
STATUTORY INSTRUMENTS

2020 No. 926

**The Postponed Elections and Referendums (Coronavirus) and
Policy Development Grants (Amendment) Regulations 2020**

PART 2

Provision relating to polls postponed due to coronavirus

CHAPTER 1

Postal ballots

Application and interpretation of Chapter 1

2.—(1) Regulations 3 to 5 apply to the following elections or referendums in the circumstances described in paragraph (2)—

- (a) the election of a councillor for any local government area in England to fill a casual vacancy;
- (b) a referendum, the poll for which is conducted in accordance with Schedule 3 or 5 to the 2012 Regulations (neighbourhood planning referendums).

(2) The circumstances referred to in paragraph (1) are where—

- (a) a notice of election or (as the case may be) notice of the referendum was required to be published on or before 6th April 2020, and
- (b) the poll for that election or referendum was not held on the date required to be stated in that notice as a result of the Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020(1).

(3) In this Chapter—

“the 1983 Act” means the Representation of the People Act 1983(2);

“the 2012 Regulations” means the Neighbourhood Planning (Referendums) Regulations 2012(3);

“principal area” has the same meaning as in section 270(1) of the Local Government Act 1972(4) and includes the area council for the Isles of Scilly;

“relevant by-election” means an election to which regulations 3 to 5 apply (by virtue of paragraphs (1) and (2) of this regulation);

“relevant referendum” means a referendum to which regulations 3 to 5 apply (by virtue of paragraphs (1) and (2) of this regulation);

“relevant registration officer”—

(1) [S.I. 2020/395](#).

(2) [1983 c. 2](#).

(3) [S.I. 2012/2031](#); relevant amending instruments are [S.I. 2013/798](#), [2014/333](#).

(4) [1972 c. 70](#); section 270(1) was amended by the Local Government Act [1985 \(c. 51\)](#), Schedule 16, paragraph 8.

- (a) in the case of a relevant by-election—
 - (i) where the election was for a councillor to fill a casual vacancy in the office of councillor for any principal area in England, has the meaning given by rule 52(2) of Schedule 2 or (as the case may be) rule 52(3) of Schedule 3 to the Local Elections (Principal Areas) (England and Wales) Rules 2006⁽⁵⁾;
 - (ii) where the election was for a councillor to fill a casual vacancy in the office of parish councillor, has the meaning given by rule 52(2) of Schedule 2 or (as the case may be) rule 52(3) of Schedule 3 to the Local Elections (Parishes and Communities) (England and Wales) Rules 2006⁽⁶⁾;
 - (b) in the case of a relevant referendum, has the meaning given by rule 2 of Schedule 3 or (as the case may be) rule 2 of Schedule 5 to the 2012 Regulations;
 - (c) in the case of a referendum to which regulation 6 applies, means a business registration officer within the meaning of paragraph 1 of Schedule 6 to the 2012 Regulations.
- (4) In this Chapter, “the 2001 Regulations” means the Representation of the People (England and Wales) Regulations 2001⁽⁷⁾; and references to provisions of the 2001 Regulations are—
- (a) in relation to a relevant referendum the poll for which was not due to be taken together with the poll for a relevant by-election or relevant referendum, to those provisions as applied by regulation 8 of, and Schedule 4 to, the 2012 Regulations;
 - (b) in relation to a relevant referendum the poll for which was due to be taken together with the poll for a relevant by-election or another relevant referendum, to those provisions as applied by regulation 12 of, and Schedule 4 to, the 2012 Regulations;
 - (c) in relation to a relevant by-election the poll for which was due to be taken together with the poll for a relevant referendum, to those provisions as applied by regulation 13 of, and Schedule 4 to, the 2012 Regulations.
- (5) In paragraph (1), “local government area” has the same meaning as in section 203(1) of the 1983 Act⁽⁸⁾.

⁽⁵⁾ S.I. 2006/3304, to which there are amendments not relevant to these Regulations.

⁽⁶⁾ S.I. 2006/3305, to which there are amendments not relevant to these Regulations.

⁽⁷⁾ S.I. 2001/341; relevant amending instruments are S.I. 2006/752, 2910, 2013/3198.

⁽⁸⁾ Section 203(1) was amended by the Representation of the People Act 1985 (c. 51), Schedule 4, paragraph 71, the Local Government Act 1985 (c. 51), Schedule 9, Part 1, the Education Reform Act 1988 (c. 40), Schedule 13, Part 1, and the Greater London Authority Act 1999 (c. 29), Schedule 3, paragraphs 1 and 39.