
Changes to legislation: There are currently no known outstanding effects for the European Union Act 2011, Cross Heading: Allocation to a registered party. (See end of Document for details)

SCHEDULES

SCHEDULE 2

ELECTION OF ADDITIONAL MEP

Allocation to a registered party

- 2 (1) The returning officer for the West Midlands electoral region must ascertain the registered party to which the additional seat provided for by section 16 falls to be allocated in accordance with section 17(1).
- (2) In the following provisions, that registered party is referred to as “the qualifying party”.

Commencement Information

I1 Sch. 2 para. 2 in force at 19.9.2011 by S.I. 2011/1985, art. 2

- 3 (1) The returning officer must ascertain from the qualifying party's list of candidates the name and address of the person whose name appears highest on that list (“the first choice”), disregarding the name of any person who has been returned as an MEP or who has died.
- (2) The returning officer must take such steps as the returning officer considers reasonable to contact the first choice to ask whether he or she will—
- (a) state in writing that he or she is willing and able to be returned as an MEP, and
 - (b) deliver a certificate, signed by or on behalf of the nominating officer of the qualifying party, stating that he or she may be returned as that party's MEP.

Commencement Information

I2 Sch. 2 para. 3 in force at 19.9.2011 by S.I. 2011/1985, art. 2

- 4 (1) This paragraph applies where—
- (a) within such period as the returning officer considers reasonable, the returning officer decides that steps taken to contact the first choice have been unsuccessful,
 - (b) the first choice has not provided to the returning officer, within such period as the returning officer considers reasonable, the statement and certificate referred to in paragraph 3(2), or
 - (c) the first choice has provided to the returning officer a statement in writing that he or she is not willing or able to be returned as an MEP.
- (2) The returning officer must ascertain from the qualifying party's list of candidates the name and address of the person whose name appears next in the qualifying party's

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list of candidates (“the subsequent choice”), disregarding the name of any person who has died.

- (3) The returning officer must take such steps as the returning officer considers reasonable to contact the subsequent choice to ask the question in paragraph 3(2) (a) and (b).

Commencement Information

I3 Sch. 2 para. 4 in force at 19.9.2011 by S.I. 2011/1985, art. 2

- 5 (1) This paragraph applies where—
- (a) within such period as the returning officer considers reasonable, the returning officer decides that the steps taken to contact the subsequent choice have been unsuccessful,
 - (b) the subsequent choice has not provided to the returning officer, within such period as the returning officer considers reasonable, the statement and certificate referred to in paragraph 3(2), or
 - (c) the subsequent choice has provided to the returning officer a statement in writing that he or she is not willing or able to be returned as an MEP.
- (2) The returning officer must repeat the procedure under paragraph 4(2) and (3) until—
- (a) the seat is filled, or
 - (b) there are no more names on the qualifying party's list of candidates.

Commencement Information

I4 Sch. 2 para. 5 in force at 19.9.2011 by S.I. 2011/1985, art. 2

- 6 Where—
- (a) the returning officer has, in accordance with this Schedule, asked a subsequent choice the questions in paragraphs 3(2)(a) and (b), and
 - (b) a person who was previously asked those questions (“the prior choice”) then provides the statement and certificate referred to in that paragraph,
- the statement and certificate provided by the prior choice are to have no effect unless and until any of the circumstances described in paragraph 5(1)(a), (b) or (c) apply in respect of the subsequent choice.

Commencement Information

I5 Sch. 2 para. 6 in force at 19.9.2011 by S.I. 2011/1985, art. 2

- 7 (1) Where, on being asked under paragraphs 3 to 5 by the returning officer, a person whose name appears on the qualifying party's list of candidates provides the statement and certificate referred to in paragraph 3(2)(a) and (b), the returning officer must—
- (a) declare in writing that person to be returned as an MEP, and
 - (b) prepare a statement containing the information specified in subparagraph (2).
- (2) The statement must specify—

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- (a) the total number of valid votes (as notified to the returning officer) given to each registered party at the general election of members of the European Parliament held on 4 June 2009, and
 - (b) the number of votes which each party to which a seat has been allocated had after the application of subsections (5) to (9) of section 2 of the 2002 Act (including that section as applied by section 17(1)) at any stage when a seat was allocated to the party.
- (3) The returning officer must—
- (a) give public notice of a declaration given and a statement prepared under this paragraph, and
 - (b) send a copy of the notice and statement to the Secretary of State.

Commencement Information

I6 Sch. 2 para. 7 in force at 19.9.2011 by S.I. 2011/1985, art. 2

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