



# European Parliamentary Elections Act 2002

## 2002 CHAPTER 24

### *Entitlement to vote*

#### **8 Persons entitled to vote**

- (1) A person is entitled to vote as an elector at an election to the European Parliament in an electoral region if he is within any of subsections (2) to (5).
- (2) A person is within this subsection if on the day of the poll he would be entitled to vote as an elector at a parliamentary election in a parliamentary constituency wholly or partly comprised in the electoral region, and—
  - (a) the address in respect of which he is registered in the relevant register of parliamentary electors is within the electoral region, or
  - (b) his registration in the relevant register of parliamentary electors results from an overseas elector's declaration which specifies an address within the electoral region.
- (3) A person is within this subsection if—
  - (a) he is a peer who on the day of the poll would be entitled to vote at a local government election in an electoral area wholly or partly comprised in the electoral region, and
  - (b) the address in respect of which he is registered in the relevant register of local government electors is within the electoral region.
- (4) A person is within this subsection if he is entitled to vote in the electoral region by virtue of section 3 of the Representation of the People Act 1985 (c. 50) (peers resident outside the United Kingdom).
- (5) A person is within this subsection if he is entitled to vote in the electoral region by virtue of the European Parliamentary Elections (Franchise of Relevant Citizens of the Union) Regulations 2001 (S.I. 2001/1184) (citizens of the European Union other than Commonwealth and Republic of Ireland citizens).

- (6) Subsection (1) has effect subject to any provision of regulations made under this Act which provides for alterations made after a specified date in a register of electors to be disregarded.
- (7) In subsection (3) “local government election” includes a municipal election in the City of London (that is, an election to the office of mayor, alderman, common councilman or sheriff and also the election of any officer elected by the mayor, aldermen and liverymen in common hall).

## **9 Double voting**

- (1) A person is guilty of an offence if, on any occasion when elections to the European Parliament are held in all the member states under Article 9 of the Act annexed to Council Decision 76/787, he votes as an elector more than once in those elections, whether in the United Kingdom or elsewhere.
- (2) Subsection (1) is without prejudice to any enactment relating to voting offences, as applied by regulations under this Act to elections of MEPs held in the United Kingdom.
- (3) The provisions of the Representation of the People Act 1983 (c. 2), as applied by regulations under this Act, have effect in relation to an offence under this section as they have effect in relation to an offence under section 61(2) of that Act (double voting).
- (4) In particular, the following provisions of that Act apply—
  - (a) section 61(7) (which makes an offence under section 61(2) an illegal practice but allows any incapacity resulting from conviction to be mitigated by the convicting court), and
  - (b) section 178 (prosecutions for offences committed outside the United Kingdom).