

1999 No. 1377

REPRESENTATION OF THE PEOPLE

The European Parliamentary Elections (Local Returning Officers' Charges) Order 1999

Made - - - - *14th May 1999*

Coming into force *18th May 1999*

The Secretary of State, in exercise of the powers conferred on him by section 29(3) of the Representation of the People Act 1983(a), as applied by regulation 3 of, and Schedule 1 to, the European Parliamentary Elections Regulations 1999(b), hereby makes the following Order with the consent of the Treasury:

1.—(1) This Order may be cited as the European Parliamentary Elections (Local Returning Officers' Charges) Order 1999 and shall come into force on 18th May 1999.

(2) This Order shall not extend to Northern Ireland.

2.—(1) For the purposes of paragraph (a) of section 29(3) of the Representation of the People Act 1983 as that provision applies in respect of local returning officers at a European Parliamentary election by virtue of regulation 3 of, and Schedule 1 to, the European Parliamentary Elections Regulations 1999 (which, as so applied, provides that a local returning officer is entitled to recover his charges in respect of services properly rendered or expenses properly incurred for or in connection with a European 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) and 2(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) £387.31 in respect of the services specified in Part A of the Schedule; and
- (b) £958.69 in respect of the expenses specified in Part B of the Schedule.

(4) In the Schedule to this Order—

(a) 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). The powers in section 29(3) are extended by section 29(4).

(b) S.I. 1999/1214.

- (a) “election” means a European Parliamentary election;
- (b) any reference to the register of electors is to the register to be used at the election at which the services were rendered or expenses incurred and to that register as first published;
- (c) any reference to a constituency is to a parliamentary constituency wholly or partly contained in the European Parliamentary electoral region;
- (d) “local returning officer” means the officer responsible under the European Regulations for the functions listed in regulation 4 of those Regulations in a parliamentary constituency wholly or partly contained in a European Parliamentary electoral region; and
- (e) “the European Regulations” means the European Parliamentary Elections Regulations 1999.

Home Office
14th May 1999

Kate Hoey
Parliamentary Under-Secretary of State

We consent to this Order

14th May 1999

J Dowd
Gordon Brown
Two of the Lords Commissioners of Her Majesty’s Treasury

SCHEDULE

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

PART A: MAXIMUM RECOVERABLE AMOUNTS FOR SERVICES OF LOCAL RETURNING OFFICER

1.—(1) This paragraph makes provision for a local returning officer's services in conducting the election in any constituency for which he is responsible and discharging his duties (except those specified in paragraph 2(1) of this Part) in connection therewith.

(2) Subject to sub-paragraphs (3) and (4) below, the maximum recoverable amount for each such constituency for the services specified in sub-paragraph (1) above is £1,605.76.

(3) For every 1,000 entries, or fraction thereof, in the register of electors for each such constituency over 60,000 entries, the maximum recoverable amount is increased by £6.23.

(4) Where at a general election of MEPs a local returning officer is responsible for more than three constituencies, the maximum recoverable amount is reduced—

(a) for each constituency exceeding three but not exceeding six, by £253.23.

(b) for each constituency exceeding six, by £374.83.

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

(2) Subject to sub-paragraph (3) below, the maximum recoverable amount for each constituency for the services specified in sub-paragraph (1) above is £78.66.

(3) Where the number of persons entitled to vote by post in any constituency exceeds 1,500, the maximum recoverable amount is increased for every 50 such persons, or fraction thereof, over 1,500 by an additional £0.56.

PART B: EXPENSES OF LOCAL RETURNING OFFICER FOR WHICH MAXIMUM RECOVERABLE AMOUNTS ARE SPECIFIED

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

(2) Subject to sub-paragraphs (3) to (5) 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 £116.30.

(3) Where a polling station is in a constituency which is wholly contained in a London borough, the maximum recoverable amount is increased by £65.06.

(4) Where at a polling place there is more than one polling station, the maximum recoverable amount in respect of one only of the presiding officers at the polling station at such a polling place is increased by £7.08.

(5) Where the presiding officer receives training, the maximum recoverable amount is increased by £35.00.

2.—(1) This paragraph makes provision for a local 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 £73.54.

(3) Where a polling station is in a constituency which is wholly contained in a London borough, the maximum recoverable amount is increased by £65.06.

3.—(1) This paragraph makes provision for a local 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, is, for every 100 cards or fraction thereof, £1.47.

4.—(1) This paragraph makes provision for a local returning officer's expenses in respect of the payment of persons employed in connection with the issue and receipt of postal ballot papers, the verification of the ballot paper accounts, 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 £4,634.65.

(3) In a constituency where the number of entries in the register of electors exceeds 60,000, the maximum recoverable amount is increased, for every additional 1,000 entries or fraction thereof above 60,000, by £46.03.

(4) The maximum recoverable amount is increased, for every 100 votes or fraction thereof entitled to vote by post in a constituency, by £41.78.

(5) The maximum recoverable amount is increased for each recount of the votes ordered by the local returning officer by £368.54.

PART C: EXPENSES OF LOCAL RETURNING OFFICER FOR WHICH NO MAXIMUM RECOVERABLE AMOUNTS ARE SPECIFIED

1. Travelling and overnight subsistence expenses of—

- (a) the local returning officer;
- (b) any person placed at the local returning officer's disposal under paragraph 4(3) of Schedule 1 to the European Parliamentary Elections Act 1978(a);
- (c) any presiding officer or poll clerk; and
- (d) any clerical or other assistants employed by the local 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.

4. Expenses in printing or otherwise producing and, where appropriate, publishing notices and other documents required by the Representation of the People Acts, as applied by the European Regulations.

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.

(a) 1978 c. 10; paragraph 4 was substituted by Schedule 2 to the European Parliamentary Elections Act 1999 (c. 1).

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. Expenses in connection with the provision of security measures.

12. In a constituency in Scotland, expenses in the supply of copies of the register of electors for use in the conduct of the election.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which applies in Great Britain, provides for the expenses of local returning officers at European Parliamentary elections. Local returning officers are defined by regulation 2 of the European Parliamentary Elections Regulations 1999 and discharge functions in each parliamentary constituency within a European Parliamentary electoral region in accordance with regulation 4 of those Regulations.

Under section 29(3) of the Representation of the People Act 1983 (as substituted by the Representation of the People Act 1991 and applied by the European Parliamentary Elections Regulations 1999) the entitlement of a local returning officer at a European 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 local returning officer for or in connection with a European Parliamentary election in respect of which he is entitled to recover his charges, together with the maximum recoverable amounts in respect of those services. Parts B and C of the Schedule specify the kinds of expenses incurred by a local returning officer for or in connection with a European 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 provision in the European Parliamentary Elections (Returning Officers' Charges) Order 1994 (S.I. 1994/1379). Unlike the 1994 Order, no separate amount is payable under Part A in respect of the returning officer's services in connection with preparation and issue of the official poll cards. Part B no longer makes different charges in respect of the preparation of the official poll cards depending on whether or not a computer is used, but it provides a new charge in respect of the training of presiding officers.

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