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STATUTORY INSTRUMENTS

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**1992 No. 717**

**REPRESENTATION OF THE PEOPLE**

**The Returning Officers' Charges Order 1992**

*Made* - - - - *10th March 1992*

*Coming into force* - - *17th March 1992*

In exercise of the powers conferred upon me by section 29(3) and (4) of the Representation of the People Act 1983(1), I hereby make the following Order with the consent of the Treasury:

1.—(1) This Order may be cited as the Returning Officers' Charges Order 1992 and shall come into force on 17th March 1992.

(2) This Order extends to Great Britain only.

(3) The Returning Officers' Charges Order 1991(2) is hereby revoked.

2.—(1) For the purposes of paragraph (a) of section 29(3) of the Representation of the People Act 1983 (which provides that a returning officer is entitled to recover his charges in respect of services properly rendered or expenses properly incurred for or in connection with a parliamentary election if the services or expenses are of a kind specified in an order made under that provision and the charges are reasonable)—

(a) services of a kind described in paragraphs 1(1), 2(1) and 3(1) of Part A of the Schedule to this Order (hereafter referred to as “services specified in Part A of the Schedule”), and

(b) expenses of a kind described in paragraphs 1(1), 2(1), 3(1) and 4(1) of Part B of the Schedule to this Order (hereafter referred to as “expenses specified in Part B of the Schedule”) and expenses of a kind described in Part C of the Schedule to this Order,

are hereby specified.

(2) The maximum recoverable amounts at a contested election in respect of the services specified in Part A of the Schedule or the expenses specified in Part B of the Schedule are hereby specified as the amounts set out in the right-hand column of those Parts in respect of each entry set out opposite thereto in the left-hand column of those Parts.

(3) The maximum recoverable amounts at an uncontested election are hereby specified as—

(a) £321.50 in respect of the services specified in Part A of the Schedule, and

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(1) 1983 c. 2; section 29 has been amended by section 1 of the Representation of the People Act 1991 (c. 11) and by the Transfer of Functions (Returning Officers' Charges) Order 1991 (S.I. 1991/1728) and the functions formerly conferred on the Treasury have been transferred to the Secretary of State by that Order.

(2) S.I. 1991/1687.

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- (b) £795.78 in respect of the expenses specified in Part B of the Schedule.
- (4) In the Schedule to this Order—
  - (a) “election” means a parliamentary election, and
  - (b) any reference to the register of electors is to the register of electors used at the election at which the services were rendered or expenses incurred and to that register as first published.

Home Office  
9th March 1992

*Kenneth Baker*  
One of Her Majesty’s Principal Secretaries of  
State

We consent to this Order

10th March 1992

*Gregory Knight*  
*Thomas Sackville*  
Two of the Lords Commissioners of Her  
Majesty’s Treasury

## SCHEDULE

### SERVICES AND EXPENSES IN RESPECT OF WHICH A RETURNING OFFICER AT A PARLIAMENTARY ELECTION IN GREAT BRITAIN MAY RECOVER HIS CHARGES

#### PART A

##### MAXIMUM RECOVERABLE AMOUNTS FOR SERVICES OF RETURNING OFFICER

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**1. —** £964.51.

(1) This paragraph makes provision for a returning officer's services in conducting the election and discharging his duties (except those specified in paragraphs 2(1) and 3(1) of this Part) in connection therewith.

(2) Subject to sub-paragraphs (3) to (5) below, the maximum recoverable amount for each constituency for the services specified in sub-paragraph (1) above is

(3) For every 1,000 entries, or fraction thereof, in the register of electors for each constituency over 50,000 entries up to 60,000, the maximum recoverable amount is increased by £6.55.

(4) For every 1,000 entries, or fraction thereof, in the register of electors for each constituency over 60,000 entries, the maximum recoverable amount is increased by £5.17.

(5) Where at a general election a returning officer—

(a) in England or Wales is responsible for more than three constituencies, or

(b) in Scotland is responsible for more than three constituencies situated wholly or mainly within the same district council area,

the maximum recoverable amount is reduced—

(i) for each constituency exceeding three but not exceeding six, by

(ii) for each constituency exceeding six, by £311.14.

**2. —** £50.48.

(1) This paragraph makes provision for a returning officer's services in connection with the issue and receipt of the ballot papers for persons entitled to vote by post.

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(2) Subject to sub-paragraph (3) below, the maximum recoverable amount for each constituency for the services specified in sub-paragraph (1) above is

(3) Where the number of persons entitled to vote by post in any constituency exceeds 500, the maximum recoverable amount is increased as follows—

- (a) for every 50 such persons, or fraction thereof, over 500 up to 2,000 an additional
- (b) for every 50 such persons, or fraction thereof, over 2,000 an additional

3. — £302.90.

(1) This paragraph makes provision for a returning officer's services in connection with the preparation, revision and issue of the official poll cards.

(2) The maximum recoverable amount for each constituency for the services specified in sub-paragraph (1) above is

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## PART B

### EXPENSES OF RETURNING OFFICER FOR WHICH MAXIMUM RECOVERABLE AMOUNTS ARE SPECIFIED

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1. — £96.55.

(1) This paragraph makes provision for a returning officer's expenses in respect of the payment of presiding officers at polling stations.

(2) Subject to sub-paragraphs (3) and (4) below, the maximum recoverable amount for the expenses specified in sub-paragraph (1) above (including expenses incurred in respect of a person who takes over the duties of a presiding officer on polling day due to the incapacity of the previously appointed presiding officer) in respect of the presiding officer at each polling station is

(3) Where a polling station is in a constituency which is wholly contained in a London borough, the maximum recoverable amount is increased by

(4) Where at a polling place to which 3,000 or more entries in the register of electors are

assigned there is more than one polling station, the maximum recoverable amount in respect of one only of the presiding officers at the polling stations at such a polling place is increased by

2. — £61.02.

(1) This paragraph makes provision for a returning officer's expenses in respect of the payment of poll clerks at polling stations.

(2) Subject to sub-paragraph (3) below, the maximum recoverable amount for the expenses specified in sub-paragraph (1) above in respect of each poll clerk is

(3) Where a polling station is in a constituency which is wholly contained in a London borough, the maximum recoverable amount is increased by £36.00.

3. — £1.23.

(1) This paragraph makes provision for a returning officer's expenses in respect of the payment of persons employed in connection with the preparation, revision and issue of the official poll cards.

(2) The maximum recoverable amount for the expenses specified in sub-paragraph (1) above where the information about voters in such cards is entered by means of a computer is, for every 100 cards or fraction thereof so prepared,

(3) The maximum recoverable amounts for the expenses specified in sub-paragraph (1) above where the information about voters in such cards is entered otherwise than by means of a computer are, for every 100 cards or fraction thereof so prepared—

(a) for the initial preparation of such cards

(b) (b) for each revision not confined to a particular section of the cards— £3.76;

(i) in respect of new cards prepared on that revision

(ii) in respect of cards not prepared on that revision £0.60;

(c) (c) for the revision of a particular section of the cards £3.76;

(d) (d) for the issue of the cards on the occasion of an election £1.93.

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(4) For the purposes of sub-paragraph (3) (d) above, an official poll card is to be deemed to have been issued notwithstanding the fact that it has been withdrawn because the voter has successfully applied to vote by post at the election under section 7 or 9(7) of the Representation of the People Act 1985(3).

4. — £3,183.11.

(1) This paragraph makes provision for a returning officer's expenses in respect of the payment of persons employed in connection with the issue and receipt of postal ballot papers and the count and any other clerical or other assistance for the purposes of the election.

(2) Subject to sub-paragraphs (3) to (5) below, the maximum recoverable amount for each constituency for the expenses specified in sub-paragraph (1) above is

(3) In a constituency where the number of entries in the register of electors exceeds 50,000, the maximum recoverable amount is increased, for every additional 1,000 entries or fraction thereof above 50,000, by £38.21.

(4) The maximum recoverable amount is increased, for every 100 voters or fraction thereof entitled to vote by post in a constituency, by £34.69.

(5) The maximum recoverable amount is increased for each recount of the votes ordered by the returning officer by £305.91.

## PART C

### EXPENSES OF RETURNING OFFICER FOR WHICH NO MAXIMUM RECOVERABLE AMOUNTS ARE SPECIFIED

1. Travelling and overnight subsistence expenses of—
  - (a) the returning officer;
  - (b) any person appointed under section 28(5) of the Representation of the People Act 1983 or placed at the returning officer's disposal under section 25(2) or (3) of that Act;
  - (c) any presiding officer or poll clerk; and
  - (d) any clerical or other assistants employed by the returning officer.
2. Expenses in printing or otherwise producing the ballot papers.
3. Expenses in printing or otherwise producing the official poll cards and in delivering them to the voters, excluding the expenses referred to in paragraph 3(1) of Part B of this Schedule.

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(3) 1985 c. 50.

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4. Expenses in printing or otherwise producing and, where appropriate, publishing notices and other documents required by the Representation of the People Acts.
  5. Expenses in renting, heating, lighting and cleaning any building or room.
  6. Expenses in adapting any building or room and in restoring it to a fit condition for its normal use.
  7. Expenses in the provision of voting compartments and any other furniture necessary for polling stations.
  8. Expenses in the provision of ballot boxes and instruments to stamp on the ballot papers the official mark.
  9. Expenses in the conveyance to and from the polling stations of—
    - (a) the ballot boxes and ballot papers, and
    - (b) the voting compartments, any other furniture necessary for polling stations and the instruments to stamp on the ballot papers the official mark.
  10. Expenses in the provision of stationery and writing implements and in postage, telephone and bank charges and other miscellaneous items.
  11. In a constituency in Scotland, expenses in the supply of copies of the register of electors for use in the conduct of the election.
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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order, which applies in Great Britain, revokes and replaces the Returning Officers' Charges Order 1991 (“the 1991 Order”).

Under section 29(3) of the Representation of the People Act 1983 (as substituted by the Representation of the People Act 1991), the entitlement of a returning officer at a parliamentary election to recover his charges in respect of his services or expenses for or in connection with such an election depends upon—

- (a) the services or expenses being of a kind specified in an order under that provision,
- (b) the services being properly rendered and the expenses being properly incurred, and
- (c) the charges in respect of them being reasonable.

Part A of the Schedule to this Order specifies the kinds of services rendered by a returning officer for or in connection with a parliamentary election in respect of which he is entitled to recover his charges, together with maximum recoverable amounts in respect of those services. Parts B and C of the Schedule specify the kinds of expenses incurred by a returning officer for or in connection with a parliamentary election in respect of which he is entitled to recover his charges, together (in the case of Part B) with the maximum recoverable amounts in respect of those charges.

Parts A and B of the Schedule to this Order increase the maximum recoverable amounts from those that were specified in the equivalent provisions in the 1991 Order. The basis for calculating the charges for a returning officer’s services in connection with official poll cards and his expenses

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under Part B of the Schedule to this Order has been slightly changed. This Order also makes minor drafting changes.