
STATUTORY INSTRUMENTS

1991 No. 1675

REPRESENTATION OF THE PEOPLE

The European Parliamentary Elections (Northern Ireland) (Amendment) Regulations 1991

Made - - - - 23rd July 1991

Coming into force in accordance with regulation 2

Whereas a draft of these Regulations has been approved by resolution of each House of Parliament;
Now, therefore, in exercise of the powers conferred upon me by paragraph 2 of Schedule 1 to the European Parliamentary Elections Act 1978(1), I hereby make the following Regulations:

1.—(1) These Regulations may be cited as the European Parliamentary Elections (Northern Ireland) (Amendment) Regulations 1991.

(2) These Regulations extend to Northern Ireland only.

2. These Regulations, except paragraph (b) of the amendment made by regulation 4 and regulation 6, shall come into force when regulations 1 to 6 and 8 of the Representation of the People (Northern Ireland) (Variation of Specified Documents and Amendment) Regulations 1991(2) come into force and paragraph (b) of the amendment made by regulation 4 and regulation 6 shall come into force when the Representation of the People Act 1990(3) comes into force in Northern Ireland.

3. In these Regulations “the Regulations of 1986” means the European Parliamentary Elections (Northern Ireland) Regulations 1986(4).

4. At the end of regulation 5(1) of the Regulations of 1986 (application with modifications of certain statutory provisions for the purposes of European Parliamentary elections) there shall be added the following:

“The entry in that Schedule—

(a) in respect of rule 37(1E) of the parliamentary elections rules in Schedule 1 to the Act of 1983(5) is to that provision as amended by regulation 4 of the Representation of

(1) 1978 c. 10; the citation of this Act has been amended in accordance with section 3(1)(b) and (2)(b) of the European Communities (Amendment) Act 1986 (c. 58) on the coming into force of the Single European Act (Cmnd. 9758) on 1st July 1987.

(2) S.I.1991/1674.

(3) 1990 c. 32.

(4) S.I. 1986/2250; the citation of this instrument has been amended by the provisions referred to in the first footnote to these Regulations.

(5) 1983 c. 2; rule 37(1E) was inserted by section 1(2) of the Elections (Northern Ireland) Act 1985 (c. 2).

the People (Northern Ireland) (Variation of Specified Documents and Amendment) Regulations 1991, and

- (b) in respect of section 6 of the Act of 1985⁽⁶⁾ is to that provision as amended by section 1 of the Representation of the People Act 1990.”.

5. At the end of regulation 5(2) of the Regulations of 1986⁽⁷⁾ (application with modifications of certain subordinate legislation for the purposes of European Parliamentary elections) there shall be added the following:

“The entries in that Schedule in respect of forms E (elector’s official poll card) and F (proxy’s official poll card) in Schedule 2 to the Regulations of 1986⁽⁸⁾ are to those forms as amended by regulation 8 of the Representation of the People (Northern Ireland) (Variation of Specified Documents and Amendment) Regulations 1991.”.

6. In the left-hand column of Schedule 2 to the Regulations of 1986 (application with modifications of the Representation of the People (Northern Ireland) Regulations 1986⁽⁸⁾) there shall be inserted, after the entry in respect of regulation 63, the following entry:

“Regulation 63A (additional requirement for applicant no longer resident at qualifying address)⁽⁹⁾

Northern Ireland Office
23rd July 1991

P. L. Brooke
One of Her Majesty’s Principal Secretaries of
State

(6) 1985 c. 50.

(7) Regulation 5(2) has been amended by S.I. 1990/562.

(8) S.I. 1986/1091.

(8) S.I. 1986/1091.

(9) Regulation 63A was inserted by S.I. 1991/1674.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the European Parliamentary Elections (Northern Ireland) Regulations 1986 “the 1986 Regulations” which apply in Northern Ireland only.

Paragraph (a) of the amendment made by regulation 4 of these Regulations has the effect of applying for the purposes of European Parliamentary elections the addition to the list of specified documents at parliamentary elections made by regulation 4 of the Representation of the People (Northern Ireland) (Variation of Specified Documents and Amendment) Regulations 1991 “the 1991 Regulations”. Under rule 37(1A) of the parliamentary election rules in Schedule 1 to the Representation of the People Act 1983 (as inserted by the Elections (Northern Ireland) Act 1985), which provision has also been applied for the purposes of European Parliamentary elections, a ballot paper must not be delivered to a voter at a polling station unless he has produced a document on the list of specified documents to the presiding officer or a clerk. The addition made by regulation 4 of the 1991 Regulations is in respect of a card made of plastic on which the name and national insurance number of the person to whom it is issued have been embossed and which has been issued by the Department of Health and Social Security or the Department of Social Security.

Regulation 5 of these Regulations has the effect of applying for the purposes of European Parliamentary elections a consequential amendment made by regulation 8 of the 1991 Regulations to the backs of the forms of an elector’s official poll card and a proxy’s official poll card. The backs of those forms set out the list of specified documents.

Paragraph (b) of the amendment made by regulation 4 of these Regulations has the effect of applying the amendment made by section 1 of the Representation of the People Act 1990 “the 1990 Act” to section 6 of the Representation of the People Act 1985 for the purposes of European Parliamentary elections. The said section 6, as applied by the 1986 Regulations, provides for the entitlement to an absent vote for an indefinite period at European Parliamentary elections. The said section 1 adds a further ground on which the right can be claimed which applies where the applicant is no longer resident at his qualifying address or at any other address in the same area.

Regulation 6 of these Regulations applies for the purposes of European Parliamentary elections a regulation which the 1991 Regulations added to the Representation of the People (Northern Ireland) Regulations 1986 and which concerns applications for an absent vote for an indefinite period made on the grounds inserted by section 1 of the 1990 Act.