*Draft Regulations laid before Parliament under section 201(2) of the Representation of the People Act 1983 and section 13(2) of the European Parliamentary Elections Act 2002, for approval by resolution of each House of Parliament.*

DRAFT STATUTORY INSTRUMENTS

# 2013 No.

# REPRESENTATION OF THE PEOPLE, NORTHERN IRELAND

## The European Parliamentary Elections (Northern Ireland) (Amendment) (No. 2) Regulations 2013

| | |
|---|---|
| *Made - - - -* | *** |
| *Coming into force - -* | *** |

The Secretary of State has consulted the Electoral Commission prior to this Order being made in accordance with section 7(1) and (2)(a) and (e) of the Political Parties, Elections and Referendums Act 2000(**1**).

In accordance with section 201(2) of the Representation of the People Act 1983(**2**) and section 13(2) of the European Parliamentary Elections Act 2002(**3**), a draft of these Regulations has been laid before and approved by a resolution of each House of Parliament.

Accordingly, the Secretary of State makes the following Regulations in exercise of the powers conferred by section 15(5) of the Representation of the People Act 1985(**4**) and section 7(1)(a) and (4A) of the European Parliamentary Elections Act 2002(**5**).

### Citation, commencement and extent

**1.**—(1) These Regulations may be cited as the European Parliamentary Elections (Northern Ireland) (Amendment) (No. 2) Regulations 2013 and come into force on the day after the day on which they are made.

(**1**) 2000 c. 41. Section 7(2)(a) was amended by section 15 of, and paragraph 8 of Schedule 3 to, the European Parliamentary Elections Act 2002 (c. 24).
(**2**) 1983 c. 2; section 201(2) was substituted by paragraph 69 of Schedule 4 to the Representation of the People Act 1985 (c. 50) and amended by article 5(b) of S.I. 1991/1728 and paragraph 6 of Schedule 21 to the Political Parties, Elections and Referendums Act 2000 (c. 41). By virtue of section 27(2) of the Representation of the People Act 1985, regulations made under section 15 of that Act are treated as having been made under the Representation of the People Act 1983.
(**3**) 2002 c. 24.
(**4**) 1985 c. 50; section 15 was amended by section 3 of the European Communities (Amendments) Act 1986 (c. 58) and section 3 of the Elections Act 2001 (c. 7).
(**5**) Subsection (4A) was inserted by section 22 of the European Parliament (Representation) Act 2003 (c. 7).

(2) These Regulations extend to Northern Ireland only.

**Amendment of the European Parliamentary Elections Rules**

**2.**—(1) Schedule 1 to the European Parliamentary Elections (Northern Ireland) Regulations 2004 (European Parliamentary Elections Rules)(**6**) is amended as follows.

(2) In rule 31 (appointment of polling and counting agents), in paragraph (4) for "second" substitute "fifth".

**Amendment of Schedule 6 to the European Parliamentary Elections (Northern Ireland) Regulations 2004**

**3.**—(1) Schedule 6 to the European Parliamentary Elections (Northern Ireland) Regulations 2004(**7**) is amended as follows.

(2) After paragraph 14, insert—

"**14A.** In rule 49 (attendance at verification of ballot paper accounts), in paragraph (2), after sub-paragraph (e) insert—

"(f) persons who fall within sub-paragraphs (a) to (f) of rule 44(1) of Schedule 5 to the Electoral Law Act (Northern Ireland) 1962 (local elections rules)(**8**) or, as the case may be, sub-paragraphs (a) to (e) of rule 44(2) of Schedule 1 to the Representation of the People Act 1983 (parliamentary elections rules)(**9**),".

**14B.** In rule 50 (procedure at verification of ballot paper accounts)—

(a) before paragraph (1) insert—

"(A1) Where separate ballot boxes have been used for the poll at the European Parliamentary election and the poll at a relevant election, the verifying officer must, in the presence of the counting agents for each such election—

(a) open each ballot box for the European Parliamentary election and for a relevant election;

(b) from each ballot box for the European Parliamentary election, take out any ballot papers for a relevant election and place them in a ballot box for the relevant election; and

(c) from each ballot box for a relevant election, take out any ballot papers for the European Parliamentary election and place them in a ballot box for the European Parliamentary election.";

(b) in paragraph (1)(a), after "each ballot box" insert "(if not already opened in accordance with paragraph (A1))".".

(3) After paragraph 17, insert—

"**17A.** In the Appendix of Forms at the end of Schedule 1, in Form A (the ballot paper)—

(a) on the front of the ballot paper, at the top of that form insert the heading "European Parliamentary Election"; and

(**6**) S.I. 2004/1267; Schedule 1 was substituted in its entirety by Schedule 1 to S.I. 2009/813.
(**7**) Schedule 6 was substituted in its entirety by Schedule 4 to S.I. 2009/813.
(**8**) 1962 c. 14 (N.I.); Schedule 5 was substituted in its entirety by S.I. 1985/454 and rule 44 was amended by paragraph 58 of Schedule 1 to the Electoral Administration Act 2006 (c. 22) and S.I. 2010/2977.
(**9**) 1983 c. 2; rule 44 was amended by paragraph 85 of Schedule 1 to the Electoral Administration Act 2006 (c. 22) and section 48 of the Constitutional Reform and Governance Act 2010 (c. 25).