STATUTORY INSTRUMENTS

2011 No. 473

REPRESENTATION OF THE PEOPLE, NORTHERN IRELAND

The Northern Ireland Assembly Elections (Returning Officer's Charges) Order 2011

Made - - - - 19th February 2011

Coming into force in accordance with Article 1(2)

The Secretary of State, in exercise of the powers conferred by section 29(3) and (4C) of the Representation of the People Act 1983(**a**), as applied to Assembly elections by article 3(1) of, and Schedule 1 to, the Northern Ireland Assembly (Elections) Order 2001(**b**), makes the following Order:

Citation and commencement

1.—(1) This Order may be cited as the Northern Ireland Assembly Elections (Returning Officer's Charges) Order 2011.

(2) It comes into force on the day after the day on which it is made.

Overall maximum recoverable amount

2. For the purposes of section 29(3) of the Representation of the People Act 1983, as applied to Assembly elections by article 3(1) of, and Schedule 1 to, the Northern Ireland Assembly (Elections) Order 2001, the amount specified as the overall maximum recoverable amount at—

(a) an uncontested Assembly election in a constituency is £1,750.00; and

(b) a contested Assembly election in a constituency is the amount specified in respect of that constituency in the table in the Schedule to this Order.

Revocations

3. The following are revoked—

(**a**) 1983 c. 2; section 29 was amended by the Representation of the People Act 1991 (c. 11) which substituted subsections (3)-(4C), amended subsection (5) and inserted subsection (9); the Transfer of Functions (Returning Officers' Charges) Order 1991 (S.I. 1991/1728) which transferred the functions formally conferred on the Treasury by section 29 to the Secretary of State, made consequential amendments and substituted subsections (8) and (9); section 15 of, and paragraph 4 of Schedule 6 to, the Representation of the People Act 2000 (c. 2) which amended subsection (4C); paragraph 6 of Schedule 21 to the Political Parties, Elections and Referendums Act 2000 (c. 41) ("2000 Act") which substituted subsections (3) to (9) but those amendments have not been brought into force; section 68 of the Electoral Administration Act 2006 (c. 22) ("2006 Act") which subsequently substituted subsections (3)-(3C) and amended subsection (9) and section 74(2) of, and Schedule 2 to, that Act which repealed subsections (4), (4A) and (4B). Subsections (3)-(3C) were substituted, by virtue of section 68(4) of the 2006 Act, subject to the amendments made by the 2000 Act not having been commenced beforehand. If they had been (which they were not) they would themselves have been amended by section 74(1) of, and paragraph 107 of Schedule 1 to, the 2006 Act.

(**b**) S.I. 2001/2599, amended by S.I. 2009/256; there are other amending instruments but none is relevant to this Order.

(a) The New Northern Ireland Assembly Elections (Returning Officer's Charges) Order 1998(**a**);

(b) The New Northern Ireland Assembly Elections (Returning Officer's Charges) (Amendment) Order 2007(**b**).

Northern Ireland Office
19th February 2011

Hugo Swire
Minister of State

SCHEDULE

Article 2

Overall maximum recoverable amount for each constituency

Table

Constituency	*Overall maximum recoverable amount*
Belfast East	£162,000.00
Belfast North	£182,000.00
Belfast South	£156,500.00
Belfast West	£171,500.00
East Antrim	£171,500.00
East Londonderry	£186,000.00
Fermanagh and South Tyrone	£211,000.00
Foyle	£189,000.00
Lagan Valley	£180,000.00
Mid Ulster	£196,000.00
Newry and Armagh	£211,000.00
North Down	£154,000.00
North Antrim	£213,000.00
South Antrim	£171,000.00
South Down	£196,000.00
Strangford	£156,500.00
Upper Bann	£201,500.00
West Tyrone	£191,500.00

EXPLANATORY NOTE

(This note is not part of the Order)

Section 29(3) of the Representation of the People Act 1983, as applied to Northern Ireland Assembly elections by the Northern Ireland Assembly (Elections) Order 2001, enables the Secretary of State to specify in an Order the overall maximum recoverable amount that the returning officer may recover in respect of services rendered or expenses incurred for or in connection with an Assembly election.

This Order specifies those amounts in respect of each constituency in Northern Ireland. Six members of the Assembly are returned for each of the (18) Parliamentary constituencies in Northern Ireland. At an uncontested election in any constituency the amount is £1750.00. At a contested election, the amount for each constituency is set out in the table in the Schedule to the Order.

(**a**) S.I. 1998/1493, amended by S.I. 2007/644.
(**b**) S.I. 2007/644.

This Order also revokes the New Northern Ireland Assembly Elections (Returning Officer's Charges) Order 1998 and the New Northern Ireland Assembly Elections (Returning Officer's Charges) (Amendment) Order 2007.

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

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