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STATUTORY INSTRUMENTS

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**2024 No. 402**

The North East Mayoral Combined Authority  
(Establishment and Functions) Order 2024

PART 4

Election of Mayor

**Modification of the Combined Authorities (Mayoral Elections) Order 2017**

**16.**—(1) The Combined Authorities (Mayoral Elections) Order 2017 (“the 2017 Order”)(1) has effect for the purposes of the election to be held for the return of the Mayor on 2nd May 2024 with the modifications specified in paragraphs (2) to (7).

(2) Article 2 (interpretation) is to be read as if—

- (a) the existing paragraph were numbered “(1)”;  
(b) there were inserted after that paragraph—

“(2) In this Order, any reference to a “combined authority” includes a reference to the North East Mayoral Combined Authority, to be established by article 5 of the North East Mayoral Combined Authority (Establishment and Functions) Order 2024.”.

(3) Article 6 (combined authority returning officer) is to be read as if—

- (a) at the beginning of article 6(1) there were inserted “Subject to paragraph (1A),”;  
(b) after paragraph (1) there were inserted—

“(1A) In relation to the election on 2nd May 2024 to be held for the return of a Mayor for the North East Mayoral Combined Authority, which is to be established by article 5 of the North East Mayoral Combined Authority (Establishment and Functions) Order 2024, (“the election”), the Sunderland City Council returning officer is to be the combined authority returning officer in relation to the election, but in the event that they are unable to act, the deputy Sunderland City Council returning officer is to be the returning officer for the election.”.

(4) Article 8 (free delivery of elections addresses) is to be read as if for paragraph (2) there were substituted—

“(2) Candidates’ election addresses are to be delivered at the expense of the constituent councils, such expenditure to be reimbursed by the North East Mayoral Combined Authority following its establishment.”.

(5) In Schedule 1 (the Combined Authority Mayoral Elections Rules)—

- (a) rule 28(6) is to be read as if for sub-paragraph (b) there were substituted—

“(b) the following notice which must be exhibited in every compartment of every polling station—

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(1) [S.I. 2017/67](#), which was amended by section 2(4) of the Local Government (Disqualification) Act 2022 (c. 17) and other relevant amending instruments are [S.I. 2018/19](#), [1310](#), [2019/350](#), [2022/1353](#), and [1382](#).

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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“NORTH EAST MAYORAL COMBINED AUTHORITY MAYORAL ELECTION

Vote for ONLY ONE CANDIDATE by putting a cross [X] in the box next to your choice.

PUT NO OTHER MARK ON THE BALLOT PAPER OR YOUR VOTE MAY NOT COUNT.””

- (b) rule 59 is to be read as if for paragraph (17) there were substituted—

“(17) The combined authority returning officer, or as the case may be, their deputy, acting in their capacity as the combined authority returning officer in relation to the election must inform the respective proper officers<sup>(2)</sup> of the Durham, Gateshead, South Tyneside and Sunderland Combined Authority and the Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority of the result of the election.”.

- (6) In Schedule 2 (modifications of Acts and statutory instrument), in paragraph 1 (modification of the Representation of the People Act 1983), the existing modification of section 36 of the Representation of the People Act 1983 made by sub-paragraph (6)(b) is to be read as if for the inserted subsection (4C) there were substituted—

“(4C) All expenditure properly incurred by a returning officer or combined authority returning officer in relation to the holding of a combined authority mayoral election must, in so far as it does not, in cases where there is a scale fixed for the purposes of this section by the Durham, Gateshead, South Tyneside and Sunderland Combined Authority and the Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority, exceed that scale, be paid by the constituent councils of the North East Mayoral Combined Authority, and reimbursed by the North East Mayoral Combined Authority.”.

- (7) In Schedule 3 (Combined Authority Mayoral Election (Combination of Polls) Rules)—

- (a) in rule 28(8)(b), the entry “[Specify name of combined authority] COMBINED AUTHORITY MAYORAL ELECTION ([specify colour] ballot paper)” is to be read as if for it there were substituted—

“NORTH EAST MAYORAL COMBINED AUTHORITY MAYORAL ELECTION ([specify colour] ballot paper)”;

- (b) rule 59 is to be read as if for paragraph (18) there were substituted—

“(18) The combined authority returning officer, or as the case may be, their deputy, acting in their capacity as the combined authority returning officer in relation to the election must inform the respective proper officers of the Durham, Gateshead, South Tyneside and Sunderland Combined Authority and the Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority of the result of the election.”.

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(2) See section 270(3) of the Local Government Act 1972 (“the 1972 Act”) in relation to the meaning of “proper officer”.