

2022 No. 000

EXITING THE EUROPEAN UNION

REPRESENTATION OF THE PEOPLE

The European Parliamentary Elections (Amendment and Revocation) (United Kingdom and Gibraltar) (EU Exit) Regulations 2022

<i>Sift requirements satisfied</i>	***
<i>Made</i> - - - -	***
<i>Laid before Parliament</i>	***
<i>Coming into force</i> - -	<i>1st November 2022</i>

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 8(1) and 24(3) of the European Union (Withdrawal) Act 2018(a).

[The requirements of paragraph 3(2) of Schedule 7 to the European Union (Withdrawal) Act 2018 (relating to the appropriate Parliamentary procedure for these Regulations) have been satisfied.]

Citation, commencement and extent

1.—(1) These Regulations may be cited as the European Parliamentary Elections (Amendment and Revocation) (United Kingdom and Gibraltar) (EU Exit) Regulations 2022.

(2) These Regulations come into force on 1 November 2022.

(3) An amendment or revocation made by these Regulations has the same extent as the provision to which it relates.

Amendment of the Representation of the People (Scotland) Regulations 1986

2.—(1) The Representation of the People (Scotland) Regulations 1986(b) are amended as follows.

(2) In regulation 4 (interpretation)—

(a) in paragraph (1), omit the definitions of “Act of 1978”, “European Parliamentary constituency”, “European Parliamentary election”, “European Parliamentary overseas

(a) 2018 c. 16.

(b) S.I. 1986/1111 (“the 1986 Regulations”), amended by S.I. 1994/342. By virtue of section 3(1) of the European Communities (Amendment) Act 1986 (c. 58), references in the 1986 Regulations to “Assembly” or “European Assembly” were replaced by references to “European Parliament”. There are other amendments to the 1986 Regulations which are not relevant to these Regulations.

- elector”, “European Parliamentary overseas elector’s declaration”, “Regulations of 1994” and “relevant citizen of the Union”;
- (b) in paragraph (3), omit “or paragraph (a) of regulation 10(7) of the Regulations of 1994”.
- (3) In regulation 95 (returning officers and polling stations)—
- (a) omit paragraphs (1) and (3);
- (b) in paragraph (4)(a), omit the words from “Provided that” to the end.
- (4) In regulation 96 (functions at combined polls), in paragraph (1)—
- (a) omit sub-paragraph (b) (but not the final “and”);
- (b) omit the words from “, including that Part” to the end.
- (5) In regulation 97 (modification of provisions about expenses in Act of 1983)—
- (a) in paragraph (1), omit the second sentence;
- (b) in paragraph (3), omit the words from “, including that provision” to “Act of 1978,”.
- (6) In regulation 98 (modification of parliamentary elections rules)—
- (a) in paragraph (1), omit “or a European Parliamentary election”;
- (b) in paragraph (3), in the inserted text—
- (i) in sub-paragraph (a), omit “or, as the case may be, a European Parliamentary election”;
- (ii) in sub-paragraph (b), omit “or, as the case may be, European Parliamentary constituency”;
- (c) in paragraph (4), in the inserted text, omit “or, as the case may be, a European Parliamentary election”;
- (d) in paragraph (5), in the inserted text, omit “or, as the case may be, European Parliamentary election”;
- (e) in paragraph (6), in the substituted text—
- (i) omit “*” in the first place it occurs;
- (ii) omit “*EUROPEAN PARLIAMENTARY ELECTION ([Specify colour] ballot paper) Vote for one candidate only.”;
- (iii) omit “*Delete as necessary”;
- (f) in paragraph (14), in the inserted text, in paragraph (1A), omit “or, as the case may be, a European Parliamentary election”;
- (g) in paragraph (18), in the substituted text, in paragraph (1)(d), omit “or, as the case may be, European Parliamentary election”;
- (h) in paragraph (20)—
- (i) in sub-paragraph (a), in the inserted text omit “or, as the case may be, European Parliamentary election”;
- (ii) in sub-paragraph (b), in the substituted text omit “or, as the case may be, European Parliamentary election” in both places it occurs
- (i) in paragraph (22)(a), for “*European Parliamentary constituency/*electoral area (*delete whichever is inappropriate)” substitute “electoral area”.

Amendment of the Representation of the People (Combination of Polls) (England and Wales) Regulations 2004

3.—(1) The Representation of the People (Combination of Polls) (England and Wales) Regulations 2004(a) are amended as follows.

(a) S.I. 2004/294; relevant amending instruments are S.I. 2012/1917, 2014/920, 2017/67.

(2) In regulation 2 (interpretation), in paragraph (1), omit the definitions of “2002 Act” and “2004 Regulations”.

(3) In regulation 4 (returning officers and polling stations)—

- (a) in each of paragraphs (1) to (7), in sub-paragraph (a) omit “electoral region,”;
- (b) omit paragraphs (7A) and (7B);
- (c) in paragraph (8)(a), omit the words from “, but the returning” to the end;
- (d) in paragraph (9), for “(7B)” substitute “(7)”;
- (e) omit paragraph (11)(a).

(4) Omit regulations 5(1)(b) and (3)(a) and 6(5)(a).

(5) In Schedule 2 (modifications to parliamentary elections rules)—

- (a) in paragraph 2, in the definition of “relevant election or referendum” omit paragraph (a);
- (b) in paragraph 9, in the substituted text, omit “* EUROPEAN PARLIAMENTARY ELECTION ([Specify colour] ballot paper) Vote ONLY ONCE by putting a cross [X] in the box next to your choice.”.

Amendment of the Police and Crime Commissioner Elections Order 2012

4. In Schedule 4 to the Police and Crime Commissioner Elections Order 2012(a) (combination of polls)—

- (a) in Part 1, in paragraph 1—
 - (i) in sub-paragraph (1), omit “, European Parliamentary”;
 - (ii) in sub-paragraph (2), in the text of section 15, in the heading for “, European Parliamentary” substitute “elections”;
- (b) in Part 2, omit paragraph 5(5).

Amendment of the Combined Authorities (Mayoral Elections) Order 2017

5. In Schedule 4 to the Combined Authorities (Mayoral Elections) Order 2017(b) (combination of polls – amendment of secondary legislation), omit paragraph 2(3)(b).

Revocations

6.—(1) The following are revoked—

- (a) Regulation (EU, Euratom) No 1141/2014 of the European Parliament and of the Council on the statute and funding of European political parties and European political foundations(c);
- (b) Regulation (EU, Euratom) 2018/673 of the European Parliament and of the Council amending Regulation (EU, Euratom) No 1141/2014 on the statute and funding of European political parties and European political foundations(d);
- (c) Council Decision (EU, Euratom) 2018/994 amending the Act concerning the election of the members of the European Parliament by direct universal suffrage, annexed to Council Decision 76/787/ECSC(e);
- (d) the European Parliamentary Elections (Welsh Forms) Order 2014(f).

(a) S.I. 2012/1917, to which there are amendments not relevant to these Regulations.

(b) S.I. 2017/67, to which there are amendments not relevant to these Regulations.

(c) EUR 2014/1141.

(d) EUR 2018/673.

(e) EUDN 2018/994.

(f) S.I. 2014/704.

(2) In the European Parliamentary Elections Etc. (Repeal, Revocation, Amendment and Saving Provisions) (United Kingdom and Gibraltar) (EU Exit) Regulations 2018(a), in Schedule 1, in Part 2, omit Table 2.

Signed by authority of the Secretary of State for Levelling Up, Housing and Communities

	<i>Name</i>
	Minister of State
Date	Department for Levelling Up, Housing and Communities

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by section 8(1) of the European Union (Withdrawal) Act 2018 (c 16) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under section 8(2)(a) and (g)) arising from the withdrawal of the UK from the European Union.

Regulations 2 and 3 omit redundant references related to European Parliamentary elections in the Representation of the People (Scotland) Regulations 1986 (S.I. 1986/1111) and the Representation of the People (Combination of Polls) (England and Wales) Regulations 2004 (S.I. 2004/294) respectively.

Regulation 4 omits redundant references to European Parliamentary elections and makes a consequential amendment in Schedule 4 to the Police and Crime Commissioner Elections Order 2012 (S.I. 2012/1917).

Regulation 5 omits a redundant amendment in the Combined Authorities (Mayoral Elections) Order 2017 (S.I. 2017/67).

Regulation 6 revokes two redundant EU Regulations. The two EU Regulations were not properly revoked by the European Parliamentary Elections Etc (Repeal, Revocation, Amendment and Saving Provisions) (United Kingdom and Gibraltar) (EU Exit) Regulations 2018 (S.I. 2018/1310) (“the 2018 Regulations”). The 2018 Regulations came into force at the beginning of 31st December 2020, and at that time the two redundant EU Regulations did not form part of retained EU law. Regulation 6 also revokes the European Parliamentary Elections (Welsh Forms) Order 2014 (S.I. 2014/704) and Council Decision (EU) 2018/994, both of which are redundant.

An impact assessment has not been produced for these Regulations as no impact on the private or voluntary sectors is foreseen.

(a) S.I. 2018/1310, amended by paragraph 57(1) and (3) of Part 2 of Schedule 5 to the European Union (Withdrawal Agreement) Act 2020 (c. 1), and by S.I. 2019/1389.