



European Parliamentary Elections Act 1993

1993 CHAPTER 41

An Act to give effect to a Decision of the Council of the European Communities, 93/81/Euratom, ECSC, EEC, of 1st February 1993 having the effect of increasing the number of United Kingdom representatives to be elected to the European Parliament; and for connected purposes. [5th November 1993]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Increase in number of representatives to the European Parliament

- (1) In the European Parliamentary Elections Act 1978 (in this Act referred to as “the principal Act”), in section 2 (number of representatives)—
 - (a) for “81” there shall be substituted “87”;
 - (b) in paragraph (a) (England) for “66” there shall be substituted “71”; and
 - (c) in paragraph (c) (Wales) for “4” there shall be substituted “5”.
- (2) In paragraph 1 of Schedule 1 to the principal Act (European Parliamentary constituencies), in sub-paragraph (2)—
 - (a) for “79” there shall be substituted “85”;
 - (b) in paragraph (a) (England) for “66” there shall be substituted “71”; and
 - (c) in paragraph (c) (Wales) for “4” there shall be substituted “5”.

2 Initial drawing up of the new constituencies

- (1) The provisions of this section have effect for the purpose of determining the European Parliamentary constituencies into which England and Wales shall initially be divided in order to give effect to paragraph 1(2)(a) and (c) of Schedule 1 to the principal Act, as amended by section 1 above.

- (2) For each of England and Wales there shall be a European Parliamentary Constituencies Committee (in this Act referred to as a “Committee”) appointed (whether before or after the passing of this Act) by the Secretary of State; and the provisions of Part I of the Schedule to this Act shall have effect with respect to each Committee.
- (3) Part II of the Schedule to this Act (which is derived, with modifications, from provisions of Part I of Schedule 2 to the principal Act) shall have effect with respect to reports of the Committees and Orders in Council consequent thereon.
- (4) Parts II and III of Schedule 2 to the principal Act (criteria for dividing Great Britain into European Parliamentary constituencies) shall have effect in relation to reports of the Committees and Orders in Council consequent thereon as they have effect in relation to reports of Boundary Commissions and Orders in Council under that Schedule, except that for the definition of “enumeration date” in Part III there shall be substituted—

“enumeration date” means 16th February 1993.
- (5) For the purposes of the principal Act, an Order in Council which has been made under Part II of the Schedule to this Act shall have effect as if it had been made under Schedule 2 to the principal Act.
- (6) Any appointment made or other thing done by or in relation to a Committee at a time before the passing of this Act shall be regarded as valid if it would have been valid at that time, had this Act then been in force.

3 Short title, consequential amendment and commencement

- (1) This Act may be cited as the European Parliamentary Elections Act 1993.
- (2) In section 1(2) of the European Communities Act 1972, in the definition of “the Treaties”, and “the Community Treaties”, after paragraph (k) there shall be inserted the words “and
 - (l) the decision, of 1st February 1993, of the Council amending the Act concerning the election of the representatives of the European Parliament by direct universal suffrage annexed to Council Decision [76/787/ECSC](#), EEC, Euratom of 20th September 1976.”
- (3) Section 1 of this Act shall come into force on such day as the Secretary of State may by order made by statutory instrument appoint; and different days may be so appointed for different purposes.

SCHEDULE

PART I

THE EUROPEAN PARLIAMENTARY CONSTITUENCIES COMMITTEES

- 1 Each Committee shall consist of a Chairman and two other members appointed by the Secretary of State.
- 2 Each member of a Committee (including the Chairman) shall hold his appointment for such term and on such conditions as may be (or have been) determined before his appointment by the Secretary of State.
- 3 The Secretary of State may, after consultation with a Committee, provide the Committee with such staff as he thinks necessary for the proper discharge of their functions.
- 4 The Secretary of State shall pay to the members of a Committee (including the Chairman) such remuneration and allowances as he may, with the approval of the Treasury, determine.

PART II

REPORTS OF COMMITTEES AND ORDERS IN COUNCIL

- 5 As soon as practicable after the passing of this Act, each of the Committees shall submit to the Secretary of State a report showing the European Parliamentary constituencies into which they recommend that England or, as the case may be, Wales should be divided.
- 6 A report of a Committee under this Part of this Schedule showing the European Parliamentary constituencies into which they recommend that England or Wales should be divided shall state, as respects each European Parliamentary constituency, the name by which they recommend that it should be known.
- 7 As soon as may be after a Committee have submitted a report to the Secretary of State under this Part of this Schedule, he shall lay the report before Parliament together with the draft of an Order in Council for giving effect, whether with or without modifications, to the recommendations contained in the report.
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 - (1) The draft of any Order in Council laid before Parliament by the Secretary of State under this Part of this Schedule for giving effect, whether with or without modifications, to the recommendations contained in a report of a Committee may make provision for any matters which appear to him to be incidental to, or consequential on, the recommendations.
 - (2) Where any such draft gives effect to any such recommendations with modifications, the Secretary of State shall lay before Parliament together with the draft a statement of the reasons for the modifications.
 - (3) If any such draft is approved by a resolution of each House of Parliament, the Secretary of State shall submit it to Her Majesty in Council.
 - (4) If a motion for the approval of any such draft is rejected by either House of Parliament or withdrawn by leave of the House, the Secretary of State may amend the draft and lay the amended draft before Parliament, and if the draft as so amended is approved

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

by a resolution of each House of Parliament, the Secretary of State shall submit it to Her Majesty in Council.

- (5) Where the draft of an Order in Council is submitted to Her Majesty in Council under this Part of this Schedule, Her Majesty in Council may make an Order in terms of the draft which, subject to paragraph 8 of Schedule 2 to the principal Act, shall come into force on such date as may be specified in or determined under the Order and shall have effect notwithstanding anything in any enactment.
- (6) The validity of any Order in Council purporting to be made under this Part of this Schedule and reciting that a draft of the Order has been approved by a resolution of each House of Parliament shall not be called in question in any legal proceedings whatsoever.
- 9 Nothing in paragraphs 7 and 8 above shall be taken as enabling the Secretary of State to modify any recommendation or draft Order in Council in a manner conflicting with the provisions of Part II of Schedule 2 to the principal Act.