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STATUTORY INSTRUMENTS

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**1999 No. 1214**

**The European Parliamentary Elections Regulations 1999**

**PART IV  
VACANCIES**

**Initial response to vacancies**

**16.**—(1) Subject to paragraphs (2) and (5) below, as soon as practicable after 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 1978 Act, or
- (b) informed the European Parliament under that Article that a vacancy exists,

he shall send a notice in accordance with paragraph (4) below to the returning officer for the electoral region in which the vacancy exists.

(2) Paragraph (1) above does not apply where it appears from the declaration of the result of the election that the person whose seat is now vacant was an individual candidate.

(3) Subject to regulation 19(2) below, a by-election shall be held in the circumstances described in paragraph (2) above to fill the vacancy and the period within which the poll at that 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.

(4) The notice referred to in paragraph (1) above shall—

- (a) state that a vacancy exists, and
- (b) set out the name of the person who had been returned in the seat which is vacant, together with the name of the registered party on whose list his name was included.

(5) Paragraph (1) above shall not apply where the event referred to 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.

(6) For the purpose of paragraph (5) above and regulation 19(1) below, the period of the next general election of MEPs is that 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 1978 Act.