
STATUTORY INSTRUMENTS

1992 No. 723

REPRESENTATION OF THE PEOPLE

**The European Parliamentary Elections
(Amendment) Regulations 1992**

*Made - - - - 10th March 1992
Coming into force in accordance with regulation 1(2)
and (3)*

Whereas a draft of these Regulations has been approved by resolution of each House of Parliament;

Now, therefore, in exercise of the powers conferred upon me by paragraph 2 of Schedule 1 to the European Parliamentary Elections Act 1978(1), I hereby make the following Regulations:

1.—(1) These Regulations may be cited as the European Parliamentary Elections (Amendment) Regulations 1992.

(2) These Regulations, except regulations 3 and 4(2), shall come into force either on the expiry of the period of fourteen days beginning with the day on which they are made or on 6th April 1992, whichever is the earlier.

(3) Regulations 3 and 4(2) shall come into force on 6th April 1992, except for the purposes of any application made before that date under regulation 64(4)(b) of the Representation of the People Regulations 1986(2), as applied by the European Parliamentary Elections Regulations 1986(3), or regulation 62(4)(b) of the Representation of the People (Scotland) Regulations 1986(4), as so applied, which is based on receipt of a mobility allowance.

(4) These Regulations do not extend to Northern Ireland.

2.—(1) In paragraph (1) of regulation 5 of the European Parliamentary Elections Regulations 1986 (application of certain statutory provisions for the purposes of European Parliamentary elections), for the two sentences beginning “The entry in that Schedule” there shall be substituted the following:

“The entry in that Schedule in respect of—

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- (1) 1978 c. 10; the citation of this Act has been amended by section 3(1)(b) and (2)(b) of the European Communities (Amendment) Act 1986 (c. 58) on the coming into force of the Single European Act (Cmnd. 9758) on 1st July 1987.
- (2) S.I. 1986/1081, to which there have been amendments not relevant to these Regulations.
- (3) S.I. 1986/2209; the citation of this instrument has been amended by the provisions referred to in the first footnote to these Regulations. Relevant amending instruments are S.I. 1990/687 and S.I. 1991/1243.
- (4) S.I. 1986/1111, to which there have been amendments not relevant to these Regulations.

- (i) section 29 of the Act of 1983⁽⁵⁾ is to that provision as amended by section 1 of the Representation of the People Act 1991⁽⁶⁾ and article 3 of the Transfer of Functions (Returning Officers' Charges) Order 1991⁽⁷⁾;
- (ii) section 95 of the Act of 1983 is to that provision as amended by paragraph 30 of Schedule 12 to the Education Reform Act 1988⁽⁸⁾;
- (iii) Schedule 5 to the Act of 1983 is to that provision as amended by paragraph 32 of Schedule 12 to the Education Reform Act 1988; and
- (iv) section 6 of the Act of 1985⁽⁹⁾ is to that provision as amended by section 1 of the Representation of the People Act 1990⁽¹⁰⁾.”

(2) In the modifications to section 29(5) of the Representation of the People Act 1983⁽¹¹⁾ in the right-hand column of Schedule 1 to the European Parliamentary Elections Regulations 1986 (application, with modifications, of provisions of the Representation of the People Act 1983), for the words “the Treasury” in each of the two places where they occur there shall be substituted the words “the Secretary of State”.

3. In paragraph (2) of regulation 5 of the European Parliamentary Elections Regulations 1986 (application of specified regulations for the purposes of European Parliamentary elections)⁽¹²⁾ for the words from “The entries in” to the end of the paragraph there shall be substituted the following:

“The entries in that Schedule, in respect of—

- (i) regulations 4(1), 8, 12, 54, 55, 56, 66, 69, 73, 79, 92 and 96 of, and forms E, H, J and K in Schedule 2 to, the Regulations of 1986⁽¹³⁾ are to those regulations and forms as amended by the Representation of the People (Amendment) Regulations 1990⁽¹⁴⁾;
- (ii) regulation 64 of the Regulations of 1986 is to that regulation as amended by the Representation of the People (Amendment) Regulations 1992⁽¹⁵⁾;
- (iii) regulations 4(1), 7, 11, 52, 53, 54, 64, 67, 71, 77, 90 and 94 of, and forms D, G, H and J in Schedule 2 to, the Regulations (Scotland) of 1986⁽¹⁶⁾ are to those regulations and forms as amended by the Representation of the People (Scotland) Amendment Regulations 1990⁽¹⁷⁾, and
- (iv) regulation 62 of the Regulations (Scotland) of 1986 is to that regulation as amended by the Representation of the People (Scotland) Amendment Regulations 1992⁽¹⁸⁾.”.

4.—(1) Regulation 4(1) of the European Parliamentary Elections (Amendment) Regulations 1990⁽¹⁹⁾ and regulation 2(1) of the European Parliamentary Elections (Amendment) Regulations 1991⁽²⁰⁾ (which made amendments now included in sub- paragraphs (ii) to (iv) of the amendment made by regulation 2(1) of these Regulations) shall be omitted.

(5) 1983 c. 2.

(6) 1991 c. 11.

(7) S.I. 1991/1728.

(8) 1988 c. 40.

(9) 1985 c. 50.

(10) 1990 c. 32.

(11) 1983 c. 2.

(12) Regulation 5(2) has been amended by S.I. 1990/687.

(13) S.I. 1986/1081.

(14) S.I. 1990/520.

(15) S.I. 1992/722.

(16) S.I. 1986/1111.

(17) S.I. 1990/629.

(18) S.I. 1992/834.

(19) S.I. 1990/687.

(20) S.I. 1991/1243.

(2) Regulation 4(2) of the European Parliamentary Elections (Amendment) Regulations 1990 (which made amendments now included in sub-paragraphs (i) and (iii) of the amendment made by regulation 3 of these Regulations) shall be omitted.

Home Office
10th March 1992

Kenneth Baker
One of Her Majesty's Principal Secretaries of
State

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the European Parliamentary Elections Regulations 1986 which provide for the conduct of European Parliamentary elections in Great Britain.

The amendments made by regulation 2 of these Regulations apply for the purposes of those elections the amendments made by section 1 of the Representation of the People Act 1991 and article 3 of the Transfer of Functions (Returning Officers' Charges) Order 1991 to section 29 of the Representation of the People Act 1983, which provides for a returning officer's charges at a parliamentary election. The 1991 Act made technical changes to the provisions about the recovery of such charges and the 1991 Order transferred the functions of the Treasury in connection with such charges to the Secretary of State. In addition, the amendment made by regulation 2(1) of these Regulations also applies provisions which were formerly applied by the provisions omitted by regulation 4(1) of these Regulations.

The amendments made by regulation 3 of these Regulations apply for the purposes of European Parliamentary elections the amendments made by the Representation of the People (Amendment) Regulations 1992 and the Representation of the People (Scotland) Amendment Regulations 1992 to regulation 64 of the Representation of the People Regulations 1986 and regulation 62 of the Representation of the People (Scotland) Regulations 1986 (requirements for applications for an absent vote for an indefinite period on grounds of blindness and other physical incapacity), respectively. The amendments made by those Regulations of 1992 take account of changes made by the Disability Living Allowance and Disability Working Allowance Act 1991 (c. 21). In addition, the amendment made by regulation 3 of these Regulations also applies provisions which were formerly applied by the provisions omitted by regulation 4(2) of these Regulations.