

1989 No. 995

REPRESENTATION OF THE PEOPLE

The European Parliamentary Elections (Returning Officers' Expenses) Regulations 1989

Made - - - - *12th June 1989*

Coming into force *13th June 1989*

The Treasury, in exercise of the powers conferred on them by sections 29(3) and 202(1) of the Representation of the People Act 1983(a), as applied by regulation 5(1) of and Schedule 1 to the European Parliamentary Elections Regulations 1986(b), and regulation 99(3) of the Representation of the People Regulations 1986(c), and regulation 97(3) of the Representation of the People (Scotland) Regulations 1986(d), hereby make the following Regulations:

1. These Regulations may be cited as the European Parliamentary Elections (Returning Officers' Expenses) Regulations 1989, and shall come into force on 13th June 1989.

2. These Regulations shall not extend to Northern Ireland.

3. Unless the context otherwise requires, in these Regulations

“European Parliamentary constituency” means a constituency for the time being specified in an Order in Council made, or having effect as if made, under paragraph 4B of Schedule 2 to the European Parliamentary Elections Act 1978(e)(f);

“European Parliamentary election” means the election of a representative to the European Parliament;

“Parliamentary constituency” means an area having separate representation in the House of Commons;

and other expressions have the same meaning as in the Representation of the People Act 1983 and the European Parliamentary Elections Act 1978.

4. The maximum charges to which a returning officer for a European Parliamentary election shall be entitled are:—

(a) in respect of services rendered by him for the purposes of or in connection with the election, the amounts specified in Part A of Schedule 1 to these Regulations; and

(b) in respect of expenses incurred by him for the purposes of or in connection with the election, the amounts specified in Part B of the said Schedule.

(a) 1983 c.2.

(b) S.I. 1986/2209(f).

(c) S.I. 1986/1081.

(d) S.I. 1986/1111.

(e) 1978 c.10; paragraph 4B of Schedule 2 was inserted by paragraph 5(4) of Schedule 3 to the Parliamentary Constituencies Act 1986 (c.56); Schedule 2 was amended by section 1 of the European Parliamentary Elections Act 1981 (c.8)(f).

(f) The words “European Parliamentary” were substituted for the words “European Assembly” by section 3(1) of the European Communities (Amendment) Act 1986 (c.58).

5. Where a returning officer discharges functions in accordance with regulation 97(4) of the Representation of the People Regulations 1986 or regulation 95(4) of the Representation of the People (Scotland) Regulations 1986 (combined European Parliamentary and parliamentary and local government elections), the maximum charges to which he shall be entitled in respect of those functions are:

- (a) in respect of services rendered by him, the amounts specified in Part A of Schedule 2 to these Regulations; and
- (b) in respect of expenses incurred by him, the amounts specified in Part B of the said Schedule.

6. The European Parliamentary Elections (Returning Officers' Expenses) Regulations 1984(a) are hereby revoked.

Stephen Dorrell
Kenneth Carlisle

12th June 1989

Two of the Lords Commissioners
of Her Majesty's Treasury

SCHEDULE 1

Regulation 4

SCALE OF MAXIMUM CHARGES IN RESPECT OF SERVICES RENDERED AND EXPENSES INCURRED BY A RETURNING OFFICER FOR THE PURPOSES OF OR IN CONNECTION WITH A EUROPEAN PARLIAMENTARY ELECTION

Only the fees and disbursements specified hereunder shall be chargeable and in particular a returning officer shall not be entitled to charge as an expense payments which he makes from his fees (or otherwise) to a deputy returning officer by way of remuneration for performing functions of the returning officer.

PART A—FEES

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I. In a contested election:

1. For conducting the election and generally performing duties which a returning officer is required to perform under any enactments relating to European Parliamentary elections, other than any duties for which separate fees are prescribed herein:

For each European Parliamentary constituency 6,760.00

Provided that where a European Parliamentary constituency comprises more than eight Parliamentary constituencies or the total number of entries in the register of electors to be used at the election (as first published) is more than 520,000, an additional sum of £611.00 shall be paid either in respect of each Parliamentary constituency above eight or in respect of every 10,000 entries or fraction thereof over 520,000, whichever produces (when both apply) the greater sum.

2. For services in connection with the despatch and receipt of ballot papers of persons entitled to vote by post:

For each European Parliamentary constituency:

The sum of £43.00 for each Parliamentary constituency contained within the European Parliamentary constituency.

(a) S.I. 1984/723: The words "European Parliamentary" were substituted for the words "European Assembly" by section 3(1) of the European Communities (Amendment) Act 1986 (c.58).

PART A—FEES

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In addition, if the number of persons entitled to vote by post in such a Parliamentary constituency exceeds 500, there shall be paid

For every 50 or fraction thereof over 500 up to 2,000 ...	1·30
For every 50 or fraction thereof over 2,000	0·40

II. In an uncontested election, for services specified in paragraph I.1 of this Part of this Schedule the amount shall be one-third of the sum prescribed thereunder.

III. For services in connection with the preparation, maintenance and issue of official poll cards:

For each European Parliamentary constituency:

- (a) For the preparation, the first revision and the issue of the poll cards on the occasion of an election, the sum of £258·00 for each Parliamentary constituency contained within the European Parliamentary constituency.
- (b) For the second and any subsequent revision prior to the issue of the cards, the sum of £85·80 for each Parliamentary constituency contained within the European Parliamentary constituency.

PART B—DISBURSEMENTS

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In this Part of this Schedule, “authorised maximum” in relation to an expense specified hereunder means, in relation to each European Parliamentary constituency, the sum paid to the returning officer for that constituency in respect of the corresponding expense incurred in connection with the European Parliamentary election held in the constituency on 14th June 1984, increased by 31 per cent. Provided that the maximum amount which a returning officer shall be entitled to charge in respect of all the expenses specified hereunder in relation to which the maximum amounts are specified to be the “authorised maximum” shall be the total of the maximum amounts so specified increased by £25,000, notwithstanding that the amount disbursed by him for any particular expense so specified is greater than the amount specified hereunder as the maximum amount for that expense. For the purposes hereof a European Parliamentary constituency as now constituted shall be treated as the same constituency as the one which bore the same name on 14th June 1984, notwithstanding any changes of boundaries since that date.

Except as expressly provided in this Part of this Schedule, in no case shall a charge exceed the sum actually paid or payable by the returning officer. Subject thereto the maximum charges shall be as follows:

I. In a contested election:

- 1. (a) For the presiding officer at each polling station (to include all expenses, other than any travelling or overnight subsistence expenses, specified in this Part of this Schedule) 80·00
- (b) For any person who takes over the duties of a presiding officer because of the incapacity of that presiding officer on the day of the election (with the like inclusion) 80·00

In addition, a further sum of £5·00 may be paid in respect of one of the presiding officers at a polling place to which there are assigned not less than 3,000 entries in the register of electors to be used at the election (as first published), where the returning officer determines that such a payment is necessary for the effective conduct of the election.

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| 2. (a) | For one clerk at each polling station | 50.00 |
| (b) | For additional clerks at a polling station either being clerks at a polling station to which there are assigned more than 700 entries in the register of electors to be used at the election (as first published) such additional clerks not to exceed one clerk for every 600 entries or fraction thereof in excess of 700 or being clerks whose employment is determined to be necessary by the returning officer for the effective conduct of the election:
For each additional clerk (whole-time or part-time as the case may require) | 50.00 |
| 3. (1) | For the employment of persons in connection with the manual preparation and issue of the official poll cards, including charges for superannuation contributions where payable: | |
| (a) | For the initial preparation of the cards:
For every 100 cards or fraction thereof | 3.20 |
| (b) | For each revision not confined to a particular section of the cards: | |
| (i) | For every 100 cards or fraction thereof prepared on the initial preparation | 0.50 |
| (ii) | For every 100 new cards or fraction thereof prepared ...
Provided that if the number of new cards does not exceed 15 per cent of the number prepared on the initial preparation, the maximum charge for the revision shall be increased by 5 per cent. | 3.20 |
| (c) | For each revision of a particular section only of the cards:
For every 100 new cards or fraction thereof prepared ... | 3.20 |
| (d) | For the completion and issue of the cards on the occasion of an election:
For every 100 cards or fraction thereof issued (or withdrawn in respect of voters entitled to vote by post) | 1.65 |
| (2) | For the employment of persons in connection with the issue of poll cards which have not been prepared manually, including charges for superannuation contributions where payable:
For every 100 cards or fraction thereof | 1.05 |
| | Provided that: | |
| (a) | in calculating the maximum amounts which a returning officer shall be entitled to charge under sub-paragraphs (1)(a), (b), (c) and (d) and (2) above, each Parliamentary constituency contained within a European Parliamentary constituency shall be treated separately for the purpose of determining the number of cards or new cards (as the case may be) prepared and issued; | |
| (b) | the maximum amount which a returning officer shall be entitled to charge under this paragraph shall be the total of the maximum amounts specified for such of the stages of work represented by sub-paragraphs (1)(a), (b), (c) and (d) and (2) above as he has carried out, notwithstanding that the amount disbursed by him for any particular stage is greater than the amount specified hereunder as the maximum amount for that stage; | |
| (c) | the maximum amount which a returning officer shall be entitled to charge under this paragraph shall be increased by any amount by which the maximum amount which he is entitled to charge under paragraph 1.4 of this Part of this Schedule exceeds the amount disbursed by him for the purposes described in that paragraph. | |
| 4. | For the employment of persons in connection with the verification and count of the ballot papers of electors entitled to vote by post, and for all clerical and other assistance employed by the returning officer, deputy returning officer, acting returning officer or deputy acting | |

returning officer for the purposes of the election, including charges for day subsistence expenses and for superannuation contributions where payable:	
(a) For each Parliamentary constituency contained within a European Parliamentary constituency, if the number of entries relating to the Parliamentary constituency contained in the register of electors to be used at the election (as first published) does not exceed 50,000	2,609·00
(b) For each Parliamentary constituency contained within a European Parliamentary constituency, if the number of entries relating to the Parliamentary constituency contained in the register of electors to be used at the election (as first published) exceeds 50,000, the amount specified in sub-paragraph (a) above together with, for every additional 1,000 entries or fraction thereof over 50,000	32·55
(c) For each Parliamentary constituency contained within a European Parliamentary constituency, an additional	39·30
(d) For counting ballot papers on a different day or in a different place from that on or in which they are verified	4,127·00
(e) In relation to each Parliamentary constituency contained within a European Parliamentary constituency, for every 100 persons or fraction thereof entitled to vote by post	29·55
(f) In the event of a recount of the votes being ordered in a European Parliamentary constituency:	
For each recount	2,148·00
Provided that the maximum amount which a returning officer shall be entitled to charge under this paragraph shall be increased by any amount by which the maximum amount which he is entitled to charge under paragraph 1.3 of this Part of this Schedule exceeds the amount disbursed by him for the purposes described in that paragraph.	
5. Returning officer's, deputy returning officer's, acting returning officer's or deputy acting returning officer's travelling and overnight subsistence expenses where necessary to make arrangements for the poll or otherwise in connection with the conduct of the election ...	Authorised Maximum
6. Travelling and overnight subsistence expenses of presiding officers and poll clerks where necessary (including any expenses incurred in conveying the ballot boxes in those cases in which presiding officers or poll clerks are responsible for the transport of the boxes to or from the polling stations)	Authorised Maximum
7. Travelling and overnight subsistence expenses of clerical and other assistants employed by the returning officer, deputy returning officer, acting returning officer or deputy acting returning officer where necessary to make arrangements for the poll or otherwise in connection with the conduct of the election	Authorised Maximum
8. For printing and providing ballot papers	Authorised Maximum
9. For printing and providing official poll cards	Authorised Maximum
10. For printing and providing notices and other documents required in and about the election or poll and costs of publishing the same ...	Authorised Maximum
11. For the renting of any building or room for the purpose of the election and for expenses of heating, lighting and cleaning any building or room for such purpose	Authorised Maximum
12. For adapting and fitting up any building or room for the purpose of the election (including the provision of voting compartments and any necessary furniture) and restoring it to fit condition for its normal use	Authorised Maximum

PART B—DISBURSEMENTS		£
13. For providing ballot boxes, including any repairs		Authorised Maximum
14. For the conveyance of ballot boxes and ballot papers in those cases where the cost of transport is not included in the travelling expenses of presiding officers and poll clerks under paragraph I.6 of this Part of this Schedule		Authorised Maximum
15. For every stamping instrument required to be purchased, hired, altered or repaired		Authorised Maximum
16. For copies of the electoral register		Authorised Maximum
17. For general stationery, postage, telephone calls, bank charges and miscellaneous expenses		Authorised Maximum
<p>II. In an uncontested election, for all necessary preliminary work the amount shall be the same as the amount specified for corresponding work in a contested election, except that for all clerical and other assistance employed by the returning officer, deputy returning officer, acting returning officer or deputy acting returning officer for the purposes of the election, including charges for day subsistence expenses and for superannuation contributions where payable, the amount shall not be more than one-quarter of the amount specified under paragraph I.4 of this Part of this Schedule.</p>		

SCHEDULE 2

Regulation 5

SCALE OF MAXIMUM CHARGES IN RESPECT OF SERVICES RENDERED AND EXPENSES INCURRED BY A RETURNING OFFICER FOR SPECIFIED FUNCTIONS AT COMBINED POLLS

PART A—FEES		£
<p>For discharging the functions specified in regulation 98 of the Representation of the People Regulations 1986(a) or regulation 96 of the Representation of the People (Scotland) Regulations 1986(b):</p>		
1. Where the returning officer conducts a parliamentary election on the same day as a European Parliamentary election... ..		217·00
2. Where the returning officer conducts one or more local government elections on the same day as a European Parliamentary election and the total number of entries in the registers of electors to be used at the local government elections (as first published):		
(a) exceeds 20,000		217·00
(b) exceeds 5,000 but is less than 20,001		105·00
(c) exceeds 1,000 but is less than 5,001		52·50
(d) is 1,000 or less		26·25

(a) S.I. 1986/1081.

(b) S.I. 1986/1111.

In no case shall a charge exceed the sum actually paid or payable by the returning officer. Subject thereto the maximum charges for discharging the functions specified in regulation 98(2)(i) of the Representation of the People Regulations 1986 or regulation 96(2)(i) of the Representation of the People (Scotland) Regulations 1986 (the count) shall be as follows:

1. Where the returning officer conducts a Parliamentary election on the same day as a European Parliamentary election	910-00
2. Where the returning officer conducts one or more local government elections on the same day as a European Parliamentary election and the total number of entries in the registers of electors to be used at the local government elections (as first published):	
(a) exceeds 20,000	910-00
(b) exceeds 5,000 but is less than 20,001	400-00
(c) exceeds 1,000 but is less than 5,001... ..	200-00
(d) is 1,000 or less	100-00

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and replace the European Parliamentary Elections (Returning Officers' Expenses) Regulations 1984. They prescribe, in relation to England, Wales and Scotland, a revised scale increasing the maximum fees in respect of services rendered and the maximum charges in respect of expenses incurred by a returning officer for the purposes of or in connection with the European Parliamentary elections. For certain expenses the increase from 1984 is 31 per cent plus an overall addition of £25,000 above the sums paid to the returning officer in respect of the corresponding expenses incurred in connection with the 1984 European Parliamentary elections. Other increases are between 24 per cent and 60 per cent. These Regulations also provide for certain additional fees and charges where the European Parliamentary elections take place on the same day as parliamentary or local government elections.