

STATUTORY INSTRUMENTS

2007 No. 3541

The Greater London Authority Elections Rules 2007

Citation, commencement and revocation

1.—(1) These Rules may be cited as the Greater London Authority Elections Rules 2007 and will come into force on 14th January 2008

(2) The following Rules are revoked—

- (a) the Greater London Authority Elections (No.2) Rules 2000 ^{M1};
- (b) the Greater London Authority Elections (No.2) (Amendment) Rules 2000 ^{M2};
- (c) the Greater London Authority Elections (Amendment) Rules 2001 ^{M3}; and
- (d) the Greater London Authority Elections (Amendment) Rules 2004 ^{M4}.

Marginal Citations

M1 S.I. 2000/427, amended by S.I. 2000/1040, S.I. 2001/3789 and S.I. 2004/227.

M2 S.I. 2000/1040.

M3 S.I. 2001/3789.

M4 S.I. 2004/227.

Interpretation

2.—(1) In these Rules—

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

“1999 Act” means the Greater London Authority Act 1999 ^{M5};

“2000 Act” means the Political Parties, Elections and Referendums Act 2000 ^{M6};

“2006 Act” means the Electoral Administration Act 2006 ^{M7};

“appropriate form” means, in relation to a particular rule, the form relevant to that rule set out in the Forms Schedule or where more than one form is so set out, the form indicated by the relevant rule as being appropriate to the particular circumstances;

“Assembly constituency” means a constituency area specified in an order made under section 2(4) of the 1999 Act;

“Authority election” means an election, whether at an ordinary election or in the circumstances mentioned in sections 10, 11 or 16 of the 1999 Act (filling a vacancy in an Assembly constituency or the office of Mayor), held under—

- (a) the Constituency Members Election Rules,
- (b) the London Members Election Rules, or
- (c) the Mayoral Election Rules;

“Combination of Polls Regulations” means the Representation of the People (Combination of Polls) (England and Wales) Regulations 2004 ^{M8};

Status: Point in time view as at 18/02/2012.

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- “Combined Manual Count Rules” means the Rules in Schedule 8;
- “constituency member” has the same meaning as in section 2 of the 1999 Act;
- “Constituency Members Election Rules” means the Rules in Schedule 1 or 5;
- “CRO” (constituency returning officer) means, in relation to an Assembly constituency and an election, the person (or person fitting the description) for the time being designated by an order under section 35(2B) of the 1983 Act;
- “elector”, except where the context provides otherwise, has the same meaning as in section 202 of the 1983 Act;
- “election booklet” has the same meaning as in article 7 of the Greater London Authority Elections (Election Addresses) Order 2003 ^{M9};
- “electronic counting system” means such computer hardware, software and other equipment or services as may be provided by the GLRO to the CRO in accordance with the rules applying at the election, for the purpose of counting the number of ballot papers to verify the ballot paper accounts and to count the votes cast on them;
- “European Parliamentary election” has the same meaning as in section 27(1) of the Representation of the People Act 1985 ^{M10};
- “Forms Schedule” means Schedule 10;
- “GLRO” (Greater London returning officer) means the person who is for the time being the proper officer of the Greater London Authority for the purposes of section 35(2C) of the 1983 Act ^{M11} (returning officer at the election of the Mayor and London Members);
- “local authority mayoral election” means an election conducted under the Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007 ^{M12};
- “London Assembly” has the same meaning as in section 2 of the 1999 Act;
- “London members” has the same meaning as in section 2 of the 1999 Act;
- “London Members Election Rules” means the Rules in Schedule 2 or 6;
- “Manual Count Rules” means the Rules in Schedule 4;
- “Mayor” means the Mayor of London.
- “mayoral by-election” means an election for the Mayor or London held in the circumstances mentioned in section 16 (filling a vacancy in the office of Mayor) of the 1999 Act;
- “mayoral election” means an election for the return of the Mayor, whether at an ordinary election or an election held in the circumstances mentioned in section 16 (filling a vacancy in the office of Mayor) of the 1999 Act;
- “Mayoral Election Rules” means the Rules in Schedule 3 or 7;
- “Notices Schedule “ means the rules in Schedule 9;
- “referendum” means a referendum conducted under the Referendum Regulations;
- “Referendum Regulations” means the Local Authorities (Conduct of Referendums) (England) Regulations 2007 ^{M13};
- “relevant registration officer” means the registration officer within the meaning of subsection (3)(a) of section 44 of the 2006 Act, or appointed by an order made under subsection (3)(b) of that section;
- “ward” has the same meaning as in paragraph 7(1) of Schedule 2 to the Local Government Act 1972 ^{M14}.

(2) References in these rules—

- (a) to the CRO include references to any person appointed by him under subsection (4) of section 35 (returning officers: local elections in England and Wales) of the 1983 Act, and
- (b) to the GLRO include references to any person appointed by him under that subsection.
- (3) Other expressions used both in these Rules and in Part 1 (the Greater London Authority) of the 1999 Act have the same meaning in these Rules as they have in that Part.

Modifications etc. (not altering text)

- C1** Rule 2 applied (with modifications) (18.2.2012) by [The Local Authorities \(Conduct of Referendums\) \(Council Tax Increases\) \(England\) Regulations 2012 \(S.I. 2012/444\)](#), reg. 1, **Sch. 4 para. 1** Table 11 (with reg. 27)

Marginal Citations

- M5** 1999 c.29.
- M6** 2000 c.41.
- M7** 2006 c.22.
- M8** S.I. 2004/294, amended by [S.I. 2006/3278](#) and [S.I. 2007/1025](#).
- M9** S.I. 2003/1907.
- M10** 1985 c. 50. The definition was amended by section 3 of the [European Communities \(Amendment\) Act 1986 \(c. 58\)](#), in consequence of the European Assembly being renamed the European Parliament.
- M11** 1983 c. 2. Subsection 35(2C) was inserted by paragraph 3(2) of Schedule 3 to the [Greater London Authority Act 1999 \(c. 29\)](#).
- M12** SI 2007/1024.
- M13** [S.I. 2007/2089](#).
- M14** 1972 c. 70. Section 102 of the Local Government Act 1985 and section 27 of the Local Government Act 1992 amended paragraph 7(1) of Schedule 2.

Rules for Authority elections

3.—(1) Subject to rules 4, 5 and 7, Authority elections shall be conducted in accordance with the rules specified in paragraphs (2) to (4) of this rule.

(2) The Constituency Members Election Rules in Schedule 1 have effect for the purposes of any election of constituency members at an ordinary election, and any election under section 10 (filing a vacancy in an Assembly constituency) of the 1999 Act.

(3) The London Members Election Rules in Schedule 2, with the exception of Part 7, have effect for the purposes of any election of London members; and Part 7 of those rules has effect for the purposes of section 11 (filling a vacancy among the London members) of the 1999 Act.

(4) The Mayoral Election Rules in Schedule 3 have effect for the purposes of any election of the Mayor of London at an ordinary election, and any election under section 16 (filing a vacancy in the office of Mayor) of the 1999 Act.

Modification to the Rules where votes are counted manually

4. Where some or all of the votes cast at a Authority election to which rule 3 applies, are to be counted without the use of an electronic counting system, the Constituency Members Election Rules, the London Members Election Rules and the Mayoral Election Rules have effect, with respect to those votes counted manually, subject to the modifications set out in the Manual Count Rules in Schedule 4.

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Rules for Authority elections combined with a relevant election or referendum

- 5.—(1) This rule applies to an Authority election that is taken together with the poll at—
- (a) a parliamentary election, European Parliamentary election or local government election (other than an Authority election), under section 15(1) or (2) of the Representation of the People Act 1985 ^{M15}; or
 - (b) a local authority mayoral election or referendum in accordance with regulations made under sections 44 and 105, or 45 and 105, of the Local Government Act 2000 ^{M16}.
- (2) For the purposes of an election to which this rule applies—
- (a) rules 3 and 4 will not apply; and
 - (b) subject to rules 6 and 7, the election must be conducted in accordance with the rules specified in paragraphs (3) to (5) of this rule.
- (3) The Constituency Members Election Rules in Schedule 5 have effect for the purposes of any election of constituency members of the London Assembly at an ordinary election, and any election under section 10 (filling a vacancy in an Assembly constituency) of the 1999 Act.
- (4) The London Members Election Rules in Schedule 6, with the exception of Part 7, have effect for the purposes of any election of London members; and Part 7 of those rules has effect for the purposes of section 11 (filling a vacancy among the London members) of the 1999 Act.
- (5) The Mayoral Election Rules in Schedule 7 have effect for the purposes of any election of the Mayor of London at an ordinary election, and any election under section 16 (filling a vacancy in the Office of Mayor) of the 1999 Act.

Modifications etc. (not altering text)

- C2** Rule 5 applied (with modifications) (18.2.2012) by [The Local Authorities \(Conduct of Referendums\) \(Council Tax Increases\) \(England\) Regulations 2012 \(S.I. 2012/444\)](#), reg. 1, **Sch. 4 para. 1** Table 11 (with reg. 27)

Marginal Citations

- M15** 1985 c.50.
M16 2000 c.22.

Modifications to the combined Rules where votes are counted manually

6. Where some or all of the votes cast at an Authority election to which rule 5 applies, are to be counted without the use of an electronic counting system, then Constituency Members Election Rules, the London Members Election Rules and the Mayoral Election Rules have effect, with respect to those votes counted manually, subject to the modifications in the Combined Manual Count Rules.

Modifications to the election timetable at by-elections

- 7.—(1) For the purposes of a constituency member or mayoral by-election, for the timetable in rule 3 of—
- (a) the Constituency Members Election Rules in Schedule 1 or 5;
 - (b) the Mayoral Election Rules in Schedule 3 or 7,
- substitute—

“By-election timetable

<i>Proceedings</i>	<i>Time</i>
Publication of notice of election	Not later than the twenty-fifth day before the day of election.
Delivery of nomination papers	Not later than noon on the nineteenth day before the day of election.
Publication of statement as to persons nominated	Not later than noon on the seventeenth day before the day of election.
Delivery of notices of withdrawals of candidature	Not later than noon on the sixteenth day before the day of election.
Notice of poll	Not later than the sixth day before the day of election.
Polling	Between the hours of 7 in the morning and 10 at night on the day of election.”

Notices

8. Schedule 9 (requirements for notices for guidance of voters) has effect.

Forms

9. Schedule 10 (forms) has effect.

Returning officers' duties

10.—(1) At an ordinary election, it is the duty of the CROs and the GLRO to co-operate with each other in the discharge of their functions.

- (2) Where a poll is to be taken—
- (a) for the return of the London members; or
 - (b) for the return of the Mayor,

it is the duty of CROs to perform any of the functions they are required to perform by the rules applying to those elections, including verifying the ballot papers at the poll (or each poll if both are to be taken) and counting the votes cast in that poll (or each poll, if both are to be taken).

GLRO's power of direction

- 11.—(1) The GLRO may give to any CRO a direction—
- (a) as to the manner in which he must discharge any of his functions set out in these Rules; or
 - (b) requiring him to provide the GLRO with any information which the CRO has or is entitled to have in accordance with these rules,

relating to election.

(2) It is the duty of each CRO to whom a direction is given under paragraph (1) to discharge his functions in accordance with that direction.

(3) Without prejudice to the generality of the preceding provisions of this rule, a GLRO may exercise the power conferred by paragraph (1) to give the directions set out in paragraph (4) subject to the requirements in paragraphs (5) and (6).

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- (4) The GLRO may direct the CRO to—
- (a) include alternative information in the appropriate form of postal voting statement, in place of the paragraphs beneath the heading “Instructions to the voter”;
 - (b) issue additional information to those entitled to vote by post; or
 - (c) exercise his discretion to include additional information in poll cards.
- (5) Where the GLRO has decided to direct the CRO in accordance with paragraph (4), he must—
- (a) supply the alternative or additional information which the CRO is to issue to voters either electronically or in a printed form; and
 - (b) direct the CRO in writing as to how the information is to be used,
- by no later than the date of the notice of election.
- (6) Where the CRO does not discharge the functions specified in regulation 5 (functions at combined polls) of the Combination of Polls Regulations, the GLRO may give a direction under paragraph (4) to the returning officer who does discharge those functions.
- (7) The alternative or additional information supplied under (5)(b) must—
- (a) comply with paragraph 4 of the Notices Schedule (as though that information were to be included in a notice);
 - (b) and must relate to—
 - (i) the system of voting at the Authority election;
 - (ii) how many votes a voter has at each Authority election;
 - (iii) the marks to be used, and the manner in which they should be used, in order to ensure that a vote is counted for any candidate.
- (8) For the purposes of this rule—
- (a) “postal voting statement”; and
 - (b) “poll card”,

mean the documents issued under the relevant rules in the Schedule pertaining to the election, and set out in the Forms Schedule.

Signed by authority of the Secretary of State.

Ministry of Justice

Bridget Prentice
Parliamentary Under Secretary of State

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