STATUTORY INSTRUMENTS

2014 No. 1129 (L. 23)

REPRESENTATION OF THE PEOPLE

SENIOR COURTS OF ENGLAND AND WALES

The European Parliamentary Election Petition (Amendment) Rules 2014

Made - - - -	*28th April 2014*
Laid before Parliament	*1st May 2014*
Coming into force - -	*22nd May 2014*

The Civil Procedure Rule Committee, being the authority for the time being having power to make rules of court for the Senior Courts, in exercise of the power conferred on it by regulation 120 of the European Parliamentary Elections Regulations 2004(**a**), makes the following Rules.

Citation and commencement

1. These Rules may be cited as the European Parliamentary Election Petition (Amendment) Rules 2014 and come into force on 22nd May 2014.

Amendment to the European Parliamentary Election Petition Rules 1979

2. For Rule 5(4) of the European Parliamentary Election Petition Rules 1979(**b**) substitute—

"(4) A petitioner, when making a payment into court on account of security for costs, may do so—

(a) if the petition relates to an electoral region other than the combined region, in accordance with rules 7 and 8(1) and (5)(b) of the Court Funds Rules 2011(**c**), or

(b) if the petition relates to the combined region—

(i) in accordance with rules 7 and 8(1) and (5)(b) of the Court Funds Rules 2011, or

(ii) at the Supreme Court Registry of the Gibraltar Supreme Court for transmission to the Court Funds Office."

(**a**) S. I. 2004/293. The Supreme Court of England and Wales was renamed as the Senior Courts of England and Wales by section 59 of the Constitutional Reform Act 2005 (c. 4), subsection (4) of which provides for any reference in an enactment, instrument or other document to the Supreme Court of England and Wales to be read, so far as necessary for continuing its effect, as a reference to the Senior Courts.

(**b**) S. I. 1979/521. There are relevant amendments in S. I. 1988/557 and 2004/1415.

(**c**) S. I. 2011/1734.

Stephen Richards, L.J.
Peter Coulson, J.
Philip Sales, J.
Master Barbara Fontaine
His Honour Judge Martin McKenna
District Judge Michael Hovington
District Judge Christopher Lethem
Qasim Nawaz
Amanda Stevens
Andrew Underwood
Tim Lett
Kate Wellington

I allow these Rules
Signed by the authority of the Lord Chancellor

Shailesh Vara
Parliamentary Under Secretary of State
Ministry of Justice

28th April 2014

EXPLANATORY NOTE

(This note is not part of the Rules)

Under regulation 94 of the European Parliamentary Elections Regulations 2004, a petitioner, when presenting a European Parliamentary election petition, must give security for costs. These Rules amend Rule 5 of the European Parliamentary Election Petition Rules 1979 by allowing a payment into court on account of security for costs in respect of proceedings for an election petition to be made in accordance with Rules 7 and 8 of the Court Funds Rules 2011 in relation to deposit of funds in court.

Rule 7 of the Court Funds Rules requires that, where a fund is to be deposited in court, it shall be sent to the Court Funds Office and deposited by means of a cheque or banker's draft unless the Accountant General directs otherwise or, in the case of a fund that is security for costs in respect of proceedings for an election petition, unless it is deposited as cash at the Mayor's and City of London Court (rule 8(5) of the Court Funds Rules).

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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