
STATUTORY INSTRUMENTS

1998 No. 578

REPRESENTATION OF THE PEOPLE

The Local Elections (Principal Areas) (Amendment) Rules 1998

Made - - - - *4th March 1998*
Laid before Parliament *16th March 1998*
Coming into force - - *7th April 1998*

The Secretary of State in exercise of the powers conferred upon him by section 36(2) of the Representation of the People Act 1983(1) hereby makes the following Rules:

1.—(1) These Rules may be cited as the Local Elections (Principal Areas) (Amendment) Rules 1998 and shall come into force on 7th April 1998.

(2) These Rules do not extend to Scotland or Northern Ireland.

2. In these Rules “the 1986 Rules” means the Local Elections (Principal Areas) Rules 1986(2).

3. In rule 4 (interpretation) of the 1986 Rules(3)—

(a) before the words “a county” there shall be inserted “, in England,” and

(b) after the words “London borough” there shall be inserted “and, in Wales, a county or county borough”.

4.—(1) In rules 5 (application of rules in Schedule 2) and 6 (application of modifications in Schedule 3) of the 1986 Rules, for the words from “section 36(3)” to “Act 1983” there shall be substituted “section 36(3), (3AB) or (3AC) of the Representation of the People Act 1983(4)”.

(2) For the heading of rule 6 of the 1986 Rules there shall be substituted “*Combination under section 36(3), (3AB) or (3AC) of the Act of 1983*”.

5.—(1) Schedule 2 (local elections rules) to the 1986 Rules shall be amended as follows.

(2) In rule 15(2) (official mark) of the rules in that Schedule after the word “county,” there shall be inserted “county borough,”.

(1) 1983 c. 2.

(2) S.I.1986/2214.

(3) Rule 4 was substituted by rule 2 of S.I. 1990/158 and was amended by an instrument not relevant to this Order.

(4) Section 36(3) was substituted by section 17 of the Representation of the People Act 1985 (c. 50) and amended by Schedule 16 to the Local Government (Wales) Act 1994 (c. 19); section 36(3AB) was inserted by Schedule 16 to the 1994 Act and section 36(3AC) was inserted by Schedule 3 to the Local Government and Rating Act 1997 (c. 29).

(3) In rule 17(1)(a) (use of schools) of those rules after the word “authority” there shall be inserted “, a grant-maintained school”.

(4) In the Appendix of forms at the end of those rules in the forms of nomination paper, candidate’s consent to nomination and form of back of ballot paper, after the words “London borough”, in each place where they occur, there shall be inserted “/county borough”.

6.—(1) Schedule 3 (modification of rules where polls are combined under section 36(3), (3AB) or (3AC) of the Representation of the People Act 1983) to the 1986 Rules shall be amended as follows.

(2) In the heading to the Schedule, for the words from “SECTION” to “REPRESENTATION” there shall be substituted “SECTION 36(3), (3AB) OR (3AC) OF THE REPRESENTATION”.

(3) In rule 22(5), as added by paragraph 3 of Schedule 3, for the word “district” there shall be substituted “principal area”.

(4) In rule 23(1A), as inserted by paragraph 4 of Schedule 3, for the words from the beginning to “those elections;” there shall be substituted “If the returning officer thinks fit, one ballot box may be used for the polls at both elections;”.

(5) In the notice required to be exhibited by rule 23(5), as substituted by paragraph 5 of Schedule 3(5), for the words “[Specify name of the district council]” there shall be substituted “[Specify name of principal area]”.

(6) In the modifications made by paragraph 7 of Schedule 3(6), for the word “district” there shall be substituted “*[district]*[county]*[county borough]* (*delete whichever is inapplicable*)”.

(7) In rule 39(2), as substituted by paragraph 15(2) of Schedule 3, for the word “district” there shall be substituted “principal area”.

(8) In the modifications made by paragraph 18 of Schedule 3(7), for the word “district”, in each place where it occurs, there shall be substituted “principal area”.

7.—(1) Schedule 4 (modification of rules where polls are combined under section 15(1) or (2) of the Representation of the People Act 1985(8)) to the 1986 Rules shall be amended as follows.

(2) In the modifications made by paragraph 8 of Schedule 4, after the words “London borough]” there shall be inserted “*[county borough]”.

(3) In rule 39(2), as substituted by paragraph 18 of Schedule 4, after the word “London” there shall be inserted “or county”.

(4) In the provision inserted by paragraph 24(a) of Schedule 4, after the words “*London borough”, in the first place where they occur, there shall be inserted “/*county borough” and those words are hereby revoked in the second place where they occur.

Home Office
4th March 1998

George Howarth
Parliamentary Under-Secretary of State

(5) This notice was amended by rule 5(4) of S.I. 1990/158.

(6) Those modifications were amended by rule 5(5) of S.I. 1990/158.

(7) Those modifications were amended by rule 5(13), (14) and (15) of S.I. 1990/158.

(8) 1985 c. 50.

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules make miscellaneous minor amendments to the Local Elections (Principal Areas) Rules 1986.

As respects Wales, rules 3, 5(2) and (4), 6 and 7 of these Rules make amendments to take account of the replacement of districts in Wales with counties and county boroughs. This change was made by the Local Government (Wales) Act 1994; section 17 of that Act had previously had the effect of converting the references to districts in the 1986 Rules. Rules 4 and 6(2) of these Rules make amendments to provide for the combination of the polls at county or county borough council elections in Wales and community council elections which is required by section 36(3AB) of the Representation of the People Act 1983, as inserted by Schedule 16 to the 1994 Act.

The amendments made by rules 4 and 6 of these Rules also take account of the new requirement which is imposed by section 36(3AC) of the 1983 Act, as inserted by Schedule 3 to the Local Government and Rating Act 1997, to combine the polls at county and parish council elections in counties in England in which there are no district councils.

Rule 5(3) of these Rules amends rule 17 in Schedule 2 to the 1986 Rules to add to the list of schools which may be used for the purpose of taking the poll, grant-maintained schools. This brings rule 17 into line with the equivalent rule in the parliamentary elections rules, as amended by paragraph 83 of Schedule 19 to the Education Act 1993 (c. 35).