STATUTORY INSTRUMENTS

1985 No.1848

REPRESENTATION OF THE PEOPLE

The Local Elections (Principal Areas) (Amendment) Rules 1985

Made - - - -	*25th November* 1985
Laid before Parliament	*9th December* 1985
Coming into Operation	*3rd February* 1986

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 (Principal Areas) (Amendment) Rules 1985.

(2) These Rules shall come into operation on 3rd February 1986.

2. Rule 3 of the Local Elections (Principal Areas) Rules 1973 (**b**) shall have effect as though the expression "principal area" includes the Inner London Education Area and as though "councillors" includes members of the Inner London Education Authority.

3. The rules in Schedule 2 to the Local Elections (Principal Areas) Rules 1973 shall have effect subject to the amendments specified in the Schedule to these Rules.

4. The declaration in Schedule 3 to the Local Elections (Principal Areas) Rules 1973 shall be amended by the insertion of the words "[Inner London Education Authority]" after the words "[Greater London Council]".

Douglas Hurd,
One of Her Majesty's Principal Secretaries of State.

Home Office.
25th November 1985.

(**a**) 1983 c.2; section 36 re-enacts section 42 of the Local Government Act 1972 (c.70) (which section was repealed by the 1983 Act) under which the Rules amended by these Rules were made; and the definitions in section 203(1) of the 1983 Act of the expressions "local government area" and "councillors" (which expressions are used in section 36(1)) were, respectively, amended and inserted by paragraph 1(10) of Schedule 9 to the Local Government Act 1985 (c.51).

(**b**) S.I. 1973/79; rule 3 was amended by rule 2 of the Local Elections (Principal Areas) (Amendment) Rules 1983 (S.I. 1983/1154) and there were other amendments not relevant to these Rules.

SCHEDULE Article 3.

AMENDMENTS TO THE RULES IN SCHEDULE 2 TO THE LOCAL ELECTIONS (PRINCIPAL AREAS) RULES 1973

1. In rule 4(2)*(c)* after the words "Greater London Council" there shall be inserted the words "or a member of the Inner London Education Authority".

2. In rule 6(5):—

(a) in sub-paragraph *(b)*, after the words "Greater London" there shall be inserted the words "or Inner London Education Area", and

(b) at the end of the proviso, there shall be inserted the words "or from subscribing a nomination paper for both one ward of a London borough and one electoral division of the Inner London Education Area".

3. At the end of rule 12, there shall be inserted the words "Provided that a candidate shall not be deemed to have withdrawn his candidature where he is validly nominated for one ward of a London borough and one electoral division of the Inner London Education Area".

4. In rule 15(2)*(e)*, for the words from "of parish" to the end there shall be substituted the words "the poll for which is taken together with the poll for the election at which the ballot papers will be used".

5. At the end of the proviso to rule 24(3) there shall be added the following words:—

"and, where the poll at an election of members of the Inner London Education Authority is taken together with the poll at an election of London borough councillors, the official poll card for both elections may be combined and, where it is combined, sub-paragraph *(a)* above shall have the effect of requiring both the Inner London Education Authority and its electoral division and the London borough and its ward to be named".

6. For paragraph (2) of rule 25 there shall be substituted the following paragraph:—

"(2) Where—

(a) the poll at an election of district councillors is taken together with the poll at an election of parish or community councillors, or

(b) the poll at an election of members of the Inner London Education Authority is taken together with the poll at an election of London borough councillors,

one ballot box may, if the returning officer thinks fit, be used for the two elections; but, if separate ballot boxes are used, no vote for any councillor or, as the case may be, member shall be rendered invalid by the ballot paper being placed in the ballot box intended for use at the other election.".

7. In rule 27(3), after the words "Greater London Council" there shall be inserted the words "or Inner London Education Authority".

8. In rule 31(1):—

(a) in question (ii) in sub-paragraph *(a)*, after the words "any other electoral area" there shall be inserted the words "and specifying, in the case of an election the poll at which is taken together with the poll at another election, the election or elections referred to"; and

(b) in question (ii) in sub-paragraph *(b)*, after the word "election" there shall be inserted the words "[specifying, in the case of an election the poll at which is taken together with the poll at another election, the election or elections referred to]".

9. At the end of rule 33 there shall be inserted the following paragraphs:—

"(4) Where the poll at an election of members of the Inner London Education

Authority is taken together with the poll at an election of London borough councillors, a ballot paper may be delivered to the voter at the same time in respect of each such election; and, subject to paragraph (5) below, the provisions of this rule shall have effect in respect of each such ballot paper.

(5) One mark shall be placed in the register of electors under paragraph (1)*(d)* above in respect of both elections; except that, where a ballot paper is issued in respect of one election only, a different mark shall be placed in the register so as to identify the election in respect of which the ballot paper was issued.".

10. In rule 41(1) for sub-paragraph *(b)* there shall be substituted the following:—

"*(b)* if the polls have been taken together for—

(i) the election of district councillors and parish or community councillors, or

(ii) the election of members of the Inner London Education Authority and London borough councillors,

separate the ballot papers relating to the election of district councillors or, as the case may be, members of the Inner London Education Authority from those relating to the election of parish or community councillors or, as the case may be, London borough councillors and count and record the numbers relating to each election;".

11. In rule 49 after the word "elected" there shall be inserted the words "or, in the case of an election of members of the Inner London Education Authority, to the proper officer of the borough which includes the electoral division for which the election is held or, in the case of the electoral division which includes the City of London, the Inner Temple and the Middle Temple, the proper officer of the City of Westminster".

12. In rule 55, after the words "community councillors" there shall be inserted the words "or, as the case may be, at elections of members of the Inner London Education Authority and London borough councillors".

13. In rule 56—

(a) in paragraph (1), after the words "London borough" there shall be inserted the words "or for which members are elected to the Inner London Education Authority under Part III of the Local Government Act 1985 (**a**), that is an electoral division of the Inner London Education Area"; and

(b) at the end of the rule there shall be inserted the following paragraph:—

"(4) In these rules—

(a) 'council' includes the Inner London Education Authority and 'councillors' includes members of that Authority;

(b) 'principal area' includes the Inner London Education Area; and

(c) without prejudice to section 6*(c)* of the Interpretation Act 1978 (**b**), *(b)*references to an election of members of the Inner London Education Authority or an election of London borough councillors includes, as the case may be, an election of a single member of that Authority or an election of a single councillor.".

14. In the Appendix of forms, in the form of the notice of election—

(a) in the heading, after the words "[GREATER LONDON COUNCIL]" there shall be inserted the words "[INNER LONDON EDUCATION AUTHORITY]",

(b) in the heading, after the words "COUNCILLORS/A COUNCILLOR" there shall be inserted the words "MEMBERS/A MEMBER", and

(c) in paragraph 1, after the words "councillors/a councillor" there shall be inserted the words "members/a member".

15. In the Appendix of forms, in the form of nomination paper:—

(**a**) 1985 c.51. (**b**) 1978 c.30.

(a) in the heading—

(i) after the words "COUNCILLORS/A COUNCILLOR" there shall be inserted the words "MEMBERS/A MEMBER", and

(ii) after the words "[The Greater London Council]" there shall be inserted the words "[The Inner London Education Authority]", and

(b) in NOTE 4—

(i) after the words "Greater London" there shall be inserted the words "/Inner London Education Area", and

(ii) at the end of the Note there shall be added "But an elector may subscribe a nomination paper for both one ward of a London borough and one electoral division of the Inner London Education Area".

16. In the Appendix of forms, in the form of a candidate's consent to nomination:—

(a) after the words "London borough of .....]", in the first place where they occur, there shall be inserted the words "or, as the case may be, member of the Inner London Education Authority for the ..... electoral division of the Inner London Education Area",

(b) after the words "[Greater London]", in the second place where they occur, there shall be inserted the words "[Inner London Education Area]", and

(c) after the reference to section 80 of the Local Government Act 1972 there shall be inserted the words "as amended by the Local Government Act 1985".

17. In the Appendix of forms, in the form of statement of persons nominated:—

(a) after the words "[GREATER LONDON]", there shall be inserted the words "[INNER LONDON EDUCATION AREA]", and

(b) after the word "Councillor(s)" there shall be inserted the word "Member(s)".

18. In the Appendix of forms, in the form of the back of the ballot paper, after the words "Greater London" there shall be inserted the words "/of the Inner London Education Area".

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules amend the Local Elections (Principal Areas) Rules 1973 ("the 1973 Rules"). Rules 2 and 4 and paragraphs 1 to 3, 7, 11 and 13 to 18 of the Schedule to these Rules extend the application of the 1973 Rules to elections of members of the Inner London Education Authority. Paragraphs 4 to 6, 8 to 10 and 12 of the Schedule to these Rules make amendments to the 1973 Rules to give effect to section 36 (3AA) of the Representation of the People Act 1983; (section 36 was amended by section 17 of the Representation of the People Act 1985 (c.50) and paragraph 1(4) of Schedule 9 to the Local Government Act 1985 (c.51)). Section 36 (3AA) requires the poll at an election of members of the Inner London Education Authority which is held on the same date as the poll at an election of London borough councillors to be combined with the latter poll if the relevant ward of the London borough is wholly included in the relevant electoral division of the Inner London Education Area.

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