
WELSH STATUTORY INSTRUMENTS

2019 No. 1269 (W. 220)

LOCAL GOVERNMENT, WALES

The Local Authorities (Change to the Years of Ordinary Elections) (Wales) Order 2019

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| <i>Made</i> | - - - - | <i>17 September 2019</i> |
| <i>Laid before the National Assembly for Wales</i> | - - | <i>20 September 2019</i> |
| <i>Coming into force</i> | - - | <i>6 November 2019</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), (3), (4)(c) and 106(1) of the Local Government Act 2000⁽¹⁾ and now vested in them⁽²⁾.

Title, commencement and interpretation

1.—(1) The title of this Order is the Local Authorities (Change to the Years of Ordinary Elections) (Wales) Order 2019.

(2) This Order comes into force on 6 November 2019.

(3) In this Order, “the 1972 Act” means the Local Government Act 1972⁽³⁾.

Specified local authorities

2.—(1) Each local authority falling within a description of local authority in paragraph (2) is specified for the purposes of this Order.

(2) The descriptions of local authority are—

(a) a council for a county or county borough in Wales;

(b) a council for a community in Wales.

Change to the years of ordinary elections

3.—(1) The years in which the ordinary elections of councillors of the local authorities specified in article 2 are to be held are changed by the following amendments to the 1972 Act.

(1) 2000 c. 22.

(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) 1972 c. 70.

Status: This is the original version (as it was originally made).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

(2) In section 26(1)(4) of the 1972 Act (elections of councillors), for “2017”, in each place it occurs, substitute “2022”.

(3) In section 35(2)(5) of the 1972 Act (community councillors), for “2017” substitute “2022”.

Term of office of existing councillors

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

Revocation

5. The Local Authority Elections (Wales) Order 2014(6) is revoked.

17 September 2019

Julie James
Minister for Housing and Local Government,
one of the Welsh Ministers

(4) Section 26 was substituted by section 4(2) of the Local Government (Wales) Act 1994 (c. 19) and section 26(1) was amended by article 2(1) of S.I. 2014/3033 (W. 302).
(5) Section 35(2) to (2B) was substituted by section 15 of the Local Government (Wales) Act 1994 and section 35(2) was amended by article 2(2) of S.I. 2014/3033 (W. 302).
(6) S.I. 2014/3033 (W. 302).

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 are to be held.

Article 2 provides that councils for a county or county borough in Wales and councils for a community in Wales are specified authorities for the purposes of this Order.

Article 3 provides that the ordinary elections of councillors of county councils, county borough councils and community councils in Wales will take place on the first Thursday of May in 2022 instead of 2021. It does so by substituting “2022” 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.

Article 4 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.

Article 5 revokes the Local Authority Elections (Wales) Order 2014 (“the 2014 Order”). The 2014 Order provides that the ordinary elections of councillors of county councils, county borough councils and community councils in Wales took place in 2017 instead of 2016. The ordinary elections in 2017 have taken place and this Order substitutes “2022” in the Local Government Act 1972, therefore the 2014 Order can be revoked.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, 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, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.