

1999 No. 1378

REPRESENTATION OF THE PEOPLE

The European Parliamentary Elections (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 (Returning Officers' Charges) Order 1999 and shall come into force on 18th May 1999.

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

(3) The European Parliamentary Elections (Returning Officers' Charges) Order 1994(c) is hereby revoked.

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 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 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 the 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 paragraph 1(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) £77.84 in respect of the services specified in Part A of the Schedule; and

(b) £192.68 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.

(c) S.I. 1994/1379.

- (a) “election” means a European Parliamentary election; and
- (b) “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 RETURNING OFFICER AT A EUROPEAN PARLIAMENTARY ELECTION IN GREAT BRITAIN MAY RECOVER HIS CHARGES

PART A: MAXIMUM RECOVERABLE AMOUNTS FOR SERVICES OF RETURNING OFFICER

1.—(1) This paragraph makes provision for a returning officer's services in discharging his duties at an election.

(2) Subject to sub-paragraph (3) below, the maximum recoverable amount for the services specified in sub-paragraph (1) above is £2,500.00.

(3) Where an electoral region comprises more than 35 parliamentary constituencies, for every seven constituencies (or remaining number less than seven) exceeding 35, the maximum recoverable amount is increased by £350.00.

2.—(1) This paragraph makes provision for a returning officer's services in providing training and making arrangements for the new system of election.

(2) The maximum recoverable amount for the services specified in sub-paragraph (1) above is £5,000.00.

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

1.—(1) This paragraph makes provision for a returning officer's expenses in connection with the appointment of persons to assist him under regulation 6(2) of the European Regulations.

(2) The maximum recoverable amount for the expenses specified in sub-paragraph (1) above is £4,000.00

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 to assist him.
2. Expenses in printing or otherwise producing the ballot papers.
3. Expenses in printing or otherwise producing and, where appropriate, publishing notices required by or under the European Regulations.
4. Expenses in renting, heating, lighting and cleaning any building or room.
5. Expenses in adapting any building or room and in restoring it to a fit condition for its normal use.
6. Expenses in the provision of stationery, postage, telephone and bank charges and other miscellaneous items.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, together with the European Parliamentary Elections (Local Returning Officers' Charges) Order 1999 provide for payments for services and expenses of returning officers in connection with the conduct of European Parliamentary elections in Great Britain.

Under the European Parliamentary Elections Regulations 1999 ("the European Regulations") and the provisions of the Representation of the People Act 1983 as applied by regulation 3 of, and Schedule 1 to, those Regulations, the functions of a returning officer at a parliamentary election are divided between the returning officer for the electoral region (for whose charges this Order makes provision) and the local returning officer. The latter is responsible for each parliamentary constituency wholly or partly within the electoral region. The returning officer's functions are principally in connection with the nomination papers and the allocation of seats, but the arrangements for printing the ballot papers may be made either by him or by the local returning officer.

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 Regulations) the entitlement of a 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 services rendered by a returning officer for or in connection with a European Parliamentary election as an item in respect of which he is entitled to recover his charges, together with the maximum recoverable amounts in respect of those services. A new item is included (paragraph 2) to reflect the additional responsibilities in respect of a new system of election. Parts B and C of the Schedule specify the kinds of expenses incurred by a 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.

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