



European Parliament (Representation) Act 2003

2003 CHAPTER 7

PART 2

GIBRALTAR

Miscellaneous provisions

21 Disqualification from office of MEP

- (1) In section 10 of the 2002 Act (disqualification)—
- (a) in subsection (3), after “Kingdom” there is inserted “or Gibraltar”;
 - (b) after subsection (4) there is inserted—
 - “(4A) The Secretary of State may by order provide for persons of a description connected to Gibraltar (including any description of persons who are disqualified for membership of the Gibraltar House of Assembly) to be disqualified from the office of MEP.
 - (4B) The Secretary of State must consult the Electoral Commission before making an order under subsection (4A).”
- (2) In section 11(5) of the 2002 Act (power to amend maximum security for costs in disqualification proceedings), after “order” there is inserted “(a)” and at the end there is inserted “; and
- (b) prescribe a different figure for applications where the electoral region concerned is the combined region.”
- (3) In section 13 of the 2002 Act (Parliamentary procedure for regulations and orders under that Act), after subsection (3) there is inserted—
- “(3A) An order under section 10(4A) may not be made unless a draft of the order has been laid before, and approved by a resolution of, each House of Parliament.

Status: This is the original version (as it was originally enacted).

- (3B) Subsection (3A) does not apply if it appears to the Lord Chancellor that by reason of urgency the order should be made without being approved in draft.
- (3C) Where an order is made without being approved in draft, by virtue of subsection (3A)—
- (a) it must be laid before Parliament after being made; and
 - (b) if it is not approved by a resolution of each House of Parliament within the period of 40 days after the date on which it is made, the order shall cease to have effect at the end of that period.”