



European Parliamentary and Local Elections (Pilots) Act 2004

2004 CHAPTER 2

Reports

4 Electoral Commission report

- (1) After a pilot election has been held, the Electoral Commission must prepare a report in relation to it.
- (2) For the purposes of subsection (1) the Electoral Commission must consult the council for every county and district in the region in which the pilot election was held.
- (3) Every relevant local authority in the region must give the Commission such assistance as they may reasonably require in connection with the preparation of the report.
- (4) The assistance may include—
 - (a) making arrangements for ascertaining the views of electors about the administration of the election;
 - (b) reporting to the Commission allegations of personation and of other electoral offences or malpractice.
- (5) The report must include a copy of the pilot order.
- (6) The report must also include an assessment of the extent to which postal voting and provision made by the pilot order—
 - (a) facilitated voting at the election;
 - (b) encouraged voting at the election;
 - (c) affected the incidence of personation or other electoral offences or malpractice;
 - (d) assisted the counting of votes at the election;
 - (e) provided opportunities for savings in the costs of administering the election or led to any increase in such costs.

Changes to legislation: There are currently no known outstanding effects for the European Parliamentary and Local Elections (Pilots) Act 2004, Cross Heading: Reports. (See end of Document for details)

- (7) For the purposes of subsection (6)(a) the report must include a statement of the number of ballot papers which appear to the returning officer to have been delivered to him during the period of one week starting with the day after the date on which the poll closed.
- (8) For the purposes of subsection (6)(c) the Commission must ascertain by such means as it thinks appropriate and report on the views of electors as to whether postal voting and provision made by the pilot order—
- (a) provided sufficient safeguards against fraud;
 - (b) provided appropriate protection for the secrecy of the ballot.
- (9) The report must also include an assessment as to the following matters relating to the requirement by virtue of section 2 to provide polling progress information—
- (a) its effect on the campaigning of candidates and political parties;
 - (b) the use made by candidates and political parties of the information;
 - (c) the views of electors and political parties about the provision of the information (including views as to its effect on turnout of voters and use of the information by candidates and political parties);
 - (d) its effect on the conduct and administration of the election.
- (10) The assessment must include a statement by the Electoral Commission as to whether in their opinion—
- (a) the turnout of voters was higher than it would otherwise have been;
 - (b) electors found the procedures provided for their assistance easy to use.
- (11) Not later than the end of the period of three months beginning with the date of the declaration of the result of the European Parliamentary general election in the region the Electoral Commission must—
- (a) send a copy of the report to the Secretary of State, and
 - (b) publish the report in such manner as they think fit.
- (12) The returning officer is the person who is described as such in the pilot order.
- (13) This section does not affect the duty of the Electoral Commission to prepare and publish under section 5 of the Political Parties, Elections and Referendums Act 2000 (c. 41) a report on the administration of the election.

5 Revision of procedures in light of report

- (1) If a report is made under section 4 above on the conduct of a local government election section 11 of the Representation of the People Act 2000 (c. 2) (revision of procedures in the light of pilot schemes) applies as it applies if a report is made under section 10 of that Act, subject to the following modifications.
- (2) The reference in section 11(1) to provision similar to that made by a scheme under section 10 is to be read as a reference to provision similar to that made by a pilot order for the conduct of the local government election.
- (3) Subsection (4) of section 11 is to be read as if it required the Secretary of State, when laying a draft of an order under that section, to lay a copy of each report of the Electoral Commission under section 4 above on the conduct of a local government election held in accordance with provision similar to that made by the order.

Changes to legislation:

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