Draft Order laid before Parliament under section 29(2) of the Regional Assemblies (Preparations) Act 2003, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2004 No.

DEVOLUTION, ENGLAND
REFERENDUMS
REPRESENTATION OF THE PEOPLE

The Regional Assembly and Local Government Referendums (Counting Officers' Charges) Order 2004

Made - - - -	*2004*
Coming into force - -	*2004*

The First Secretary of State, in exercise of the powers conferred by section 10 of the Regional Assemblies (Preparations) Act 2003, with the consent of the Treasury, and having consulted the Electoral Commission in accordance with section 12(4)(c) of that Act, hereby makes the following Order, a draft of which has been approved by resolution of each House of Parliament:

Citation and commencement

1. This Order may be cited as the Regional Assembly and Local Government Referendums (Counting Officers' Charges) Order 2004 and shall come into force on the day after that on which it is made.

Interpretation

2. In this Order—

"ballot paper returned" means a ballot paper returned in the voting area for which the counting officer acts;

"counting officer" means—

(a) in relation to a Regional Assembly referendum, the person appointed under section 128(3) of the Political Parties, Elections and Referendums Act 2000(**1**) as the counting officer for a voting area;

(**1**) 2000 c. 41.

(b) in relation to a Regional Assembly referendum and local government referendum where the polls are combined, the person—

(i) who is the counting officer referred to in paragraph (a); and

(ii) who, pursuant to an order made under Part 1 of the Preparations Act 2003, is the counting officer for the local government referendum for the same voting area;

"local government referendum" means a referendum held pursuant to section 2(2) of the Preparations Act 2003;

"the Preparations Act 2003" means the Regional Assemblies (Preparations) Act 2003;

"Regional Assembly referendum" means a referendum held pursuant to section 1 of the Preparations Act 2003;

"the register of electors" means, except in article 4, the part of the register used at the referendum at which the services were rendered or expenses incurred, in relation to the voting area for which the counting officer acts;

"voting area" means one of the following where comprised in the referendum area—

(a) a district in England,

(b) the Isle of Wight,

(c) the Isles of Scilly.

Amounts payable to counting officers

3.—(1) On an account being submitted to the Electoral Commission by the counting officer within 6 months of the date of the referendum concerned, the Electoral Commission shall, subject to paragraphs (2) to (4), pay the reasonable charges of the counting officer in respect of any services properly rendered or expenses properly incurred by him in connection with a Regional Assembly referendum or a local government referendum.

(2) The maximum amount payable to a counting officer under paragraph (1) for a Regional Assembly referendum at which the poll in his voting area is not held in combination with any other poll, shall be the aggregate of—

(a) 115 pence per elector on the register of electors, and

(b) 22 pence for each ballot paper returned.

(3) Where the poll at a Regional Assembly referendum in a counting officer's voting area is held in combination only with the poll at a local government referendum, the maximum amount payable to a counting officer pursuant to paragraph (1) for those referendums shall be the aggregate of—

(a) 173 pence per elector on the register of electors, and

(b) 22 pence—

(i) for each ballot paper returned, where the ballot paper used at the Regional Assembly referendum and the local government referendum is a combined ballot paper; or

(ii) where separate ballot papers are used at the Regional Assembly referendum and the local government referendum, for each ballot paper returned at the poll at which the greater number of ballot papers is returned.

(4) Where the poll at a Regional Assembly referendum in a counting officer's voting area is held in combination with a poll pursuant to section 7(1) of the Preparations Act 2003 and which is not a local government referendum, the maximum amount payable to a counting officer pursuant to paragraph (1) for a Regional Assembly referendum and any local government referendum with which it is held in combination in that voting area, shall be the aggregate of—

(a) 58 pence per elector on the register of electors, and