Draft Regulations laid before Parliament under paragraph 2(6) of Schedule 1 to the European Parliamentary Elections Act 1978 for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

1999 No.

REPRESENTATION OF THE PEOPLE

European Parliamentary Elections (Northern Ireland) (Amendment) Regulations 1999

Made - - - -	*1999*
Coming into force - -	*1999*

Whereas a draft of these Regulations has been approved by a resolution of each House of Parliament;

Now, therefore, the Secretary of State in exercise of the powers conferred on her by paragraph 2 of Schedule 1 to the European Parliamentary Elections Act 1978(**1**) hereby makes the following Regulations:

1.—(1) These Regulations may be cited as the European Parliamentary Elections (Northern Ireland) (Amendment) Regulations 1999.

(2) These Regulations shall come into force on the fifth day after the day on which they were made.

(3) These Regulations extend to Northern Ireland only.

2. The European Parliamentary Elections (Northern Ireland) Regulations 1986(**2**) shall be amended as follows.

3. In regulation 4 (interpretation)—

(a) omit the definitions of "Assembly constituency", "Assembly election", "elector" and "representative";

(b) in the definition of "day of the poll" for "paragraph 3" substitute "section 3D(1) of, or paragraph 3(3)(a)(**3**)"; and

(c) in the definition of "register"(**4**)—

(**1**) 1978 c. 10; the citation of this Act was amended by section 3(1)(b) and (2)(b) of the European Communities (Amendment) Act 1986 (c. 58) and the powers in paragraph 2 have been amended by paragraphs 5 to 7 of Schedule 2 to the European Parliamentary Elections Act 1999 (c. 1) and extended by paragraphs 3 and 4 of Schedule 1 to the 1978 Act as substituted by paragraphs 8 and 9 of Schedule 2 to the 1999 Act.

(**2**) S.I.1986/2250.

(**3**) Section 3D of the 1978 Act was substituted by section 1 of the European Parliamentary Elections Act 1999 and paragraph 3 of Schedule 1 to the 1978 Act was substituted by Schedule 2 to the 1999 Act.

(**4**) The definition of "register" was amended by S.I. 1994/342 but the amendments are not relevant in this context.

(i) for "Assembly constituency" substitute "electoral region", and

(ii) for "that constituency" substitute "that region".

4. In regulation 5(5) (general modification of the provisions applied by Schedules 1 and 2)—

(a) after sub-paragraph (a) insert—

"(aa) any reference to a parliamentary elector shall be construed as a reference to an elector at a European Parliamentary election;";

(b) in sub-paragraph (b) for "Assembly constituency" substitute "electoral region", and

(c) in sub-paragraph (d) for "a representative" substitute "an MEP".

5. After regulation 7(**5**) insert—

"**By-elections**

8.—(1) Subject to paragraph (3) below, where the Secretary of State has—

(a) received information of a vacancy in the seat of an MEP from the European Parliament under Article 12(2) of the Act referred to in section 8(2)(a) of the Act of 1978, or

(b) informed the European Parliament under that Article that a vacancy exists,

a by-election shall be held to fill the vacancy.

(2) The period within which the poll at that by-election must take place is six months from the occurrence of the event specified in paragraph (1)(a) or (b) above, as the case may be.

(3) Paragraph (1) above shall not apply where the event specified in sub-paragraph (a) or (b) of that paragraph occurred less than six months before the Thursday of the period of the next general election of MEPs.

(4) That period is the one during which the next general election would take place in accordance with Article 10(2) of the Act referred to in section 8(2)(a) of the Act of 1978.".

6.—(1) Schedule 1 (application of provisions of the Representation of the People Acts) is amended as follows.

(2) In the right-hand column, omit the modification of section 29(5) of the Representation of the People Act 1983 ("the Act of 1983").

(3) In the right-hand column, in the modification of section 56 of the Act of 1983, omit "and subsection (4A)".

(4) In the right-hand column opposite the entry in respect of section 75 of the Act of 1983, before the existing modification insert "In subsection (1)(ii)(**6**) for "£5" substitute "£5,000" and omit from "and are" to "others"".

(5) In the right-hand column, in section 76(2) of the Act of 1983(**7**), as substituted, for "£13,175" and "5.7p" substitute "£14,900" and "6.4p", respectively.

(6) In the right-hand column, in section 91(4) of the Act of 1983 as substituted, for "Assembly constituency" substitute "electoral region".

(7) In the left-hand column, omit the application of section 93 of the Act of 1983, together with the modification in the right-hand column.

(**5**) Regulation 7 was inserted by regulation 6 of S.I. 1994/342.
(**6**) Section 75(1)(ii) was amended by section 14(3) of the Act of 1985.
(**7**) Section 76(2), as substituted, was amended by S.I. 1994/782.

(8) In the right-hand column, in section 97(2) of the Act of 1983 as substituted, for "any Assembly constituency" substitute "the electoral region".

(9) In the left-hand column, omit the application of section 126 of the Act of 1983, together with the modification in the right-hand column.

(10) In the right-hand column, in the modification of section 139(3) of the Act of 1983 for "has resigned from the European Assembly" substitute "is no longer an MEP".

(11) In the right-hand column, in the modification of section 157 of the Act of 1983, after the substitution of section 157(2) insert "Omit subsection (5)".

(12) In the left-hand column, after the entry in respect of rule 6 in Schedule 1 to the Act of 1983 insert "Rule 6A (nomination papers: name of registered political party)"(**8**).

(13) In the right-hand column, in the modification of rule 23(2) of Schedule 1 to the Act of 1983—

(a) omit "(or part of such a constituency)", and

(b) for "Assembly constituency" substitute "electoral region".

(14) In the right-hand column, in the modification of rule 60(1) of Schedule 1 to the Act of 1983 for "paragraph 3" substitute "section 3D(1) of or paragraph 3(3)(a)".

(15) In the Annex to the Appendix of forms, for the form of the front of the ballot paper substitute the form set out in the Schedule to these Regulations.

(16) In the Annex to the Appendix of forms, the directions as to printing the ballot paper is amended as follows—

(a) at the end of paragraph 2(a) insert "and words forming part of emblems";

(b) in paragraph 2(b) after "those particulars" insert "and emblems";

(c) after paragraph 3 add—

"**4.** Where an emblem is to be printed against a candidate's particulars—

(a) it shall be printed between the candidate's particulars and the vertical rule separating the candidates' particulars from the spaces where the vote is to be marked, and

(b) its size as printed shall not exceed two centimetres square.".

7.—(1) Schedule 3 (proxy papers) is amended as follows.

(2) For the words inserted by paragraph 1(a)(ii) of Part I, substitute "The European Parliamentary electoral region of Northern Ireland".

(3) For the words inserted by paragraph 1(a)(iii) of Part I, substitute "*[the European Parliamentary election for the above electoral region]".

(4) in paragraph 1(a)(iv) for "parliamentary and European Assembly constituencies" substitute "parliamentary constituency and European Parliamentary electoral region".

(5) In the form in Part II(**9**) for "constituency", in each place where it occurs, substitute "electoral region".

8. Regulation 2(b) of the European Parliamentary Elections (Northern Ireland) (Amendment) Regulations 1994(**10**) is hereby revoked.

(**8**) Rule 6A was inserted, together with amendments to rules 12 and 19, by Schedule 2 to the Registration of Political Parties Act 1998 (c. 48).
(**9**) The form has been amended but the amendments are not relevant for the purposes of these Regulations.
(**10**) S.I. 1994/782.