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DRAFT STATUTORY INSTRUMENTS

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**2022 No.**

**The Police and Crime Commissioner Elections  
and Welsh Forms (Amendment) Order 2022**

**Amendment of Schedule 3**

5.—(1) Schedule 3 (rules for the conduct of PCC elections where poll not taken together with poll at another election) is amended as follows.

(2) In rule 17 (method of election: contested and uncontested election)—

(a) omit paragraph (a);

(b) in paragraph (b), for the words “only two” substitute “two or more”.

(3) In rule 19 (the ballot papers), for paragraph (1) substitute—

“(1) The ballot of every voter must consist of a ballot paper which is in Form 8B set out in Part 8 of this Schedule and is printed according to the directions specified in that Part.”.

(4) In rule 29 (equipment of polling stations), omit paragraphs (8) and (9).

(5) In rule 30 (notices for the guidance of voters)(1)—

(a) for paragraph (1)(a) substitute—

“(a) notices for the guidance of voters for exhibition in voting compartments at polling stations in the form “Vote for ONLY ONE CANDIDATE by putting a cross [X] in the box next to your choice.”; and”;

(b) omit paragraph (3).

(6) In the cross heading before rule 51, omit “first”.

(7) In the heading of rule 51 (attendance at the first count), omit “first”.

(8) In rule 52 (the first count)—

(a) in the heading, omit “first”;

(b) for paragraph (3), substitute—

“(3) The local returning officer must then count the votes given for each candidate.”.

(9) In rule 53 (rejected ballot papers)—

(a) in paragraph (1)—

(i) in sub-paragraph (b), omit the words “first preference”;

(ii) in sub-paragraph (e), omit the words “as to the first preference vote”;

(b) in paragraph (2), for “condition A or condition B” substitute “the condition in paragraph (4)”;

(c) omit paragraph (3);

(d) for paragraph (4), substitute—

“(4) The condition is that—

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(1) Rule 30 was amended by [S.I. 2014/921](#).

- (a) an intention that a vote is for only one of the candidates clearly appears, and
  - (b) the way the paper is marked does not itself identify the voter and it is not shown that the voter can be identified from it.”;
  - (e) omit paragraph (5);
  - (f) in paragraph (7), in sub-paragraphs (b) and (d), omit the words “as to the first preference vote”;
  - (g) omit paragraph (8).
- (10) In rule 57 (procedure at conclusion of the first count)—
- (a) in the heading, omit “first”;
  - (b) in paragraph (1)—
    - (i) omit sub-paragraph (c);
    - (ii) in sub-paragraph (d), omit the words “at an election contested by only two candidates.”.
- (11) In rule 59 (the first calculation and resolution of equality)—
- (a) in the heading, omit “first”;
  - (b) for paragraph (1), substitute—
 

“(1) As soon as the police area returning officer has received the information required by rule 57 from every local returning officer, the police area returning officer must ascertain the total number of votes given in the police area to each candidate.”;
  - (c) for paragraph (4), substitute—
 

“(4) In paragraphs (2) and (3), “the relevant figures” means the total number of votes given in the police area for each candidate.”;
  - (d) omit paragraph (5);
  - (e) in paragraph (6), omit the words before “the person to be returned”;
  - (f) for paragraph (7), substitute—
 

“(7) Where no single candidate receives a majority of the votes, and the highest number of votes is shared between two or more candidates who have received an equal number of votes, the police area returning officer must decide, by drawing lots, which of those candidates is to be returned to the office of police and crime commissioner for the police area.”
- (12) Omit Part 4 (further provision: three or more candidates).
- (13) In rule 62 (declaration of result)(2)—
- (a) in paragraph (1)—
    - (i) in sub-paragraph (a), for the words in brackets, substitute “voting at elections of police and crime commissioners”;
    - (ii) omit sub-paragraph (b);
  - (b) in paragraph (2)—
    - (i) in sub-paragraph (b), omit the words “first preference”;
    - (ii) in sub-paragraph (c), for “(53(5)), and” substitute “(53(7))”;
    - (iii) omit sub-paragraph (d).
- (14) In rule 63 (return or forfeiture of candidate’s deposit), in paragraph (5)—

- (a) for “first calculation” substitute “calculation”;
  - (b) omit the words “first preference”.
- (15) In rule 70 (forms)—
- (a) in the list of forms—
    - (i) omit the entry for Form 8A,
    - (ii) in the entry for Form 8B(3)—
      - (aa) omit the words “(two candidates only)”;
      - (bb) for the reference to “rule 19(1)(b)”, substitute “rule 19(1)”;
  - (b) omit form 8A;
  - (c) for form 8B, substitute the form at Schedule 3.