DRAFT STATUTORY INSTRUMENTS

2004 No.

European Parliamentary Elections (Northern Ireland) Regulations 2004

PART 1

General

Registration appeals

22.—(1) Subject to paragraph (2), an appeal lies to the county court, from any decision under these Regulations of the registration officer disallowing a person's application to vote by proxy or by post as elector or to vote by post as proxy, in any case where the application is not made for a particular election only.

(2) No appeal lies where the person desiring to appeal has not availed himself of a prescribed right to be heard by or make representations to the registration officer on the matter which is the subject of the appeal, or has not given the prescribed notice of appeal within the prescribed time.

(3) An appeal to the county court by virtue of this regulation which is pending when notice of an election is given shall not prejudice the operation as respects the election of the decision appealed against, and anything done in pursuance of the decision shall be as good as if no such appeal had been brought and shall not be affected by the decision on the appeal.

(4) The registration officer shall, in accordance with sections 13A and 13B of the 1983 Act(**1**), make such alterations in the register as may be required to give effect to the decision.

(5) Where, as a result of the decision on an appeal, an alteration in the register made in pursuance of paragraph (4) takes effect under section 13(5), 13A(2) or 13B(3) of the 1983 Act on or before the last day on which nomination papers at an election may be delivered to the returning officer, paragraph (3) does not apply to that appeal as respects that election.

(6) The registration officer shall undertake such duties in connection with appeals brought by virtue of this regulation as are set out in paragraph 10 of Schedule 2 and shall on any such appeal be deemed to be a party to the proceedings, and the registration expenses payable to a registration officer shall include any expenses properly incurred by him by virtue of this paragraph.

(**1**) Section 13B was inserted by Schedule 1 to the Representation of the People Act 2000.