STATUTORY INSTRUMENTS

1963 No. 1864

REPRESENTATION OF THE PEOPLE

LONDON GOVERNMENT

The London Borough Council and Greater London Council Elections Rules 1963

Made - - - -	13*th November* 1963
Laid before Parliament	21*st November* 1963
Coming into Operation	28*th February* 1964

In pursuance of the powers conferred upon me by paragraphs 13 and 14 of Schedule 3 to the London Government Act 1963(a), I hereby make the following rules :—

1. In the application of the local elections rules contained in Schedule 2 to the Representation of the People Act 1949(b) (hereinafter referred to as " the principal rules ") to an election of London borough councillors held before the ordinary election of such councillors in the relevant year of election, the principal rules shall have effect subject to the adaptations, alterations and exceptions set out in Part I of Schedule 1 to these rules and, in the case of the first election of councillors of each London borough held on 7th May 1964, subject also to the adaptations, alterations and exceptions set out in Part II of the said Schedule 1.

2. In the application of the principal rules to an election of councillors of the Greater London Council held before the ordinary election of such councillors in the relevant year of election, the principal rules shall have effect subject to the adaptations, alterations and exceptions set out in Part I of Schedule 2 to these rules and, in the case of the first election of such councillors held on 9th April 1964, subject also to the adaptations, alterations and exceptions set out in Part II of the said Schedule 2.

3.—(1) These Rules may be cited as the London Borough Council and Greater London Council Elections Rules 1963 and shall come into operation on 28th February 1964.

(2) The Interpretation Act 1889(c) shall apply to the interpretation of these rules as it applies to the interpretation of an Act of Parliament.

Henry Brooke,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
13th November 1963.

(a) 1963 c. 33. (b) 12, 13 & 14 Geo. 6. c. 68. (c) 52 & 53 Vict. c. 63.

Rule 1

SCHEDULE 1

MODIFICATION OF LOCAL ELECTIONS RULES FOR AN ELECTION OF LONDON BOROUGH COUNCILLORS BEFORE THE ORDINARY ELECTION IN THE RELEVANT YEAR OF ELECTION.

PART I

GENERAL

1. In rule 26 after paragraph (1) there shall be inserted the following paragraphs :—

"(2) At an election of London borough councillors—

(*a*) the appointment of an agent may be on behalf of more than one candidate ;

(*b*) not more than one agent shall be appointed to attend on behalf of the same candidate at a polling station or at the counting of the votes ;

(*c*) not more than three or, if the number of candidates exceeds twenty, four polling agents shall be appointed to attend at any polling station ;

(*d*) the proviso to paragraph (1) of the said parliamentary elections rule shall not apply, but the total number of counting agents appointed shall not exceed nine, or, if the number of candidates exceeds twenty, twelve.

(3) If at an election of London borough councillors the number of polling agents appointed to attend at a polling station, or the number of counting agents, exceeds the permitted number, only those agents, up to the permitted number, whose appointments are signed by or on behalf of the greater number of candidates, or, in the event of an equality in the number of signatures, only such of those agents as may be determined by the returning officer, shall be deemed to have been duly appointed.".

2. In rule 41 after paragraph (*a*) there shall be inserted the following paragraph :—

"(*b*) at an election of London borough councillors, the concurrence required for the interruption of the counting of the votes by the returning officer shall, where counting agents have been appointed to attend on behalf of more than one candidate jointly, be that of the agents unless each of those candidates or his election agent concurs.".

PART II

FIRST ELECTION ON 7TH MAY 1964

3. In rule 4(4) for the words from "affixed" to the end there shall be substituted the words "exhibited at such places in the borough and, in the case of a ward election, at such places in the ward as the returning officer may determine".

4. In rule 47(*c*) for the words "town clerk" there shall be substituted the words "person exercising the functions of the town clerk in relation to the first meeting of the council".

5. In rule 49(*a*) for the words "clerk of the authority to which councillors are to be elected" there shall be substituted the words "person referred to in rule 47(*c*) of these rules".

6. In rule 50(2) for the words "clerk of the authority" there shall be substituted the word "person".

7. In rules 50(5), 51(1) and (3) and 52 for the words "clerk of the authority" there shall be substituted the words "person referred to in rule 47(*c*) of these rules".

8. In rule 51(1) the words "among the records of the authority" shall be omitted.

9. In rule 51(2) and (3) the words "the authority with the consent of" shall be omitted.

10. In rule 52 for the word "authority" in the second place where it occurs there shall be substituted the words "Secretary of State".

SCHEDULE 2 Rule 2

MODIFICATION OF LOCAL ELECTIONS RULES FOR AN ELECTION OF COUNCILLORS OF THE GREATER LONDON COUNCIL BEFORE THE ORDINARY ELECTION IN THE RELEVANT YEAR OF ELECTION

PART I

GENERAL

1. In rules 6(3), 8(2) and 13(4) the reference to a county shall be construed as excluding a reference to Greater London.

2. In rule 6(4)(*c*) after the word "election" there shall be inserted the words "of councillors of the Greater London Council or".

3. In rule 13(5) after the words "borough councillors" there shall be inserted the words "or councillors of the Greater London Council" and after the words "mayor of the borough" there shall be inserted the words "or chairman of the Greater London Council, as the case may require".

4. In rule 26 after paragraph (1) there shall be inserted the following paragraphs:—

"(2) At an election of councillors of the Greater London Council—

(*a*) the appointment of an agent may be on behalf of more than one candidate;

(*b*) not more than one agent shall be appointed to attend on behalf of the same candidate at a polling station or at the counting of the votes;

(*c*) not more than three or, if the number of candidates exceeds twenty, four polling agents shall be appointed to attend at any polling station;

(*d*) the proviso to paragraph (1) of the said parliamentary elections rule shall not apply, but the total number of counting agents appointed shall not exceed nine, or, if the number of candidates exceeds twenty, twelve.

(3) If at an election of councillors of the Greater London Council the number of polling agents appointed to attend at a polling station, or the number of counting agents, exceeds the permitted number, only those agents, up to the permitted number, whose appointments are signed by or on behalf of the greater number of candidates, or, in the event of an equality in the number of signatures, only such of those agents as may be determined by the returning officer, shall be deemed to have been duly appointed.".

5. In rule 41 after paragraph (*a*) there shall be inserted the following paragraph:—

"(*b*) at an election of councillors of the Greater London Council, the concurrence required for the interruption of the counting of the votes by the returning officer shall, where counting agents have been appointed to attend on behalf of more than one candidate jointly, be that of the agents unless each of those candidates or his election agent concurs.".

6. In rule 47(*a*) the reference to a county councillor shall be construed as excluding a reference to councillors of the Greater London Council.

PART II

FIRST ELECTION ON 9TH APRIL 1964

7. In rule 4(3), as set out in paragraph 34(*c*) of Schedule 3 to the London Government Act 1963, sub-paragraph (*a*) shall be omitted.

8. In rule 47(*b*), as set out in paragraph 34(*e*) of Schedule 3 to the London Government Act 1963, for the words "to that Council" there shall be substituted the words "of the London County Council".

9. In rule 49(*a*) for the words "authority to which councillors are to be elected" there shall be substituted the words "London County Council".

10. In rule 50(2) for the words "clerk of the authority" there shall be substituted the word "person".

11. In rules 50(5), 51(1) and (3) and 52 for the words "clerk of the authority" there shall be substituted the words "clerk of the London County Council".

12. In rule 51(1) the words "among the records of the authority" shall be omitted.

13. In rule 51(2) and (3) the words "the authority with the consent of" shall be omitted.

14. In rule 52 for the word "authority" in the second place where it occurs there shall be substituted the words "Secretary of State".

EXPLANATORY NOTE

(This Note is not part of the Rules, but is intended to indicate their general purport.)

These Rules make appropriate modifications to the local elections rules set out in Schedule 2 to the Representation of the People Act 1949 for the purpose of the application of those rules to the elections of London borough councillors and Greater London councillors held before the ordinary election of such councillors in the relevant year of election. The relevant year of election is defined in section 89(1) of the London Government Act 1963 as the first year of election (being 1967 or any third year thereafter) occurring after the first Order in Council made after the passing of the 1963 Act under the House of Commons (Redistribution of Seats) Act 1949 (12, 13 & 14 Geo. 6. c. 66), giving effect to a report of the Boundary Commission with respect to the parliamentary constituencies situated wholly or partly in Greater London. Under the 1963 Act, elections of London borough councillors and Greater London councillors held before the ordinary elections in the relevant year of election are not combined; but ordinary elections of those councillors held in that year and thereafter are combined. The modifications made by the present Rules will apply only in the case of elections of the former and uncombined class.

The modifications applicable to elections of London borough councillors are in Schedule 1 and those applicable to elections of Greater London councillors are in Schedule 2 of the present Rules. In both Schedules, Part II relates only to the first (i.e. 1964) election while Part I relates to the first and subsequent elections.