

**Status:** Point in time view as at 31/12/2020.

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## SCHEDULES

### SCHEDULE 4

#### Combination of polls

### PART 1

#### Application to PCC elections of existing provisions in Acts

##### *Representation of the People Act 1985*

1.—(1) Section 15 of the Representation of the People Act 1985 (combination of polls at parliamentary, European Parliamentary and local elections) <sup>M1</sup> applies for the purposes of PCC elections.

(2) In its application by virtue of this paragraph, that section has effect as if it provided—

**“Combination of polls at parliamentary, European Parliamentary, local elections, mayoral elections, referendums and elections of police and crime commissioners**

15.—(1) Where the polls at—

<sup>F1</sup>(a) .....

(b) an ordinary local government election and a parliamentary general election;

<sup>F1</sup>(c) .....

(d) an ordinary election in England or Wales of police and crime commissioners and one or more of the following—

(i) a parliamentary general election,

<sup>F1</sup>(ii) .....

(iii) an ordinary local government election in England or Wales,

(iv) an election in England for the return of an elected mayor as defined by section 9H(1) of the Local Government Act 2000 <sup>M2</sup>,

(v) an election in Wales for the return of an elected mayor as defined by section 39(1) of the Local Government Act 2000,

<sup>F2</sup>(vi) an election in England for the return of a mayor as provided for in an order made under section 107A of the Local Democracy, Economic Development and Construction Act 2009,]

are to be taken on the same date, they shall be taken together.

(2) Where the polls at elections for related areas are to be taken on the same date but are not required by subsection (1) above or section 36 of the principal Act to be taken together, they may nevertheless be so taken if the returning officer for each election thinks fit.

(3) In subsection (2) above and subsection (4) below, a reference to elections—

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- (a) includes—
  - <sup>F1</sup>(i) . . . . .
  - (ii) ordinary elections in England or Wales of police and crime commissioners,
  - (iii) elections for police areas in England or Wales held under section 51 of the Police Reform and Social Responsibility Act 2011 (election to fill vacancy in office of police and crime commissioner),
  - (iv) a referendum in England under Part 1A of the Local Government Act 2000 <sup>M3</sup>,
  - (v) a referendum in Wales under Part 2 of the Local Government Act 2000,
  - (vi) a referendum in England or Wales under Chapter 4ZA of Part 1 of the Local Government Finance Act 1992<sup>M4</sup>,
  - <sup>F3</sup>(vii) an election in England for the return of a mayor as provided for in an order made under section 107A of the Local Democracy, Economic Development and Construction Act 2009,] but
- (b) does not include elections under the local government Act which are not local government elections.
- (3A) For the purposes of subsection (2) above—
  - (a) two areas are related if one is coterminous with or situated wholly or partly within the other, and
  - (b) the reference to the returning officer for an election includes the counting officer for a referendum listed in subsection (3)(a)(iv), (v) or (vi) above.
- (4) Where the polls at any elections are combined under this section the cost of taking the combined polls (excluding any cost solely attributable to one election) and any cost attributable to their combination shall be apportioned equally among the elections.”

<b>Textual Amendments</b>	
<b>F1</b>	Words in Sch. 4 para. 1(2) revoked (31.12.2020) by <a href="#">The European Parliamentary Elections Etc. (Repeal, Revocation, Amendment and Saving Provisions) (United Kingdom and Gibraltar) (EU Exit) Regulations 2018 (S.I. 2018/1310), reg. 1, Sch. 1 Pt. 2</a> Table (as amended by S.I. 2019/1389, regs. 1, 2(2))
<b>F2</b>	Words in Sch. 4 para. 1(2) inserted (E.W.) (31.1.2017) by <a href="#">The Combined Authorities (Mayoral Elections) Order 2017 (S.I. 2017/67), reg. 1, Sch. 4 para. 8(3)(a)</a>
<b>F3</b>	Words in Sch. 4 para. 1(2) inserted (E.W.) (31.1.2017) by <a href="#">The Combined Authorities (Mayoral Elections) Order 2017 (S.I. 2017/67), reg. 1, Sch. 4 para. 8(3)(b)</a>
<b>Marginal Citations</b>	
<b>M1</b>	Section 15 has effect in relation to mayoral elections in England and Wales by virtue of regulation 3 of the <a href="#">Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007 (S.I. 2007/1024)</a> . It also has effect in relation to referendums in England by virtue of Schedule 4 to the <a href="#">Local Authorities (Conduct of Referendums) (England) Regulations 2012 (S.I. 2012/323)</a> and Schedule 4 to the <a href="#">Local Authorities (Conduct of Referendums) (Council Tax Increases) (England) Regulations 2012 (S.I. 2012/444)</a> .
<b>M2</b>	<a href="#">2000 c.22</a> . Section 9H was inserted by section 21 of, and Schedule 2 to, the <a href="#">Localism Act 2011 (c.20)</a> .
<b>M3</b>	<a href="#">2000 (c.22)</a> . Part 1A of the Local Government Act 2000 was inserted by section 21 of, and Schedule 2 to, the Localism Act 2011. Police and crime commissioner elections are already listed in the definition of “relevant election or referendum” in regulation 2(1) of the <a href="#">Local Authorities (Conduct of Referendums) (England) Regulations 2012 (S.I. 2012/323)</a> .
<b>M4</b>	<a href="#">1992 (c.14)</a> . Chapter 4ZA of Part 1 of the Local Government Finance Act 1992 was inserted by section 72 of, and Schedule 5 to, the Localism Act 2011. Police and crime commissioner elections are already listed

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