

*Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.*

*Changes to legislation: Local Government Act 1972, Paragraph 5 is up to date with all changes known to be in force on or before 07 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)*

## SCHEDULES

### SCHEDULE 5 **E+W**

#### ESTABLISHMENT OF NEW AUTHORITIES IN WALES

##### *First elections and meetings of new councils*

- 5 (1) At the first elections of councillors for a new area, the returning officer shall be an officer of the council appointed by such existing county, borough or urban or rural district council as the Secretary of State may by order designate and not a person appointed under section 41 above.
- (2) Section 42(5) and (6) above shall not apply to any such election, but sub-paragraphs (3) and (4) below shall apply instead.
- (3) All expenditure properly incurred by a returning officer or other officer in relation to the holding of the first elections of councillors for a new principal area shall be paid in the first instance by the council by whom the returning officer was appointed and shall be defrayed by the existing authorities concerned in such proportions respectively as may be agreed between them or, in default of such agreement, as may be determined by the Secretary of State.
- (4) All expenditure properly incurred by a returning officer or other officer in relation to the holding of the first elections of councillors for a community shall be paid in the first instance by the council of the new district in which the community is situated, but any expenditure so incurred shall be chargeable only on that community.
- (5) Section 42(7) above shall not apply to the first election of councillors for a community, but before a poll is taken at such an election the council of the new district in which the community is situated shall, at the request of the returning officer or of any person acting as returning officer, advance to him such reasonable sum in respect of his expenses at the election as he may require.
- (6) In relation to the first election of councillors for a new area “the appropriate officer” in Parts II and III of the Representation of the <sup>M1</sup>People Act 1949 means the returning officer appointed under this paragraph instead of having the meaning assigned to that expression by section 55(6)(b) of that Act.

#### Marginal Citations

M1 1949 c. 68.

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