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**Changes to legislation:** Local Government Act 2000, SCHEDULE 2 is up to date with all changes known to be in force on or before 03 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## SCHEDULES

### SCHEDULE 2

Section 42.

#### ELECTION OF ELECTED MAYOR

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##### Modifications etc. (not altering text)

- C1** Sch. 2 applied by SI 2002/185 Sch. 3 rule 48(1) (as substituted (13.3.2004) by [The Local Authorities \(Mayoral Elections\) \(England and Wales\) \(Amendment\) Regulations 2004 \(S.I. 2004/225\)](#), regs. 1, 2(7), [Sch.](#))

##### *Application*

- 1 This Schedule applies where there are three or more candidates to be an elected mayor of a local authority [<sup>F1</sup>in Wales].

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##### Textual Amendments

- F1** Words in [Sch. 2 para. 1](#) inserted (26.10.2022) by [Elections Act 2022 \(c. 37\)](#), **ss. 13(11)**, 67(1); [S.I. 2022/1093](#), [reg. 2](#) (with [reg. 3](#))

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##### Commencement Information

- I1** Sch. 2 para. 1 wholly in force at 28.7.2001; Sch. 2 para. 1 not in force at Royal Assent see s. 108; Sch. 2 para. 1 in force at 28.7.2001 see [s. 108\(4\)-\(6\)](#)

##### *Candidate with overall majority of first preference votes*

- 2 If one of the candidates to be the elected mayor receives more than half of all the first preference votes given in the election that candidate is to be returned as the elected mayor.

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##### Commencement Information

- I2** Sch. 2 para. 2 wholly in force at 28.7.2001; Sch. 2 para. 2 not in force at Royal Assent see s. 108; Sch. 2 para. 2 in force at 28.7.2001 see [s. 108\(4\)-\(6\)](#)

##### *No candidate with overall majority of first preference votes*

- 3 (1) If none of the candidates to be the elected mayor receives more than half of all the first preference votes given in the election the following provisions of this paragraph are to have effect.
- (2) The two candidates who received the greatest number of first preference votes given in the election remain in the contest.

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- (3) If, by reason of an equality of first preference votes, three or more candidates are qualified to remain in the contest by virtue of sub-paragraph (2), all of them remain in the contest.
- (4) The other candidates are eliminated from the contest.
- (5) The number of second preference votes given in the election for each of the candidates remaining in the contest by voters who did not give their first preference vote to any of those candidates is to be ascertained.
- (6) That number is to be added to the number of first preference votes given for that candidate, to give his total number of preference votes.
- (7) The person who is to be returned as the elected mayor is that one of the candidates remaining in the contest who has the greatest total number of preference votes.
- (8) If, by reason of an equality of total number of preference votes, two or more candidates remaining in the contest each have the greatest total number of preference votes, the returning officer is to decide by lots which of them is to be returned as the elected mayor.

**Modifications etc. (not altering text)**

- C2** Sch. 2 para. 3(6) applied (1.2.2002) by [S.I. 2002/185, reg. 47\(1\)](#)
- C3** Sch. 2 para. 3(6) applied by SI 2002/185 Sch. 3 rule 47(1) (as substituted (13.3.2004) by [The Local Authorities \(Mayoral Elections\) \(England and Wales\) \(Amendment\) Regulations 2004 \(S.I. 2004/225\)](#), regs. 1, 2(7), [Sch.](#))
- C4** Sch. 2 para. 3(8) applied by SI 2002/185 Sch. 3 rule 47(4) (as substituted (13.3.2004) by [The Local Authorities \(Mayoral Elections\) \(England and Wales\) \(Amendment\) Regulations 2004 \(S.I. 2004/225\)](#), regs. 1, 2(7), [Sch.](#))

**Commencement Information**

- I3** Sch. 2 para. 3 wholly in force at 28.7.2001; Sch. 2 para. 3 not in force at Royal Assent see s. 108; Sch. 2 para. 3 in force at 28.7.2001 see s. 108(4)-(6)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 21(2ZA) inserted by [2011 nawm 4 s. 59\(3\)](#)
- s. 21(13)(c) inserted by [2011 nawm 4 s. 59\(5\)\(b\)](#)
- s. 21(15A) inserted by [2011 nawm 4 s. 59\(6\)](#)
- s. 21(18) inserted by [2011 nawm 4 s. 59\(7\)](#)
- s. 21C(6)(aa)(ab) inserted by [2012 c. 7 Sch. 5 para. 97\(a\)](#)