where the Poll is taken together with the Poll at a Relevant Election or Referendum) is amended as follows.

(2) In rule 1 (timetable), in the column of the table headed “Time”—

- (a) for the entry opposite “Delivery of nomination papers” substitute “Not later than 4 in the afternoon on the nineteenth day before the day of election”;
- (b) for the entry opposite “Publication of statement as to persons nominated” substitute “Not later than 4 in the afternoon on the eighteenth day before the day of election”; and
- (c) for the entry opposite “Delivery of notices of withdrawal of candidature” substitute “Not later than 4 in the afternoon on the nineteenth day before the day of election”.

(3) In rule 7 (consent to nomination) for paragraph (b) substitute—

“(b) is in the appropriate form in the Appendix or a form to the like effect and includes—

- (i) for a nomination in England, a copy of sections 80 and 81 of the Local Government Act 1972, section 78A of the Local Government Act 2000 and section 34 of the Localism Act 2011; or
- (ii) for a nomination in Wales, a copy of sections 80 and 81 of the Local Government Act 1972 and sections 78A and 79 of the Local Government Act 2000.”

(4) For rule 26(10) (equipment of polling stations) substitute—

“(10) In every compartment of every polling station there must be exhibited the notice—

*PARLIAMENTARY ELECTION

(*[Specify colour]* ballot paper)

Vote for ONLY ONE CANDIDATE by putting a cross [X] in the box next to your choice.

*EUROPEAN PARLIAMENTARY ELECTION

(*[Specify colour]* ballot paper)

Vote ONLY ONCE by putting a cross [X] in the box next to your choice.

**[Specify name of council]* COUNCIL ELECTION

(*[Specify colour]* ballot paper)

**[Vote for NO MORE THAN ... CANDIDATES by putting a cross [X] in the box next to EACH of your choices.]*

**[Vote ONLY ONCE by putting a cross [X] in the box next to your choice.]*

*ELECTION OF THE MAYOR OF LONDON

(*[Specify colour]* ballot paper)

#On the ballot paper for the election of the Mayor, vote ONCE for your first choice and ONCE for your second choice.

*ELECTION OF THE LONDON ASSEMBLY

#On the constituency members ballot paper (*[specify colour]*) vote for ONE candidate only.

#On the London members ballot paper (*[specify colour]*) vote for ONE party or individual candidate only.

**[Specify other]* ELECTION/REFERENDUM

(*[Specify colour]* ballot paper)

[Specify voting instructions in accordance with the legislation governing the election or referendum]

PUT NO OTHER MARK ON THE BALLOT PAPER OR YOUR VOTE MAY NOT COUNT.

**[PLEASE DO NOT FOLD THE BALLOT PAPERS FOR [specify the election(s) and/or referendum(s) at which the votes are to be counted electronically]. Post them, face downwards, in the [*appropriate] ballot box.]*

*Complete or omit as necessary.

Alternatively, insert such information as the GLRO may decide.”

(5) In rule 28 (notification of requirement of secrecy), make the existing provision paragraph (1) and after that paragraph insert—

“(2) In this rule, a reference to a constable includes a person designated as a community support officer under section 38 of the Police Reform Act 2002 (police powers for employees).”

(6) In rule 30 (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 Police Reform Act 2002 (police powers for employees).”

(7) In rule 35 (voting procedure), after paragraph (6) insert—

“(7) A voter who at the close of the poll is in the polling station, or in a queue outside the polling station, for the purposes of voting shall (despite the close of the poll) be entitled to apply for a ballot paper under paragraph (1); and these rules apply in relation to such a voter accordingly.”

(8) In rule 45 (the count)—

(a) in paragraph (5)(b) for “sections 44 and 105 or 45 and 105” substitute “section 9HE, 9MG, 44 or 45, whether or not in addition to 105”; and

(b) after paragraph (7) insert—

“(7A) A postal ballot paper or postal voting statement that reaches the returning officer or a polling station on or after the close of the poll is treated for the purposes of this rule as reaching that officer or polling station before the close of the poll if it is delivered by a person who, at the close of the poll, is in the polling station, or in a queue outside the polling station, for the purpose of returning it.”

(9) In the Appendix of Forms, in the “Form of Candidate’s Consent to Nomination”, for the words from “I declare that to the best of my knowledge” to “within the meaning of that Part”, substitute—

“*For a nomination in England:

I declare that to the best of my knowledge and belief I am not disqualified for being elected by reason of any disqualification set out in, or decision made under, section 80 of the Local Government Act 1972, section 78A of the Local Government Act 2000 or section 34 of the Localism Act 2011 (copies of which are printed overleaf), and I do not hold a politically restricted post, within the meaning of Part 1 of the Local Government and Housing Act 1989, under a local authority, within the meaning of that Part.

*For a nomination in Wales:

I declare that to the best of my knowledge and belief I am not disqualified for being elected by reason of any disqualification set out in, or decision made under, section 80 of the Local Government Act 1972 or section 78A or 79 of the Local Government Act 2000 (copies of which are printed overleaf), and I do not hold a politically restricted post, within the meaning of Part 1 of the Local Government and Housing Act 1989, under a local authority, within the meaning of that Part.

Delete whichever is inappropriate.

(10) In the Appendix of Forms, for the following forms substitute the corresponding forms in Schedule 2 to these Rules—

(a) Form of Front of Ballot Paper;

(b) Form of Back of Ballot Paper;

(c) Directions as to Printing the Ballot Paper;

(d) Form of Postal Voting Statement (for use where there is joint issue and receipt of postal ballot papers);

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- (e) Form of Postal Voting Statement (for use when a local government poll is combined with another poll but the postal ballot papers are not combined);
- (f) Official Poll Card (to be sent to an elector voting in person);
- (g) Official Postal Poll Card (to be sent to an elector voting by post);
- (h) Official Proxy Poll Card (to be sent to an appointed proxy voting in person);
- (i) Official Proxy Postal Poll Card (to be sent to an appointed proxy voting by post);
- (j) Form of directions for the guidance of the voters in voting;
- (k) Form of Certificate of Employment; and
- (l) Form of Declaration to be made by the companion of a voter with disabilities.

Signed by authority of the Lord President of the Council

28th February 2014

Greg Clark
Minister of State
Cabinet Office