
STATUTORY INSTRUMENTS

1992 No. 730

REPRESENTATION OF THE PEOPLE

The Returning Officer's Charges (Northern Ireland) Order 1992

Made - - - - *12th 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 Officer's Charges (Northern Ireland) Order 1992 and shall come into force on 17th March 1992.

(2) This Order extends to Northern Ireland only.

(3) The Returning Officer's Charges (Northern Ireland) 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), expenses of a kind described in paragraphs 1(1), 2(1), 3(1) and 4(1) of Part A of the Schedule to this Order (hereafter referred to as "expenses specified in Part A of the Schedule") and expenses of a kind described in Part B of the Schedule to this Order are hereby specified.

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

(3) The maximum recoverable amount at an uncontested election is hereby specified as £795.78 in respect of the expenses specified in Part A 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 expenses were incurred and to that register as first published.

(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. 1991/1688.

Status: This is the original version (as it was originally made).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

Northern Ireland Office
9th March 1992

P. L. Brooke
One of Her Majesty's Principal Secretaries of
State

We consent to this Order

12th March 1992

Gregory Knight
Nicholas Baker
Two of the Lords Commissioners of Her
Majesty's Treasury

SCHEDULE

EXPENSES IN RESPECT OF WHICH A RETURNING OFFICER AT A PARLIAMENTARY ELECTION IN NORTHERN IRELAND MAY RECOVER HIS CHARGES

PART A

EXPENSES OF RETURNING OFFICER FOR WHICH MAXIMUM RECOVERABLE AMOUNTS ARE SPECIFIED

| | |
|---|------------|
| 1. — | £96.55. |
| <p>(1) This paragraph makes provision for a returning officer's expenses in respect of the payment of presiding officers at polling stations.</p> <p>(2) Subject to sub-paragraph (3) 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</p> <p>(3) 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</p> | |
| 2. — | £61.02. |
| <p>(1) This paragraph makes provision for a returning officer's expenses in respect of the payment of poll clerks at polling stations.</p> <p>(2) The maximum recoverable amount for the expenses specified in sub-paragraph (1) above in respect of each such clerk is</p> | |
| 3. — | £1.23. |
| <p>(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.</p> <p>(2) The maximum recoverable amount for the expenses specified in sub-paragraph (1) above is, for every 100 cards or fraction thereof so prepared,</p> | |
| 4. — | £3,183.11. |

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(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

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

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

PART B

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 presiding officer or poll clerk; and
 - (c) 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 A of this Schedule.
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—

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- (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.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which applies in Northern Ireland, revokes and replaces the Returning Officer's Charges (Northern Ireland) 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 expenses for or in connection with such an election depends upon—

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

Parts A and B of the Schedule to this Order 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 A) with the maximum recoverable amounts in respect of those charges. The Chief Electoral Officer for Northern Ireland is the returning officer for each constituency in Northern Ireland by virtue of section 26 of the Representation of the People Act 1983. Part A of the Schedule to this Order increases the maximum recoverable amounts from those that were specified in the equivalent provisions in the 1991 Order. Paragraph 3 of Part A of the Schedule has been simplified by the omission of references to the manual preparation of official poll cards that are no longer appropriate since a computer is now used in the production of those cards. The basis for calculating the returning officer's other expenses under Part A of the Schedule to this Order has been slightly changed. This Order also makes minor drafting changes.