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STATUTORY INSTRUMENTS

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**2004 No. 293**

**REPRESENTATION OF THE PEOPLE**

**The European Parliamentary Elections Regulations 2004**

*Made* - - - - 22nd March 2004

*Coming into force* 23rd March 2004

**THE EUROPEAN PARLIAMENTARY  
ELECTIONS REGULATIONS 2004**

PART 1

GENERAL

1. Citation, commencement and extent
2. Interpretation
3. General application in relation to local government elections in England and Wales
4. General application to Scotland
5. General application to Gibraltar
6. Conduct of poll and count in each local counting area
7. Deputies and assistance
8. Polling districts and places
9. Rules for European Parliamentary elections and general duty of returning officers and local returning officers
10. Absent voting
11. Combination of polls
12. Entitlement to registration and legal incapacity to vote in Gibraltar
13. Modification of the 2003 Act and these Regulations for 2004 elections in relation to citizens of Accession States
14. Title of returning officers and local returning officers
15. Payments by and to returning officers and local returning officers
16. Taxation of returning officer's and local returning officer's account
17. Effect of registers
18. Effect of misdescription
19. Discharge of registration duties
20. Payment of expenses of registration
21. Registration appeals: England and Wales
22. Registration appeals: Scotland
23. Personation

*Status: This is the original version (as it was originally made).*

24. Other voting offences
25. Breach of official duty
26. Tampering with nomination papers, ballot papers, etc
27. False statement in nomination papers
28. Offences in connection with candidature
29. Requirement of secrecy
30. Prohibition on publication of exit polls

## PART 2

### THE ELECTION CAMPAIGN

31. Interpretation of Part 2
32. Computation of time for purposes of Part 2

#### *Election agents of registered parties*

33. Appointment of national election agent of registered party
34. Appointment of election agent by a registered party standing in one electoral region only
35. Appointment of sub-agent for registered parties
36. Office of agents of registered parties
37. Effect of default in appointment of agents of registered parties

#### *Election agents of individual candidates*

38. Appointment of election agent for individual candidate
39. Appointment of sub-agent for individual candidate
40. Office of election agent and sub-agent for individual candidate
41. Effect of default in election agent's appointment

#### *Election expenses*

42. Control of donations to individual candidates
43. Payment of expenses of individual candidates through election agent
44. Individual candidate's personal expenses, and petty expenses
45. Expenses of individual candidate incurred otherwise than for elections purposes
46. Prohibition of expenses of individual candidate not authorised by election agent
47. Limitation of election expenses for individual candidates
48. Time for sending in and paying claims: individual candidates
49. Disputed claims: individual candidates
50. Election agent's claim
51. Return as to election expenses: individual candidates
52. Declarations as to election expenses: individual candidates
53. Return as to personal expenses: candidates on party lists
54. Penalty for failure as respects return or declarations: individual candidates
55. Authorised excuses for failures as to return and declarations: individual candidates
56. Court's power to require information from election agent or sub-agent of individual candidate
57. Duty of appropriate officer to forward returns and declarations to Electoral Commission
58. Publication of time and place for inspection of returns and declarations

59. Inspection of returns and declaration
60. Meaning of “election expenses”
61. Incurring of election expenses for purposes of regulation 60
62. Property, goods, services etc provided free of charge or at a discount

#### *General*

63. Candidate’s right to send election address post free
64. Broadcasting from outside United Kingdom
65. Broadcasting of local items during election period
66. Imitation poll cards
67. Schools and rooms for European Parliamentary election meetings
68. Disturbances at election meetings
69. Officials not to act for candidates
70. Illegal canvassing by police officers
71. False statements as to candidates
72. Corrupt withdrawal from candidature
73. Payments for exhibition of election notices
74. Details to appear on election publications
75. Prohibition of paid canvassers
76. Providing money for illegal purposes
77. Bribery
78. Treating
79. Undue influence
80. Rights of creditors
81. Savings as to European Parliamentary elections

#### PART 3

#### VACANCIES

82. Initial response to vacancies
83. Filling of vacancies from a registered party’s list
84. By-election to fill certain vacancies
85. When a by-election is not needed

#### PART 4

#### LEGAL PROCEEDINGS

86. Interpretation of Part 4
87. Computation of time for purposes of Part 4
88. Method of questioning European Parliamentary elections
89. Presentation and service of European Parliamentary election petitions
90. Time for presentation or amendment of European Parliamentary election petition
91. Constitution of election court and place of trial
92. Judges' expenses and reception: England and Wales
93. Judges' expenses and reception: Scotland
94. Security for costs
95. Petition at issue
96. Trial of election issue
97. Witnesses
98. Duty to answer relevant questions
99. Expenses of witnesses

*Status: This is the original version (as it was originally made).*

100. Conclusion of trial of European Parliamentary election petition
101. Special case for determination of the High Court
102. Withdrawal of petition
103. Abatement of petition
104. Costs of petition
105. Neglect or refusal to pay costs
106. Appeals and jurisdiction
107. Persons convicted of corrupt or illegal practices
108. Application for relief
109. Prosecution for corrupt practices
110. Prosecutions for illegal practices
111. Conviction of illegal practice on charge of corrupt practice
112. Mitigation and remission etc
113. Illegal payments
114. Time limit for prosecution
115. Prosecution of offences committed outside the United Kingdom
116. Offences by associations
117. Evidence by certificate of holding of elections
118. Evidence by certificate of electoral registration
119. Director of Public Prosecutions
120. Rules of procedure
121. Costs
122. Services of notices

#### PART 5

#### MISCELLANEOUS

123. Public notices and declarations
124. Remuneration for free postal services provided under the Regulations
125. Application of Local Government Finance Act 1988 for European Parliamentary Elections
126. Revocation  
Signature

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#### SCHEDULE 1 — EUROPEAN PARLIAMENTARY ELECTIONS RULES

##### PART 1 — PROVISIONS AS TO TIME

1. Timetable
2. Computation of time

##### PART 2 — STAGES COMMON TO CONTESTED AND UNCONTESTED ELECTIONS

3. Notice of election
4. Nomination of individual candidates
5. Nomination papers: name of registered political party at a by-election
6. Nomination papers: name of registered political party at a general election
7. List of candidates
8. Consent to nomination
9. Candidature by relevant citizen of the Union
10. Deposit
11. Place for delivery of nomination papers
12. Right to attend nomination
13. Decisions as to validity of nomination papers

14. Withdrawal of candidates
15. Publication of statement of persons nominated
16. Local publication of statement under rule 15
17. Disqualification by Representation of the People Act 1981
18. Adjournment of nomination proceedings in case of riot
19. Method of election

PART 3 — CONTESTED ELECTIONS

20. Poll to be taken by ballot
21. The ballot papers
22. The official mark
23. Prohibition of disclosure of vote
24. Use of schools and public rooms
25. Notice of poll
26. Postal ballot papers
27. Provision of polling stations
28. Appointment of presiding officers and clerks
29. Issue of official poll cards
30. Equipment of polling stations
31. Appointment of polling and counting agents
32. Notification of requirement of secrecy
33. Admission to polling station
34. Keeping of order in station
35. Sealing of ballot boxes
36. Questions to be put to voters
37. Challenge of voter
38. Voting procedure
39. Votes marked by presiding officer
40. Voting by persons with disabilities
41. Tendered ballot papers
42. Spoilt ballot papers
43. Adjournment of poll in case of riot
44. Procedure on close of poll
45. Attendance at verification of ballot paper accounts
46. Procedure at verification of ballot paper accounts
47. Attendance at counting of votes
48. The count
49. Re-count
50. Rejected ballot papers
51. Decisions on ballot papers
52. Notification of local result
53. Attendance at allocation of seats
54. Allocation of seats
55. Equality of seats

PART 4 — Final Proceedings

56. Declaration of result
57. Return or forfeiture of candidate's deposit

PART 5 — Disposal of Documents

58. Sealing up of ballot papers
59. Retention of documents by the local returning officer
60. Orders for production of documents
61. Retention and public inspection of documents

APPENDIX OF —  
FORMS

*Status: This is the original version (as it was originally made).*

*Form of front of ballot paper (see next page)*

*Directions as to printing the ballot paper*

1. Nothing is to be printed on the ballot paper except...
2. So far as is practicable, the arrangements set out in...
3. No word shall be printed on the face of the...
4. The words "Election for the European Parliament", the name of...
5. No horizontal rule shall be printed on the face except—...
6. No vertical rule shall be printed on the face except—...
7. The space on the ballot paper between the horizontal rule...
8. Where a registered emblem of a registered political party is...
9. Subject to paragraphs 10 to 15 below, all of the...
10. The words "Election for the European Parliament" shall appear in...
11. The name of the electoral region shall appear in bold...
12. The word "one" in the statement referred to in paragraph...
13. No other capitals shall be used except initial capitals for...
14. The names of the candidates on a party's list of...
15. The description of individual candidates shall appear in ordinary type....
16. The number on the back of the ballot paper shall...

*Form of Back of Ballot Paper*

*Elector's official poll card*

*Front of card*

*Back of card*

*Proxy's Official Poll Card*

*Front of card*

*Back of card*

*Form of directions for the guidance of the voters in voting*

*Certificate of Employment*

*Form of declaration to be made by the companion of a voter with disabilities*

SCHEDULE 2 — ABSENT VOTING

PART 1 — ENTITLEMENT

1. Interpretation
2. Manner of voting at European Parliamentary elections
3. Absent vote at elections for definite or indefinite period
4. Absent vote at particular election
5. Absent voters list
6. Proxies at elections
7. Voting as proxy
8. Offences

PART 2 — APPLICATIONS

9. Forms

10. Communication of applications, notices etc
11. Electronic signatures and related certificates
12. Time
13. Interference with notices etc
14. General requirements for applications for an absent vote
15. Additional requirements for applications for the appointment of a proxy
16. Additional requirements for applications for a proxy vote for a definite or indefinite period on grounds of physical incapacity or blindness
17. Additional requirements for applications for a proxy vote for a definite or indefinite period based on occupation, service, employment or attendance on a course
18. Additional requirements for applications for a proxy vote in respect of a particular election
19. Closing date for applications
20. Grant or refusal of applications
21. Notice of appeal
22. Cancellation of proxy appointment
23. Inquiries by registration officer
24. Records and lists kept under this Schedule
25. Marked register for polling stations
- PART 3 — ISSUE AND RECEIPT OF POSTAL BALLOT PAPERS
26. Interpretation of Part 3

*Issue of Postal Ballot Papers*

27. Combination of polls
28. Form of declaration of identity
29. Persons entitled to be present at proceedings on issue of postal ballot papers
30. Persons entitled to be present at proceedings on receipt of postal ballot papers
31. Agents of candidates who may attend proceedings on receipt of postal ballot papers
32. Notification of requirement of secrecy
33. Time when postal ballot papers are to be issued
34. Procedure on issue of postal ballot paper
35. Refusal to issue postal ballot paper
36. Envelopes
37. Sealing up of counterfoils and security of special lists
38. Delivery of postal ballot papers
39. Spoilt postal ballot papers
40. Lost postal ballot papers

*Receipt of Postal Ballot Papers*

41. Alternative means of returning postal ballot paper or declaration of identity
42. Notice of opening of postal ballot paper envelopes
43. Postal ballot boxes and receptacles
44. Receipt of covering envelope
45. Opening of postal voters' ballot box
46. Opening of covering envelopes
47. Procedure in relation to declarations of identity
48. Opening of ballot paper envelopes
49. Lists of rejected postal ballot papers
50. Checking of lists kept under paragraph 49

*Status: This is the original version (as it was originally made).*

- 51. Sealing of receptacles
- 52. Retention of documents

APPENDIX OF —  
FORMS

Form A

*Proxy Paper*

Form B

*Declaration of Identity*

Form C

*Declaration of identity*

Form D

*Declaration of Identity*

Form E

*DECLARATION OF IDENTITY*

Form F

*DECLARATION OF IDENTITY*

Form G

*DECLARATION OF IDENTITY*

Form H

*Statement as to Postal Ballot Papers*

SCHEDULE 3 — MODIFICATION OF EUROPEAN PARLIAMENTARY  
ELECTIONS RULES FOR COMBINED POLLS

PART 1 — ENGLAND AND WALES

- 1. This Part of this Schedule applies in the circumstances set...
- 2. (1) In this Part of this Schedule, and in any...
- 3. At the end of paragraph (2) of rule 21 (the...
- 4. At the end of rule 25 (notice of poll) insert...
- 5. At the end of rule 29 (issue of official poll...
- 6. After paragraph (1) of rule 30 (equipment of polling stations)...
- 7. After paragraph (4) of rule 30 (equipment of polling stations)...
- 8. For paragraph (7) of rule 30 (equipment of polling stations)...
- 9. In paragraph (1)(b) of rule 31 (appointment of polling and...
- 10. At the end of paragraph (4) of rule 31 (appointment...
- 11. In rule 32(b) (notification of requirement of secrecy) the words...
- 12. In rule 33(1) (admission to polling stations), at the end...
- 13. In question (ii) in sub-paragraphs (a) and (b) of paragraph...



14. At the end of rule 38 (voting procedure) insert the...
15. At the end of paragraph (2) of rule 39 (votes...
16. At the end of paragraph (4) of rule 40 (voting...
17. At the end of paragraph (3) of rule 41 (tendered...
18. At the end of paragraph (1) of rule 43 (adjournment...
19. In paragraph (1) of rule 44 (procedure on close of...
20. After paragraph (1) of rule 44 (procedure on close of...
21. Omit rules 45 (attendance at verification of the ballot paper...
22. For paragraph (1) of rule 47 (attendance at counting of...
23. For paragraph (1) of rule 48 (the count) substitute—
24. In paragraph (3) of rule 48 (the count) after the...
25. In paragraph (4) of rule 48 (the count), omit the...
26. In paragraph (1) of rule 59 (retention of documents) omit...
27. In the Appendix of forms for the form of direction...
28. In the Appendix of forms, for the form of declaration...

#### PART 2 — SCOTLAND

1. This Part of this Schedule applies in the circumstances set...
2. At the end of paragraph (2) of rule 21 (the...
3. At the end of rule 25 (notice of poll) insert...
4. At the end of rule 29 (issue of official poll...
5. After paragraph (1) of rule 30 (equipment of polling stations)...
6. After paragraph (4) of rule 30 (equipment of polling stations)...
7. For paragraph (7) of rule 30 (equipment of polling stations)...
8. In paragraph (1)(b) of rule 31 (appointment of polling and...
9. At the end of paragraph (4) of rule 31 (appointment of...
10. In rule 32(b) (notification of requirement of secrecy) the words...
11. In question (ii) in sub-paragraphs (a) and (b) of paragraph...
12. At the end of rule 38 (voting procedure) insert the...
13. At the end of paragraph (2) of rule 39 (votes...
14. At the end of paragraph (4) of rule 40 (voting...
15. At the end of paragraph (3) of rule 41 (tendered...
16. At the end of paragraph (1) of rule 43 (adjournment...
17. In rule 44(1) (procedure on close of poll), after the...
18. After paragraph (1) of rule 44 (procedure on close of...
19. Omit rules 45 (attendance at verification of the ballot paper...
20. For paragraph (1) of rule 47 (attendance at counting of...
21. For paragraph (1) of rule 48 (the count) substitute—
22. In paragraph (3) of rule 48 (the count) after the...
23. In paragraph (1) of rule 59 (retention of documents) omit...
24. In the Appendix of forms for the form of direction...
25. In the Appendix of forms, in the form of declaration...

#### SCHEDULE 4 — ENTITLEMENT TO REGISTRATION AND LEGAL INCAPACITY TO VOTE IN GIBRALTAR

##### PART 1 — GENERAL APPLICATION AND INTERPRETATION

1. General application and interpretation
2. Time

##### PART 2 — ENTITLEMENT TO REGISTRATION AND LEGAL INCAPACITY

###### *Legal incapacity*

3. Legal incapacity to vote of offenders in prison etc

*Status: This is the original version (as it was originally made).*

4. Legal incapacity to vote of offenders detained in mental hospitals

*Persons under the age of 18*

5. Entitlement to registration of person under the age of 18
6. Circumstances in which an application for registration in the Gibraltar register may be treated as having been made
7. Alteration of Gibraltar register: pending elections

*Residence*

8. Residence: general
9. Residence: merchant seamen
10. Residence: patients in mental hospitals who are not detained offenders or on remand
11. Residence: persons remanded in custody etc
12. Notional residence: declarations of local connection
13. Effect of declaration of local connection

*Overseas electors*

14. Registration of overseas electors
15. Overseas elector's declaration

*Service Voters*

16. Service qualification
17. Service declaration
18. Contents of service declaration
19. Effect of service declaration

*Relevant citizens of the Union*

20. Notification of and removal of names of relevant citizens of the Union from the register

**PART 3 — DISCHARGE OF REGISTRATION DUTIES**

21. Discharge of registration duties

**SCHEDULE 5 — MODIFICATIONS FOR RELEVANT CITIZENS OF THE  
ACCESSION STATES IN 2004**

1. This Schedule applies in the circumstances set out in regulation...
2. In section 16 of the 2003 Act (entitlement to be...
3. In section 27(1) (interpretation) of the 2003 Act insert, at...
4. In regulation 2, in the definition of “elector”, after the...
5. In regulation 17, insert after paragraph (4)—
6. In regulation 24(1), for the words “For the purposes of...
7. In paragraph 33 of Schedule 2— (a) insert at the...
8. In paragraph 12(3)(e) of Schedule 4, after “relevant citizen of...
9. In paragraph 18(d) of Schedule 4, after “relevant citizen of...
10. In paragraph 19(1)(b) of Schedule 4, after “relevant citizen of...
11. In paragraph 20 of Schedule 4 (notification of and removal...

**SCHEDULE 6 — CONTROL OF DONATIONS TO INDIVIDUAL CANDIDATES  
PART 1 — INTRODUCTORY**

1. Operation and interpretation of Schedule

2. Donations: general rules
  3. Sponsorship
  4. Payments etc not to be regarded as donations
  5. Value of donations
- PART 2 — CONTROLS ON DONATIONS
6. Prohibition on accepting donations from impermissible donors
  7. Acceptance or return of donations
  8. Transfer of donations received by candidate to election agent
  9. Evasion of restrictions on donations
- PART 3 — REPORTING OF DONATIONS
10. Statement of relevant donations
  11. Donations from permissible donors
  12. Donations from impermissible donors

SCHEDULE 7 — DECLARATION AS TO ELECTION EXPENSES

*FORM OF DECLARATION*

SCHEDULE 8 — USE FOR EUROPEAN PARLIAMENTARY ELECTION  
MEETINGS OF ROOMS IN SCHOOL PREMISES AND OF  
MEETING ROOMS

1. Any arrangements for the use of a room in school...
2. Any question as to the rooms in school premises which...
3. Any person stating himself to be, or to be authorised...
4. In the application of this Schedule to Scotland, for any...
5. In the application of this Schedule to Gibraltar—

Explanatory Note