

SCHEDULE 1

Article 3(1)

APPLICATION WITH MODIFICATIONS OF PROVISIONS OF
THE REPRESENTATION OF THE PEOPLE ACTS 1983 AND 1985

<i>Provision applied</i>	<i>Modification</i>
THE REPRESENTATION OF THE PEOPLE ACT 1983	
In section 18 (polling districts and places at parliamentary elections), subsections (1) and (9)	After subsection (1) insert: “(1A) The polling districts and polling places designated under this section shall be the same as those used or designated for parliamentary elections, except where it appears to those responsible for designating parliamentary polling districts and places that special circumstances make it desirable for some other polling district or place to be designated.”.
Section 23 (rules for parliamentary elections)	Any reference to a returning officer includes a reference to a local returning officer.
In section 24 (returning officers: England and Wales), subsection (2)	
Section 29 (payments by and to returning officer)(1)	Omit subsections (1) and (2). Any reference to a returning officer includes a reference to a local returning officer.
Section 30 (taxation of returning officer’s account)	Any reference to a returning officer includes a reference to a local returning officer.
Section 49 (effect of registers)(2)	In subsection (5)– (a) (a) for the words from the beginning to “proxies” substitute “A person whose registration as an elector or entry in the list of proxies entitles him to vote”, and; (b) in paragraph (b)(iv) for “a local government” substitute “an”.
Section 50 (effect of misdescription)	
Section 52 (discharge of registration duties)(3)	Omit subsection (1).
Section 54 (payment of expenses of registration)(4)	

- (1) Section 29 was amended by the Representation of the People Act 1991 (c. 11) and the Transfer of Functions (Returning Officers' Charges) Order 1991 (S.I. 1991/1728).
- (2) Subsections (1)(d) and (3) of section 49 were repealed by Schedule 5 to the 1985 Act and subsection (5) was substituted by Schedule 2 to the Local Government Elections (Changes to the Franchise and Qualification of Members) Regulations 1995 (S.I. 1995/1948).
- (3) Section 52 was amended by Schedule 4 to the 1985 Act, Schedule 16 to the Local Government (Wales) Act 1994 (c. 19) and Schedule 13 to the Local Government etc. (Scotland) Act 1994 (c. 39).
- (4) Section 54 was amended by Schedule 4 to the 1985 Act.

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<i>Provision applied</i>	<i>Modification</i>
Section 56 (registration appeals: England and Wales)(5)	Omit paragraphs (a) and (d) of subsection (1). In subsection (4A) omit “nominating candidates”.
Section 57 (registration appeals: Scotland)	
Section 60 (personation)	
Section 61 (other voting offences)(6)	After subsection (1) insert:– “(1A) References in subsection (1) above to legal incapacity to vote at a European Parliamentary election include incapacity to vote at the kind of election from which the entitlement to vote at a European Parliamentary election derives.” In subsection (2)(a)(iii) for “some other constituency” substitute “respect of an address other than the address by virtue of which he votes as elector”. In subsection (7)(a) for “173” substitute “160(5)”. Omit subsection (7)(b).
Section 63 (breach of official duty)(7)	In subsection (3) omit paragraph (a) and in paragraph (b) after “returning officer” insert “, local returning officer”.
Section 65 (tampering with nomination papers, ballot papers, etc.)(8)	At the end of subsection (1)(a) insert “or the list of candidates submitted by a registered party”. In subsection (3) after “returning officer,” insert “a local returning officer,”.
Section 66 (requirement of secrecy)(9)	In subsection (1) before “returning” insert “local”. In subsection (2) before “counting” in the first and third places where it occurs insert “verification of the ballot paper accounts or the”. In subsections (2)(b), (3)(b) and (c), (4)(d) and (5) for “candidate for whom” substitute “way in which”. After subsection (2) insert the following subsection:

(5) Subsection (4A) of section 56 was inserted by Schedule 4 to the 1985 Act and subsections (1)(c) and (6) were repealed by Schedule 5 to that Act.

(6) Section 61 was amended by paragraph 2 of Schedule 2 to the 1985 Act.

(7) Section 63 was substituted by Schedule 4 to the 1985 Act.

(8) Subsection (3) and (4) of section 65 were substituted by Schedule 3 to the 1985 Act.

(9) Section 66(6) was amended by Schedule 3 to the 1985 Act.

<i>Provision applied</i>	<i>Modification</i>
	<p>“(2A) No person attending at the verification of the ballot paper accounts shall express to any person an opinion based on information obtained at that verification as to the likely result of the election.”.</p> <p>In subsection (3)(d) for “name of the candidate for whom he has or has not” substitute “way in which he has”.</p>
Section 67 (appointment of election agent)(10)	Any reference to a candidate is a reference to an individual candidate.
Section 68 (nomination of sub-agent at parliamentary election)(11)	<p>In subsection (1) for the words from the beginning to “candidate” substitute “An election agent for an individual candidate”.</p> <p>In subsection (2) omit paragraph (c) and the word “and” before it.</p> <p>In subsection (4) before “candidate's” insert “individual”.</p> <p>At the end insert:–</p> <p>“(6) In subsections (2) to (4) references to an election agent are to an election agent of an individual candidate.”.</p>
Section 69 (office of election agent and sub-agent)(12)	<p>For subsection (2) substitute:</p> <p>“(2) The office of–</p> <ul style="list-style-type: none">(a) the election agent shall be within the electoral region, and(b) the sub-agent shall be within the area for which he is appointed to act.”.<p>At the end insert–</p><p>“(4) In this section, references to an election agent and sub-agent are to an election agent or sub-agent of an individual candidate.”.</p>
Section 70 (effect of default in election agent’s appointment)(13)	<p>Any reference to a candidate is a reference to an individual candidate.</p> <p>Omit subsection (4)(b).</p>
Section 72 (making of contracts through election agent)	<p>Omit subsection (1).</p> <p>In subsection (2)–</p> <ul style="list-style-type: none">(a) (a) after “against a” insert “registered party unless made by

(10) Section 67(4) was amended by Schedule 4 to the 1985 Act.

(11) Section 68(3) was amended by Schedule 4 to the 1985 Act.

(12) Section 69(1) was amended by Schedule 4 to the 1985 Act.

(13) Section 70(3A) was inserted by Schedule 4 to the 1985 Act.

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<i>Provision applied</i>	<i>Modification</i>
	its election agent or against an individual”; and
	(b) omit the words from “but” to the end.
	In subsection (3)–
	(a) (a) omit “, in relation to a parliamentary election where sub-agents are allowed,”; and
	(b) at end insert “or a person authorised in writing by the election agent or sub-agent”.
Section 73 (payment of expenses through election agent)(14)	In subsection (1)–
	(a) (a) in paragraph (b) before “candidate” insert “registered party or individual”; and
	(b) for “candidate’s election agent” substitute “election agent of a registered party or individual candidate”.
	In subsection (3)–
	(a) (a) omit “, in relation to a parliamentary election where sub-agents are allowed,”; and
	(b) at end insert “or a person authorised in writing by the election agent or sub-agent”.
	At the beginning of subsection (4) insert “In the case of an individual candidate,” and after “agent” insert “or sub-agent”.
	After subsection (4) insert:–
	“(4A) In the case of a registered party, all money provided by any person other than a candidate on that party’s list of candidates for any election expenses, whether as gift, loan, advance or deposit, shall be paid to the election agent or sub-agent and not otherwise.”.
	In subsection (6) after “(4)” insert “or (4A)”.
Section 74 (candidate’s personal expenses, and petty expenses)(15)	In subsection (1) for “£600” substitute “£900”.
	For subsection (3) substitute–
	“(3) Any person may, if so authorised in writing by an election agent or sub-agent, pay any election expenses to a total amount not

(14) Section 73(2) was amended by section 14(1) of the 1985 Act.

(15) Section 74(1) was amended by section 14(2) of the 1985 Act.

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<i>Provision applied</i>	<i>Modification</i>
	exceeding that named in the authority, but any excess above that amount so named shall be paid by the agent who authorised that person.”.
	In subsection (4)–
	(a) (a) for “election agent” substitute “agent who authorised them”, and
	(b) at the end insert “and, where that agent is the sub-agent, he shall forward the statement, together with his authority, to the election agent.”.
Section 75 (prohibition of expenses not authorised by election agent)(16)	In subsection (1)–
	(a) (a) for “of a candidate” substitute “of a registered party or an individual candidate”;
	(b) for the words “other than the candidate” substitute “other than, in the case of a registered party, its election agent and persons authorised in writing by the election agent and, in the case of an individual candidate, the candidate”;
	(c) for paragraph (c) substitute–
	“(c) of otherwise presenting to the electors, in the case of a registered party, that party or its candidates or the views of that party or its candidates or the extent or nature of its or their backing or, in the case of an individual candidate, that candidate or his views or the extent or nature of his backing or, in either case, disparaging a registered party or its candidates or an independent candidate,”; and
	(d) in paragraph (ii) for “sum of £5” substitute “relevant sum” and omit from “and are” to “others”.
	After subsection (1) insert:–
	“(1A) In subsection (1)(ii) “the relevant sum” means £5,000 for each region in respect of which expenses are incurred.”.
	In subsection(2)–

(16) Section 75(1)(i) was amended by Schedule 20 to the Broadcasting Act 1990 (c. 42) and Schedule 10 to the Broadcasting Act 1996 (c. 55); section 75(1)(ii) was amended by section 14(3) of the 1985 Act and subsections (2), (4) and (5) of section 75 were amended by Schedule 4 to the 1985 Act.

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<i>Provision applied</i>	<i>Modification</i>
	<p>(a) (a) in paragraph (a) for the words from “appropriate officer” to the end of that paragraph substitute “agent who authorised the expenses a return of the amount of them”; and</p> <p>(b) before “candidate”, in the final place where it occurs, insert “registered party or its election agent or individual”.</p> <p>In subsection (3) for the words from the beginning to “agent” substitute “The authority of the agent who authorised the incurring of the expenses”.</p> <p>Omit subsection (4).</p> <p>In subsection (5)–</p> <p>(a) (a) omit “or send” and “or a copy of it”;</p> <p>(b) in paragraph (i) for “173” substitute “160(5)”; and</p> <p>(c) omit paragraph (ii).</p> <p>After subsection (6) insert:–</p> <p>“(7) References in this section to an election agent include a sub-agent.”</p>
Section 76 (limitation of election expenses)(17)	<p>In subsections (1) and (5) for “a candidate”, in each place where the words occur, substitute “an individual candidate”.</p> <p>After subsection (1) insert:–</p> <p>“(1A) The references in subsection (1) to sums being paid and expenses being incurred by the election agent include sums being paid and expenses being incurred by a person acting on the written authority of an election agent or sub-agent.”</p> <p>For subsection (2) substitute–</p> <p>“(2) That maximum amount is £45,000 multiplied by the number of MEPs to be returned for the electoral region at that election.”</p> <p>Omit subsections (4) and (6).</p>
Section 78 (time for sending in and paying claims)(18)	<p>In subsection (1)–</p> <p>(a) for “a candidate” substitute “an individual candidate”; and</p>

(17) Section 76(3) was repealed by Schedule 5 to the 1985 Act.

(18) Section 78 was amended by Schedule 4 to the 1985 Act.

<i>Provision applied</i>	<i>Modification</i>
	<p>(b) for “election agent”, in the second place where the words occur, substitute “agent who incurred the expense”.</p> <p>After subsection (1) insert:–</p> <p>“(1A) Every claim against a registered party in respect of election expenses which is not sent in to the agent who incurred the expense within 21 days after the day on which the result of the election is declared shall be barred and not paid.”.</p> <p>After subsection (2) insert:–</p> <p>“(2A) Where the agent who incurred the expense is not the national election agent or, as the case may be, election agent, he shall send to that agent, forthwith on payment of the expense, the bill and a record of the fact that he has paid it and, on receiving a receipt for that payment, shall send that receipt to that agent.”.</p> <p>In subsection (3)–</p> <p>(a) after “election agent”, in the first place where the words occur, insert “or the agent who incurred the expense”; and</p> <p>(b) omit from “but” to the end of the subsection.</p> <p>In subsection (4)–</p> <p>(a) for “candidate or his election agent” substitute “agent or individual candidate who incurred the expense”;</p> <p>(b) after “sent in to the” insert “individual”; and</p> <p>(c) for “the election agent” substitute “the agent who incurred the expense”.</p> <p>In subsection (5)–</p> <p>(a) for “candidate or his election agent” substitute “agent or individual candidate who incurred the expense”; and</p> <p>(b) at end insert “; and subsection (2A) above shall apply to any such payment”.</p> <p>After subsection (5) insert:–</p> <p>“(5A) References in this section to the agent who incurred the expense are references to the national election agent, election agent or sub-agent or an agent who did so on the written authority of such an agent.”.</p>

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<i>Provision applied</i>	<i>Modification</i>
Section 79 (disputed claims)(19)	<p>In subsection (1) for “election agent” substitute “agent who incurred the expense”.</p> <p>In subsection (2) for “candidate or his election agent” substitute “agent or individual candidate who incurred the expense”.</p>
Section 80 (election agent’s claim)	
Section 81 (return as to election expenses)(20)	<p>In subsection (1)–</p> <ul style="list-style-type: none"> (a) for “35 days” substitute “50 days”; (b) after “every” insert “individual”; (c) after “deliver” insert “or cause to be delivered”; and (d) after “made by” insert “or on behalf of”. <p>After subsection (1) insert–</p> <p>“(1A) Where a registered party stands for election in more than one electoral region at a general election of MEPs, the national election agent of that party shall, within 70 days after the day on which the last result at that election is declared, deliver or cause to be delivered to the Secretary of State a true return in the form set out in Schedule 3 to this Act, or to the like effect, containing as respects that party a statement of all payments made by or on behalf of that agent together with all the bills and receipts.</p> <p>(1B) Where a registered party stands for election in one electoral region only, the election agent of that party shall, within 50 days after the day on which the result of the election is declared, deliver or cause to be delivered to the Secretary of State a true return in the form set out in Schedule 3 to this Act, or to the like effect, containing as respects that party a statement of all payments made by or on behalf of that agent together with all the bills and receipts.”</p> <p>In subsection (3) after “as respects that” insert “registered party or individual”.</p> <p>In subsection (4) for “candidate”, in each place where it occurs, substitute “individual candidate”.</p> <p>In subsection (5)–</p> <ul style="list-style-type: none"> (a) for “candidate or his election agent” substitute “agent or individual candidate who incurred the expenses”; (b) after “deliver” insert “or cause to be delivered”; and

(19) Section 79 was amended by Schedule 4 to the 1985 Act.

(20) Section 81 was amended by Schedule 4 to the 1985 Act.

<i>Provision applied</i>	<i>Modification</i>
	(c) after “appropriate officer” insert “or, where the return is delivered under subsection (1A) or (1B) above, the Secretary of State”.
	After subsection (5) insert:– “(6) Section 78(5A) above applies for the interpretation of subsection (5) above as it applies for the interpretation of section 78.”
Section 82 (declarations as to election expenses)(21)	Any reference to a candidate is to be construed as a reference to an individual candidate. In subsection (2) after “delivers” and after “deliver” insert “or cause to be delivered”.
Section 84 (penalty for failure as respects return or declarations)	For “a candidate” substitute “an individual candidate”.
Section 86 (authorised excuses for failures as to return and declarations)(22)	Any reference to a candidate is to be construed as a reference to an individual candidate. In subsection (1) for “his election agent” substitute “the election agent of a registered party or individual candidate”. Omit subsection (5).
Section 87 (court’s power to require information from election agent or sub-agent)(23)	In subsection (1) for “candidate or his election agent respectively” substitute “election agent of a registered party or individual candidate” At the end insert:– “(4) References in this section to the election agent or sub-agent include a person authorised in writing by the election agent or any sub-agent to incur election expenses.”
Section 88 (publication of time and place for inspection of returns and declarations)(24)	The existing section shall become subsection (1). In that subsection– (a) after the words “parliamentary election” insert “at which returns as to election expenses are to be delivered to the returning officer under section 81(1) above”; (b) in paragraph (a)– (i) for “not less than two newspapers” substitute “at least one newspaper”; and

(21) Section 82 was amended by Schedule 4 to the 1985 Act, Schedule 16 to the Local Government (Wales) Act 1994 (c. 19) and Schedule 13 to the Local Government etc. (Scotland) Act 1994 (c. 39) and was repealed in part by Schedule 17 to the Local Government Act 1985 (c. 51).

(22) Section 86(1A) was inserted by Schedule 4 to the 1985 Act.

(23) Section 87(3) was amended by Schedule 4 to the 1985 Act.

(24) Section 88 was amended by Schedule 4 to the 1985 Act.

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	<ul style="list-style-type: none"> (ii) omit “, and shall send to each of the election agents,”; and (c) in paragraph (b) omit from “and sent” to the end. <p>After that subsection insert–</p> <p>“(2) At an election at which returns as to election expenses are to be delivered to the Secretary of State under section 81(1A) or (1B) above–</p> <ul style="list-style-type: none"> (a) he shall, within 10 days after the end of the time allowed for delivering to him returns as to election expenses, publish in the London Gazette and the Edinburgh Gazette a notice of the time and place at which the returns and declarations (including accompanying documents) delivered to him can be inspected; but (b) if any return or declaration due to be delivered to him has not been received by him before the notice is despatched for publication, the notice shall so state, and a like notice about that return and declaration, if afterwards received, shall within 10 days after the receipt be published in like manner.”
Section 89 (inspection of returns and declaration)(25)	<p>In subsection (1) for “75, section 81” substitute “81(1)”.</p> <p>In subsections (1) and (2) for “two years” substitute “12 months”.</p> <p>After subsection (1) insert–</p> <p>“(1A) Any returns or declarations (including the accompanying documents) delivered to the Secretary of State under section 81(1A) or (1B) or section 82 above–</p> <ul style="list-style-type: none"> (a) shall be kept at some convenient place appointed by him, and (b) shall at all reasonable times during the 12 months next after they are received by him be open to inspection by any person on payment of £5, <p>and the person responsible for the place where they are kept shall on demand and on payment</p>

(25) Section 89 was amended by Schedule 4 to the 1985 Act.

<i>Provision applied</i>	<i>Modification</i>
Section 91 (candidate's right to send election address post free)(26)	<p>of a fee of 15p for each side of each page provide copies of them or any part of them.”</p> <p>In subsection (2) after “officer” insert “or Secretary of State”.</p> <p>Omit subsections (2)(b) and (3).</p> <p>In subsection (1) for “A candidate” and in subsection (2) for “He” substitute “An individual candidate and the nominating officer of a registered party which is included in the statement of parties and individual candidates nominated for the election or a person authorised in writing by that officer”.</p> <p>In subsection (3) for “a candidate”, in each place where the words occur, substitute “an individual candidate”.</p> <p>After subsection (3) insert:–</p> <p>“(3A) Until the publication of the statement of parties and individual candidates nominated for the election in an electoral region, the nominating officer of a registered party or a person authorised in writing by him shall be entitled to exercise in that region the right of free postage conferred by this section if he gives such security as may be required by the Post Office for the payment of postage should that party not be included in that statement as standing nominated.”.</p> <p>For subsection (4) substitute:</p> <p>“(4) For the purposes of this section, “elector” means a person–</p> <ul style="list-style-type: none">(a) who is registered in a register referred to in the definition of “register” in regulation 2 of the European Parliamentary Elections Regulations 1999 to be used at the election in the electoral region, or(b) who, pending the publication of such a register, appears in the electors lists for it (as corrected by the registration officer) to be entitled to be so registered, <p>and accordingly includes a person shown in any of those registers or electors lists as below voting age if it appears therefrom that he will</p>

(26) Section 91(1) was amended by Schedule 4 to the 1985 Act.

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<i>Provision applied</i>	<i>Modification</i>
	be of voting age on the day of the poll, but not otherwise.”.
Section 92 (broadcasting from outside United Kingdom)(27)	In subsection (2) for “173” substitute “160(5)”.
Section 94 (imitation poll cards)(28)	
Section 95 (schools and rooms for parliamentary election meetings)(29)	In subsection (1) after “candidature” insert “or that of his party” and for the words “receipt of the writ” substitute “last date on which notice of election may be published in accordance with the elections rules”.
	In subsection (2)–
	(a) in paragraph (a) omit “or an adjoining constituency”; and
	(b) omit the words from “but a candidate” to the end of the subsection.
Section 97 (disturbances at election meetings)(30)	For subsection (2) substitute: “(2) This section applies to a political meeting held in an electoral region in connection with a European Parliamentary election between the last date on which notice of election may be published in accordance with the elections rules and the date of the poll.”.
Section 98 (premises not affected for rates)(31)	
Section 99 (officials not to act for candidates)(32)	In subsection (1)–
	(a) in paragraph (a) after “officer” insert “or local returning officer”;
	(b) for “a candidate’s agent” substitute “an agent of a registered party which has submitted a list, a candidate on that list or an individual candidate”; and
	(c) for “a candidate” substitute “an individual candidate”.
Section 100 (illegal canvassing by police officers)(33)	
Section 101 (no hiring of vehicles to convey voters)	

(27) Section 92(1) was substituted by Schedule 20 to the Broadcasting Act 1990 (c. 42).

(28) Section 94 has been amended but the amendment is not relevant to the subject matter of these Regulations.

(29) Subsections (1) and (4) of section 95 were amended by Schedule 4 to the 1985 Act and subsection (2)(a) by Part I of Schedule 12 to the Education Reform Act 1988 (c. 40).

(30) Section 97(3) was repealed in part in its application to England and Wales by Part I of Schedule 7 to the Police and Criminal Evidence Act 1984 (c. 60).

(31) Section 98 was repealed as respects England and Wales by Part I of Schedule 13 to the Local Government Finance Act 1988 (c. 41).

(32) Section 99(2) was substituted by Schedule 3 to the 1985 Act.

(33) Section 100(2) was amended by Schedule 3 to the 1985 Act.

<i>Provision applied</i>	<i>Modification</i>
Section 102 (no payments for conveyance of voters)	
Section 103 (provisions supplemental to sections 101 to 103)(34)	
Section 104 (“carriage” in sections 101 to 103)(35)	
Section 105 (access to polling place by sea)	In subsection (1), omit “county”.
Section 106 (false statements as to candidates)(36)	In subsection (1)— (a) for “any candidate” substitute “any registered party or individual candidate”, and (b) for “the candidate’s personal character or conduct” substitute “the personal character or conduct of a candidate on the list of that party or of that individual candidate”. Omit subsections (2), (5), (6) and (7).
Section 107 (corrupt withdrawal from candidature)	For “a candidate” substitute “an individual candidate”.
Section 108 (premises not to be used as committee rooms)(37)	
Section 109 (payments for exhibition of election notices)	
Section 110 (printer’s name and address on election publications)(38)	
Section 111 (prohibition of paid canvassers)	
Section 112 (providing money for illegal purposes)	
Section 113 (bribery)	In subsection (2) after “return of any person”, in both places where those words occur, insert “or registered party”.
Section 114 (treating)	
Section 115 (undue influence)	
Section 116 (rights of creditors)	
Section 117 (savings as to parliamentary elections)	Omit subsection (1).

(34) Section 103(2) was repealed by Schedule 5 to the 1985 Act.

(35) Section 104(b) was repealed in part by Schedule 5 to the 1985 Act.

(36) Section 106(4) was repealed by Schedule 5 to the 1985 Act.

(37) Subsection (3) of, and “also” in subsection (4) of, section 108 were repealed by Schedule 5 to the 1985 Act.

(38) Section 110(3) was amended by Schedule 3 to the 1985 Act.

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<i>Provision applied</i>	<i>Modification</i>
Section 118 (interpretation of Part II)(39)	<p>In subsection (2)(b) and (c) for “candidate” substitute “registered party or individual candidate”.</p> <p>For the definition of “appropriate officer” substitute— ““appropriate officer” means the returning officer;”.</p> <p>For the definition of “candidate” substitute— “ “candidate” means a person who is either included in the list of candidates of a registered party or is nominated as an individual candidate at the election;”.</p>
Section 119 (computation of time for purposes of Part II)(40)	
Section 120 (method of questioning parliamentary elections)	<p>At the end insert—</p> <p>“(3) No election petition may be brought on the grounds of the commission of corrupt or illegal practices, except those in sections 60 and 61 above.</p> <p>(4) No election petition may be brought where an application may be made under paragraph 6 of Schedule 1 to the 1978 Act(41).”.</p>
Section 121 (presentation and service of parliamentary election petition)	<p>For subsection (2) substitute—</p> <p>“(2) If the petition complains of the conduct of—</p> <p>(a) the returning officer,</p> <p>(b) any local returning officer,</p> <p>the officer (or officers) in question shall be deemed to be the respondent (or respondents), together with any MEP returned at the election.”.</p>
Section 122 (time for presentation or amendment of parliamentary election petition)	<p>For the section substitute—</p> <p>“122. An election petition shall be presented within 21 days after the day on which the result of the election was declared under rule 50 of the elections rules.”.</p>
Section 123 (constitution of election court and place of trial)	Omit subsections (3) and (4).

(39) Section 118 was amended by Schedule 4 to the 1985 Act.

(40) Subsections (2) and (3) of section 119 were substituted by section 19(4) of the 1985 Act.

(41) Paragraph 6 has been amended by paragraph 11 of Schedule 2 to the European Parliamentary Elections Act 1999.

<i>Provision applied</i>	<i>Modification</i>
Section 124 (judges' expenses and reception: England and Wales)(42)	
Section 125 (judges' expenses and reception: Scotland)(43)	
Section 136 (security for costs)(44)	
Section 137 (petition at issue)	
Section 139 (trial of election petition)	In subsection (3) for the words from “the acceptance” to the end substitute “that one (or more) of the respondents is no longer an MEP”. Omit subsection (4). In subsection (6) before “candidates”, in each place where the word occurs, insert “registered parties or individual”. Omit subsection (6).
Section 140 (witnesses)(45)	Omit subsection (6).
Section 141 (duty to answer relevant questions)(46)	
Section 143 (expenses of witnesses)	
Section 144 (conclusion of trial of parliamentary election petition)	In subsection (1) for the words from “the member” to “void” substitute— <ul style="list-style-type: none">“(a) the member or members whose election is complained of were duly elected,(b) some other person or persons should have been declared to be elected, or(c) the election of all members for that electoral region was void”. In subsection (2) for “Speaker” substitute “Secretary of State”. For subsection (3) substitute— <ul style="list-style-type: none">“(3) If the judges constituting the election court differ as to any matter which they are required to determine, they shall certify that difference and, to the extent that there is such a difference, the result of the election shall stand.”. Omit subsections (4) to (7).
Section 146 (special case for determination of the High Court)	In subsection (2) for “Speaker” substitute “Secretary of State”.

(42) Section 124 was repealed in part by Schedule 5 to the 1985 Act.

(43) Section 125(a) was repealed by Schedule 5 to the 1985 Act.

(44) Section 136 was amended by Schedule 4 to the 1985 Act.

(45) Section 140 was amended by Schedule 4 to the 1985 Act.

(46) Subsections (3) and (4) of section 141 were repealed by Schedule 5 to the 1985 Act.

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<i>Provision applied</i>	<i>Modification</i>
Section 147 (withdrawal of petition)	
Section 152 (abatement of petition)	
Section 154 (costs of petition)	
Section 155 (neglect or refusal to pay costs)	
Section 157 (appeals and jurisdiction)	Omit subsections (2) and (5).
Section 160 (persons reported personally guilty of corrupt or illegal practices)	Omit subsections (1) to (3). In subsection (4)– (a) for the words “reported by an election court personally guilty” substitute “convicted”; (b) after “corrupt practice” insert “or a candidate convicted of an illegal practice”; (c) for “report” substitute “conviction”; (d) after “parliamentary” insert “or European Parliamentary”, and; (e) after “Commons”, in each place where it occurs, insert “or European Parliament”. In subsection (5)– (a) for the words “reported by an election court personally guilty” substitute “convicted”; (b) for “report” substitute “conviction”; (c) after “parliamentary”, in the first place where it occurs, insert “or European Parliamentary”; and; (d) for paragraphs (a) and (b) substitute “for or within the electoral region for which European Parliamentary election was held”. Omit subsections (6) and (7).
Section 167 (application for relief) (47)	
Section 168 (prosecutions for corrupt practices) (48)	
Section 169 (prosecutions for illegal practices) (49)	For the words from the beginning to “prosecution” substitute– “A person who is guilty of an illegal practice shall be liable– (a) in the case of an illegal practice under regulation 15(7) of the European Parliamentary Elections Regulations 1999

(47) Section 167(1A) was inserted by Schedule 4 to the 1985 Act.

(48) Subsection (1) of section 168 was substituted for subsections (1) to (4) by Schedule 3 to the 1985 Act and subsections (5) and (6) were repealed by Schedule 5 to that Act.

(49) Section 169 was amended by Schedule 3 to the 1985 Act and repealed in part by Schedule 5 to that Act.

<i>Provision applied</i>	<i>Modification</i>
	or section 76(1) above, on conviction on indictment, to a fine;
	(b) in the case of any illegal practice (including the ones mentioned in paragraph (a) above), on summary conviction, to a fine not exceeding level 5 on the standard scale; and on a prosecution”.
Section 170 (conviction of illegal practice on charge of a corrupt practice, etc.)	
Section 174 (mitigation and remission etc.)	Omit subsections (1) to (4). In subsection (5) omit– (a) “or of the report of an election court”; and; (b) “or report”, in both places where the words occur.
Section 175 (illegal payments etc.)(50)	In subsection (2) omit the words from “and if” to the end.
Section 176 (time limit for prosecution)(51)	
Section 178 (prosecution of offences committed outside the United Kingdom)(52)	For “Republic of Ireland” substitute “Union”.
Section 179 (offences by associations)	
Section 180 (evidence by certificate of holding of elections)	Omit paragraph (b). After paragraph (ii) insert– “and (iii) that a registered party named in the certificate submitted a list at the election,”.
Section 181 (Director of Public Prosecutions)(53)	
Section 182 (rules of procedure)	
Section 183 (costs)	
Section 184 (service of notices)	
Section 185 (interpretation of Part III)	For the definition of “appropriate officer” substitute– ““appropriate officer” means the returning officer;”.

(50) Section 175(1) was amended by Schedule 3 to the 1985 Act.

(51) Section 176 was amended by Schedule 4 to the 1985 Act and Schedule 2 to the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c. 73).

(52) Section 178 was substituted by Schedule 4 to the 1985 Act.

(53) Subsections (1), (2) and (3) of section 181 were amended by Schedule 4 to the 1985 Act; subsection (6) was repealed in part by Schedule 5 to that Act; subsections (4) and (8) were repealed as respects England and Wales by Schedule 2 to the Prosecution of Offences Act 1985 (c. 23).

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<i>Provision applied</i>	<i>Modification</i>
Section 186 (computation of time for purposes of Part III)	In the definition of “candidate” omit the words from “and the” to the end.
Section 200 (public notices and declarations)(54)	For subsection (1A) substitute: “(1A) A public notice required by or under this Act to be given by a local returning officer shall be given by posting the notice in some conspicuous place or places in the parliamentary constituency wholly or partly contained in an electoral region and may also be given in such other manner as he thinks fit.”.
Section 202 (general provisions as to interpretation)(55)	In subsection (1), omit the definitions of “Clerk of the Crown” and “elector” and, at the end of the definition of “sub-agent” add “and includes a sub-agent appointed under regulation 12 of the European Parliamentary Elections Regulations 1999”.
In section 203 (local government provisions as to England and Wales), subsections (2) and (3)(56)	
In section 204 (general application to Scotland), subsections (3), (4), (5), (6) and (8)	

SCHEDULE 1 (PARLIAMENTARY ELECTIONS RULES)

Rule 1 (timetable). For the Timetable there shall be substituted the following provision:

“TIMETABLE

<i>Proceeding</i>	<i>Time</i>
Publication of notice of election.	Not later than the 25th day before the date of the poll.
Delivery of nomination papers and list of candidates of registered parties.	Between the hours of 10 a.m. and 4 p.m. on any day after the date of the publication of the notice of election but not later than the

(54) Subsections (1) and (1A) of section 200 were substituted by Schedule 4 to the 1985 Act.

(55) In section 202(1) the definitions of “absent voters list” and “list of proxies” were inserted by Schedule 2 to the 1985 Act; the definition of “overseas elector’s declaration” was inserted by section 4(5) of that Act; the definition of “citizen of the Union” was inserted by S.I. 1995/1948; the definition of “Attorney General” was repealed by the Schedule to the Law Officers Act 1997 (c. 60); the definition of “registration duties” was repealed by Schedule 5 to the 1985 Act; the definitions of “standard scale” and “statutory maximum” were repealed by Part XIV of Schedule 1 to the Statute Law Repeals Act 1993 (c. 50).

(56) Section 203(2) was repealed in part by Schedule 17 to the Local Government Act 1985 (c. 50).

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<i>Provision applied</i>	<i>Modification</i>	
	<i>Proceeding</i>	<i>Time</i>
		19th day before the date of the poll.
	Delivery of notices of withdrawals of candidature.	Within the time for the delivery of nomination papers at the election.
	The making of objections to nomination papers or list of candidates of registered parties.	<p>During the hours allowed for delivery of nomination papers on the last day for their delivery and the hour following; but</p> <p>(a) no objection may be made in the afternoon of that last day except to a nomination paper delivered within 24 hours of the last time for its delivery, and in the case of a nomination paper so delivered no objection may be so made to the sufficiency or nature of the particulars of a registered party or candidate on the party's list or individual candidate unless made at or immediately after the time of the delivery of the nomination paper; and;</p> <p>(b) the foregoing provisions do not apply to objections made in pursuance of rule 15(2) below.</p>

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<i>Provision applied</i>	<i>Modification</i>	
	<i>Proceeding</i>	<i>Time</i>
	Publication of statement of parties and individual candidates nominated.	At the close of the time for making objections to nomination papers or list of candidates of registered parties or as soon afterwards as any objections are disposed of.
	Polling.	Between the hours of 7 a.m. and 10 p.m. on the day of the poll.
Rule 2 (computation of time) (57)	Omit sub-paragraph (i) of paragraph (2).	
Rule 5 (notice of election) (58)	In paragraph (1) omit the words from “and the notice” to the end. At the end of the rule insert— “(3) The returning officer shall send a copy of the notice to the local returning officer for each parliamentary constituency wholly or partly contained in the electoral region; and each local returning officer shall publish the copy of the notice at a place within the area in which he acts.”.	
Rule 6 (nomination of candidates)	In rule 6 before “candidate”, in each place where it occurs, insert “individual”. For paragraph (1) substitute: “(1) Each individual candidate shall be nominated by a separate nomination paper, which is signed and delivered by the individual candidate himself or a person authorised in writing by him.”. At the end of the rule insert— “(4) Where a nomination paper is delivered in respect of the same person after an earlier paper in respect of that person has been delivered, that later paper shall be deemed to supersede the earlier one.”.	
Rule 6A (nomination papers: name of registered political party) (59)	In paragraph (1) omit the words from “unless” to the end.	

(57) Rule 2 was amended by section 19(5) of the 1985 Act.

(58) Rule 5 was amended by Schedules 2 and 4 to the 1985 Act.

(59) Rule 6A was inserted by Schedule 2 to the Registration of Political Parties Act 1998.

<i>Provision applied</i>	<i>Modification</i>
	Omit paragraph (2).
	After rule 6A insert:
	“Nomination of registered parties
	6B. —(1) A registered party which is to stand for election in the electoral region shall be nominated by a nomination paper delivered to the returning officer at the place which he has fixed for the purpose by the party’s nominating officer or a person authorised in writing by him.
	(2) The nomination paper shall state the name by which the registered party is to stand for election; and that name need not be the party’s registered name but must not be such as would be likely to lead voters to associate that party with another registered party.
	(3) That name shall not exceed 6 words in length.
	(4) The nomination paper shall be accompanied by a list of candidates which complies with rule 6C below.
	(5) The nomination paper shall include a statement that the party is nominated by or on behalf of the nominating officer of the registered party in question and shall be signed by the person making it.
	(6) Where a nomination paper and list of candidates are delivered in respect of the same registered party after an earlier paper and list have been so delivered, that later paper and list shall be deemed to supersede the earlier ones.
	(7) A person shall be guilty of a corrupt practice if he fraudulently purports to be authorised to make the statement required by paragraph (5) above on behalf of a registered party’s nominating officer.
	(8) In the application of this rule in relation to an election “registered party” means a party which was registered under the Registration of Political Parties Act 1998 at the time by which the notice of election is required to be published.

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<i>Provision applied</i>	<i>Modification</i>
	<p>List of candidates</p> <p>6C.—(1) The number of candidates in the list of a registered party’s candidates which must accompany its nomination paper shall not exceed the number of MEPs to be elected in the electoral region at the election.</p> <p>(2) The list shall set out the full names and home addresses in full of each candidate.”.</p>
Rule 8 (consent to nomination)	<p>In paragraph (1)–</p> <p>(a) after “nominated” insert “as an individual candidate or as a candidate on a registered party’s list”; and;</p> <p>(b) After sub-paragraph (b) insert–</p> <p style="padding-left: 40px;">“(bb) in the case of a candidate on a registered party’s list, identifies the party in question;”.</p> <p>In paragraph (3)(b)–</p> <p>(a) for “the House of Commons Disqualification Act 1975” substitute “paragraph 5 of Schedule 1 to the 1978 Act(60)”, and;</p> <p>(b) for “membership of the House of Commons” substitute “the office of MEP”.</p> <p>After rule 8 insert–</p> <p>“Candidature by relevant citizen of the Union</p> <p>8A.—(1) Where the candidate is a relevant citizen of the Union, he shall not be validly nominated as an individual candidate or as a candidate on a registered party’s list, unless a declaration under paragraph (2) below and a certificate under paragraph (3) below are delivered at the place and within the time for the delivery of nomination papers.</p> <p>(2) The declaration referred to in paragraph (1) above must be made by or on behalf of the candidate and state, in addition to his name:</p> <p style="padding-left: 40px;">(a) his nationality;</p>

(60) Relevant amendments to paragraph 5 have been made by regulation 3 of the 1994 Regulations and paragraph 10 of Schedule 2 to the European Parliamentary Elections Act 1999.

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<i>Provision applied</i>	<i>Modification</i>
	<p>(b) his home address in the United Kingdom in full;</p> <p>(c) that he is not standing as a candidate for election to the European Parliament in any other Member State at elections held in the same period; and;</p> <p>(d) where his name has been entered in a register of electors in a locality or constituency in the Member State of which he is a national, the name of the locality or constituency where, so far as he knows, his name was last entered.</p> <p>(3) The certificate referred to in paragraph (1) above must be made by the competent administrative authorities in the Member State of which the candidate is a national stating either that he has not been deprived of his right to stand as a candidate in that State or that no such disqualification is known to those authorities.</p> <p>(4) As soon as practicable after publication of the statement of parties and individual candidates nominated, the returning officer shall send to the Secretary of State a copy of the declaration made under paragraph (2) above by any candidate who stands nominated either by virtue of the list of candidates which accompanied a registered party's nomination or as an individual candidate.</p> <p>(5) In this rule "locality or constituency" and "competent administrative authorities" have the same meaning as they have in the directive of the Council of the European Communities No.93/109/EC."</p>
Rule 9 (deposit)(61)	<p>In paragraph (1)–</p> <p>(a) after "nominated" insert "as an individual candidate", and;</p> <p>(b) for "£500" substitute "£5,000".</p> <p>After paragraph (1) insert–</p> <p>"(1A) A registered party shall not be validly nominated unless the sum of £5,000 is deposited on its behalf with the returning officer at the</p>

(61) Rule 9 was amended by section 13 of, and Schedule 4 to, the 1985 Act.

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<i>Provision applied</i>	<i>Modification</i>
	place and during the time for the delivery of nomination papers.”.
	In paragraph (3)–
	(a) after “of the” insert “registered party or individual”, and;
	(b) for “rule 6(1) above” substitute “regulation 10 or 11 of the European Parliamentary Elections Regulations 1999”.
In rule 10 (place for delivery of nomination papers), paragraph (1)	After “place” insert “in the electoral region”.
Rule 11 (right to attend nomination)	In paragraph (1) for the words from “(a) a person” to the end substitute–
	“(a) a person standing nominated as an individual candidate or included in a list under rule 6C above,
	(b) the election agent of a registered party which has submitted a nomination or of an individual candidate, or
	(c) a person authorised in writing to deliver a nomination paper.”.
	Omit paragraphs (2) and (4).
	At the end of paragraph (3) insert “or list of candidates”.
Rule 12 (decisions as to validity of nomination papers)(62)	In paragraph (1)–
	(a) after “Where” insert, in the case of an individual candidates and;
	(b) after “consent to it” insert “(and, where required, a declaration and certificate under rule 8A(2) and (3) above)”.
	After paragraph (1) insert–
	“(1A) Where, in the case of a registered party, a nomination paper and list under rule 6C above are delivered and a deposit is made in accordance with these rules, the party and (subject to paragraph (2B) below) the candidates on its list shall be deemed to stand nominated unless and until the returning officer determines that the nomination paper or list is invalid.”.
	In paragraph (2)–
	(a) for the words “paper invalid” substitute “paper of an individual candidate invalid”;

(62) Rule 12 was amended by Schedule 2 to the Registration of Political Parties Act 1998.

<i>Provision applied</i>	<i>Modification</i>
	<p>(b) in sub-paragraph (a) omit “or the particulars of the persons subscribing the paper”</p> <p>(c) omit sub-paragraph (b), and;</p> <p>(d) in sub-paragraph (c) after “1981” insert “(which applies in respect of the office of MEP by virtue of paragraph 5(1)(a) of Schedule 1 to the 1978 Act)”.</p> <p>After paragraph (2) insert–</p> <p>“(2A) The returning officer is entitled to hold a nomination paper of a registered party, together with the list of candidates accompanying it, invalid only on one of the following grounds–</p> <ul style="list-style-type: none">(a) that the contents of the nomination paper are not as required by law; and;(b) that the number of candidates in the list breaches rule 6C(1). <p>(2B) Where–</p> <ul style="list-style-type: none">(a) the particulars of any candidate in the list of candidates accompanying the nomination paper of a political party are not as required by law;(b) the consent to nomination of any such candidate is not delivered in accordance with these rules, or(c) any such candidate is a relevant citizen of the Union and a declaration and certificate under paragraphs (2) and (3) of rule 8A have not been delivered in accordance with that rule, <p>the returning officer shall delete the name and address of that candidate from the list.”.</p> <p>In paragraph (3), omit “Subject to paragraph (3A)”.</p> <p>Omit paragraph (3A).</p> <p>In paragraph (4) after “nomination paper” insert “or, in the case of a registered party, its accompanying list”.</p> <p>After paragraph (4) insert–</p> <p>“(4A) Where the returning officer deletes any name from the list of candidates of a registered party, he must endorse on the nomination paper the fact and the reasons for his decision to do so and sign the paper.”.</p>

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<i>Provision applied</i>	<i>Modification</i>
Rule 13 (withdrawal of candidates)	<p>In paragraph (5) after “paper” insert “and, where applicable, its accompanying list”.</p> <p>In paragraph (1) for “a candidate”, substitute “an individual candidate”.</p> <p>After paragraph (1) insert—</p> <p>“(1A) The nominating officer of a registered party or a person authorised in writing by him may withdraw that party’s nomination by a notice of withdrawal signed by him and delivered to the returning officer at the place for delivery of nomination papers.”.</p> <p>Omit paragraph (2).</p>
Rule 14 (publication of statement of persons nominated)	<p>For paragraph (1) substitute—</p> <p>“(1) The returning officer shall prepare and publish a statement (“the statement of parties and individual candidates nominated”) showing—</p> <ul style="list-style-type: none"> (a) the registered parties which have been and stand nominated, together with the list of persons who stand as candidates of those parties; (b) the persons who have been and stand nominated as individual candidates; and; (c) any other persons who have been nominated (whether on a list of a registered party or as individual candidates) together with the reason why they no longer stand nominated. <p>(1A) The statement shall show the registered parties which have been and stand nominated in alphabetical order, with the names and home addresses of the candidates who appear on the list of each party as given in that list and arranged in the order in which their names appear on that list.”.</p> <p>In paragraph (2)—</p> <ul style="list-style-type: none"> (a) after “nominated” insert “as individual candidates”, and; (b) omit the words from “together” to the end. <p>In paragraph (3) after “nominated” insert “as individual candidates after the names of the registered parties standing nominated and the names of those candidates shall be”.</p> <p>Omit paragraph (4).</p>

<i>Provision applied</i>	<i>Modification</i>
	After rule 14 insert the following rule: “Local publication of statement under rule 14 14A. —(1) Immediately following publication of the statement of parties and individual candidates nominated, the returning officer shall forward a copy of it to the local returning officer for each parliamentary constituency wholly or partly contained in the electoral region. (2) As soon as practicable after receipt of the copy of the statement, each local returning officer shall publish it at a place within the area for which he acts.”
Rule 15 (disqualification by Representation of the People Act 1981)	In paragraph (1)— (a) after “nominated” insert “as an individual candidate”; (b) after “1981” insert “(which applies in respect of the office of MEP by virtue of paragraph 5(1)(a) of Schedule 1 to the 1978 Act)”; and; (c) at the end insert “but limited to persons standing as individual candidates only”. In paragraph (2)— (a) for “Draft statement of persons nominated” substitute “Draft statement of individual candidates nominated”, and; (b) before “candidate” insert “individual”.
Rule 16 (adjournment of nomination proceedings in case of riot)	
Rule 17 (method of election)	In paragraph (1), for “than one person standing nominated” substitute “more candidates (whether on a registered party’s list or individual candidates) than there are seats to be filled”. In paragraph (2), for “only one person standing nominated, that person” substitute “a number of candidates (whether on a registered party’s list or individual candidates) which is the same as, or less than, the number of seats to be filled, those candidates”.
Rule 18 (poll to be taken by ballot)	For the words after “ballot” substitute “ in accordance with subsection (2) of section 3 of the 1978 Act(63) and the seats shall be

(63) Section 3 was substituted by section 1 of the European Parliamentary Elections Act 1999.

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<i>Provision applied</i>	<i>Modification</i>
Rule 19 (the ballot papers)(64)	<p>allocated in accordance with subsections (3) to (7) of that section”.</p> <p>In paragraph (1) for the words “persons shown in the statement of persons nominated” substitute “registered parties, together with their candidates shown in the statement of parties and individual candidates nominated and the individual candidates so shown”.</p> <p>For paragraph (2)(a) substitute:</p> <p>“(a) shall contain the names of the registered parties shown in the statement of parties and individual candidates nominated, together with the names of the candidates of those parties as so shown, and the names and description, if any, of the individual candidates so shown;”.</p> <p>For paragraph (2A) substitute:</p> <p>“(2A) If a request is made by or on behalf of a nominating officer of a registered party, the ballot paper shall contain above the party’s name the party’s registered emblem (or, as the case may be, one of the party’s registered emblems).”.</p> <p>For paragraph (3) substitute:</p> <p>“(3) The order of the names of the registered parties, together with their candidates, and of the individual candidates in the ballot paper shall be the same as in the statement of parties and individual candidates nominated.”.</p>
Rule 20 (the official mark)	
Rule 21 (prohibition of disclosure of vote)	For “for whom” substitute “the way in which”.
Rule 22 (use of schools and public rooms)(65)	In paragraphs (1) and (2) before “returning” insert “local”.
Rule 23 (notice of poll)(66)	<p>In paragraph (2)–</p> <p>(a) at the beginning insert “In respect of each constituency (or part of a constituency) contained in the electoral region;”;</p> <p>(b) before “returning” insert “local”; and;</p> <p>(c) omit from “(which” to “nominated”).</p>

(64) Paragraphs (2A) and (2B) of rule 19 were inserted by Schedule 2 to the Registration of Political Parties 1998 and rule 19(2) (d) was amended by Schedule 4 to the 1985 Act.

(65) Rule 22(1)(i) was amended by Schedule 19 to the Education Act 1993 (c. 35) (and continues to have effect by virtue of Part I of Schedule 37 to the Education Act 1996 (c. 56)) and paragraph (3) was repealed by Part I of Schedule 13 to the Local Government Finance Act 1988 (c. 41).

(66) Rule 23 was amended by Schedule 4 to the 1985 Act and repealed in part by Schedule 5 to that Act.

<i>Provision applied</i>	<i>Modification</i>
	Rule 24 (postal ballot papers)(67)
Rule 25 (provision of polling stations)(68)	
Rule 26 (appointment of presiding officers and clerks)	In paragraph (1) before “candidate” insert “registered party or individual”.
Rule 28 (issue of official poll cards)(69)	For paragraph (4) substitute— “(4) In this rule— “elector” has the same meaning as in section 91(4) of this Act; and, pending publication of the register, the elector’s number in the register includes his number (if any) in the electors list for that register.”.
Rule 29 (equipment of polling stations)(70)	In paragraph (5) for “Vote for one candidate only” substitute “Put only one cross on the ballot paper”. After paragraph (5) add: “(6) Where proof has been given to the returning officer’s satisfaction of the death of a candidate on a registered party’s list or an individual candidate, he shall request each local returning officer to provide each presiding officer with a sufficient number of notices to this effect for display in every compartment of every polling station.”.
Rule 30 (appointment of polling and counting agents)	In paragraph (1)— (a) for “Each candidate” substitute “The election agent or sub-agent of a registered party standing nominated or an individual candidate or any person authorised in writing by such an agent or that candidate”, and; (b) in sub-paragraph (b) after “at the” insert “verification of the ballot paper accounts and the”. After paragraph (1) insert the following paragraph— “(1A) For each count one (but no more than one) counting agent of each registered party or individual candidate may be authorised by the terms of his appointment to require a re-count at that count.”. In paragraph (2)—

(67) Rule 24 was amended by Schedules 2 and 4 to the 1985 Act.

(68) Rule 25 was amended by [S.I. 1996/739](#).

(69) Rule 28 amended by section 4(6) of, and Schedule 2 to, the 1985 Act.

(70) Rule 29(5) was amended by Schedule 4 to the 1985 Act.

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<i>Provision applied</i>	<i>Modification</i>
	<p>(a) for “candidate”, in each place where it occurs, substitute “registered party standing nominated or individual candidate”, and;</p> <p>(b) in sub-paragraph (b) for the words from “counting” to the end substitute “verification of the ballot paper accounts or the counting of the votes by the number obtained by adding the number of registered parties standing nominated and the number of individual candidates”.</p> <p>In paragraphs (3) and (4) for “candidate” substitute “person by whom the appointment was made”.</p> <p>Omit paragraph (5).</p> <p>In paragraph (8) for “his” –</p> <p>(a) in the first place where it occurs, substitute “his or of his registered party”, and;</p> <p>(b) in the second place where it occurs, substitute “any such”.</p> <p>In paragraph (9)–</p> <p>(a) for “candidate’s election agent”, in both places where the words occur, substitute “election agent or sub-agent of a registered party standing nominated or the election agent or sub-agent of an individual candidate”,</p> <p>(b) for “of his” substitute “of that party or candidate”, and;</p> <p>(c) for “his polling” substitute “that party’s or candidate’s polling”,</p>
Rule 31 (notification of requirement of secrecy)(71)	In paragraph (b) after “attending at” insert “the verification of the ballot paper accounts or” and after “(2)” insert “, (2A)”.
Rule 32 (admission to polling station)	In paragraph (1)(a) for “their election agents” substitute “the election agents of any registered party standing nominated and any individual candidate”.
	In paragraph (2) for “candidate” substitute “registered party standing nominated or individual candidate”.
Rule 33 (keeping of order in station)	
Rule 34 (sealing of ballot boxes)	
Rule 35 (questions to be put to voters)	In paragraph (1)–

(71) Rule 31 was substituted by Schedule 4 to the 1985 Act.

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<i>Provision applied</i>	<i>Modification</i>
	(a) for “his election or polling agent” substitute “the election or polling agent of a registered party standing nominated or of an individual candidate”, and;
	(b) in the question in sub-paragraph (a)(i) omit “parliamentary”.
Rule 36 (challenge of voter)	In paragraph (1) for “his election or polling agent” substitute “the election or polling agent of a registered party standing nominated or of an individual candidate”.
Rule 37 (voting procedure)(72)	
Rule 38 (votes marked by presiding officer)	
Rule 39 (voting by blind persons)	
Rule 40 (tendered ballot papers)(73)	
Rule 41 (spoilt ballot papers)	
Rule 42 (adjournment of poll in case of riot)	
Rule 43 (procedure on close of poll)	After the rule, insert: “Attendance at verification of ballot paper accounts 43A.— (1) The local returning officer shall make arrangements for the verification of the ballot paper accounts in the presence of the counting agents as soon as practicable after the close of the poll, and shall give to the returning officer and the counting agents notice in writing of the time and place at which he will begin such verification. (2) No person other than— (a) the returning officer, the local returning officer and his clerks, (b) the candidates, (c) the election agents, and; (d) the counting agents, may attend the verification of the ballot paper accounts, unless permitted by the local returning officer to attend; and that officer shall not permit a person to attend unless he is satisfied that the efficient verification of the ballot paper accounts will not be impeded.

(72) Rule 37(1)(b) was amended by Schedule 4 to the 1985 Act.

(73) Rule 40(1)(b) was repealed in part by Schedule 5 to the 1985 Act.

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<i>Provision applied</i>	<i>Modification</i>
	<p>(3) The local returning officer shall give the counting agents all such reasonable facilities for observing the proceedings, and all such information with respect to them, as he can give them consistent with the orderly conduct of the proceedings and the discharge of his duties in connection with them.</p>
	<p>Procedure at verification of ballot paper accounts</p>
	<p>43B.—(1) The local returning officer shall in the presence of the counting agents—</p> <ul style="list-style-type: none">(a) open each ballot box and count and record the number of ballot papers in it and verify each ballot paper account; and;(b) count such of the postal ballot papers as have been duly returned and record the number counted.
	<p>(2) A postal ballot paper shall not be deemed to be duly returned unless it is returned in the proper envelope so as to reach the local returning officer before the close of the poll and is accompanied by the declaration of identity duly signed and authenticated.</p>
	<p>(3) The local returning officer shall not count any tendered ballot paper.</p>
	<p>(4) The local returning officer, while counting and recording the number of ballot papers, shall keep the ballot papers with their faces downwards.</p>
	<p>(5) The local returning officer shall verify each ballot paper account by comparing it with the number of ballot papers recorded by him, the unused and spoilt ballot papers in his possession and the tendered votes list (opening and resealing the packets containing the unused and spoilt ballot papers and the tendered votes list) and shall draw up a statement as to the result of the verification, which any counting agent may copy.</p>

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<i>Provision applied</i>	<i>Modification</i>
	<p>(6) The local returning officer shall determine the hours during which the procedure under this rule is proceeded with.</p> <p>(7) The local returning officer shall take proper precautions for the security of the ballot papers and documents.</p> <p>(8) On completion of the procedure under this rule, the local returning officer shall—</p> <ul style="list-style-type: none">(a) place the ballot papers and other documents relating to the election in packets under his own seal and the seals of such counting agents as desire to affix their seals;(b) otherwise take proper precautions for the security of the papers and documents; and;(c) inform the returning officer of the total number of ballot papers counted.”.
Rule 44 (attendance at counting of votes)	<p>In paragraph (1), after “to the” insert “returning officer and the” and for “close of the poll” substitute “material time” and at the end of the paragraph add the following:</p> <p>“For the purposes of this paragraph “material time” means—</p> <ul style="list-style-type: none">(a) in the case of a general election of MEPs, the time when the counting of votes becomes permissible under Article 9(2) of the Act referred to in section 8(2)(a) of the 1978 Act (counting not to begin until close of polling in the member State whose electors are the last to vote within the period referred to in Article 9(1));(b) in the case of a by-election the close of the poll.”. <p>In paragraph (2)(a) after “officer” insert “, local returning officer”.</p> <p>In paragraph (2)(b) omit “and their wives and husbands”.</p> <p>In paragraph (5)—</p> <ul style="list-style-type: none">(a) for “the candidate” substitute “the registered party or individual candidate”, and;

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<i>Provision applied</i>	<i>Modification</i>
Rule 45 (the count)(74)	<p>(b) after “each” insert “registered party or individual”.</p> <p>For paragraphs (1) to (2) substitute—</p> <p>“(1) The local returning officer shall open the packets referred to in rule 43B(8) above and mix together all of the ballot papers.”.</p> <p>In paragraph (4) omit “counting and recording the number of ballot papers and”.</p> <p>Omit paragraph (5).</p> <p>In paragraph (6)—</p> <p>(a) for “a candidate or his election agent” substitute “an individual candidate or the election agent of a registered party”, and;</p> <p>(b) for “his counting agents” substitute “the counting agents of that candidate or party”.</p>
Rule 46 (re-count)	<p>In paragraph (1) for the words “or his election agent” substitute “, the election agent of a registered party or individual candidate or a counting agent authorised under rule 30(1A) above”.</p> <p>In paragraph (2) for “the candidates and election agents” substitute “any persons referred to in paragraph (1) above who are”.</p>
Rule 47 (rejected ballot papers)	<p>In paragraphs (1)(b) and (4)(b) after “one” insert “registered party or individual”.</p> <p>In paragraph (2) before “candidates” insert “registered parties or individual”.</p> <p>After paragraph (2) insert:</p> <p>“(2A) A ballot paper on which a vote is marked for a particular candidate on a party’s list of candidates shall, if otherwise valid, be treated as a vote for that party, whether or not there is also a vote for that party.”.</p>
Rule 48 (decisions on ballot papers)	<p>After rule 48 insert:</p> <p>“Notification of local result</p> <p>48A.—(1) As soon as practicable after the completion of the count, the local returning officer shall draw up a statement showing the number of votes given for each registered party and individual</p>

(74) Paragraphs (1) and (1A) of rule 45 were substituted by Schedule 4 to the 1985 Act.

<i>Provision applied</i>	<i>Modification</i>
	<p>candidate, excluding any votes given on ballot papers rejected under rule 47 above.</p> <p>(2) The local returning officer shall forthwith inform the returning officer of the contents of that statement.</p> <p>(3) The local returning officer shall give public notice of the statements prepared under this rule and under rule 47 above as soon as practicable after the returning officer has agreed that he should do so.</p>
	<p>Attendance at allocation of seats</p> <p>48B.—(1) The returning officer shall make arrangements for making the calculation and allocation required by rule 48C below.</p> <p>(2) No person other than—</p> <ul style="list-style-type: none">(a) the returning officer and his clerks,(b) the election agent of each registered party standing at the election or a person acting on his behalf,(c) each candidate on the list of such a party,(d) the election agent of each individual candidate or a person acting on his behalf,(e) each individual candidate, <p>may be present at that calculation and allocation unless permitted by the returning officer to attend.</p> <p>(3) The returning officer shall give to—</p> <ul style="list-style-type: none">(a) the election agent of each registered party standing at the election, and;(b) each individual candidate, <p>notice in writing of the place at which he will conduct the proceedings under rule 48C below and of the time after which he will begin those proceedings.</p>
	<p>Allocation of seats</p> <p>48C.—(1) The returning officer, as soon as practicable after he has been informed of the contents of the statements</p>

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<i>Provision applied</i>	<i>Modification</i>
	<p>prepared under rule 48A(1) above by local returning officers in his region, shall calculate the total number of votes given to each registered party and individual candidate in all of the parliamentary constituencies wholly or partly contained within the electoral region, as shown in those statements.</p> <p>(2) Subject to paragraph (4) and rule 49 below, the returning officer shall then allocate the seats in accordance with subsections (3) to (7) of section 3 of the 1978 Act.</p> <p>(3) The returning officer shall give the persons entitled to be present reasonable facilities for satisfying themselves that the results of the calculation and allocation which he is required to make are accurate; and, in particular, a person entitled to be present may require the returning officer to make a calculation or allocation again but the returning officer may refuse to do so if in his opinion the request is unreasonable.</p> <p>(4) At a by-election at which there is only one vacancy, subsections (3) to (7) of section 3 of the 1978 Act shall have effect as though they provided that the party or individual candidate to whom the majority of the votes have been given shall be declared to be elected.”.</p>

Rule 49 (equality of votes)

For the rule substitute:

“**49.**—(1) Where in the case of the last seat to be allocated, two or more registered parties or individual candidates have an equal number of votes and that number is greater than the number of votes of any other party or candidate, one vote shall be added to the votes of each party or individual candidate having such an equal number and the rules in subsections (3) to (7) of section 3 of the 1978 Act shall be applied again.

(2) Where, after the application of the procedure set out in paragraph (1) above, two or more parties or individual candidates still have an equal number of votes and that number is greater than the number of votes of any other party or candidate, the returning officer shall

<i>Provision applied</i>	<i>Modification</i>
Rule 50 (declaration of result)	<p>forthwith decide between the parties and individual candidates having such an equal number by lot, and allocate the seat to the party or candidate on whom the lot falls.</p> <p>(3) Where the lot falls on a party, the returning officer shall comply with section 3(6) of the 1978 Act.”.</p> <p>For the rule substitute:</p> <p>“50.—(1) In a contested election, when the result of the allocation and filling of seats has been ascertained, the returning officer shall—</p> <ul style="list-style-type: none">(a) forthwith declare to be elected those candidates on a registered party’s list by whom seats are filled and those individual candidates to whom seats are allocated under rules 48C and 49 above;(b) prepare a statement setting out—<ul style="list-style-type: none">(i) the total number of valid votes (as notified to him) given to each registered party and individual candidate;(ii) the number of votes which such a party or candidate had, after the application of subsections (3) to (7) of section 3 of the 1978 Act, at any stage when a seat was allocated to that party or candidate;(iii) the names in full and home address in full of each candidate who fills a seat or to whom a seat has been allocated; and(iv) whether, in the case of a party, there are remaining candidates on that party’s list who have not been declared to be elected; and;(c) give public notice of that statement and send a copy to the Secretary of State.

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<i>Provision applied</i>	<i>Modification</i>
Rule 53 (return or forfeiture of candidate's deposit)(75)	<p>(2) In the case of an uncontested election, the statement of parties and individual candidates nominated, in addition to showing the registered parties, the candidates on the list of those parties and individual candidates standing nominated, shall also declare to be elected any candidate so shown; and the returning officer shall send a copy of that statement and declaration to the Secretary of State.”.</p> <p>For paragraph (3) substitute:</p> <p>“(3) Where–</p> <p>(a) a registered party or an individual candidate is not shown as standing nominated in the statement of parties and individual candidates nominated, or</p> <p>(b) in the case of an individual candidate, the candidate has died,</p> <p>the deposit shall be returned as soon as practicable after the publication of that statement or the time when the returning officer is satisfied of the candidate's death, as the case may be.”.</p> <p>In paragraph (4) for the words following “after the” to the end substitute “total number of valid votes for each registered party and individual candidate has been ascertained under rule 48C(1) above, the party or candidate is found not to have polled more than one-fortieth of the total number of votes polled by all the parties and candidates.”.</p> <p>Omit paragraph (5).</p>
Rule 54 (sealing up of ballot papers)	<p>In paragraph (2) omit the words from “or of marked” to the end.</p>
In rule 55 (delivery of documents to Clerk of the Crown) paragraph (1)	<p>For “then forward to the Clerk of the Crown” substitute “retain” and omit the words from “the date of the election” to the end.</p>
Rule 56 (orders for production of documents)	<p>In paragraph (1)–</p> <p>(a) for “Clerk of the Crown” substitute “local returning officer”, and;</p> <p>(b) omit sub-paragraph (i).</p> <p>In paragraph (2), for “Clerk of the Crown's” substitute “local returning officer's”.</p>

(75) Rule 53 was amended by section 13 of, and Schedule 4 to, the 1985 Act.

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<i>Provision applied</i>	<i>Modification</i>
	In paragraph (3), omit “House of Commons or”.
	In paragraphs (6) and (8), for “Clerk of the Crown” substitute “local returning officer”.
Rule 57 (retention and public inspection of documents)	In paragraph (1)– (a) for “Clerk of the Crown” substitute “local returning officer”, (b) for “forwarded to him in pursuance of these rules by a returning officer” substitute “to which rule 55(1) above applies”, and; (c) omit “House of Commons or”.
	In paragraph (2), for the words from “Clerk” to the end substitute “local returning officer”.
	In paragraph (3), for “Clerk of the Crown” substitute “local returning officer” and for “the Treasury” substitute “the local authority by which he is employed”.
APPENDIX OF FORMS	
Form of front of ballot paper	For the form, substitute the form in the Annex to this Schedule.
Form of back of ballot paper	
Directions as to printing the ballot paper	For the form, substitute the form in the Annex to this Schedule.
Form of directions for the guidance of the voters in voting(76)	In paragraph 2 for “on the right-hand side of the ballot paper opposite” substitute “above”. In paragraphs 2 and 4 before “candidate” insert “registered party or independent”.
Form of declaration to be made by the companion of a blind voter	
SCHEDULE 3 (RETURN AND DECLARATIONS AS TO ELECTION EXPENSES)	
Form of return	For the words from the beginning to the end of paragraph 1 substitute– “*[General election of MEPs on (<i>insert date of poll</i>)] *[European Parliamentary election in electoral region on (<i>insert date of poll</i>)] *[Name of registered party 3dotnld 3dotnld 3dotnld] *[Name of individual candidate 3dotnld 3dotnld 3dotnld] *(<i>delete as necessary</i>)

(76) The form of directions was substituted by Schedule 4 to the 1985 Act.

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<i>Provision applied</i>	<i>Modification</i>
	<p>1. I am the *[national election agent] *[election agent] of the *[registered party] *[individual candidate] named above at this election. (<i>Adapt as necessary where there has been a change of national election agent or election agent or where the candidate was his own election agent</i>)”.</p> <p>In paragraph 2 for “candidate's” substitute *[registered party's] *[individual candidate's]</p> <p>In the remainder of the form, any reference to a candidate, except in the expression “candidate’s personal expenses”, is to be construed as a reference to an individual candidate.</p> <p>Except in paragraph 3, any reference to a candidate is to be construed as a reference to an individual candidate.</p> <p>Before “Name of candidate . . .” insert “Name of registered party . . .”</p> <p>In paragraph 1 before “person named”, in the second place where the words occur, insert “*[registered party named above]”.</p>
Form of declarations	
SCHEDULE 5 (USE FOR PARLIAMENTARY ELECTION MEETINGS OF ROOMS IN SCHOOL PREMISES AND OF MEETING ROOMS)	
Paragraph 1(77)	
Paragraph 5	Omit the words from the beginning to “constituency”; for “his election agent” substitute “the election agent of a registered party or an individual candidate”; for “those lists” substitute “the lists of rooms in school premises and of meeting rooms prepared under this Schedule, as it has effect for parliamentary elections”.
Paragraph 6(a)	
REPRESENTATION OF THE PEOPLE ACT 1985	
Section 5 (manner of voting at parliamentary elections)	In subsection (5) before “returning officer” insert “local”.
Section 6 (absent vote at elections for an indefinite period)(78)	In subsection (1) omit “or at both”.
	Omit subsection (3)(a).

(77) Paragraph 1 has been amended by Schedule 12 to the Education Reform Act 1988 (c. 40).

(78) Subsections (2)(aa) and (2A) of section 6 were inserted by the Representation of the People Act 1990 (c. 32) and subsection (2A) was amended by S.I. 1996/739, S.I. 1997/138 and Schedule 16 to the Local Government (Wales) Act 1994 (c. 19).

<i>Provision applied</i>	<i>Modification</i>
Section 7 (absent vote at a particular election and absent voters list)	<p>In subsection (2) omit “in respect of elections of the kind in question” and “at elections of the kind in question”.</p> <p>In subsection (4) omit “at elections of the kind in question” (in both places where they occur) and, at the end, add “and, forthwith on completion of the compilation of that special list, supply to the local returning officer for any parliamentary constituency wholly or partly within the area for which he acts so much of that list as relates to that constituency”.</p>
Section 8 (proxies at elections)(79)	<p>In subsection (3)(b) for “Republic of Ireland” substitution “Union”.</p> <p>In subsection (6) omit “or at both” and “of electors for elections in respect of which the application is made”.</p>
Section 9 (voting as proxy)(80)	<p>In subsection (4) omit “or at both” and after “section 2(4) of this Act” insert “(including that provision as applied by regulation 14 of, and Schedule 3 to, the 1986 Regulations or regulation 13 of, and Schedule 3 to, the 1986 (Scotland) Regulations)”.</p> <p>In subsection (6) omit paragraph (a).</p> <p>In subsections (8) and (9) omit “in respect of elections of the kind in question”.</p> <p>At the end of subsection (9), add “and, forthwith on completion of the compilation of that list, supply to the local returning officer for any parliamentary constituency wholly or partly within the area for which he acts so much of that list as relates to any such constituency”.</p> <p>In subsection (10) omit “or both (as the case may be)” and “of the kind in question”.</p>
In section 12 (offences as to declarations etc.), subsections (3) and (4)	
Section 27 (interpretation)(81)	<p>In subsection (1) omit the definition of “European Parliamentary election”.</p> <p>In subsection (2) omit the words from “and sections 5” to the end.</p>

(79) Subsections (3) and (3A) of section 8 were substituted, and subsection (4) was amended, by [S.I. 1995/1948](#) and subsection (11) was repealed by Part IX of Schedule 27 to the Finance Act 1985 (c. 54).

(80) Paragraph (b) of section 9(5) was amended, and paragraph (bb) was inserted, by [S.I. 1997/138](#); paragraph (c) was amended by Schedule 16 to the Local Government (Wales) Act 1994 (c. 19), and paragraph (d) was amended by [S.I. 1996/739](#).

(81) The definition of “Assembly” in section 27(1) was repealed by the Schedule to the European Communities (Amendment) Act 1986 (c. 58).

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ANNEX Form of front of ballot paper(see next page)

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Election for the European Parliament

SOUTHWEST REGION

You have one vote.



Mark in one box.

<input type="checkbox"/>	 Conservative Party	John Farrell David Stern Anita Patel Paul Cooper Amy Lynch Susan Scott Russell Devlin
<input type="checkbox"/>	 Cornish Alliance	Ian Trelawney Tamsin Hawks John Monks
<input type="checkbox"/>	 Green Party	Carol Hunter Evan Farley Amy Yeung David Turner
<input type="checkbox"/>	 Labour Party	Linda Black Saeed Khan Lix Starling David Stamm Paul McIntyre Michael Brandt Claire Murphy
<input type="checkbox"/>	 Liberal Democrats	Graham Jones Peter Hill Janet D'Souza Ali Ibrahim Rose Marshall Garath Davies Alan Pickering
<input type="checkbox"/>	Adam Carr	No Federal Europe
<input type="checkbox"/>	Jane Day	Independent

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Directions as to printing the ballot paper

1. Nothing is to be printed on the ballot paper except in accordance with these directions.
2. So far as practicable, the arrangements set out in paragraphs 3 to 18 below shall be observed in the printing of the ballot paper.
3. No word shall be printed on the face of the ballot paper except the words “Election for the European Parliament”, the name of the electoral region, the statement “You have one vote”, the direction to mark an X in one box with an arrow above it, the names of registered political parties, the names and descriptions of individual candidates, the names of candidates on a party list and words forming parts of emblems.
4. The words “Election for the European Parliament”, the name of the region and the statement referred to in paragraph 3 above shall appear above the higher horizontal rule.
5. The direction and the arrow mentioned in paragraph 3 above shall appear on the left side of the ballot paper. The arrow shall appear on the same horizontal plane as the boxes in which a vote may be marked and shall point to the right.
6. No horizontal rule shall be printed on the face except—
 - (a) the higher horizontal rule immediately below the statement mentioned in paragraph 3 above, and
 - (b) the lower horizontal rule at the foot of the ballot paper.
7. No vertical rule shall be printed on the face except—
 - (a) the vertical rule separating the direction mentioned in paragraph 3 above on the left side of the ballot paper from the names of registered political parties and the names of candidates on party lists;
 - (b) the vertical lines separating the names of registered political parties and the names of candidates on party lists;
 - (c) the vertical rule separating the names of a registered political party and the names of the candidates on the party list from the name and description of an individual candidate;
 - (d) the vertical rules separating the names and descriptions of individual candidates; and
 - (e) the vertical rule nearest to the right edge of the ballot paper.
8. The whole space on the ballot paper between the vertical rule nearest to the left edge and the vertical rule nearest to the right edge shall be equally divided by each of the other vertical rules.
9. The lines of each box in which a vote may be marked are not to be regarded as rules for the purpose of these directions.
10. The boxes in which a vote may be marked shall appear immediately below the higher horizontal line and immediately above the names of registered political parties and individual candidates.
11. The box in which a vote may be marked shall not be less than 1.5 centimetres square.
12. Where a registered emblem of a registered political party is to be included with that party’s name—
 - (a) it shall be printed adjacent and to the right of the box in which a vote may be marked, and
 - (b) its size as printed shall not exceed two centimetres square.
13. Subject to paragraphs 14 to 17 below, all of the words on the ballot paper shall appear in the same large type.
14. The words “Election for the European Parliament” shall appear in very large type.

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15. The name of the electoral region shall appear in capitals.
16. No other capitals shall be used except initial capitals for names of parties and candidates and the first word in the statement and in the direction referred to in paragraph 3 above.
17. The names of the candidates on a party's list of candidates and the description of individual candidates shall appear in ordinary type.
18. The number on the back of the ballot paper shall be printed in small characters.