
Status: Point in time view as at 01/10/1994. This version of this provision has been superseded.

Changes to legislation: Local Government Act 1972, Paragraph 13 is up to date with all changes known to be in force on or before 18 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)

SCHEDULES

SCHEDULE 3

ESTABLISHMENT OF NEW AUTHORITIES IN ENGLAND

Suspension of elections

- 13 (1) The provisions of this paragraph shall apply in relation to a parish constituted under Part V of Schedule 1 above and falling within paragraph 10(2) above and also in relation to the borough or urban district the area of which is co-extensive with that of the parish; and, in relation to such a parish,—
- (a) references in this paragraph to the order are references to the order under the said Part V constituting the parish, and
 - (b) references in this paragraph to the borough or urban district are references to the borough or urban district the area of which is co-extensive with that of the parish.
- (2) As from the date specified in the order, the parish councillors shall be the aldermen and councillors for the time being of the borough or as the case may be, the councillors for the time being of the urban district, and, if the parish is divided into wards in accordance with paragraph 10(2) above—
- (a) the councillors of the borough or urban district, in their capacity as parish councillors, shall be treated as having been elected for the wards of the parish corresponding to the wards of the borough or urban district for which they were elected; and
 - (b) in the case of a borough, each of the aldermen shall be treated, in his capacity as a parish councillor, as having been elected for such ward of the parish as shall be determined at a meeting of the parish council held within fourteen days after the date specified in the order.
- (3) Each person who becomes a parish councillor by virtue of sub-paragraph (2) above shall (unless he resigns his office or it otherwise becomes vacant) continue to hold that office until the fourth day after the ordinary day of election of parish councillors in 1976.
- (4) Until 1st April 1974 the persons for the time being holding office as mayor and deputy mayor of the borough or, as the case may be, as chairman and vice-chairman of the council of the urban district shall, by virtue of those offices, hold office as chairman and vice-chairman of the parish council, respectively; and the persons who, by virtue of this sub-paragraph, hold office as chairman and vice-chairman of the parish council immediately before 1st April 1974 shall, subject to section 15 above, continue to hold those offices on and after that date as if they had been elected to them at the annual meeting of the parish council held in 1973.
- (5) Where this paragraph applies to a parish, then, as from the date specified in the order, paragraph 12(1) above shall not apply in relation to elections to fill casual vacancies

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in the office of councillor of the borough or urban district, as the case may be, and any casual vacancy which has not been filled on that date shall be deemed for the purposes of the 1933 Act to have arisen on that date; and without prejudice to sub-paragraph (3) above a councillor elected after that date to fill a casual vacancy shall, unless he resigns his office or it otherwise becomes vacant, continue to hold office as a councillor of the borough or urban district until 1st April 1974.

- (6) Where this paragraph applies to a parish, sub-paragraph (12)(c) and (13) of paragraph 12 above shall not apply in relation to the borough or urban district, as the case may be; and in the case of a borough any person appointed to fill a casual vacancy in the office of alderman of the borough shall be treated, in his capacity as a parish councillor, as having been elected for the same ward of the parish as that for which his predecessor as alderman was treated as having been elected by virtue of sub-paragraph (2)(b) above or this sub-paragraph.

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