

The Parliamentary Elections (Returning Officers' Accounts) Regulations 2015

Made - - - - 24th February 2015

Coming into force in accordance with regulation 1(1)

The Lord President of the Council, in exercise of the powers conferred by sections 29(8) and 201(1) and (3) of the Representation of the People Act 1983(a), makes the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Parliamentary Elections (Returning Officers' Accounts) Regulations 2015 and come into force on the day after the day on which they are made.

(2) These Regulations extend to England, Wales and Scotland.

Interpretation

2. In these Regulations—

“the Act” means the Representation of the People Act 1983;

“account” means an account prepared by a returning officer for the purposes of section 29(5) of the Act (payments by and to a returning officer)(b) and includes an account or part of an account prepared for that purpose in order to account for the use of an advance made under section 29(7) of the Act(c);

“Accounting Officer” means the accounting officer to whom an account must be addressed under regulation 5.

Revocation

3. The following Regulations are revoked—

(a) the Returning Officers' Accounts (Parliamentary Elections) (England and Wales) Regulations 2010; and

(b) the Returning Officers' Accounts (Parliamentary Elections) (Scotland) Regulations 1991.

Requirement to submit accounts

4. Returning officers must submit an account in accordance with these Regulations.

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- (a) 1983 c. 2. Section 29(8) was substituted by The Transfer of Functions (Returning Officers' Charges) Order 1991 (S.I. 1991/1728) and subsequently by paragraph 6(3) of Schedule 21 to the Political Parties, Elections and Referendums Act 2000 (c.41) (“the PPER Act 2000”) but paragraph 6(3) is not yet in force. Section 201(1) and (3) was inserted by paragraphs 1 and 21 of Schedule 1 to the Representation of the People Act 2000 (c.2) and amended by paragraph 6(7)(a) and (d) of Schedule 21 and Schedule 22 to the PPER Act 2000 but paragraph 6(7)(a) and Schedule 22 are not yet in force. S.I. 1991/1728 transferred the functions formally conferred on the Treasury by section 29 to the Secretary of State and amended section 201. The power conferred on the Secretary of State by sections 29(8) and 201(3) was made exercisable concurrently by the Lord President of the Council and the Secretary of State by the Lord President of the Council Order 2010 (S.I. 2010/1837).
- (b) Section 29(5) was amended by section 1(3) of the Representation of the People Act 1991 (c. 11) and S.I. 1991/1728 and substituted by paragraph 6(3) of Schedule 21 to the PPER Act 2000, as amended by paragraphs 104 and 107 of Schedule 1 to the Electoral Administration Act 2006 (c. 22), but paragraph 6(3) is not yet in force.
- (c) Section 29(7) was substituted by S.I. 1991/1728 and paragraph 6(3) of Schedule 21 to the PPER Act 2000 but paragraph 6(3) is not yet in force.

Address for submission of accounts

5. An account must be addressed to the Accounting Officer and sent—
- (a) for England and Wales, to the Elections Claims Unit, 4th Floor, High Trees, Hillfield Road, Hemel Hempstead, Herts, HP2 4XN; or
 - (b) for Scotland, to the Finance and Elections Team, Scotland Office, 1 Melville Crescent, Edinburgh, EH3 7HW.

Time for submission of accounts

6.—(1) Subject to paragraphs (2) and (3), an account must be submitted within the period of 6 months commencing with the day of the declaration of the result of the parliamentary election to which the charges in the account relate.

(2) If a returning officer is unable to submit an account within the period referred to in paragraph (1), that officer may, before the end of that period, apply to the Accounting Officer for an extension of time for the submission of the account.

(3) If the Accounting Officer agrees to an extension of time for the submission of the account, the returning officer must submit the account within such extended period as the Accounting Officer specifies.

Form of accounts

7.—(1) An account must—

- (a) be in writing; and
- (b) show the charges in respect of each listed item separately.

(2) In this regulation “listed item” means any of the types of services rendered, and expenses incurred, by a returning officer which are specified in an Order made under section 29(3) and (3A) of the Act(a) in force at the date of the poll at the parliamentary election to which the charges in the account relate.

Declaration etc. to be submitted with accounts

8.—(1) An account must be accompanied by a declaration, signed by the returning officer, in the following terms—

“I declare that the account submitted for the purposes of the payment of any charges in respect of services necessarily rendered and expenses necessarily incurred for the efficient and effective conduct of the parliamentary election in the area for which I am responsible is correct to the best of my knowledge and belief.”

(2) If requested to do so by or on behalf of the Accounting Officer, the returning officer must submit supporting documentation relating to their account.

Signed by the authority of the Lord President of the Council

Sam Gyimah
Minister for the Constitution
Cabinet Office

24th February 2015

(a) Section 29 was amended by paragraphs 3 and 4 of Schedule 6 to the Representation of the People Act 2000, section 68 of the Electoral Administration Act 2006 and section 18(1) of the Electoral Registration and Administration Act 2013 (c. 6). Paragraph 6(3) of Schedule 21 to the PPER Act 2000, as amended by paragraphs 104 and 107 of Schedule 1 to the Electoral Administration Act 2006, substituted subsections (3) to (4C) but paragraph 6(3) is not yet in force.