1970. No. 347 **[C]**

LOCAL ELECTIONS—CASUAL VACANCIES

ORDER IN COUNCIL DATED 31ST DECEMBER 1970, MADE UNDER THE ELECTORAL LAW ACT (NORTHERN IRELAND) 1962.

BY THE GOVERNOR IN THE PRIVY COUNCIL OF NORTHERN IRELAND

GREY OF NAUNTON

WHEREAS by Section 13(5)(*a*) of the Electoral Law Act (Northern Ireland) 1962(a) (hereinafter referred to as "the Act of 1962") it is provided that a casual vacancy occurring in a Local Authority at any time after the election day in any local election year and before the first day of January in the next succeeding election year shall, if a vacancy for any member other than an alderman, be filled in accordance with the Local Elections Rules contained in Schedule 5 to the Act of 1962:

AND WHEREAS by Section 3(3) of the Electoral Law Act (Northern Ireland) 1969(b) the first day of June was substituted for the first day of January in the aforesaid provision for purposes of that Act:

AND WHEREAS Rule 50 of the said Local Elections Rules provides in effect that where a casual vacancy exists among the councillors of a county borough or borough a bye-election shall be held if more than one candidate stands validly nominated:

AND WHEREAS under Section 57(3) of the Act of 1962 the provisions of the Local Elections Rules may be varied by an Order in Council:*

AND WHEREAS by reason of the inadequacy of the existing local government register it is expedient to postpone the holding of bye-elections to fill casual vacancies among the councillors of county boroughs and boroughs until the register is rendered adequate:

AND WHEREAS in view of the continuing postponement of the next general local government election the existing statutory procedure for elections to fill casual vacancies among members of local authorities other than the councils of county boroughs and boroughs is under consideration:

NOW THEREFORE, I, Ralph Francis Alnwick, Baron Grey of Naunton, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Royal Victorian Order, Officer of the Most Excellent Order of the British Empire, Governor of Northern Ireland, by and with the advice of the Privy Council of Northern Ireland, in exercise of the powers conferred upon me by the said Section 57(3) and of all other powers me thereunto enabling do hereby order as follows:—

Citation

1. This Order may be cited as the Electoral Law (Local Bye-Elections (Postponement)) Order (Northern Ireland) 1970.

(a) 1962. c. 14. (b) 1969. c. 26 (N.I.).

*Approved by the House of Commons and by the Senate on 17th December 1970.

Variations of Time-Tables I and II

2. For the purposes of filling a casual vacancy existing or occurring among the councillors of a county borough or borough between the date of this Order and 1st March 1971, Time-table I of the Local Elections Rules set out in Schedule 5 to the Electoral Law Act (Northern Ireland) 1962 shall have effect as if in column (4) of Proceeding 1 before the words "not later than seven days before the nomination day" there were inserted the words "not earlier than the first day of March 1971 and" and in column (4) of Proceeding 2 for the reference to "not later than twenty-one days after the date of the occurrence of the vacancy, as the returning officer shall fix" there were substituted a reference to "not later than twenty-one days after the first day of March 1971, as the returning officer shall fix".

3. For the purposes of filling a casual vacancy existing or occurring among the members of local authorities other than the councils of county boroughs and boroughs between the date of this Order and 1st March 1971, Time-table II of the said Local Elections Rules shall have effect as if in columns (2) and (3) of Proceeding 2 there were substituted "not earlier than the first day of March 1971 or later than 90 days after that date".

Given at Government House, Hillsborough, this 31st day of December 1970.

J. L. O. Andrews
H. V. Kirk
B. Faulkner

EXPLANATORY NOTE

(This note does not form part of the Order but is intended to indicate its general purport.)

This Order varies the Local Elections Rules contained in Schedule 5 to the Electoral Law Act (Northern Ireland) 1962 so as to provide that casual vacancies existing or occurring among the members of local authorities shall not be filled until after the 1st March 1971.