
Changes to legislation: There are currently no known outstanding effects for the Local Democracy, Economic Development and Construction Act 2009, Paragraph 10. (See end of Document for details)

SCHEDULES

SCHEDULE 4 **E+W**

BOUNDARY AND ELECTORAL CHANGE: AMENDMENTS

Greater London Authority Act 1999 (c. 29)

- 10 (1) Schedule 1 (Assembly constituencies and orders under section 2(4)) is amended as follows.
- (2) For paragraph 1 substitute—
- “1 (1) This paragraph applies where the Secretary of State makes an order under section 10 of the Local Government and Public Involvement in Health Act 2007 which includes a boundary change (within the meaning of section 8(3) of that Act) affecting a London borough.
- (2) Where this paragraph applies, the Local Government Boundary Commission for England must consider whether to conduct a review of Assembly constituencies for the purpose of making recommendations as to—
- (a) whether the boundary change referred to in sub-paragraph (1) requires changes to Assembly constituencies in order to comply with the rules set out in paragraph 7 below, and
- (b) if so, what those changes should be.”
- (3) For paragraph 2 substitute—
- “2 (1) The Local Government Boundary Commission for England may at any time—
- (a) conduct a review of Assembly constituencies, and
- (b) make recommendations as to—
- (i) the area into which Greater London should be divided to form the Assembly constituencies, and
- (ii) the name by which each Assembly constituency should be known.
- (2) No recommendations may be made by the Local Government Boundary Commission for England pursuant to a review under this paragraph unless the recommendations comply with the rules set out in paragraph 7 below.”
- (4) For paragraphs 3 to 5 substitute—
- “3 (1) As soon as reasonably practicable after deciding to conduct a review under paragraph 1 or 2, the Local Government Boundary Commission for England must take such steps as it considers sufficient to secure that persons who may be interested in the review are informed of—
- (a) the fact that the review is to take place, and
- (b) any particular matters to which the review is to relate.
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- (2) In conducting a review under paragraph 1 or 2 the Local Government Boundary Commission for England must—
 - (a) prepare and publish draft recommendations,
 - (b) take such steps as its considers sufficient to secure that persons who may be interested in the recommendations are informed of them and of the period within which representations with respect to them may be made, and
 - (c) take into consideration any representations made to the Commission within that period.
 - (3) The Local Government Boundary Commission for England may at any time before publishing draft recommendations under sub-paragraph (2)(a) consult such persons as it considers appropriate.
 - (4) As soon as practicable after conducting a review under paragraph 1 or 2 the Local Government Boundary Commission for England must—
 - (a) publish a report stating its recommendations, and
 - (b) take such steps as it considers sufficient to secure that persons who may be interested in the recommendations are informed of them.
 - 4 (1) Where a report under paragraph 3 contains recommendations for changes to any Assembly constituency or the name by which any Assembly constituency is known, an order under section 2(4) may give effect to the recommendations.
 - (2) An order under section 2(4) may contain incidental, consequential, supplementary or transitional provision, or savings.
 - (3) The provision referred to in sub-paragraph (2) may include provision—
 - (a) applying any instrument made under an enactment, with or without modifications,
 - (b) extending, excluding or amending any such instrument, or
 - (c) repealing or revoking any such instrument.
 - (4) Where the Local Government Boundary Commission for England is satisfied that—
 - (a) a mistake has occurred in the preparation of an order under section 2(4), and
 - (b) the mistake is such that it cannot be rectified by a subsequent order under that section by virtue of section 14 of the Interpretation Act 1978 (c. 30) (implied power to amend),
 the Commission may by order under section 2(4) make such provision as it thinks necessary or expedient for rectifying the mistake.
 - (5) In sub-paragraph (4), “mistake”, in relation to an order, includes a provision contained in or omitted from the order in reliance on inaccurate or incomplete information supplied by any public body.
 - (6) A draft of a statutory instrument containing an order under section 2(4) is to be laid before Parliament before the instrument is made.”
- (5) In paragraph 7 (rules about Assembly constituencies), for “paragraphs 1(4), 2(2) and 4(3)” substitute “ paragraphs 1(2) and 2(2) ”.

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(6) Omit Part 2 (orders under section 2(4)).

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Commencement Information

II Sch. 4 para. 10 in force at 1.4.2010 by [S.I. 2009/3318](#), **art. 4(ff)**

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