

*These notes refer to the European Union Act 2011  
(c.12) which received Royal Assent on 19 July 2011*

# EUROPEAN UNION ACT 2011

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 2: Implementation of Transitional Protocol on MEPs**

##### ***Section 17: Election of additional MEP***

115. This section, and *Schedule 2* to this Act, makes provision for how the additional MEP is to be elected, namely by reference to the results of the last European Parliamentary elections held in the UK on 4 June 2009, as if the additional seat had been allocated to the West Midlands electoral region at the date of that election. This is one of the three methods of electing the additional MEP provided for by the MEPs Protocol, and is the method being used by the majority of the other Member States gaining MEPs under the MEPs Protocol.
116. This section and *Schedule 2* are to be the operative provisions governing the initial election of the MEP for this additional seat, and not section 5 of the European Parliamentary Elections Act 2002 ('2002 Act').
117. This section and *Schedule 2* will only apply until the next 'general' election of Members of the European Parliament, which is expected to be held in June 2014 (see *subsection (3)(a)*). If a subsequent vacancy arises in the same seat, after an MEP has been returned in accordance with the provisions of this section and *Schedule 2* but *before* the next general election of MEPs, the vacancy will be filled in the same way as any other vacant seat in a UK electoral region would be filled – by reference to section 5 of the 2002 Act (see *subsection (3)(b)*).