

SCHEDULE 2

THE LONDON MEMBERS ELECTION RULES

PART VII

List Candidates And The Filling Of Vacancies

Interpretation of Part VII

54. In this Part—

“dual candidate” means a person—

- (a) whose name, subject to rule 55, falls to be notified as mentioned in subsection (6) of section 11 of the 1999 Act; and
- (b) who is a candidate (otherwise than at an ordinary election) for election—
 - (i) as the Mayor of London; or
 - (ii) as a constituency member;

“nominating officer”, in relation to a registered party and a vacancy in the office of a London member, means the person who holds that office in the party at the time at which the vacancy arises; and

“paragraph (1) notice” has the meaning given by rule 56(1).

Removal from party list on election as Mayor or constituency member

55.—(1) Where a person whose name is for the time being included in a party list is elected (otherwise than at an ordinary election)—

- (a) as the Mayor of London; or
- (b) as a constituency member,

his name shall be removed from that list.

(2) For the purposes of this Part, the name of a person to whom paragraph (1) applies shall be treated as ceasing to be included in the list from the date on which he is returned as the Mayor or a constituency member, as the case may be (even if his return is void).

Notification of vacancy

56.—(1) As soon as the office of a London member who was returned from a registered party’s list becomes vacant, the GLRO shall simultaneously give or send to—

- (a) the party’s nominating officer; and
- (b) the person whose name would, in accordance with subsection (6) of section 11 of the 1999 Act (filling a vacancy among the London members) (and on the assumption that he satisfies the conditions in subsection (4)), be so notified,

written notice (“paragraph (1) notice”) of the matters specified in paragraph (2).

(2) The matters specified in this paragraph are—

- (a) the vacancy;
- (b) that the nominating officer may, by notice in writing delivered to the GLRO not later than one month after the date of the paragraph (1) notice, give the notice referred to in subsection (5)(b) of section 11 of the 1999 Act; and

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- (c) that the person must, by notice in writing delivered to the GLRO not later than one month after the date of the paragraph (1) notice, indicate whichever of the following apply to him—
 - (i) that he is willing to serve as a London member (“notice of willingness”);
 - (ii) that he is not willing to serve as a London member; and
 - (iii) that he is a dual candidate.
- (3) The GLRO shall not notify the Chair of the Assembly as mentioned in section 11(3) of the 1999 Act until—
 - (a) the period mentioned in paragraph (2)(b) has elapsed; and
 - (b) he has received a notice of willingness; and
 - (c) if the person by whom notice of willingness has been given is a dual candidate, the result of the election at which he is a Mayoral or constituency member candidate has been declared.

Unwilling candidate or objection by registered party

57. Where the GLRO receives a notice under rule 56(2)(c)(ii) or section 11(5)(b) of the 1999 Act he shall again send a paragraph (1) notice, but with the substitution, for the name of the person to whom the first such notice was sent, of the name of the person who, on the same assumption, would be the next person whose name would be notified in accordance with section 11(6) of that Act; and so on until, in respect of such a person—

- (a) no notice is given under section 11(5)(b) of that Act; and
- (b) a notice of willingness has been received.

Acceptance of office and further notification

58.—(1) As soon as practicable after the GLRO has identified the person who is to fill the vacancy, he shall invite him to attend at his office to sign the declaration of acceptance of office.

(2) In a case to which subsection (3) of section 11 of the 1999 Act applies, as soon as practicable after the declaration of acceptance of office has been signed, the GLRO shall notify the Chair of the Assembly as mentioned in that subsection.