

*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

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2: Gibraltar

Section 12: Power to make consequential etc provision

29. The underlying approach of the Act is that Gibraltar is to be treated as if it were as much a part of the combined region as the other areas of the region. The Act therefore makes provision for the whole corpus of electoral law that applies for the purposes of elections to the European Parliament to apply for these purposes to Gibraltar. Following closely the pattern of the 2002 Act it makes specific provision for some matters, for example, the franchise, or amends the 2002 Act for others, for example, the returning officer, and provides enabling powers to provide for the conduct of the elections by applying with modifications the provisions of electoral law for UK parliamentary elections.
30. *Section 12* enables the Lord Chancellor to make provision surrounding the creation of the combined region. The aim is that as far as possible electoral law for European Parliamentary elections will apply in the same way throughout the combined region. Subordinate legislation may be made, with the help of the supplementary powers in *section 13*, to apply the UK legislation about European Parliamentary elections, with modifications if necessary, for the purpose of allowing European Parliamentary elections to take place in Gibraltar. Certain particular areas of law which may be affected are specified in *subsection (3)* but the use of the powers is not limited to those areas. The Electoral Commission are to be consulted before the Lord Chancellor exercises such powers.