
STATUTORY INSTRUMENTS

2006 No. 3304

**The Local Elections (Principal Areas)
(England and Wales) Rules 2006**

Citation, commencement, extent and revocations

1.—(1) These Rules may be cited as The Local Elections (Principal Areas) (England and Wales) Rules 2006.

(2) These Rules come into force on 2 January 2007 except for the purposes of an election if the last date for the publication of the notice of election for that election was, or will be, prior to 27 March 2007.

(3) These Rules shall not extend to Scotland or Northern Ireland.

(4) Subject to paragraph (2), the statutory instruments listed in column 1 of Schedule 1 to these Rules (which have the reference listed in column 2) are revoked to the extent indicated in column 3 of that Schedule.

Interpretation

2.—(1) In these Rules,

“1983 Act” means the Representation of the People Act 1983;

“Assembly constituency” shall have the same meaning as in section 2(4) and (5) of the Greater London Authority Act 1999(1);

“the Combination of Polls Regulations” means the Representation of the People (Combination of Polls) (England and Wales) Regulations 2004(2);

“counting observer” shall have the same meaning as in regulation 2(1) of the Local Authorities (Conduct of Referendums) (England) Regulations 2001(3);

“counting officer” shall have the same meaning as in regulation 2(1) of the Local Authorities (Conduct of Referendums) (England) Regulations 2001;

“European Parliamentary election” shall have the same meaning as in section 27(1) of the Representation of the People Act 1985(4);

“GLRO” means the Greater London returning officer, being the person who is for the time being the proper officer of the Greater London Authority for the purposes of section 35(2C) of the 1983 Act or any person acting on his behalf(5);

“local counting area” shall have the same meaning as in regulation 2(1) of the European Parliamentary Elections Regulations 2004(6);

(1) 1999 c.29

(2) S.I. 2004/294 as amended by S.I. 2006/3278.

(3) S.I. 2001/1298 as amended by S.I. 2004/226.

(4) 1985 c.50. Section 27(1) was amended by the European Communities (Amendment) Act 1986 (c.58), section 3(1). The definition of the European Assembly was repealed by the Schedule to that Act on the entering into force of the Single European Act (Cmnd. 9758) on 1 July 1987.

(5) Section 35(2C) was inserted by paragraphs 1 and 3 of Schedule 3 to the Greater London Authority Act 1999 (c.29).

(6) S.I. 2004/293

“mayoral election” means an election conducted under the Local Authorities (Mayoral Elections) (England and Wales) Regulations 2002(7);

“petition organiser” shall have the same meaning as in regulation 3 of the Local Authorities (Referendums) (Petitions and Directions) (England) Regulations 2000(8);

“polling observer” shall have the same meaning as in regulation 2(1) of the Local Authorities (Conduct of Referendums) (England) Regulations 2001;

“principal area” means, in England, a county, district or London borough and, in Wales, a county or county borough;

“referendum” means a referendum conducted under the Local Authorities (Conduct of Referendums) (England) Regulations 2001;

“voting area” shall have the same meaning as in regulation 2 of the Local Authorities (Conduct of Referendums) (England) Regulations 2001.

(2) In these Rules, “relevant election or referendum” means one or more of the following—

- (a) a Parliamentary election(9);
- (b) a European Parliamentary election;
- (c) another local government election;
- (d) a mayoral election; and
- (e) a referendum,

the poll at which is taken together with the poll at the principal area election.

(3) In the case of a referendum, a reference to—

- (a) a “candidate” shall be construed as a reference to a petition organiser;
- (b) an “election agent” or a “counting agent” shall be construed as a reference to a counting observer;
- (c) a “polling agent” shall be construed as a reference to a polling observer; and
- (d) a “returning officer” shall be construed as a reference to a counting officer.

Elections Rules

3. In the application of the parliamentary elections rules to the election of councillors of the council of a principal area where the poll at that election is not taken together with the poll at another election under section 36(3), (3AB) or (3AC) of the 1983 Act(10) or section 15(1) or (2) of the Representation of the People Act 1985(11), adaptations, alterations and exceptions shall be made to those rules so that the election shall be conducted in accordance with the Rules set out in Schedule 2 to these Rules.

(7) [S.I. 2002/185](#) as amended by [S.I. 2004/225](#).

(8) [S.I. 2000/2852](#)

(9) For the definition of “Parliamentary election”, see the Interpretation Act [1978 \(c.30\)](#), Schedule 1.

(10) Section 36(3) was substituted for subsection (3) as originally enacted, by section 17 of the Representation of the People Act [1985 \(c.50\)](#) and further amended by paragraph 68(8) of Schedule 16 to the Local Government (Wales) Act [1994 \(c.19\)](#), and subsection (3AB) was inserted by paragraph 68(8) of Schedule 16; subsection (3AC) was inserted by paragraph 17 of Schedule 3 to the Local Government and Rating Act [1997 \(c.19\)](#).

(11) [1985 c.50](#)

Combination of polls

4. Where the poll at an election of councillors to the council of a principal area is to be taken together with the poll at a relevant election or referendum⁽¹²⁾, the Rules set out in Schedule 2 shall apply to the principal area election as shown modified in Schedule 3.

Signed by authority of the Secretary of State

12th December 2006

Bridget Prentice
Parliamentary Under Secretary of State
Department for Constitutional Affairs

(12) Provisions as to the combination of polls at elections, including principal area elections, are contained in section 36 of the Representation of the People Act 1983 (“the 1983 Act”), section 15 of the Representation of the People Act 1985 (c.50), the Local Authorities (Conduct of Referendums) (England) Regulations 2001 (S.I. 2001/1298) and the Local Authorities (Mayoral Elections) (England and Wales) Regulations 2002 (S.I. 2002/185).