
STATUTORY INSTRUMENTS

2008 No. 2857

**The Local Elections (Ordinary Day
of Elections in 2009) Order 2008**

Administration of European Parliamentary elections

7.—(1) Paragraphs (2) and (3) shall have effect for the purposes of the European Parliamentary general elections in England in 2009.

(2) In the definition of “local counting area” in regulation 2 of the 2004 Regulations, the reference to a parliamentary constituency shall have effect as if it were a reference to—

- (a) a district for which there is a district council;
- (b) a county for which there is a county council but no district councils;
- (c) a London Borough;
- (d) the City of London (including the Inner and Middle Temples); and
- (e) the Isles of Scilly.

(3) In relation to each local counting area (within the meaning given to that term by paragraph (2))

- (a) section 6(5A) of the European Parliamentary Elections Act 2002⁽¹⁾ (returning officers), and regulation 6(2) of the 2004 Regulations shall not apply;
- (b) the local returning officer shall be the person who, by virtue of section 35 of the Representation of the People Act 1983⁽²⁾, is—
 - (i) for a district, a county to which paragraph (2)(b) applies, or a London Borough, the returning officer for elections of councillors for that area;
 - (ii) for the City of London, the person who is the returning officer for the election of councillors in the London borough of Westminster; and
 - (iii) for the Isles of Scilly, the returning officer for elections to the Council of the Isles of Scilly.

(4) In this article, “the 2004 Regulations” means the European Parliamentary Elections Regulations 2004⁽³⁾.

(1) [2002 c. 24](#). Subsection (5A) of section 6 was inserted by section 20(3) of the European Parliament (Representation) Act 2003 (c.7).
(2) [1983 c. 2](#).
(3) [S.I.2004/293](#).