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STATUTORY INSTRUMENTS

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**1994 No. 1412**

**REPRESENTATION OF THE PEOPLE**

**The European Parliamentary Elections (Returning  
Officer's Charges) (Northern Ireland) Order 1994**

*Made* - - - - *24th May 1994*  
*Coming into force* - - *1st June 1994*

In exercise of the powers conferred upon me by section 29(3) of the Representation of the People Act 1983(1), as applied by regulation 5(1) of and Schedule 1 to the European Parliamentary Elections (Northern Ireland) Regulations 1986(2), I hereby make the following Order with the consent of the Treasury:

1.—(1) This Order may be cited as the European Parliamentary Elections (Returning Officer's Charges) (Northern Ireland) Order 1994 and shall come into force on 1st June 1994.

(2) This Order extends to Northern Ireland only.

2.—(1) For the purposes of paragraph (a) of section 29(3) of the Representation of the People Act 1983, as applied by regulation 5(1) of and Schedule 1 to the European Parliamentary Elections (Northern Ireland) Regulations 1986 (which, as so applied, provides that a returning officer is entitled to recover his charges in respect of services properly rendered or expenses properly incurred for or in connection with a European Parliamentary election if the services or expenses are of a kind specified in an order made under that provision and the charges are reasonable), expenses of a kind described in paragraphs 1(1), 2(1), 3(1) and 4(1) of Part A of the Schedule to this Order (hereafter referred to as "expenses specified in Part A of the Schedule") and expenses of a kind described in Part B of the Schedule to this Order are hereby specified.

(2) The maximum recoverable amounts at a contested election in respect of the expenses specified in Part A of the Schedule are hereby specified as the amounts set out in the right-hand column of that Part in respect of each entry set out opposite thereto in the left-hand column of that Part.

(3) The maximum recoverable amount in respect of the expenses specified in Part A of the Schedule at an uncontested election is hereby specified as £1,025.

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(1) 1983 c. 2; section 29 has been amended by section 1 of the Representation of the People Act 1991 (c. 11), and by the Transfer of Functions (Returning Officers' Charges) Order 1991 (S.I. 1991/1728); the functions formerly conferred on the Treasury have been transferred to the Secretary of State by that Order.

(2) S.I. 1986/2250; the title of these Regulations was amended by 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. The amendments to section 29 of the Representation of the People Act 1983 referred to in the previous footnote were applied for the purposes of European Parliamentary elections by regulation 2 of the European Parliamentary Elections (Northern Ireland) (Amendment) Regulations 1992 (S.I. 1992/833). There have been other amendments to S.I. 1986/2250 which are not relevant to this Order.

(4) In the Schedule to this Order—

- (a) “election” means a European Parliamentary election;
- (b) any reference to the register of electors is to the register of electors used at the election at which the expenses were incurred and to that register as first published;
- (c) “returning officer” means the returning officer for a European Parliamentary election in Northern Ireland; and
- (d) “the 1986 Regulations” means the European Parliamentary Elections (Northern Ireland) Regulations 1986.

Northern Ireland Office  
23rd May 1994

*P. B. B. Mayhew*  
One of Her Majesty’s Principal Secretaries of  
State

We consent to this Order.

24th May 1994

*Andrew Mackay*  
*Irvine Patnick*  
Two of the Lords Commissioners of Her  
Majesty’s Treasury

## SCHEDULE

### EXPENSES IN RESPECT OF WHICH THE RETURNING OFFICER AT A EUROPEAN PARLIAMENTARY ELECTION IN NORTHERN IRELAND MAY RECOVER HIS CHARGES

#### PART A

#### EXPENSES OF RETURNING OFFICER FOR WHICH MAXIMUM RECOVERABLE AMOUNTS ARE SPECIFIED

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**1. —**

(1) This paragraph makes provision for the returning officer's expenses in respect of the payment of presiding officers at polling stations.

(2) Subject to sub-paragraph (3) below, £103.50.  
the maximum recoverable amount for the expenses specified in sub-paragraph (1) above (including expenses incurred in respect of a person who takes over the duties of a presiding officer on polling day due to the incapacity of the previously appointed presiding officer) in respect of the presiding officer at each polling station is

(3) Where at a polling place to which 3,000 or more entries in the register of electors are assigned there is more than one polling station, the maximum recoverable amount in respect of one only of the presiding officers at the polling stations at such a polling place is increased by £6.30.

**2. —**

(1) This paragraph makes provision for the returning officer's expenses in respect of the payment of poll clerks at polling stations.

(2) The maximum recoverable amount for the expenses specified in sub-paragraph (1) above in respect of each poll clerk is £65.45.

**3. —**

(1) This paragraph makes provision for the returning officer's expenses in respect of the payment of persons employed in connection with the preparation, revision and issue of the official poll cards.

(2) The maximum recoverable amount for the expenses specified in sub-paragraph (1) above is, for every 100 cards or fraction thereof, £1.31.

**4. —**

(1) This paragraph makes provision for the returning officer's expenses in respect of the payment of persons employed in connection with the issue and receipt of postal ballot papers and any other clerical or other assistance for the purposes of the election.

(2) Subject to sub-paragraphs (3) and (4) below, the maximum recoverable amount for each parliamentary constituency within the European Parliamentary constituency for the expenses specified in sub-paragraph (1) above is

(3) For each parliamentary constituency within the European Parliamentary constituency where the number of entries in the register of electors exceeds 50,000, the maximum recoverable amount is increased, for every additional 1,000 entries or fraction thereof above 50,000, by

(4) The maximum recoverable amount is increased, for every 100 voters or fraction thereof entitled to vote by post in each parliamentary constituency within the European Parliamentary constituency, by

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## PART B

### EXPENSES OF RETURNING OFFICER FOR WHICH NO MAXIMUM RECOVERABLE AMOUNTS ARE SPECIFIED

1. Travelling and overnight subsistence expenses of—
  - (a) the returning officer;
  - (b) any person to whom the Chief Electoral Officer has, under section 14A(2) of the Electoral Law (Northern Ireland) Act 1962(3), as applied by virtue of regulation 5(1) of and Schedule 1 to the 1986 Regulations, delegated any of his functions as returning officer;
  - (c) the verifying officer;
  - (d) any person appointed under section 14A(3) of the said Act of 1962 as so applied;
  - (e) any presiding officer or poll clerk;
  - (f) any clerical or other assistants employed by the returning officer.
2. Expenses in printing or otherwise producing the ballot papers.
3. Expenses in printing or otherwise producing the official poll cards and in delivering them to the voters, excluding the expenses referred to in paragraph 3(1) of Part A of this Schedule.
4. Expenses in printing or otherwise producing and, where appropriate, publishing notices and other documents required by law.
5. Expenses in renting, heating, lighting and cleaning any building or room.

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(3) 1962 c. 14 (N.I.): section 14A was inserted by article 6 of the Electoral Law (Northern Ireland) Order 1972 (S.I. 1972/1264 (N.I. 13)).

6. Expenses in adapting any building or room and in restoring it to a fit condition for its normal use.
7. Expenses in the provision of voting compartments and any other furniture necessary for polling stations.
8. Expenses in the provision of ballot boxes and instruments to stamp on the ballot papers the official mark.
9. Expenses in the conveyance to and from the polling stations of—
  - (a) the ballot boxes and ballot papers, and
  - (b) the voting compartments, any other furniture necessary for polling stations and the instruments to stamp the official mark on the ballot papers.
10. Expenses in respect of the payment of persons employed in connection with the verification of ballot paper accounts and the count.
11. Expenses in the provision of stationery and writing implements and in postage, telephone and bank charges and other miscellaneous items.
12. Expenses in connection with the provision of security measures.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order, which extends only to Northern Ireland, makes provision for the payment of the Chief Electoral Officer as returning officer at European Parliamentary elections in respect of expenses incurred in connection therewith.

Under section 29(3) of the Representation of the People Act 1983 (as substituted by the Representation of the People Act 1991), as applied for the purposes of European Parliamentary elections, the entitlement of a returning officer at a European Parliamentary election to recover his charges in respect of his services or expenses for or in connection with such an election depends upon—

- (a) the services or expenses being of a kind specified in an order under that provision,
- (b) the services being properly rendered and the expenses being properly incurred, and
- (c) the charges in respect of them being reasonable.

Parts A and B of the Schedule to this Order specify the kinds of expenses incurred by the returning officer for or in connection with a European Parliamentary election in respect of which he is entitled to recover his charges, together (in the case of Part A) with the maximum recoverable amounts in respect of those charges.

This Order replaces the European Parliamentary Elections (Returning Officers' Expenses) (Northern Ireland) Regulations 1989 (S.I.1989/996), which ceased to have effect following the replacement of the powers under which they were made with the power under which this Order is made. Part A of the Schedule to this Order increases the maximum recoverable amounts from those that were specified in the 1989 Regulations.

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