

These notes refer to the European Parliamentary Elections Act 1999 (c.1) which received Royal Assent on 14 January 1999

EUROPEAN PARLIAMENTARY ELECTIONS ACT 1999

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedule 1: New Schedule 2 to the European Parliamentary Elections Act 1978

28. This Schedule replaces the existing Schedule 2 to the European Parliamentary Elections Act 1978. It deals with electoral regions.
29. *Paragraph 1* provides that the electoral regions in England will be those set out in the table at the end of the Schedule. *Paragraph 3* provides that the number of MEPs elected for each English region is the number set out in the table at the end of the Schedule.
30. *Paragraph 2* provides that references in the table to local government areas mean the local government area as it currently exists. Paragraph 2(2) delays the effect of the changes until the next general election of MEPs.
31. *Paragraph 4* relates to changes in the number of MEPs elected in each region.
 - It requires the Secretary of State to calculate whether the ratio of electors to MEPs is as nearly as possible the same in every English region. This is to be done as soon as possible after 16 February (the date on which new electoral registers come into force) in each pre-election year (defined in paragraph 4(6) as the year prior to a general European Parliamentary election). The number of electors registered on 16 February in the pre-election year is to be used for making these calculations (paragraph 4(3)). Paragraphs 4(4) and 4(5) define a registered elector.
 - If the calculation shows that the distribution of MEPs should be changed, the Secretary of State must make an order making the necessary adjustments. The order cannot alter the total number of English MEPs (paragraph 4(2)), only change their distribution among the English electoral regions. The order is subject to the negative resolution procedure (paragraph 4(7)).
 - Paragraph 4(6) defines pre-election year as any year later than 2002 which immediately precedes a year in which a general European Parliamentary election is to be held. The present Act sets out the initial allocation of seats to the English regions which will apply for the 1999 European Parliamentary elections. The next elections after that will be in 2004, which makes 2003 the first “pre-election year”.