

## SCHEDULE 4

### Combination of polls – amendment of secondary legislation

#### **The Representation of the People (Combination of Polls) (England and Wales) Regulations 2004**

2.—(1) The Representation of the People (Combination of Polls) (England and Wales) Regulations 2004<sup>(1)</sup> are amended as follows.

(2) In regulation 2 (interpretation)—

(a) after the definition of “2002 Act” insert—

““2009 Act” means the Local Democracy, Economic Development and Construction Act 2009;”

(b) before the definition of “GLRO” insert—

““combined authority mayoral election” means an election of a mayor for a combined authority under Part 6 of the 2009 Act;”

(3) In regulation 4 (returning officers and polling stations)—

(a) in paragraphs (1)(a), (2)(a), (3)(a), (4)(a), (5)(a), (6)(a) and (7)(a) for “or police area” substitute “, police area or combined authority area”;

(b) after paragraph (7A) insert—

“(7B) Where none of the above paragraphs applies and the poll at a combined authority mayoral election is taken together with the poll at a European Parliamentary election under a relevant enactment—

(a) those functions of the returning officer at the European Parliamentary election which are specified in regulation 5 shall be discharged by the returning officer at the combined authority mayoral election for such part of the electoral region as is situated in the combined authority area; and

(b) only polling stations used for the combined authority mayoral election shall be used for the European Parliamentary election.”;

(c) in paragraph (9)—

(i) for “paragraphs (1) to (7A) above” substitute “paragraphs (1) to (7B) above”;

(ii) in sub-paragraph (a) after “mayoral election” insert “or a combined authority mayoral election”;

(d) in paragraph (10), in the definition of “the listed provisions”, after sub-paragraph (c) insert—

“(d) section 117 of, and paragraph 12 of Schedule 5B to, the 2009 Act;”

(e) in paragraph (10), before the definition of “county council election” insert—

“combined authority area” means the area of the combined authority established by an order under section 103 of the 2009 Act;”

(f) in paragraph (11), after sub-paragraph (c) insert—

“(d) the returning officer at a combined authority mayoral election shall be construed as including a reference to the combined authority returning officer.”

(4) In regulation 5 (functions at combined polls)—

(a) in paragraph (1), after sub-paragraph (f) insert—

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(1) [S.I. 2004/294](#); relevant amendments were made by [S.I. 2012/1917](#) and [S.I. 2014/920](#).

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The Combined Authorities (Mayoral Elections) Order 2017 No. 67

- “(g) at a combined authority mayoral election, by those rules in an order made under section 117 of, and paragraph 12 of Schedule 5B to, the 2009 Act which correspond to the rules specified in paragraph (2);”
- (b) in paragraph (3)—
  - (i) omit “and” at the end of sub-paragraph (b);
  - (ii) after sub-paragraph (c) insert—
    - “; and
    - (d) that regulation and that part as applied by an order made under section 117 of, and paragraph 12 of Schedule 5B to, the 2009 Act.”
- (5) In regulation 8 (modification of parliamentary elections rules) in paragraph (c) for “or PCC election” substitute “, PCC election or combined authority mayoral election”.
- (6) In paragraph 2 of Schedule 2 (definitions for the purposes of modifications of the parliamentary elections rules set out in Schedule 1 to the 1983 Act)—
  - (a) after the definition of “Combination of Polls Regulations” insert—
    - ““combined authority mayoral election” means an election of a mayor for a combined authority under Part 6 of the 2009 Act;”
  - (b) in the definition of “relevant election or referendum”, after paragraph (c) insert—
    - “(ca) a combined authority mayoral election,”