



Representation of the People Act 1983

1983 CHAPTER 2

PART III

LEGAL PROCEEDINGS

General provisions as to prosecutions

181 Director of Public Prosecutions

- (1) Where information is given to the Director of Public Prosecutions that any corrupt or illegal practice has occurred in reference to any election, it is his duty to make such inquiries and institute such prosecutions as the circumstances of the case appear to him to require.
- (2) The Director by himself or by his assistant or by his representative appointed under subsection (3) below shall attend the trial of every election petition.
- (3) The Director may nominate, with the Attorney General's approval, a barrister or solicitor of not less than ten years standing to be his representative for the purposes of this Part of this Act and that representative shall receive such remuneration as the Treasury may approve.
- (4) The Director in performing any duty under this Act shall act in accordance with regulations under the Prosecution of Offences Act 1979, and subject to them in accordance with the directions (if any) given to him by the Attorney General; and any assistant or representative of the Director in performing any duty under this Part shall act in accordance with those regulations and directions (if any) and with the directions given to him by the Director.
- (5) There shall be allowed to the Director and his assistant or representative for the purposes of this Part (other than his general duties under subsection (1) above) such allowances for expenses as the Treasury may approve.
- (6) The costs incurred in defraying the expenses of the Director incurred for those purposes (including the remuneration of his representative) shall, in the first instance,

Status: This is the original version (as it was originally enacted).

be paid by the Treasury, and so far as they are not in the case of any prosecution paid by the defendant shall be deemed to be expenses of the election court; but if for any reasonable cause it seems just to the court so to do, the court shall order all or part of those costs to be repaid to the Treasury by the parties to the petition, or such of them as the court may direct.

- (7) In the application of this section to Scotland, subsections (2) to (6) shall be omitted.
- (8) In the application of this section to Northern Ireland, the reference to the Prosecution of Offences Act 1979 does not apply.