
Changes to legislation: Elections Act 2022, Paragraph 12 is up to date with all changes known to be in force on or before 28 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) View outstanding changes

SCHEDULES

SCHEDULE 8 **U.K.**

VOTING AND CANDIDACY RIGHTS OF EU CITIZENS

PART 4 **U.K.**

TRANSITIONAL PROVISION ETC

Holders of elected offices

- 12 (1) This paragraph applies where—
- (a) immediately before the coming into force of a particular provision of this Schedule (the “relevant provision”), a person holds an office falling within sub-paragraph (4),
 - (b) the person’s term in that office is due to continue after that time, and
 - (c) apart from this paragraph, the person would become disqualified for continuing to hold that office as a result of the coming into force of the relevant provision.
- (2) The coming into force of the relevant provision does not affect the person’s qualification to continue holding that office until the end of their current term in that office.
- (3) For the purposes of this paragraph, a person is to be treated as holding an office from the time when the person is elected as, or declared to be returned as, the holder of the office (and accordingly the person’s term of office is to be treated as beginning at that time).
- (4) The following offices fall within this sub-paragraph—
- (a) member of the Northern Ireland Assembly;
 - (b) member of a local authority in England;
 - (c) elected mayor (within the meaning of Part 1A of the Local Government Act 2000);
 - (d) mayor for the area of a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;
 - [^{F1}(da) mayor for the area of a combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023;]
 - (e) Mayor of London;
 - (f) member of the London Assembly;
 - (g) police and crime commissioner.
- (5) In sub-paragraph (4)(b), “local authority in England” means a county council in England, a district council, a parish council, a London borough council or the Council of the Isles of Scilly.

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Textual Amendments

- F1** Sch. 8 para. 12(4)(da) inserted (7.5.2024) by [Levelling-up and Regeneration Act 2023 \(c. 55\), s. 255\(2\)\(b\)\(ii\)](#), [Sch. 4 para. 230](#) (with s. 247); S.I. 2023/1405, reg. 8

Commencement Information

- I1** Sch. 8 para. 12 not in force at Royal Assent, see [s. 67\(1\)](#)
- I2** Sch. 8 para. 12 in force at 7.5.2024 by [S.I. 2023/1145, reg. 5\(b\)](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 9 para. 35(ea) inserted by [2023 c. 47 s. 3\(3\)](#)