



# European Parliament (Representation) Act 2003

## 2003 CHAPTER 7

### PART 2

#### GIBRALTAR

##### *Miscellaneous provisions*

#### **23 Jurisdiction of courts**

- (1) Without prejudice to the generality of the power under which it is made, subordinate legislation to which this section applies—
  - (a) may make provision for a judge of the Supreme Court of Gibraltar to be appointed as an additional judge (with the two judges acting under section 123 of the Representation of the People Act 1983 (c. 2) as applied for the purposes of European Parliamentary elections) for the trial of an election petition relating to the election of MEPs in the combined region; and
  - (b) may, for the purposes of such an election petition—
    - (i) confer the powers, jurisdiction and authority of a judge of the High Court on any Gibraltar judge who is so appointed; and
    - (ii) make any other provision necessary to secure that a Gibraltar judge so appointed is treated as if he were a judge of the High Court.
- (2) Without prejudice to the generality of the power under which it is made, subordinate legislation to which this section applies may—
  - (a) confer jurisdiction over any matter connected with the election of MEPs in the combined region on an election court constituted under section 123 of the Representation of the People Act 1983 (as applied for the purposes of European Parliamentary elections);
  - (b) confer jurisdiction over any such matter (not being a matter within the jurisdiction of the election court) on—

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*Status: This is the original version (as it was originally enacted).*

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- (i) one or more courts in the United Kingdom;
  - (ii) one or more courts in Gibraltar (whether specified in the subordinate legislation or left to be determined by or under the law of Gibraltar); or
  - (iii) one or more courts in the United Kingdom and one or more courts in Gibraltar.
- (3) This section applies to—
- (a) an order under section 12;
  - (b) regulations under section 17; and
  - (c) regulations under section 7 of the 2002 Act.