
STATUTORY INSTRUMENTS

2020 No. 395

The Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020

PART 3

Postponement of local polls and referendums

Local authority governance change referendums

12.—(1) A referendum under section 9MB of the 2000 Act (requirement to hold and give effect to referendum) ^{M1} that would otherwise be held, or have been held, during the relevant period is to be held instead on the ordinary day of election in 2021.

(2) A referendum that, pursuant to regulation 16 of the 2011 Regulations (timing of referendum in consequence of valid petition), would otherwise be held, or have been held, during the relevant period is to be held instead on the ordinary day of election in 2021.

[^{F1}(3) Regulation 9 of the 2011 Regulations (validity of petitions) is to be read during the relevant period as if that period were to be disregarded for the purposes of calculating the period of 12 months mentioned in paragraph (5) of that regulation.

(3A) Subject to paragraph (3B), for the purposes of the 2011 Regulations a petition presented to, or received by, a local authority on any day during the period beginning with 16th March 2020 and ending with 8th February 2021 is to be treated as having been presented or received on 9th February 2021.

(3B) In relation to a petition mentioned in paragraph (3A), for the purposes of satisfying himself or herself of the validity of the petition in accordance with regulations 9 (validity of petitions) and 11 (procedure on receipt of petition) of the 2011 Regulations, the proper officer must use the version of the electoral register (or versions of the registers) which had effect for the area on the day during the period beginning with 16th March 2020 and ending with the 8th February 2021 on which the petition was presented to the authority.]

(4) Paragraphs (1) and (2) do not apply in relation to a referendum that has been held on a day during the antecedent period.

(5) In this regulation “the 2011 Regulations” means the Local Authorities (Referendums) (Petitions) (England) Regulations 2011 ^{M2}.

Textual Amendments

- F1** Reg. 12(3)-(3B) substituted for reg. 12(3) (9.2.2021) by [The Local Government and Police and Crime Commissioner \(Coronavirus\) \(Postponement of Elections and Referendums\) \(England and Wales\) \(Amendment\) \(England\) Regulations 2021 \(S.I. 2021/52\)](#), regs. 1, 3

Changes to legislation: There are currently no known outstanding effects for the *The Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020, Section 12. (See end of Document for details)*

Commencement Information

I1 Reg. 12 in force at 7.4.2020, see reg. 1

Marginal Citations

M1 Sections 9MB and 9MC were inserted by section 21 of, and Schedule 2 to, the [Localism Act 2011](#) (c. 20).

M2 [S.I. 2011/2914](#).

Changes to legislation:

There are currently no known outstanding effects for the The Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020, Section 12.