



European Parliament (Representation) Act 2003

2003 CHAPTER 7

PART 2

GIBRALTAR

New combined electoral region

12 Power to make consequential etc provision

- (1) The [^{F1}Secretary of State] may by order make such provision as he considers necessary or expedient in consequence of, or in connection with, the inclusion of Gibraltar in an electoral region for the purposes of European Parliamentary elections.
- (2) Such an order may be made before or after the combined region is established under section 11.
- (3) Without prejudice to the generality of subsection (1), the provision which may be made under this section includes provision about—
 - (a) the registration of political parties established in Gibraltar (as a condition for nomination in relation to a European Parliamentary election in the combined region) and the obligations of registered parties in Gibraltar and their officers;
 - (b) the control of any description of donation to registered parties in Gibraltar or to their members or officers;
 - [^{F2}(ba) the regulation of loans or credit facilities which benefit, or any form of security (whether real or personal) which benefits, registered parties in Gibraltar or their members or officers;]
 - (c) the obligations of persons providing programme services in or to Gibraltar, and the functions of any public authority in Gibraltar responsible for the regulation of persons providing such services, in relation to European Parliamentary elections and election campaigns.

Status: Point in time view as at 11/09/2006. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the European Parliament (Representation) Act 2003, Section 12. (See end of Document for details)

(4) In subsection (3)—

[^{F3}“credit facilities” must be construed in accordance with section 71F(11) of the Political Parties, Elections and Referendums Act 2000;]

“donation” includes anything which is (or corresponds to) a donation within the meaning of Part 4 of the Political Parties, Elections and Referendums Act 2000 (c. 41); and

“programme services” includes services which would, if Gibraltar were part of the United Kingdom, be programme services ^{F4}. . . for the purposes of the Broadcasting Act 1990 (c. 42).

(5) The [^{F1}Secretary of State] must consult the Electoral Commission before making an order under this section.

(6) The power under this section is not restricted by any power conferred by section 17 (or any other power to make subordinate legislation which is exercisable by the [^{F1}Secretary of State]).

Textual Amendments

- F1** Words in ss. 10-13 substituted (19.8.2003) by [The Secretary of State for Constitutional Affairs Order 2003 \(S.I. 2003/1887\)](#), art. 9, [Sch. 2 para. 15\(1\)\(a\)](#) (with arts. 6, 8)
- F2** S. 12(3)(ba) inserted (11.9.2006) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 74(1), 77, [Sch. 1 para. 156\(a\)](#); S.I. 2006/1972, [art. 3](#), Sch. 1 para. 25(l) (subject to art. 4, Sch. 2)
- F3** S. 12(4): definition of "credit facilities" inserted (11.9.2006) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 74(1), 77, [Sch. 1 para. 156\(b\)](#); S.I. 2006/1972, [art. 3](#), Sch. 1 para. 25(l) (subject to art. 4, Sch. 2)
- F4** S. 12(4): words in definition of "programme services" repealed (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), ss. 406, 411(2), [Sch. 19\(1\)](#) (with Sch. 18, Sch. 19(1) Note 1); S.I. 2003/3142, [art. 3\(1\)](#), Sch. 1 (subject to art. 3(3) and with art. 11)

Commencement Information

- I1** S. 12 wholly in force at 23.3.2004; s. 12 not in force at Royal Assent, see s. 28(4); s. 12 in force for certain purposes at 7.1.2004 by S.I. 2004/24, [art. 2\(a\)\(i\)](#); s. 12 in force in so far as not already in force at 23.3.2004 by S.I. 2004/1035, [art. 2](#)

Status:

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Changes to legislation:

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