
STATUTORY INSTRUMENTS

2024 No. 131

**The Combined Authorities (Mayoral Elections)
Order 2017 (Amendment) Regulations 2024**

PART 5

**Transitional provision for countermanded or abandoned
mayoral elections re-run on or after 7th May 2024**

**Transitional provision for combined county authority mayoral elections countermanded or
abandoned etc., and re-run on or after 7th May 2024**

23.—(1) This regulation applies where—

- (a) the day of poll for the election of a combined county authority mayor is on 2nd May 2024,
- (b) an election is ordered to be held under section 39 of the Representation of the People Act 1983 (local elections void etc in England and Wales)⁽¹⁾ (“the re-run election”) as a result of the election referred to in sub-paragraph (a) having not been duly held, or having failed, or having become void, and
- (c) the day of poll for the re-run election is on or after 7th May 2024.

(2) For the purposes of the re-run election—

- (a) the amendments made by paragraph 3 of Schedule 8 to the Elections Act 2022 are to be disregarded and the candidate eligibility requirement at paragraph 7(3) of Schedule 2 to the Levelling-up and Regeneration Act 2023 has effect as if for the definition of “qualifying citizen” there were substituted—

““qualifying citizen” means a person who is a qualifying Commonwealth citizen or a citizen of the Republic of Ireland or a relevant citizen of the Union, within the meaning given in section 79 of the Local Government Act 1972⁽²⁾;

- (b) Form 2 (candidate’s consent to nomination) in Schedules 1 and 3 to the Combined Authorities (Mayoral Elections) Order 2017 applies as if, in the paragraph on the front of that form that begins “I declare that on the day of my nomination”, for “a qualifying EU citizen, or an EU citizen with retained rights” there were substituted “or a citizen of a member State of the European Union”.

Transitional provision for persons elected following a re-run election

24.—(1) This regulation applies where—

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- (1) Section 39 was amended by section 19 of, and paragraph 8 of Schedule 4 to, the Representation of the People Act 1985 (c. 50); by Part 1 of Schedule 9 and Schedule 17 to the Local Government Act 1985 (c. 51); by Part 1 of Schedule 13 to the Education Reform Act 1988 (c. 40); and by paragraph 6 of Schedule 3 to the Greater London Authority Act 1999 (c. 29).
 - (2) 1972 c. 70. Section 79 was amended by paragraph 2 of Schedule 14 to the Local Government Act 1985; by Part 1 of Schedule 13 to the Education Reform Act 1988; by paragraph 5 of Schedule 3 to the Local Government and Public Involvement in Health Act 2007 (c. 28); by section 17(4) of, and paragraph 43 of Schedule 1 to, the Electoral Administration Act 2006 (c. 22); by paragraph 3 of Schedule 8 to the Elections Act 2022 (c. 37) and by S.I. 1995/1948, 2001/2237, 2012/1809.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) a person (“P”) is duly elected at a re-run election described in regulation 23(1), and
 - (b) apart from this regulation, P would be disqualified from holding the office of combined county authority mayor as a result of the amendments made by paragraph 3 of Schedule 8 to the Elections Act 2022 and the provision at paragraph 7(3) of Schedule 2 to the Levelling-up and Regeneration Act 2023.
- (2) The amendments made by paragraph 3 of Schedule 8 to the Elections Act 2022 and the provision at paragraph 7(3) of Schedule 2 to the Levelling-up and Regeneration Act 2023 do not affect P’s qualification to hold that office until the end of the term in that office which begins upon, or from a date determined by reference to, the date on which they were duly elected at the re-run election.