STATUTORY INSTRUMENTS

2004 No. 1298

REPRESENTATION OF THE PEOPLE

The European Parliamentary Elections (Returning Officers' Charges) (Great Britain and Gibraltar) Order 2004

Made - - - -	*6th May 2004*
Coming into force - -	*in accordance with article 1(1)*

The Secretary of State, in exercise of the powers conferred upon him by regulation 15(1) of the European Parliamentary Elections Regulations 2004(**a**), hereby makes the following Order with the consent of the Treasury:

Citation, commencement and extent

1.—(1) This Order may be cited as the European Parliamentary Elections (Returning Officers' Charges) (Great Britain and Gibraltar) Order 2004 and shall come into force on the day after the day on which it is made.

(2) This Order extends to England, Wales, Scotland and Gibraltar.

Interpretation

2. In this Order—

"designated deputy for the London electoral region" means the designated deputy within the meaning of regulation 7(3) of the Representation of the People (Combination of Polls) (England and Wales) Regulations 2004(**b**);

"election" means a European Parliamentary election;

"local counting area" has the meaning given in regulation 2(1) of the 2004 Regulations (including, in the case of the European Parliamentary general election in 2004, as modified for England and Wales by regulation 7(4) of the Representation of the People (Combination of Polls) (England and Wales) Regulations 2004); and

"the 2004 Regulations" means the European Parliamentary Elections Regulations 2004.

Revocation

3. The European Parliamentary Elections (Returning Officers' Charges) Order 1999(**c**) is hereby revoked.

(**a**) S.I. 2004/293; regulation 15(1) corresponds to section 29(3) of the Representation of the People Act 1983 (c.2).
(**b**) S.I. 2004/294.
(**c**) S.I. 1999/1378.

Services and expenses in respect of which a returning officer at a European Parliamentary election in Great Britain and in Gibraltar may recover his charges

4.—(1) For the purposes of sub-paragraph (a) of regulation 15(1) of the European Parliamentary Elections Regulations 2004 (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 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; and

(b) expenses of a kind described in paragraph 1(1) of Part B of the Schedule to this Order and expenses of a kind described in Part C of the Schedule to this Order,

are hereby specified.

(2) The maximum recoverable amounts at an uncontested election are hereby specified as—

(a) £88.36 in respect of the services specified in Part A of the Schedule; and

(b) £218.73 in respect of the expenses specified in Part B of the Schedule.

Signed on behalf of the Secretary of State for Constitutional Affairs

Christopher Leslie
Parliamentary Under Secretary of State
Department for Constitutional Affairs

Date 3rd May 2004

We consent to this Order.

Two of the Lords Commissioners of Her Majesty's Treasury

Joan Ryan
John Heppell

Date 6th May 2004

SCHEDULE

Article 4

SERVICES AND EXPENSES IN RESPECT OF WHICH A RETURNING OFFICER AT A EUROPEAN PARLIAMENTARY ELECTION IN GREAT BRITAIN AND IN GIBRALTAR 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), the maximum recoverable amount for the services specified in sub-paragraph (1) is £4,000.

(3) Where an electoral region comprises more than 40 local counting areas, for every 10 such areas (or remaining number less than 10) exceeding 40, the maximum recoverable amount is increased by £400.

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

(2) The maximum recoverable amount for the services specified in sub-paragraph (1) is £6,000, except in the case of the designated deputy for the London electoral region for whom it is £3,000.

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 7(2) of the 2004 Regulations.

(2) The maximum recoverable amount for the expenses specified in sub-paragraph (1) is £6,000.

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; and

(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 2004 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.

7. In the London electoral region, expenses in connection with electronic counting of the ballot papers and of the votes given on them.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, together with the European Parliamentary Elections (Local Returning Officers' Charges) Order 2004, provides for payments for services and expenses of returning officers and local returning officers in connection with the conduct of European Parliamentary elections in Great Britain and in Gibraltar.

Under the European Parliamentary Elections Regulations 2004 ("the 2004 Regulations") the functions of a returning officer at a European 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 local counting area 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 regulation 15(1) of the 2004 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 a items 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 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 European Parliamentary Elections (Returning Officers' Charges) Order 1999 (S.I. 1999/1378). That Order is revoked by this Order.

£3.00

© Crown copyright 2004

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of Her Majesty's
Stationery Office and Queen's Printer of Acts of Parliament.
E0706 5/2004 140706T 19585

ISBN 0-11-049285-4

9 780110 492858