

SCHEDULES

SCHEDULE 2

MINOR AND CONSEQUENTIAL AMENDMENTS OF SCHEDULE 1 TO THE EUROPEAN PARLIAMENTARY ELECTIONS ACT 1978

8 For paragraph 3 substitute—

“Filling of vacancies

- 3 (1) Regulations under paragraph 2 shall include provision prescribing the procedure to be followed when a seat is or becomes vacant.
- (2) The regulations may—
- (a) include provision requiring a by-election to be held in specified circumstances (and provision modifying section 3 in its application to by-elections);
 - (b) require a seat last filled from a party’s list of candidates to be filled, in specified circumstances, from such a list (without a by-election).
- (3) Where regulations provide for a by-election to be held—
- (a) the poll shall take place on a day, appointed by order of the Secretary of State, within such period as may be specified in the regulations, but
 - (b) the regulations may enable the Secretary of State to decline to appoint a day in certain circumstances.
- (4) A statutory instrument containing an order made by virtue of sub-paragraph (3) shall be laid before Parliament after being made.”.