

*These notes refer to the European Parliament (Representation)
Act 2003 (c.7) which received Royal Assent on 8 May 2003*

EUROPEAN PARLIAMENT (REPRESENTATION) ACT 2003

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2: Gibraltar

Section 23: Jurisdiction of courts

41. This section ensures that the powers to make secondary legislation under *sections 12* and *17* of this Act and section 7 of the 2002 Act include power to confer jurisdiction over matters connected to the election of MEPs in the combined region on the courts of the UK or Gibraltar or both. Accordingly, it is possible, for instance, to make provision so that certain election offences can be tried in Gibraltar. Equally, provision may be made so that certain proceedings based on events taking place in Gibraltar should be brought before the UK courts.
42. However, in the case of the election court, which tries election petitions, the power can only be used to confer jurisdiction on that court for the whole of the combined region. The section also ensures that the relevant powers include power to appoint a judge of the Gibraltar Supreme Court to the election court in the combined region.