
STATUTORY INSTRUMENTS

2001 No. 1494

LOCAL GOVERNMENT, ENGLAND

**The Local Authorities (Conduct of Referendums)
(England) (Consequential Amendment) Order 2001**

<i>Made</i>	- - - -	<i>18th April 2001</i>
<i>Laid before Parliament</i>		<i>18th April 2001</i>
<i>Coming into force</i>	- -	<i>30th April 2001</i>

The Secretary of State for the Environment, Transport and the Regions, in exercise of the powers conferred upon him by section 7 of the Elections Act 2001(1), and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation, commencement and application

1.—(1) This Order may be cited as the Local Authorities (Conduct of Referendums) (England) (Consequential Amendment) Order 2001 and shall come into force on 30th April 2001.

(2) This Order applies to the holding of referendums by local authorities in England.

Consequential amendment of Regulations

2.—(1) Regulation 14 (combination of polls: general) of the Local Authorities (Conduct of Referendums) (England) Regulations 2001(2) is amended as follows.

(2) In paragraph (1)—

- (a) there is inserted at the beginning “Subject to paragraph (1A),”; and
- (b) there is inserted after “subject to paragraphs (3)” “, (3A)”.

(3) After paragraph (1) there is inserted—

“(1A) Where the poll at any election of a description mentioned in paragraph (2) is to be taken on 7th June 2001 paragraph (1) shall be read as if for “ending 28 days” there were substituted “ending 14 days”.”.

(4) After paragraph (3) there is inserted—

(1) 2001 c. 7.
(2) S.I. 2001/1298.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“(3A) Where, but for this paragraph, the poll at a referendum would be taken together with the poll at an election of a description specified in paragraph (2)(a) or (b), paragraph (1) shall not apply where—

- (a) notice of the date of the referendum is given under regulation 4 before 10th April 2001 and the date of the referendum is not 7th June 2001; or
- (b) a determination has been made under paragraph (1) of regulation 10 before 10th April 2001.”.

(5) In paragraph (4) there is inserted after “paragraph (3)” “or (3A)”.

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

Beverley Hughes
Parliamentary Under Secretary of State,
Department of the Environment, Transport and
the Regions

18th April 2001

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes minor amendments to the Local Authorities (Conduct of Referendums) (England) Regulations 2001 (“the 2001 Regulations”) in consequence of the Elections Act 2001 which postpones the ordinary day of election for local government elections from 3rd May 2001 to 7th June 2001.

Regulation 14 of the 2001 Regulations provides for referendums which would be held within a period of 28 days either side of any specified type of election to be combined with the election. Article 2 of these Regulations shortens the period after the election to be held on 7th June 2001 by 14 days.

Article 2 also amends regulation 14 of the 2001 Regulations to provide a further exception to the requirement for the poll at a referendum to be taken together with the poll at specified elections. Where notice of the date of a referendum has been given or the authority has determined to conduct the poll by all-posted ballot before the Elections Act 2001 came into force a local authority is not obliged to combine the poll at that referendum with the poll at the ordinary local government elections which will take place on 7th June 2001.