

*These notes refer to the European Parliament (Representation)  
Act 2003 (c.7) which received Royal Assent on 8 May 2003*

# EUROPEAN PARLIAMENT (REPRESENTATION) ACT 2003

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 1: Changes in total number of United Kingdom MEPs**

##### ***Section 7 and Schedule: Periodic reviews of distribution of MEPs and Schedule 1A to the 2002 Act***

21. This section inserts a new section and Schedule into the 2002 Act and replaces the periodic reviews formerly undertaken in England by the Secretary of State about a year before each election. The inserted Schedule provides for this periodic exercise to take place on the same basis as the re-numbering exercise provided for by [section 3](#). That is, the whole of the UK will be considered at the periodic reviews (not just the English regions) and the principles set out in [section 3\(4\)](#) will apply.
22. The new Schedule requires the Electoral Commission to carry out the periodic reviews rather than the Secretary of State. However, the Commission will not be required to carry out a periodic review if a review under [section 3](#) has recently been concluded, or has begun, or is expected to begin shortly. A similar process for making recommendations and for making subsequent orders applies to periodic reviews as to [section 3](#) reviews.
23. The new Schedule 1A to the 2002 Act refers throughout to the Secretary of State rather than the Lord Chancellor. That follows the wording of other provisions of that Act which confer functions on the Secretary of State. The Transfer of Functions (Transport, Local Government and the Regions) Order 2002 provides for the Lord Chancellor and the Secretary of State to have concurrent powers in relation to these functions.