
STATUTORY INSTRUMENTS

2017 No. 67

The Combined Authorities (Mayoral Elections) Order 2017

Citation and commencement

1. This Order may be cited as the Combined Authorities (Mayoral Elections) Order 2017 and comes into force the day after the day on which it is made.

Interpretation

2. In this Order—

“the 1983 Act” means the Representation of the People Act 1983 ^{M1};

“the 2009 Act” means the Local Democracy, Economic Development and Construction Act 2009;

[^{F1}“the 2023 Act” means the Levelling-up and Regeneration Act 2023;]

“the Elections Regulations” means the Representation of the People (England and Wales) Regulations 2001 ^{M2};

“the ^{F2}... Mayoral Elections Rules” means the rules set out in Schedule 1 or Schedule 3 to this Order as the case may be;

“the Referendums Regulations” means the Local Authorities (Conduct of Referendums) (England) Regulations 2012 ^{M3} or the Local Authorities (Conduct of Referendums) (Council Tax Increases) (England) Regulations 2012 ^{M4};

[^{F1}“CA/CCA returning officer” means the combined authority returning officer or, as the case may be, the combined county authority returning officer;]

“candidate” means a candidate to be a combined authority mayor [^{F3}or, as the case may be, a combined county authority mayor];

“combined authority mayor”, in relation to the area of a combined authority, means the mayor for the area of the authority by virtue of an order under section 107A(1) ^{M5} of the 2009 Act;

[^{F4}“combined authority mayoral election” means an election for the return of a combined authority mayor;]

“combined authority returning officer” means—

- (a) the person appointed under article 6; or
- (b) any person appointed under subsection section 35(4) of the 1983 Act by a person of a description mentioned in paragraph (a);

[^{F1}“combined county authority mayor”, in relation to the area of a combined county authority, means the mayor for the area of the authority by virtue of regulations made under section 27(1) of the 2023 Act;]

[^{F1}“combined county authority mayoral election” means an election for the return of a combined county authority mayor;]

[^{F1}“combined county authority returning officer” means—

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- (a) the person appointed under article 6A, or
- (b) any person appointed under section 35(4) of the 1983 Act by a person of a description mentioned in paragraph (a);]

[^{F5}“constituent council” means—

- (a) in relation to the area of a combined authority—
 - (i) a county council the whole or any part of whose area is within the area of the combined authority, or
 - (ii) a district council whose area is within the area of the combined authority;
- (b) in relation to the area of a combined county authority—
 - (i) a county council for an area within the combined county authority’s area, or
 - (ii) a unitary district council for an area within the combined county authority’s area;]

[^{F1}“election” or “CA/CCA mayoral election” means an election for the return of a combined authority mayor or, as the case may be, a combined county authority mayor;]

“electoral area” means the area for the combined authority [^{F6}or combined county authority] for which the election is held;

^{F7} ...

“local government election” has the same meaning as in section 203(1) ^{M6} of the 1983 Act;

“local government mayoral election” means an election for the return of an elected mayor in accordance with Part 1A of the Local Government Act 2000 ^{M7};

“police and crime commissioner election” means an election of a police and crime commissioner in accordance with Chapter 6 of Part 1 of the Police Reform and Social Responsibility Act 2011 ^{M8};

“proper officer” has the meaning given by section 270(3) of the Local Government Act 1972 ^{M9};

“referendum” means a referendum conducted under the Referendums Regulations;

“register of local government electors” means the register maintained under section 9 of the Representation of the People Act 1983 ^{M10};

“relevant election or referendum” means one or more of the following—

- (a) a Parliamentary election,
- (b) ^{F7} ...
- (c) a local government election,
- (d) a local government mayoral election,
- (e) ^{F8} ...
- (f) a referendum,
- (g) a police and crime commissioner election,

the poll at which is taken together with the poll at the ^{F9} ... mayoral election;

“returning officer”, in relation to a [^{F10}CA/CCA] mayoral election, means—

- (a) the person appointed in accordance with article 5, or
- (b) any person appointed under section 35(4) ^{M11} of the 1983 Act by a person of a description mentioned in paragraph (a).

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Textual Amendments

- F1** Words in art. 2 inserted (7.2.2024) by [The Combined Authorities \(Mayoral Elections\) Order 2017 \(Amendment\) Regulations 2024 \(S.I. 2024/131\)](#), regs. 1(3), **3(a)**
- F2** Words in art. 2 omitted (7.2.2024) by virtue of [The Combined Authorities \(Mayoral Elections\) Order 2017 \(Amendment\) Regulations 2024 \(S.I. 2024/131\)](#), regs. 1(3), **3(b)**
- F3** Words in art. 2 inserted (7.2.2024) by [The Combined Authorities \(Mayoral Elections\) Order 2017 \(Amendment\) Regulations 2024 \(S.I. 2024/131\)](#), regs. 1(3), **3(c)**
- F4** Words in art. 2 substituted (7.2.2024) by [The Combined Authorities \(Mayoral Elections\) Order 2017 \(Amendment\) Regulations 2024 \(S.I. 2024/131\)](#), regs. 1(3), **3(d)**
- F5** Words in art. 2 substituted (7.2.2024) by [The Combined Authorities \(Mayoral Elections\) Order 2017 \(Amendment\) Regulations 2024 \(S.I. 2024/131\)](#), regs. 1(3), **3(e)**
- F6** Words in art. 2 inserted (7.2.2024) by [The Combined Authorities \(Mayoral Elections\) Order 2017 \(Amendment\) Regulations 2024 \(S.I. 2024/131\)](#), regs. 1(3), **3(f)**
- F7** Words in art. 2 revoked (31.12.2020) by [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** Table 1 (as amended by S.I. 2019/1389, regs. 1, **2(2)**)
- F8** Words in art. 2 omitted (7.2.2024) by virtue of [The Combined Authorities \(Mayoral Elections\) Order 2017 \(Amendment\) Regulations 2024 \(S.I. 2024/131\)](#), regs. 1(3), **3(g)(i)**
- F9** Words in art. 2 omitted (7.2.2024) by virtue of [The Combined Authorities \(Mayoral Elections\) Order 2017 \(Amendment\) Regulations 2024 \(S.I. 2024/131\)](#), regs. 1(3), **3(g)(ii)**
- F10** Word in art. 2 substituted (7.2.2024) by [The Combined Authorities \(Mayoral Elections\) Order 2017 \(Amendment\) Regulations 2024 \(S.I. 2024/131\)](#), regs. 1(3), **3(h)**

Marginal Citations

- M1** 1983 c. 2.
- M2** [S.I. 2001/341](#) amended by [S.I. 2001/1700](#), [2002/1871](#), [2006/2910](#), [2013/3198](#), [2015/1376](#) and [2015/1971](#).
- M3** [S.I. 2012/323](#).
- M4** [S.I. 2012/444](#) amended by [S.I. 2013/409](#), [2014/231](#) and [2014/925](#).
- M5** [Section 107A](#) was inserted by the [Cities and Local Government Devolution Act 2016](#), section 2.
- M6** The definition of “local government election” in section 203(1) was amended by the [Greater London Authority Act 1999 \(c. 29\)](#), [section 17](#) and Schedule 3. See Schedule 2 for further modifications of this section.
- M7** [2000 c. 22](#). Part 1A was inserted by the [Localism Act 2011 \(c. 20\)](#), [section 21](#) and Schedule 2.
- M8** [2011 c. 13](#).
- M9** [1972 c. 70](#).
- M10** [1983 c. 2](#). Section 9 was substituted by the [Representation of the People Act 2000 \(c. 2\)](#), [section 8](#) and Schedule 1.
- M11** Subsection (4) was amended by the [Education Reform Act 1988 \(c.40\)](#), [section 237](#) and Schedule 12.

Conduct of ^{F11}CA/CCA] mayoral elections

3.—(1) Subject to article 4(1), a ^{F12}CA/CCA] mayoral election shall be conducted in accordance with the rules set out in Schedule 1.

(2) The relevant provisions in the enactments referred to in paragraph (3) shall have effect in relation to the conduct of a ^{F13}CA/CCA] mayoral election as they have effect in relation to the conduct of an election of councillors for any county electoral division or district ward subject to the modifications set out in paragraph (4).

(3) The enactments referred to in paragraph (2) are—

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- (a) the 1983 Act,
 - (b) the Representation of the People Act 1985,
 - (c) the Representation of the People Act 2000 ^{M12},
 - (d) the Political Parties, Elections and Referendums Act 2000 ^{M13},
 - (e) the Elections Regulations, and
 - (f) the Electoral Administration Act 2006 ^{M14}.
- (4) The modifications referred to in paragraph (2) are—
- (a) references in the relevant provisions to “local government elections” shall be taken to include [F14CA/CCA] mayoral elections,
 - (b) references in the relevant provisions to a “candidate” shall be taken to include a candidate at a [F14CA/CCA] mayoral election,
 - (c) references in the relevant provisions to a “returning officer” shall be taken to include a [F14CA/CCA] returning officer,
 - (d) the other modifications set out in Schedule 2.
- (5) In this article “relevant provisions” means the provisions which have effect in relation to the conduct of the election of councillors for any county electoral division or district ward.

Textual Amendments

- F11** Word in [art. 3 heading](#) substituted (7.2.2024) by [The Combined Authorities \(Mayoral Elections\) Order 2017 \(Amendment\) Regulations 2024 \(S.I. 2024/131\)](#), regs. 1(3), [4](#)
- F12** Word in [art. 3\(1\)](#) substituted (7.2.2024) by [The Combined Authorities \(Mayoral Elections\) Order 2017 \(Amendment\) Regulations 2024 \(S.I. 2024/131\)](#), regs. 1(3), [4](#)
- F13** Word in [art. 3\(2\)](#) substituted (7.2.2024) by [The Combined Authorities \(Mayoral Elections\) Order 2017 \(Amendment\) Regulations 2024 \(S.I. 2024/131\)](#), regs. 1(3), [4](#)
- F14** Word in [art. 3\(4\)](#) substituted (7.2.2024) by [The Combined Authorities \(Mayoral Elections\) Order 2017 \(Amendment\) Regulations 2024 \(S.I. 2024/131\)](#), regs. 1(3), [4](#)

Marginal Citations

- M12** 2000 c. 2.
- M13** 2000 c. 41.
- M14** 2006 c. 22.

Combination of polls

4.—(1) Where the poll at a [F15CA/CCA] mayoral election is taken together with the poll at a relevant election or referendum a [F15CA/CCA] mayoral election shall be conducted in accordance with the rules set out in Schedule 3.

(2) The instruments specified in Schedule 4 are amended to make further provision for the combination of polls.

Textual Amendments

- F15** Word in [art. 4\(1\)](#) substituted (7.2.2024) by [The Combined Authorities \(Mayoral Elections\) Order 2017 \(Amendment\) Regulations 2024 \(S.I. 2024/131\)](#), regs. 1(3), [5](#)

Returning officer

5.—(1) Functions conferred by this Order on the returning officer, in relation to the area of a constituent council, shall be discharged by the person who is for the time being the returning officer for the area of that council by virtue of section 35 (returning officers: local elections) of the 1983 Act, as modified by Schedule 2 or (in the case of a combined poll) Schedule 4 to this Order.

(2) It is the returning officer's general duty at the election to do all such acts and things as may be necessary for effectually conducting the election in the manner provided by this Order.

(3) The returning officer must also appoint and pay any such persons as may be necessary for the purpose of the counting of the votes.

Combined authority returning officer

6.—(1) The combined authority must appoint one of its officers, or one of the officers of a constituent council, to be the combined authority returning officer in relation to the election.

(2) The combined authority returning officer may give, to a returning officer, directions relating to the discharge of his or her functions at the election, including directions requiring the provision to the combined authority returning officer of any information which the returning officer has or is entitled to have, directions requiring him or her to take specified steps in preparation for the election, directions that the ballot papers shall be printed by the combined authority returning officer and directions that the count of votes shall be conducted at a central location.

(3) It shall be the duty of a returning officer to whom directions are given under paragraph (2) to discharge his or her functions at the election in accordance with the directions.

[^{F16}Combined county authority returning officer

6A.—(1) The combined county authority must appoint one of its officers, or one of the officers of a constituent council, to be the combined county authority returning officer in relation to the election.

(2) The combined county authority returning officer may give, to a returning officer, directions relating to the discharge of the returning officer's functions at the election, including directions requiring the provision to the combined county authority returning officer of any information which the returning officer has or is entitled to have, directions requiring the returning officer to take specified steps in preparation for the election, directions that the ballot papers must be printed by the combined county authority returning officer and directions that the count of votes must be conducted at a central location.

(3) It is the duty of a returning officer to whom directions are given under paragraph (2) to discharge the returning officer's functions at the election in accordance with the directions.]

Textual Amendments

F16 Art. 6A inserted (7.2.2024) by [The Combined Authorities \(Mayoral Elections\) Order 2017 \(Amendment\) Regulations 2024 \(S.I. 2024/131\)](#), regs. 1(3), 6

Questioning of [^{F17}a CA/CCA] mayoral election

7. For the purposes of paragraph 12(6) of Schedule 5B to the 2009 Act [^{F18}and paragraph 12(7) of Schedule 2 to the 2023 Act], Part 3 (legal proceedings) of the 1983 Act shall have effect in relation to the questioning of [^{F19}a CA/CCA mayoral election] as it has effect in relation to the questioning of an election under the Local Government Act 1972 ^{M15}.

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Textual Amendments

- F17** Words in art. 7 heading substituted (7.2.2024) by The Combined Authorities (Mayoral Elections) Order 2017 (Amendment) Regulations 2024 (S.I. 2024/131), regs. 1(3), **7(a)**
- F18** Words in art. 7 inserted (7.2.2024) by The Combined Authorities (Mayoral Elections) Order 2017 (Amendment) Regulations 2024 (S.I. 2024/131), regs. 1(3), **7(b)**
- F19** Words in art. 7 substituted (7.2.2024) by The Combined Authorities (Mayoral Elections) Order 2017 (Amendment) Regulations 2024 (S.I. 2024/131), regs. 1(3), **7(c)**

Marginal Citations

- M15** 1972 c. 70.

Free delivery of election addresses

8.—(1) Each candidate at a [^{F20}CA/CCA] mayoral election shall be entitled (subject to and in accordance with the provisions of Schedule 5) to have an election address prepared on behalf of the candidate included in a booklet of election addresses—

- (a) prepared by the [^{F20}CA/CCA] returning officer, and
- (b) delivered by that officer to each person entitled to vote at that election.

(2) Candidates' election addresses shall be delivered at the expense of the combined authority [^{F21}or, as the case may be, combined county authority].

(3) Schedule 5 (which makes provisions supplementing paragraph (1) above) shall have effect.

Textual Amendments

- F20** Word in art. 8(1) substituted (7.2.2024) by The Combined Authorities (Mayoral Elections) Order 2017 (Amendment) Regulations 2024 (S.I. 2024/131), regs. 1(3), **8(a)**
- F21** Words in art. 8(2) inserted (7.2.2024) by The Combined Authorities (Mayoral Elections) Order 2017 (Amendment) Regulations 2024 (S.I. 2024/131), regs. 1(3), **8(b)**

[^{F22}Application of the Order prior to the establishment of a particular combined county authority

10.—(1) Prior to the establishment of a combined county authority under section 9 of the 2023 Act—

- (a) references in this Order to “the combined county authority” are to be read as references to “the proposed combined county authority”, and references to “the combined county authority mayor”, “the combined county authority mayoral election” and “the combined county authority area” are to be construed accordingly;
- (b) article 6A should be read as if for paragraph (1) there were substituted—

“(1) The constituent councils of the proposed combined county authority may appoint one of the officers of a constituent council to be the combined county authority returning officer in relation to the election.”;

- (c) any expenses met by the constituent councils of the proposed combined county authority in accordance with article 8(2) (as modified by sub-paragraph (a)) must be reimbursed by the combined county authority after it has been established;

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(d) in Schedule 2, paragraph 1(6)(b) is to be read as if for the modification of the RPA 1983 that inserted subsection (4D) there were substituted—

“(4D) All expenditure properly incurred by a returning officer or a combined county authority returning officer in relation to the holding of a combined county authority mayoral election before the combined county authority has been established may in so far as it does not, in cases where there is a scale fixed for the purposes of this section by the constituent councils of the proposed combined county authority, exceed that scale, be paid by those constituent councils, and if so, the combined county authority must, once it has been established, reimburse those constituent councils.”.

(2) If the combined county authority returning officer appointed in accordance with article 6A(1) as modified by paragraph (1)(b) is unable to act after the combined county authority is established, a new combined county authority returning officer must be appointed in accordance with article 6A(1) in unmodified form.]

Textual Amendments

F22 [Art. 10](#) inserted (7.2.2024) by virtue of [The Combined Authorities \(Mayoral Elections\) Order 2017 \(Amendment\) Regulations 2024 \(S.I. 2024/131\)](#), regs. 1(3), **10**

Signed by authority of the Secretary of State for Communities and Local Government

Department for Communities and Local
Government

Andrew Percy
Parliamentary Under Secretary of State

Changes to legislation:

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Changes and effects yet to be applied to :

- Sch. 1 Table of Contents word substituted by [S.I. 2024/131 reg. 11\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). The table of contents for this legislation will be dynamically updated when its provisions are revised)
- Sch. 1 Table of Contents words inserted by [S.I. 2022/1382 reg. 94\(2\)\(a\)](#) (This amendment not applied to [legislation.gov.uk](#). The table of contents for this legislation will be dynamically updated when its provisions are revised)
- Sch. 1 Table of Contents words inserted by [S.I. 2022/1382 reg. 94\(2\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). The table of contents for this legislation will be dynamically updated when its provisions are revised)
- Sch. 1 Table of Contents words inserted by [S.I. 2022/1382 reg. 94\(2\)\(c\)](#) (This amendment not applied to [legislation.gov.uk](#). The table of contents for this legislation will be dynamically updated when its provisions are revised)
- Sch. 3 Table of Contents words inserted by [S.I. 2022/1382 reg. 96\(2\)\(a\)](#) (This amendment not applied to [legislation.gov.uk](#). The table of contents for this legislation will be dynamically updated when its provisions are revised)
- Sch. 3 Table of Contents words inserted by [S.I. 2022/1382 reg. 96\(2\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). The table of contents for this legislation will be dynamically updated when its provisions are revised)
- Sch. 3 Table of Contents words inserted by [S.I. 2022/1382 reg. 96\(2\)\(c\)](#) (This amendment not applied to [legislation.gov.uk](#). The table of contents for this legislation will be dynamically updated when its provisions are revised)
- Sch. 3 Table of Contents words substituted by [S.I. 2024/131 reg. 13\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). The table of contents for this legislation will be dynamically updated when its provisions are revised)

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

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

- art. 9 inserted by [S.I. 2024/131 reg. 9](#)