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## STATUTORY INSTRUMENTS

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### 2004 No. 294

## The Representation of the People (Combination of Polls) (England and Wales) Regulations 2004

### Modification of provisions about expenses in the 1983 Act

6.—(1) Where those functions of a returning officer at an election or referendum which are specified in regulation 5 are discharged by the returning officer at another election or referendum under regulation 4, references to the returning officer or his charges or expenditure in—

- (a) subsections (3), (4), (4A), (4B), (5), (7) and (8) of section 29 (payments by and to returning officer)(1) of the 1983 Act;
- (b) section 30 (taxation of returning officer's account) of the 1983 Act; and
- (c) subsections (4) to (6A)(2) of section 36 (local elections in England and Wales) of the 1983 Act,

shall, to the extent that such functions are so discharged, be construed as references to the returning officer who discharges those functions and his charges or expenditure in respect of those functions.

(2) The reference in section 36(6) of the 1983 Act to the returning officer or a person acting as returning officer requesting an advance in respect of his expenses shall, to the extent that those expenses relate to the functions specified in regulation 5, include a reference to the returning officer who under regulation 4 discharges those functions at the local government election, mayoral election or referendum.

(3) In relation to elections and referendums the polls at which are taken together under section 15(1) or (2) of the 1985 Act the Secretary of State may under section 29(3) of the 1983 Act include special provision for services rendered and expenses incurred in respect of the functions specified in regulation 5 and in respect of the remuneration of presiding officers and clerks by the returning officer who discharges those functions by virtue of regulation 4.

(4) In relation to elections and referendums the polls at which are taken together under section 15(1) or (2) of the 1985 Act or section 36(3), (3AB) or (3AC) of the 1983 Act—

- (a) the council for a county, county borough, district or London borough;
- (b) the Greater London Authority;
- (c) the council for the district in which a parish is situated;
- (d) the council for the county or county borough in which a community is situated,

may, in fixing a scale under subsections (4), (4B), (5) and (5A) respectively of section 36 of the 1983 Act(3) include special provision for expenses incurred in respect of the functions specified

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(1) Subsections (3), (4), (4A) and (4B) were substituted, for subsections (3) and (4), as originally enacted, by section 1(2) of the Representation of the People Act 1991 (c. 11). Subsection 5 was amended by section 1(3) of the Representation of the People Act 1991 (c. 11) and article 3(4) of S.I.1991/1728. Subsections (6) and (7) were amended by article 3(2) and (5), and subsections (8) and (9) were amended, by article 3(6) of S.I. 1991/1728.

(2) Inserted by paragraphs 1 and 4(1) and (4) of Schedule 3 to the Greater London Authority Act (c. 29).

(3) Subsection 4 was amended by Schedule 17 to the Local Government Act 1985 (c. 51) and paragraph 68(9) of Schedule 16 to the Local Government (Wales) Act 1994 (c. 19). Subsection (4B) was inserted by paragraphs 1 and 4(1) and (3) of Schedule 3 to the Greater London Authority Act 1999 (c. 29). Subsection (5) was amended by paragraph 68(10) of Schedule 16 to, and

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**Changes to legislation:** *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Representation of the People (Combination of Polls) (England and Wales) Regulations 2004. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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in regulation 5 and in respect of the remuneration of presiding officers and clerks by the returning officer who discharges those functions by virtue of regulation 4.

- (5) In this regulation, references to any provision of an enactment include references to—
- (a) any provision in regulations made under section 7 of the 2002 Act which corresponds to that provision; and
  - (b) that provision as applied by regulations made under sections 44 and 105 or 45 and 105 of the 2000 Act.

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**Commencement Information**

**II** Reg. 6 in force at 23.3.2004, see [reg. 1\(1\)](#)

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### Changes and effects yet to be applied to :

- Regulations savings for effects of SI 2014/920 regs. 2-6 by [S.I. 2014/921 art. 3](#)
- reg. 6 applied (with modifications) by [S.I. 2012/444 Sch. 4 para. 1 Table 7](#)
- reg. 6 modification to earlier affecting provision SI 2012/1917 Sch. 4 para. 5 by [S.I. 2015/665 art. 2\(2\)](#)
- reg. 6 modified by [S.I. 2012/2031 reg. 81213Sch. 4 Pt. 2 para. 5](#)
- reg. 6(1)(c) words inserted by [2021 asc 1 Sch. 2 para. 17\(4\)\(a\)\(i\)](#)
- reg. 6(1)(c) words inserted by [2021 asc 1 Sch. 2 para. 17\(4\)\(a\)\(iii\)](#)
- reg. 6(1)(c) words inserted by [2021 asc 1 Sch. 2 para. 17\(4\)\(a\)\(iv\)](#)
- reg. 6(1)(c) words omitted by [2021 asc 1 Sch. 2 para. 17\(4\)\(a\)\(ii\)](#)
- reg. 6(2) words inserted by [2021 asc 1 Sch. 2 para. 17\(4\)\(b\)](#)
- reg. 6(4) word omitted by [2021 asc 1 Sch. 2 para. 17\(4\)\(c\)\(i\)](#)
- reg. 6(4) words inserted by [2021 asc 1 Sch. 2 para. 17\(4\)\(c\)\(ii\)](#)
- reg. 6(4) words substituted by [S.I. 2022/263 Sch. 4 para. 2](#)
- reg. 6(5)(a) omitted by [S.I. 2022/885 reg. 3\(4\)](#)
- reg. 6(5)(a) word omitted by [S.I. 2012/1917 Sch. 4 para. 7\(a\)](#)
- reg. 6(5)(b) words substituted by [S.I. 2012/1917 Sch. 4 para. 7\(c\)](#)

### Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 2 para. 29(1) Sch. 2 para. 29 renumbered as Sch. 2 para. 29(1) by [S.I. 2022/1309 reg. 5\(2\)\(a\)](#)
- Sch. 2 para. 24A extended by [S.I. 2015/665 art. 2\(1\)](#)
- Sch. 2 para. 24A inserted by [S.I. 2015/654 reg. 3](#)
- Sch. 2 para. 29(2) inserted by [S.I. 2022/1309 reg. 5\(2\)\(c\)](#)
- Sch. 2 para. 12(2)(aa)(ab) inserted by [S.I. 2023/1147 reg. 13](#)
- Sch. 2 para. 29(1) words substituted by [S.I. 2022/1309 reg. 5\(2\)\(b\)](#)
- Sch. 2 Appendix inserted by [S.I. 2014/920 reg. 6Sch.](#)
- reg. 4(7A) inserted by [S.I. 2012/1917 Sch. 4 para. 5\(5\)](#)
- reg. 4(7A) omitted by [S.I. 2022/885 reg. 3\(3\)\(b\)](#)
- reg. 4(7B) inserted by [S.I. 2017/67 Sch. 4 para. 2\(3\)\(b\)](#)
- reg. 4(7B) omitted by [S.I. 2022/885 reg. 3\(3\)\(b\)](#)
- reg. 4(10)(d) words inserted by [S.I. 2017/67 Sch. 4 para. 2\(3\)\(d\)](#)
- reg. 4(11)(c) inserted by [S.I. 2012/1917 Sch. 4 para. 5\(9\)](#)
- reg. 4(11)(d) inserted by [S.I. 2017/67 Sch. 4 para. 2\(3\)\(f\)](#)
- reg. 4(11)(e) inserted by [S.I. 2024/131 reg. 16\(3\)\(d\)](#)
- reg. 5(1)(f) inserted by [S.I. 2012/1917 Sch. 4 para. 6\(2\)](#)
- reg. 5(1)(g) inserted by [S.I. 2017/67 Sch. 4 para. 2\(4\)\(a\)](#)
- reg. 5(1)(h) inserted by [S.I. 2024/131 reg. 16\(4\)\(a\)](#)
- reg. 5(1)(ca) inserted by [2021 asc 1 Sch. 2 para. 17\(3\)\(b\)](#)
- reg. 5(3)(c) and word inserted by [S.I. 2012/1917 Sch. 4 para. 6\(3\)\(b\)](#)
- reg. 5(3)(c) word omitted by [S.I. 2024/131 reg. 16\(4\)\(b\)\(i\)](#)
- reg. 5(3)(d) and word inserted by [S.I. 2017/67 Sch. 4 para. 2\(4\)\(b\)\(ii\)](#)
- reg. 5(3)(e) and word inserted by [S.I. 2024/131 reg. 16\(4\)\(b\)\(ii\)](#)
- reg. 6(5)(ab) inserted by [S.I. 2012/1917 Sch. 4 para. 7\(b\)](#)
- reg. 8(a) word omitted by [S.I. 2012/1917 Sch. 4 para. 8\(a\)](#)

- reg. 8(c) and word inserted by S.I. 2012/1917 Sch. 4 para. 8(b)
- reg. 8(c) words substituted by S.I. 2017/67 Sch. 4 para. 2(5)
- reg. 8(1)(c) words substituted by S.I. 2024/131 reg. 16(5)