STATUTORY INSTRUMENTS

1983 No. 1153

REPRESENTATION OF THE PEOPLE

The Local Elections (Parishes and Communities) (Amendment) Rules 1983

Made - - - -	*27th July* 1983
Laid before Parliament	*5th August* 1983
Coming into Operation	*1st September* 1983

In exercise of the powers conferred upon me by section 36 of the Representation of the People Act 1983(**a**), I hereby make the following Rules:—

1.—(1) These Rules may be cited as the Local Elections (Parishes and Communities) (Amendment) Rules 1983.

(2) These Rules shall come into operation on 1st September 1983, except that paragraphs (2), (3), (8) and (9) of Rule 4 shall not apply to any election notice of which is published before the coming into operation of these Rules.

2. Rule 3 of the Local Elections (Parishes and Communities) Rules 1973(**b**) shall have effect as though, for the reference in that rule to Schedule 2 to the Representation of the People Act 1949, there were substituted a reference to Schedule 1 to the Representation of the People Act 1983.

3. Rule 4 of the Local Elections (Parishes and Communities) Rules 1973 shall be amended as follows:—

(a) for "Representation of the People Act 1949" there shall be substituted "Representation of the People Act 1983";

(b) for "section 165(1)" there shall be substituted "section 187(1)", and

(c) for "section 119(2)*(b)*" there shall be substituted "section 136(2)*(b)*".

4.—(1) The rules in Schedule 1 to the Local Elections (Parishes and Communities) Rules 1973 shall be amended as follows.

(2) In rule 2(1) after the words "of the timetable in rule 1 a" there shall be inserted "Saturday,".

(3) At the end of rule 2 there shall be added the following paragraph:—

"(3) In this rule "weekday" does not include a Saturday.".

(4) At the beginning of rule 7(1) there shall be inserted the words "Subject to section 38(1)*(b)* of the Representation of the People Act 1983,".

(5) At the end of rule 25(1) there shall be added the words "but the constables on duty at polling stations or at the counting of the votes shall not be required to make the declaration of secrecy".

(**a**) 1983 c.2; the powers are extended by section 187(1) of the 1983 Act and section 89(6) of the Local Government Act 1972 (c.70), as amended by paragraph 13 of Schedule 8 to the 1983 Act.

(**b**) S.I. 1973/1910, to which there are amendments not relevant to these Rules.

(6) In rule 25(3) and (4) for "section 53 of the Representation of the People Act 1949", in each place where the words occur, there shall be substituted "section 66 of the Representation of the People Act 1983".

(7) In rule 26(3) for "Representation of the People Act 1949" there shall be substituted "Representation of the People Act 1983".

(8) Rule 32(1)*(b)* shall be omitted.

(9) In rule 37(1)*(f)* the word "Jews" shall be omitted.

(10) Rule 51(1) shall be omitted.

(11) In rule 52(1) for "two electors" there shall be substituted "ten electors".

(12) In rule 52(2) and (4) for "filled by election", in each place where the words occur, there shall be substituted "required to be filled by election".

Leon Brittan,
One of Her Majesty's Principal
Secretaries of State.

Home Office.
27th July 1983.

EXPLANATORY NOTE

(*This Note is not part of the Rules.*)

These Rules amend the Local Elections (Parishes and Communities) Rules 1973 ("the 1973 Rules").

There are two principal changes. One is to exclude Saturdays from the computation of time for the purposes of the election timetable (rule 4(2), (3), (8) and (9)). The other is to increase from two to ten the number of electors who may require that an election be held to fill a casual vacancy in the office of a parish or community councillor (rule 4(11)).

These Rules also make amendments consequential on the consolidation of the Representation of the People Acts by the Representation of the People Act 1983 (rules 2, 3 and 4(4), (6) and (7)). Rule 4(5) inserts a provision which expressly states that constables on duty at polling stations or at the counting of the votes are not required to make the declaration of secrecy. Rule 4(10) omits a provision from the 1973 Rules because the substance of that provision is to be found in primary legislation, namely, section 38(2) of the Representation of the People Act 1983. Rule 4(12) is intended to clarify a provision in the 1973 Rules.

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