

This Statutory Instrument has been made in consequence of a defect in S.I. 2001/760 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2001 No. 3915

LOCAL GOVERNMENT, ENGLAND

The Local Authorities (Referendums) (Petitions and Directions) (England) (Amendment) (No. 3) Regulations 2001

Made - - - - 7th December 2001
Laid before Parliament 7th December 2001
Coming into force - - 12th December 2001

The Secretary of State for Transport, Local Government and the Regions, in exercise of the powers conferred upon him by sections 34 and 105(2) of the Local Government Act 2000⁽¹⁾, and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Local Authorities (Referendums) (Petitions and Directions) (England) (Amendment) (No. 3) Regulations 2001 and shall come into force on 12th December 2001.

(2) These Regulations extend to England only.

Amendment of 2000 Regulations

2. At the end of regulation 4 of the Local Authorities (Referendums) (Petitions and Directions) (England) Regulations 2000⁽²⁾ there shall be inserted—

“(9) Subject to paragraph (10), where during 2001 the electoral register or registers having effect for an authority’s area have been published in an amended form—

- (a) for the purposes of this regulation any reference to the register or registers published in 2001 shall be construed as a reference to the first register or registers published in that year; and
- (b) following the later publication in that year of any register or registers—

(1) 2000 c. 22.

(2) S.I. 2000/2852. The relevant amending instrument is S.I. 2001/760, in particular regulation 4(1) and (3).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (i) the proper officer of the authority in question shall not be obliged to re-compute or publish the number that is equal to 5 per cent of the number of local government electors for the area by reference to the electors shown on that later register or those later registers; and
 - (ii) where, pursuant to this regulation, any verification number has been published in relation to that later register or those later registers, that verification number shall be disregarded for the purposes of these Regulations and regulation 4(3) and (4) of the Local Authorities (Referendums) (Petitions and Directions) (England) (Amendment) Regulations 2001⁽³⁾.
- (10) If before 12th December 2001 the proper officer has published a verification number in relation to a later register or registers in that year and after the date of publication of that number but before 12th December 2001 any person has presented a petition pursuant to these Regulations, that verification number shall be regarded as the verification number that applies for all purposes in relation to that petition”.

Amendment of 2001 Regulations

3. In regulation 4(3) of the Local Authorities (Referendums) (Petitions and Directions) (England) (Amendment) Regulations 2001, after the words “paragraph (1) above” there shall be inserted “and the Local Authorities (Referendums) (Petitions and Directions) (England) (Amendment) (No. 3) Regulations 2001”.

Signed by the authority of the Secretary of State for Transport, Local Government and the Regions.

Nick Raynsford
Minister of State
Department for Transport Local Government and
the Regions

7th December 2001

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend regulation 4 of the Local Authorities (Referendums) (Petitions and Directions) (England) Regulations 2000 (S.I. 2000/2852) (“the 2000 Regulations”) so that—

the proper officer of a local authority is not obliged to comply with the requirement to compute and publish the figure of 5 per cent. of the electors shown on any register or registers published during the year 2001, other than in relation to the first occasion on which such a register is or registers are published in that year, and

where a verification figure in relation to any later register or registers in that year has already been published pursuant to regulation 4 of the 2000 Regulations, it shall be disregarded for the purposes of those Regulations unless the exception specified in regulation 4(10) of the 2000 Regulations applies (regulation 4(10) is inserted by these Regulations).

The exception in the new regulation 4(10) provides that, where a verification number has been published before 12th December 2001 in relation to a later register or registers, if following the publication of that later number and before that date a petition has been presented pursuant to the 2000 Regulations the later verification number for the year 2001 will apply for all purposes in relation to that petition.