European Parliament (Representation) Act 2003

2003 CHAPTER 7

PART 1

CHANGES IN TOTAL NUMBER OF UNITED KINGDOM MEPS

Implementation of changes in total number of United Kingdom MEPs

5 Orders implementing changes

(1) The Lord Chancellor may by order give effect to a change under Community law in the number of MEPs to be elected for the United Kingdom by amending—

   (a) the figure specified in section 1(1) of the 2002 Act (total number of MEPs to be elected for the United Kingdom); and

   (b) any of the figures specified in section 1(3) of that Act (numbers of MEPs to be elected in the electoral regions).

(2) The distribution of MEPs resulting from the provision made under subsection (1)(b) must (subject to section 6(6) to (8)) be the distribution proposed in a recommendation of the Electoral Commission under section 3 which is effective on the day on which the order is made.

(3) An order making an amendment to section 1 of the 2002 Act may be made before the provision making the relevant change has entered into force.

(4) If the relevant change is made by a provision of a treaty, an order making such an amendment may also be made before that provision has become part of the Community Treaties and, if the treaty requires ratification, before it is ratified by the United Kingdom.

(5) But no amendment to section 1 of the 2002 Act may be made so as to come into force—

   (a) if the relevant change is made by a provision mentioned in section 2(1)(b), before that provision has entered into force; and

(b) if the relevant change is made by a treaty provision, before that provision has both entered into force and become part of the Community Treaties.

(6) In subsections (3) to (5) "the relevant change", in relation to an order under this section amending section 1 of the 2002 Act, means the change under Community law being implemented by the order.

(7) The Lord Chancellor must consult the Electoral Commission before making an order under this section.