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STATUTORY INSTRUMENTS

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**2004 No. 362**

**The City of Sunderland (Electoral Changes) Order 2004**

**Elections of the council of the city of Sunderland**

4.—(1) Elections of all councillors for all wards of the city shall be held simultaneously on the ordinary day of election of councillors in 2004(1)(2).

(2) The councillors holding office for any ward of the city immediately before the fourth day after the ordinary day of election of councillors in 2004 shall retire on that date and the newly elected councillors for those wards shall come into office on that date.

(3) Of the councillors elected in 2004 for any ward of the city one shall retire in 2006, one in 2007 and one in 2008.

(4) Of the councillors elected in 2004 for any ward of the city —

- (a) the first to retire shall, subject to paragraphs (5) and (6), be the councillor elected by the smallest number of votes; and
- (b) the second to retire shall, subject to those paragraphs, be the councillor elected by the next smallest number of votes.

(5) In the case of an equality of votes between any persons elected which makes it uncertain which of them is to retire in any year, the person to retire in that year shall be determined by lot.

(6) If an election of councillors for any ward is not contested, the person to retire in each year shall be determined by lot.

(7) Where under this article any question is to be determined by lot, the lot shall be drawn at the next practicable meeting of the council after the question has arisen and the drawing shall be conducted under the direction of the person presiding at the meeting.

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(1) Article 4 provides for a single election of all the councillors and for reversion to the system of election by thirds, as established by section 7 of the Local Government Act 1972 (c. 70).

(2) For the ordinary day of election of councillors of local government areas, see section 37 of the Representation of the People Act 1983 (c. 2), amended by section 18(2) of the Representation of the People Act 1985 (c. 50) and section 17 of, and paragraphs 1 and 5 of Schedule 3 to, the Greater London Authority Act 1999 (c. 29).