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STATUTORY INSTRUMENTS

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**2000 No. 427**

**The Greater London Authority Elections (No. 2) Rules 2000**

**Citation, commencement and revocation**

1.—(1) These Rules may be cited as the Greater London Authority Elections (No. 2) Rules 2000 and shall come into force on 15th March 2000.

(2) The Greater London Authority Election Rules 2000<sup>(1)</sup> are hereby revoked.

**Interpretation**

2.—(1) In these Rules—

“the 1983 Act” means the Representation of the People Act 1983;

“the 1986 Rules” means the Local Elections (Principal Areas) Rules 1986<sup>(2)</sup>;

“the Constituency Members Election Rules” means the Rules in Schedule 1;

“the London Members Election Rules” means the Rules in Schedule 2;

“the Mayoral Election Rules” means the Rules in Schedule 3;

“the Ordinary Elections Rules” means the Rules in Schedule 4;

“GLA election” means an election held under one or more of—

- (a) the Constituency Members Election Rules;
- (b) the London Members Election Rules;
- (c) the Mayoral Election Rules; and
- (d) the Ordinary Elections Rules.

(2) Other expressions used both in any of rules 3 to 8 of these Rules and in Part I (the Greater London Authority) of the 1999 Act have the same meaning in those rules as they have in that Part<sup>(3)</sup>.

**Rules for Greater London Authority elections**

3.—(1) The Constituency Members Election Rules shall have effect for the purposes of the election of constituency members of the London Assembly (whether at an ordinary election or in the circumstances mentioned in section 10 (filling a vacancy in an Assembly constituency) of the 1999 Act); but where the election is an ordinary election, those Rules shall have effect subject to the Ordinary Elections Rules.

(2) The London Members Election Rules, with the exception of Part VII, shall have effect for the purposes of the allocation of seats for London members of the London Assembly at any ordinary election; and Part VII of those Rules shall have effect for the purposes of section 11 (filling a vacancy

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(1) S.I.2000/208.

(2) S.I. 1986/2214, to which (except as expressly indicated in these Rules) there are amendments not relevant to these Rules.

(3) That is the Greater London Authority Act 1999 (c. 29). See section 203(1) of the Representation of the People Act 1983 as amended by the Greater London Authority Act 1999, Schedule 3, paragraph 39(2). For other definitions which are relevant by virtue of section 11 of the Interpretation Act 1978 (c. 30), see sections 202 and 203 of the Representation of the People Act 1983, amended by the Greater London Authority Act 1999, Schedule 3, paragraphs 38 and 39.

among the London members) of the 1999 Act; but where the election is an ordinary election, those Rules shall have effect subject to the Ordinary Elections Rules.

- (3) The Mayoral Election Rules shall have effect for the purposes of—
- (a) the election of the Mayor of London; and
  - (b) any election under subsection (2) of section 16 (filling a vacancy in the office of Mayor)(4) of the 1999 Act,

but where the election is an ordinary election, those Rules shall have effect subject to the Ordinary Elections Rules.

### Forms

4. Schedule 5 (forms) shall have effect for the purposes of the Constituency Members Election Rules, the London Members Election Rules and the Mayoral Election Rules (including, where the election is an ordinary election, those Rules as read with the Ordinary Elections Rules).

### Returning officers: duties at ordinary elections

- 5.—(1) At the first ordinary election it shall be the duty—
- (a) of the person, or person of the description, designated by order under subsection (4) of section 3 (ordinary elections) of the 1999 Act as the returning officer at the election of the Mayor and the election of the London members; and
  - (b) constituency returning officers(5),

to co-operate with each other in the discharge of their functions.

(2) At any other ordinary election it shall be the duty of returning officers at that election(6) to co-operate with each other in the discharge of their functions.

- (3) Where, at an ordinary election, a poll is to be taken—
- (a) for the return of the London members; or
  - (b) for the return of the Mayor,

it shall be the duty of constituency returning officers to take, and verify the ballot papers at, the poll (or each poll if both are to be taken) and to count the votes cast in that poll (or each poll, if both are to be taken).

- (4) Without prejudice to paragraphs (1) and (2)—
- (a) at the first ordinary election, the person referred to in paragraph (1)(a) may give to constituency returning officers; and
  - (b) at any other ordinary election, the Greater London returning officer(7) may give to constituency returning officers,

directions relating to the discharge of their functions in respect of the verification of ballot papers and the counting of votes at that election.

(5) It shall be the duty of each person to whom directions are given under paragraph (4) to discharge his functions at the election in accordance with the directions.

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(4) See also section 16(9) of the Greater London Authority Act 1999 for the circumstances in which a vacancy in the office of Mayor is to be left unfilled.

(5) See the definition in section 29 of the Greater London Authority Act 1999.

(6) See section 35(2B) and (2C) of the Representation of the People Act, inserted by the Greater London Authority Act 1999, Schedule 3, paragraph 3.

(7) See the definition in section 29 of the Greater London Authority Act 1999.

### **Electronic counting of votes**

6.—(1) Where some or all of the votes cast at an ordinary election or an election under subsection (2) of section 16 (filling a vacancy in the office of Mayor) of the Act are to be counted by electronic means, the Constituency Members Election Rules, the London Members Election Rules and the Mayoral Election Rules shall have effect subject to the modifications set out in Schedule 6.

(2) In any case to which paragraph (1) applies, rule 5 of these Rules shall have effect as if any reference to the counting of votes, in whatever terms, included a reference to counting by electronic means.

### **Amendment of the Local Elections (Principal Areas) Rules 1986**

7. The 1986 Rules are amended, in paragraph 14 of Schedule 4, in the inserted paragraph (1A) of rule 37, by the insertion, after “as the case may be,”, of “an election under the Greater London Authority Elections Rules 2000,”.

### **Combination of polls**

8.—(1) Where the poll at an election of a councillor of the council of a London borough is taken together with the poll at a GLA election, the 1986 Rules shall have effect subject to the modifications set out in Schedule 7 to these Rules.

(2) Subject to paragraph (3), where the poll at a GLA election is taken together with the poll at a parliamentary or European Parliamentary election, or at an election of a councillor of the council of a London borough, Schedules 1, 2 and 3 shall have effect subject to the modifications specified in the Table in Schedule 8 (in addition to the modifications specified in Schedule 4, in any case where the election is an ordinary election, and the modifications specified in Schedule 6, in any case where votes are to be counted by electronic means).

(3) The first modification in the Table in Schedule 8 applies only where the poll at a GLA election is taken together with the poll at a parliamentary or European Parliamentary election.

(4) Where the poll at a GLA election is combined as mentioned in paragraph (1) or (2)—

- (a) the ballot papers to be used at each election shall be of a different colour; and
- (b) a separate ballot box shall be used for each election.

Signed by authority of the Secretary of State for the Environment, Transport and Regions

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23rd February 2000