



# Local Government Act 2000

## 2000 CHAPTER 22

### [<sup>F1</sup>PART 1A

#### ARRANGEMENTS WITH RESPECT TO LOCAL AUTHORITY GOVERNANCE IN ENGLAND

### CHAPTER 2

#### EXECUTIVE ARRANGEMENTS

#### *Elected mayors etc*

#### [<sup>F1</sup>9HE Power to make provision about elections

- (1) The Secretary of State <sup>F2</sup>... may by regulations make provision as to—
  - (a) the conduct of elections for the return of elected mayors, and
  - (b) the questioning of elections for the return of elected mayors and the consequences of irregularities.
- (2) Regulations made under subsection (1)(a) may, in particular, include provision—
  - (a) about the registration of electors,
  - (b) for disregarding alterations in a register of electors,
  - (c) about the limitation of election expenses (and the creation of criminal offences in connection with the limitation of such expenses), and
  - (d) for the combination of polls at elections for the return of elected mayors and other elections.
- (3) Regulations under this section may—
  - (a) apply or incorporate, with or without modifications or exceptions, any provision of, or made under, the Representation of the People Acts or any provision of any other enactment (whenever passed or made) relating to parliamentary elections or local government elections,

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**Changes to legislation:** *Local Government Act 2000, Section 9HE is up to date with all changes known to be in force on or before 28 June 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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- (b) modify any form contained in, or in regulations or rules made under, the Representation of the People Acts so far as may be necessary to enable it to be used both for the original purpose and in relation to elections for the return of elected mayors, and
  - (c) so far as may be necessary in consequence of any provision made by or under this Part or any regulations under this section, amend any provision of any enactment (whenever passed or made) relating to the registration of parliamentary electors or local government electors.
- (4) Before making any regulations under this section, the Secretary of State <sup>F3</sup>... must consult the Electoral Commission.
- (5) In addition, the power of the Secretary of State <sup>F4</sup>... to make regulations under this section so far as relating to matters mentioned in subsection (2)(c) is exercisable only on, and in accordance with, a recommendation of the Electoral Commission, except where the Secretary of State considers that it is expedient to exercise that power in consequence of changes in the value of money.
- (6) No return of an elected mayor at an election is to be questioned except by an election petition under the provisions of Part 3 of the Representation of the People Act 1983 as applied by or incorporated in regulations under this section.]

#### Textual Amendments

- F1** Pt. 1A inserted (3.12.2011 for specified purposes, 15.1.2012 for the insertion of Pt. 1A Ch. 4 so far as not already in force and ss. 9B, 9C and 9R for specified purposes, 9.3.2012 for the insertion of ss. 9H-9HE in so far as not already in force and s. 9R for specified purposes, 4.5.2012 in so far as not already in force) by *Localism Act 2011 (c. 20)*, s. 240(2), **Sch. 2 para. 1**; S.I. 2011/2896, art. 2(e); S.I. 2012/57, art. 4(1)(b) (with arts. 6, 7, 9-11); S.I. 2012/628, art. 2(a); S.I. 2012/1008, art. 4(b)
- F2** Words in s. 9HE(1) omitted (8.12.2021) by virtue of *The Transfer of Functions (Secretary of State for Levelling Up, Housing and Communities) Order 2021 (S.I. 2021/1265)*, art. 1(2), **Sch. 2 para. 13(2)(a)** (with art. 12)
- F3** Words in s. 9HE(4) omitted (8.12.2021) by virtue of *The Transfer of Functions (Secretary of State for Levelling Up, Housing and Communities) Order 2021 (S.I. 2021/1265)*, art. 1(2), **Sch. 2 para. 13(2)(a)** (with art. 12)
- F4** Words in s. 9HE(5) omitted (8.12.2021) by virtue of *The Transfer of Functions (Secretary of State for Levelling Up, Housing and Communities) Order 2021 (S.I. 2021/1265)*, art. 1(2), **Sch. 2 para. 13(2)(a)** (with art. 12)

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

- C1** S. 9HE functions made exercisable concurrently (6.11.2013) by *The Transfer of Functions (Elections and Referendums) Order 2013 (S.I. 2013/2597)*, arts. 1(2), **2(c)** (with art. 3)

**Changes to legislation:**

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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\(a\)](#)