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WELSH STATUTORY INSTRUMENTS

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**2014 No. 3033 (W. 302)**

**LOCAL GOVERNMENT, WALES**

**The Local Authority Elections (Wales) Order 2014**

<i>Made</i>	- - - -	<i>12 November 2014</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>14 November 2014</i>
<i>Coming into force</i>	- -	<i>9 December 2014</i>

The Welsh Ministers make the following Order in exercise of the powers conferred upon the National Assembly for Wales by sections 87, 105(2) and (3), and 106(1) of the Local Government Act 2000<sup>(1)</sup> and now vested in them<sup>(2)</sup>.

**Title, commencement, application and interpretation**

1.—(1) The title of this Order is the Local Authority Elections (Wales) Order 2014 and it comes into force on 9 December 2014.

(2) This Order applies to all local authorities<sup>(3)</sup> in Wales.

(3) In this Order, “the 1972 Act” (“*Deddf 1972*”) means the Local Government Act 1972<sup>(4)</sup>.

**Change of year of ordinary elections**

2.—(1) In section 26<sup>(5)</sup> of the 1972 Act (election of councillors), for “2004” in each place it occurs, substitute “2017”<sup>(6)</sup>.

(2) In section 35<sup>(7)</sup> of the 1972 Act (community councillors), for “2004”, substitute “2017”.

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- (1) 2000 c. 22. Section 106(1) was amended by the Localism Act 2011 (c. 20), Schedule 25(4), paragraph 1.
- (2) The functions of the National Assembly for Wales were transferred to the Welsh Ministers by virtue of section 162 of and paragraph 30 of schedule 11 to the Government of Wales Act 2006 (c. 32).
- (3) Section 84(2) of the Local Government Act 2000 defines “local authority” as being a county council, a county borough council or a community council. This definition applies for the purposes of section 87 of the Local Government Act 2000, under which this Order is made.
- (4) 1972 c. 70.
- (5) Section 26 was amended by section 4(2) of the Local Government (Wales) Act 1994 (c. 19) and by article 2(1) of the Local Government Elections (Wales) Order 2001 (S.I. 2001/3540 (W. 287)).
- (6) At the time of making this Order, the Local Government Act 1972 provides for the ordinary election of councillors to take place in 2004 and every four years thereafter, with the exception of those in the Isle of Anglesey county (see the Isle of Anglesey Local Authorities (Change to the Years of Ordinary Elections) Order 2012 (S.I. 2012/686 (W. 94)).
- (7) Section 35 was amended by section 206 of and paragraph 12 of Schedule 8 to the Representation of the People Act 1983 (c. 2), by section 15 of the Local Government (Wales) Act 1994 (c. 19) and by article 2(2) of the Local Government Elections (Wales) Order 2001 (S.I. 2001/3540 (W. 287)).

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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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**Term of office of existing councillors**

3. The term of office of existing councillors under section 26(2) or section 35(2A) of the 1972 Act is accordingly extended by one year.

**Revocation**

4. The Isle of Anglesey Local Authorities (Change to the Years of Ordinary Elections) Order 2012(8) is revoked.

*Leighton Andrews*  
Minister for Public Services, one of the Welsh  
Ministers

12 November 2014

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

The Welsh Ministers may, under section 87 of the Local Government Act 2000, make provision by Order to change the years in which the ordinary elections of councillors of any specified local authority (or local authorities) are to be held.

This Order, made under sections 87, 105(2) and (3) and 106(1) of the Local Government Act 2000, provides that the ordinary elections of councillors of county councils, county borough councils and community councils in Wales will take place in 2017 instead of 2016. It does so by substituting “2017” in the appropriate places in the Local Government Act 1972, which sets the years of ordinary elections for county councils, county borough councils and community councils.

This Order also revokes the Isle of Anglesey Local Authorities (Change to the Years of Ordinary Elections) Order 2012<sup>(9)</sup>. That Order provided for the ordinary elections of councillors to the county council and to community councils in the Isle of Anglesey county to take place in 2013, rather than 2012, and for subsequent elections to take place every four years after 2013. The effect of that Order is that, as at the time of making this Order, the next ordinary elections of councillors in the Isle of Anglesey county will take place in 2017. As the ordinary elections in 2013 have taken place and this Order substitutes “2017” in the Local Government Act 1972, the 2012 Order is no longer needed and can be revoked.

This Order provides that the current term of office of existing councillors elected to county councils, county borough councils and community councils in Wales is accordingly extended by one year.

The scheme for the ordinary elections of councillors of county councils and county borough councils in Wales as set out in section 26 of the Local Government Act 1972 is unchanged. The scheme for the ordinary elections of community councillors of community councils in Wales as set out in section 35 of the Local Government Act 1972 is also unchanged.

A regulatory impact assessment has been prepared as to the likely costs and benefits of complying with this Order. A copy can be obtained from the Local Government Democracy Division, Local Government and Communities Department, Welsh Government, Cathays Park, Cardiff CF10 3NQ.

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<sup>(9)</sup> S.I. 2012/686 (W. 94).