STATUTORY INSTRUMENTS

2024 No. 298

REPRESENTATION OF THE PEOPLE

The Recall Petition (Petition Officers' Charges) Regulations 2024

Made - - - -	*5th March 2024*
Coming into force	*6th March 2024*

The Secretary of State, with the consent of the Treasury, makes these Regulations in exercise of the powers conferred by section 21(1) and (3) of, and paragraph 3(1) and (2) of Schedule 1 to, the Recall of MPs Act 2015(**a**).

Citation, commencement, extent and interpretation

1.—(1) These Regulations may be cited as the Recall Petition (Petition Officers' Charges) Regulations 2024 and come into force on the day after the day on which they are made.

(2) These Regulations extend to England and Wales and Scotland.

(3) In these Regulations—

"the Act" means the Recall of MPs Act 2015;

"Greater London area" means the area of—

(a) the City of London, and

(b) the London boroughs described in Schedule 1 to the London Government Act 1963(**b**);

"official petition notice" means a notice sent in accordance with section 8 of the Act (notice of petition);

"petition signing sheet" means a signing sheet which is to be made available for signing the recall petition in accordance with section 9 of the Act (recall petition to be made available for signing), other than a postal signing sheet;

"postal signing sheet" means a signing sheet issued to a postal signer in accordance with Part 5 of the Recall of MPs Act 2015 (Recall Petition) Regulations 2016.

Petition officers: maximum recoverable amount for specified services

2.—(1) The maximum recoverable amount (for the purposes of paragraph 3 of Schedule 1 to the Act) in relation to a recall petition for a service specified in column 1 of the table in Schedule 1 is to be determined in accordance with this regulation.

(2) Except in a case described in paragraph (3) or (4), the maximum recoverable amount in relation to a specified service listed in column 1 is the amount listed in the corresponding entry in column 2 of that table.

(**a**) 2015 c. 25. See section 22(1) for the definition of "the Minister".
(**b**) 1963 c. 33.

(3) Where the constituency to which a recall petition relates is wholly or partly within the Greater London area, the maximum recoverable amount in relation to a specified service listed in column 1 is the amount listed in the corresponding entry in column 3 of that table.

(4) Where the constituency to which a recall petition relates is not wholly or partly within the Greater London area but borders a constituency that is, the maximum recoverable amount in relation to a specified service listed in column 1 is the amount listed in the corresponding entry in column 4 of that table.

Petition officers: maximum recoverable amount for specified expenses

3.—(1) The maximum recoverable amount (for the purposes of paragraph 3 of Schedule 1 to the Act) in relation to a recall petition for an expense specified in column 1 of the table in Schedule 2 is to be determined in accordance with this regulation.

(2) Except in a case described in paragraph (3) or (4), the maximum recoverable amount in relation to a specified expense listed in column 1 is the amount listed in the corresponding entry in column 2 of that table.

(3) Where the constituency to which a recall petition relates is wholly or partly within the Greater London area, the maximum recoverable amount in relation to a specified expense listed in column 1 is the amount listed in the corresponding entry in column 3 of that table.

(4) Where the constituency to which a recall petition relates is not wholly or partly within the Greater London area but borders a constituency that is, the maximum recoverable amount in relation to a specified expense listed in column 1 is the amount listed in the corresponding entry in column 4 of that table.

Overall maximum recoverable amount

4.—(1) The overall maximum recoverable amount (within the meaning of paragraph 3(1)(b) of Schedule 1 to the Act) in relation to a recall petition is to be determined in accordance with this regulation.

(2) Except in a case described in paragraph (3) or (4), the overall maximum recoverable amount is the sum of the maximum recoverable amounts specified in, or determined in accordance with—

(a) regulation 2(2) (specified services), and

(b) regulation 3(2) (specified expenses).

(3) Where the constituency to which a recall petition relates is wholly or partly within the Greater London area, the overall maximum recoverable amount is the sum of the maximum recoverable amounts specified in, or determined in accordance with—

(a) regulation 2(3) (specified services), and

(b) regulation 3(3) (specified expenses).

(4) Where the constituency to which a recall petition relates is not wholly or partly within the Greater London area but borders a constituency that is, the overall maximum recoverable amount is the sum of the maximum recoverable amounts specified in, or determined in accordance with—

(a) regulation 2(4) (specified services), and

(b) regulation 3(4) (specified expenses).

Revocation and saving

5.—(1) Subject to paragraph (2), the Recall Petition (Petition Officers' Charges) Regulations 2016(**a**) are revoked.

(**a**) S.I. 2016/637.

(2) The Recall Petition (Petition Officers' Charges) Regulations 2016 continue to have effect in respect of any recall petition for which the petition officer sent an official petition notice prior to the date on which these Regulations come into force.

Signed by authority of the Secretary of State for Levelling Up, Housing and Communities

Simon Hoare
Parliamentary Under Secretary of State
5th March 2024 Department for Levelling Up, Housing and Communities

We consent to these Regulations

Joy Morrissey
Amanda Milling
5th March 2024 Two of the Lord Commissioners of His Majesty's Treasury

SCHEDULE 1

Regulation 2

Maximum recoverable amount for specified services

(1) *Specified service*	*(2)* *Maximum recoverable amount*	*(3)* *Maximum recoverable amount: constituency wholly or partly in the Greater London area*	*(4)* *Maximum recoverable amount: constituency bordering the Greater London area*
Petition officer's services	£500.00	£625.00	£600.00
Persons employed in relation to the preparation, revision and issue of official petition notices	£1,700.69	£2,125.86	£2,040.83
Persons employed in relation to the count	£737.36	£921.70	$884.83
Persons employed in relation to clerical or other assistance (other than petition clerks or assistants of petition clerks)	£2,556.49	£3,195.61	£3,067.79
Persons employed in relation to the preparation, issue and receipt of postal signing sheets	£6,438.98	£8,048.73	£7,726.78
Persons employed as petition clerks to preside at designated signing places	£18.38 per hour between the hours of 9am and 5pm on a Monday to Friday and £27.58 per hour at any other time	£22.98 per hour between the hours of 9am and 5pm on a Monday to Friday and £34.48 per hour at any other time	£22.06 per hour between the hours of 9am and 5pm on a Monday to Friday and £33.10 per hour at any other time
Petition clerks'	£14.18 per hour	£17.73 per hour	£17.02 per hour

assistants' services	between the hours of 9am and 5pm on a Monday to Friday and £21.27 per hour at any other time	between the hours of 9am and 5pm on a Monday to Friday and £26.59 per hour at any other time	between the hours of 9am and 5pm on a Monday to Friday and £25.52 per hour at any other time

SCHEDULE 2

Regulation 3

Maximum recoverable amount for specified expenses

(1) *Specified expense*	*(2)* *Maximum recoverable amount*	*(3)* *Maximum recoverable amount: constituency wholly or partly in the Greater London area*	*(4)* *Maximum recoverable amount: constituency bordering the Greater London area*
Printing and producing the petition signing sheets	£3,669.65	£4,587.06	£4,403.58
Printing and producing the official petition notices and costs associated with their issue	£50,417.81	£63,022.27	£60, 501.38
Printing / producing the postal signing sheets and costs associated with their issue and return	£38,342.06	£47,927.57	£46,010.47
Office equipment and software in relation to the count and verification	£300.00	£375.00	£360.00
Renting, heating, lighting and cleaning any building or room	£9,932.50	£12,415.62	£11,918.99
Delivery of training and associated costs	£400.00	£500.00	£480.00
The payment of persons employed as petition clerks, or assistants of such clerks, or persons employed in relation to the count, who attend training for those purposes	£30.00 per petition clerk / assistant whose primary duties are in connection with a petition signing place	£37.50 per petition clerk / assistant whose primary duties are in connection with a petition signing place	£36.00 per petition clerk / assistant whose primary duties are in connection with a petition signing place
Taken together– (a) printing or otherwise producing and, where appropriate, publishing notices	£1,333.50	£1,666.88	£1,600.20

and any other documents required by or under any enactment for or in connection with the recall petition; (b) providing and transporting ballot boxes, petition signing sheets and other materials and equipment needed for administration of the recall petition; (c) providing security, including secure storage of ballot boxes, petition signing sheets and other materials and equipment needed for the administration of the recall petition; (d) providing stationery and meeting postage, telephone, printing, translation and banking costs and the costs of other miscellaneous items; (e) adapting or restoring to normal use any room or building designated as a petition signing place, including transportation costs for temporary adaptations that cannot be securely stored in the building or room overnight; (f) travel and overnight subsistence for the petition officer and any person appointed to assist the petition officer.			

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the maximum amounts which a petition officer may recover in respect of a recall petition under the Recall of MPs Act 2015 ("the Act") in respect of a recall petition.

Under paragraph 3(1) of Schedule 1 to the Act, a petition officer may recover their charges for services rendered, or expenses incurred, in respect of a recall petition, if the services were necessarily rendered, and expenses necessarily incurred, for the effective and efficient performance of that officer's functions; and those charges do not exceed the amount specified in, or determined in accordance with, Regulations made by the Minister. Paragraph 3(2) of Schedule 1 to the Act enables those Regulations to specify a maximum recoverable amount for services or expenses of any specified description.

Regulation 2, together with Schedule 1, specifies the maximum recoverable amounts for the kinds of specified services that a petition officer may recover. There are varying maximum amount depending on the location of the constituency.

Regulation 3, together with Schedule 2, specifies the maximum recoverable amounts for the kinds of specified expenses that a petition officer may recover. Again, the maximum amounts differ depending on the location of the constituency.

Regulation 4 determines the overall maximum recoverable amount for the purposes of paragraph 3(1)(b) of Schedule 1 to the Act.

An impact assessment has not been prepared for this instrument as no impact on the private or voluntary sector is foreseen.

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