



# European Parliamentary Elections Act 2002

## 2002 CHAPTER 24

### *Conduct of elections*

#### **6 Returning officers**

- (1) There is to be a returning officer for each electoral region.
- (2) For a region in England [<sup>F1</sup>and Wales (including the combined region)], the returning officer is to be a person who—
  - (a) is an acting returning officer by virtue of section 28(1) of the Representation of the People Act 1983 (c. 2) [<sup>F2</sup>or is the proper officer of the Greater London Authority for the purposes of section 35(2C) of that Act], and
  - (b) is designated for the purposes of this subsection by order of the Secretary of State.
- (3) For Scotland the returning officer is to be a person who—
  - (a) is a returning officer by virtue of section 25 of that Act, and
  - (b) is designated for the purposes of this subsection by order of the Secretary of State.
- (4) For Northern Ireland the returning officer is to be the Chief Electoral Officer.
- [<sup>F3</sup>(5) The Secretary of State may by regulations confer functions on the returning officers for the electoral regions and on local returning officers.
- (5A) For the purposes of subsection (5) “local returning officer” means—
  - [<sup>F4</sup>(a) a person who, by virtue of section 35 of the Representation of the People Act 1983, is a returning officer for—
    - (i) elections of councillors of a district or London borough,
    - (ii) elections of councillors of a county in which there are no district councils,
    - (iii) elections to the Council of the Isles of Scilly, or

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- (iv) elections of councillors of a county or county borough in Wales, or who by virtue of section 41 of that Act is a returning officer for elections of councillors for a local authority in Scotland; or]
- (b) the European electoral registration officer for Gibraltar (within the meaning of section 14 of the European Parliament (Representation) Act 2003).]
- (6) There are to be charged on, and paid out of, the Consolidated Fund—
- (a) charges to which persons on whom functions are conferred under subsection (5) are entitled under regulations under this Act, and
- (b) any sums required by the Secretary of State for expenditure on the provision of training relating to functions conferred under subsection (5).
- (7) Where functions are conferred on a person under subsection (5) in relation to an electoral region,
- [<sup>F5</sup>(a) in the case of an electoral region other than the combined region, the council of a relevant area falling wholly or partly within that region; and
- (b) in the case of the combined region, the council of a relevant area falling wholly or partly within that region and the Government of Gibraltar,
- must] place the services of their officers at his disposal for the purpose of assisting him in the discharge of those functions.
- (8) In subsection (7), “relevant area” means—
- (a) a district or London borough in England,
- (b) a county or county borough in Wales, and
- (c) a local government area in Scotland.
- [<sup>F6</sup>(9) Where functions are conferred on the proper officer of the Greater London Authority under subsection (5) in relation to the London electoral region, the Authority must place the services of its employees at his disposal for the purpose of assisting him in the discharge of those functions.]

#### Textual Amendments

- F1** Words in s. 6(2) substituted (7.1.2004 for certain purposes, otherwise 5.2.2004) by [European Parliament \(Representation\) Act 2003 \(c. 7\), ss. 20\(2\), 28\(3\)\(4\); S.I. 2004/24, art. 2\(a\)\(i\); S.I. 2004/320, art. 2\(a\)\(i\)](#)
- F2** Words in s. 6(2)(a) inserted (22.1.2013) by [Political Parties and Elections Act 2009 \(c. 12\), ss. 27\(2\), 43\(1\); S.I. 2013/99, art. 2](#)
- F3** S. 6(5)(5A) substituted (7.1.2004 for certain purposes, otherwise 5.2.2004) for s. 6(5) by [European Parliament \(Representation\) Act 2003 \(c. 7\), ss. 20\(3\), 28\(3\)\(4\); S.I. 2004/24, art. 2\(a\)\(i\); S.I. 2004/320, art. 2\(a\)\(i\)](#)
- F4** S. 6(5A)(a) substituted (1.1.2014) by [Political Parties and Elections Act 2009 \(c. 12\), ss. 27\(3\), 43\(1\); S.I. 2013/99, art. 3](#)
- F5** S. 6(7)(a)(b) substituted (7.1.2004 for certain purposes, otherwise 5.2.2004) for words by [European Parliament \(Representation\) Act 2003 \(c. 7\), ss. 20\(3\), 28\(3\)\(4\); S.I. 2004/24, art. 2\(a\)\(i\); S.I. 2004/320, art. 2\(a\)\(i\)](#)
- F6** S. 6(9) inserted (22.1.2013) by [Political Parties and Elections Act 2009 \(c. 12\), ss. 27\(4\), 43\(1\); S.I. 2013/99, art. 2](#)

#### Modifications etc. (not altering text)

- C1** S. 6(2) excluded (E.W.) (23.3.2004) by [The Representation of the People \(Combination of Polls\) \(England and Wales\) Regulations 2004 \(S.I. 2004/294\), regs. 1\(1\), 7\(2\)\(a\)](#)

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- C2** S. 6(5A) excluded (5.11.2008) The Local Elections (Ordinary Day of Elections in 2009) Order 2008 (S.I. 2008/2857), arts. 1(1), **7(3)(a)**
- C3** S. 6(5A)(a) excluded (E.W.) (23.3.2004) by The Representation of the People (Combination of Polls) (England and Wales) Regulations 2004 (S.I. 2004/294), regs. 1(1), **7(5)(a)**

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