

2008 No. 1914

REPRESENTATION OF THE PEOPLE

**The European Parliamentary Elections (Returning Officers)
Order 2008**

Made - - - - *15th July 2008*

Coming into force in accordance with article 1(1)

In accordance with section 7(2)(b) of the Political Parties, Elections and Referendums Act 2000(a), the Secretary of State has consulted the Electoral Commission prior to making this Order.

Accordingly, he makes the following Order in exercise of the powers conferred on him by sections 6(2)(b) and (3)(b) of the European Parliamentary Elections Act 2002(b).

Citation, commencement and interpretation

1.—(1) This Order may be cited as the European Parliamentary Elections (Returning Officers) Order 2008 and shall come into force on the day after the day on which it is made.

(2) In this Order a reference to an electoral region or constituency is a reference to that region or constituency as it is for the time being.

Revocation

2. The European Parliamentary Elections (Returning Officers) Order 2004(c) is revoked.

Returning Officers in England

3. The designated returning officer at a European Parliamentary election for the electoral region in England (including the combined region(d)) specified in the left-hand column of the Schedule to this Order shall be the person who is the acting returning officer(e) at a parliamentary election for the constituency specified in the right-hand column of the Schedule.

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- (a) 2000 c. 41; section 7(2)(b) was substituted by section 15 of, and paragraph 8 of Schedule 3 to, the European Parliamentary Elections Act 2002 (c. 24).
- (b) 2002 c. 24; section 6(2) was amended by section 20(2) of the European Parliament (Representation) Act 2003 (c. 7).
- (c) S.I. 2004/1056.
- (d) By virtue of the European Parliamentary Elections (Combined Region and Campaign Expenditure) (United Kingdom and Gibraltar) Order 2004 (S.I. 2004/366), the South West electoral region was combined with Gibraltar to form the “combined region”.
- (e) “Acting returning officer” is defined in section 28(1) of the Representation of the People Act 1983 (c. 2). Section 28(1)(a) provides that in a constituency in England for which the chairman of a district council or the mayor or the chairman of a London borough is the returning officer at a parliamentary election by virtue of section 24(1) of that Act, the electoral registration officer appointed by that council is the acting returning officer. Section 28(1)(aa) of the Representation of the People Act 1983 (c.2) provides that in a constituency in Wales for which the chairman of a county or county borough council is the returning officer by virtue of section 24(1) of that Act, the electoral registration officer appointed by that

Returning Officer for Wales

4. The designated returning officer at a European Parliamentary election for the electoral region of Wales shall be the person who is the acting returning officer at a parliamentary election for the Preseli Pembrokeshire constituency.

Returning Officer for Scotland

5. The designated returning officer at a European Parliamentary election for the electoral region of Scotland shall be the person who is the returning officer(a) at a parliamentary election for the Edinburgh South constituency.

Signed by authority of the Secretary of State for Justice

15th July 2008

Bridget Prentice
Parliamentary Under Secretary of State
Ministry of Justice

SCHEDULE

Article 3

DESIGNATED RETURNING OFFICERS FOR ELECTORAL REGIONS IN ENGLAND

<i>Name of electoral region</i>	<i>Name of constituency</i>
East Midlands	Leicester East
Eastern	Huntingdon
London	Lewisham Deptford
North East	Sunderland South
North West	Manchester Central
South East	Southampton, Test
South West	Poole
West Midlands	Birmingham, Ladywood
Yorkshire and the Humber	Leeds Central

council is the acting returning officer. Section 28(1)(b) provides that in the case of any other constituency the acting returning officer is such electoral registration officer as may be designated in an order made by the Secretary of State.

(a) Section 25 of the Representation of the People Act 1983 (c.2) makes provision for returning officers at parliamentary elections in Scotland.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes and replaces the European Parliamentary Elections (Returning Officers) Order 2004 (S.I. 2004/1056), which appointed returning officers for the electoral regions in England, Scotland and Wales for the European Parliamentary elections in 2004. Article 3 of, and the Schedule to, this Order designate returning officers at European Parliamentary elections for electoral regions in England. Articles 4 and 5 designate the returning officer for such elections for the electoral regions of Wales and Scotland respectively.

STATUTORY INSTRUMENTS

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