

Part A – Context

Contents

- 1 Introduction
 - Legislation
- 2 The electoral framework
 - Timing of elections
 - Timetable
 - Electoral system
 - Casual vacancies
- 3 Roles and responsibilities
 - The Electoral Registration Officer
 - The Regional Returning Officer
 - The Local Returning Officer
- 4 The role of other organisations
 - The Electoral Commission
 - Ministry of Justice
 - Election Petitions Office/Court of Session
 - Royal Mail
- 5 Resources
 - Contact details for ordering Electoral Commission forms and leaflets


1 Introduction

1.1 The purpose of this guidance is to assist Local Returning Officers with particular points of practice and procedure in the running of a European Parliamentary election in Great Britain. It does not cover functions that are the sole remit of the Regional Returning Officer at a European Parliamentary election, including things such as the delivery and determination of nomination papers and the notification of regional results.



Combination

In some areas of England, scheduled elections to county councils are also taking place on 4 June 2009 and these will be combined with the European Parliamentary elections.

Additional guidance addressing combination issues relevant to Local Returning Officers will be highlighted in a box like this one, with an exclamation mark  and a heading reading 'Combination'.

Under legislation, however, it is the Returning Officer for the county election who has legal responsibility for certain duties relating to the European Parliamentary election, and not the Local Returning Officer.¹ As the Local Returning Officer is not the same person as the county Returning Officer in law, this manual does not cover in detail combination issues from the perspective of the county Returning Officer.

It is recognised, however, that many county Returning Officers will designate European Parliamentary Local Returning Officers as deputy county Returning Officers, which means that the same person will, in practice, be administering both polls. In that case, Local Returning Officers should use this manual in conjunction with the relevant parts of the Commission's manual *Managing a local government election in England and Wales*.²

A number of parish councils across England on a county election cycle will also be holding elections. European Parliamentary Local Returning Officers, who have been appointed as deputy county Returning Officers to also run the parish elections, should refer to the Electoral Commission's manual *Managing a local government election in England and Wales*.

1.2 This guidance is not meant as a comprehensive guide to the relevant election law, and no expression of views on the part of the Commission can alter the application of any legislation to any particular case. Local Returning Officers, Electoral Registration Officers and their own legal advisers must reach conclusions based on the details of any particular case. This guidance should not be relied on as legally definitive and the Commission cannot

¹ Regulations 4(3) and 5, Representation of the People (Combination of Polls)(England & Wales) Regulations 2004.

² The manual can be downloaded from the Commission's website at www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/local-elections/local-government-elections-in-england

accept any responsibility for any errors or omissions, or any act arising from them.

1.3 This guidance principally needs to be read alongside:

- Representation of the People Acts 1983, 1985 and 2000
- Political Parties, Elections and Referendums Act 2000
- European Parliamentary Elections (Franchise of Relevant Citizens of the Union) Regulations 2001
- Representation of the People (England and Wales) and (Scotland) Regulations 2001 (as amended)
- European Parliamentary Elections Act 2002
- European Parliamentary Elections Regulations 2004 (as amended by the European Parliamentary Elections (Amendment) Regulations 2009)
- Electoral Administration Act 2006

1.4 Those with combined elections in England should also consult the Commission's manual *Managing a local government election in England and Wales*, alongside the following legislation:

- Representation of the People Act 2000 (Schedule 4)
- Representation of the People (Combination of Polls) (England and Wales) Regulations 2004
- Local Elections (Principal Areas) (England and Wales) Rules 2006
- Local Elections (Parish and Communities) (England and Wales) Rules 2006
- The Local Elections (Ordinary Day of Elections in 2009) Order 2008

1.5 The guidance contained in this manual covers:

- legislative requirements – a guide to what Local Returning Officers must do, with reference to the relevant legislative provisions, including new legislation
- practical advice – what Local Returning Officers are advised to do in order to ensure consistency and good practice
- information – contextual and background information where no action is required

1.6 This guidance only covers electoral law and practice in Great Britain. It does not cover European Parliamentary elections in Northern Ireland.

Legislation

1.7 The relevant legislation for the 2009 European Parliamentary elections in Great Britain is shown in Table 1.

Table 1: Relevant legislation

Full title	Abbreviation	Summary
Representation of the People Act 1983 (as amended by the Representation of the People Acts 1985 and 2000)	RPA 1983	This Act contains provisions relevant to the franchise and its exercise.
Political Parties, Elections and Referendums Act 2000	PPERA	This Act, which established the Electoral Commission, covers the registration of political parties, and campaign and election expenses.
European Parliamentary Elections (Franchise of Relevant Citizens of the Union) Regulations 2001	EPE Franchise Regulations	These Regulations cover the franchise of citizens of European Union member states resident in the UK.
European Parliamentary Elections Act 2002	EPE Act	This Act provides the framework for European Parliamentary elections in the UK.
Representation of the People (Combination of Polls) (England and Wales) Regulations 2004 (as amended by the Representation of the People (Combination of Polls) (England and Wales) (Amendment) Regulations 2006 and 2007)	RPR 2004	These Regulations make provisions for the combination of elections and the combination of an election with a referendum.
European Parliamentary Elections Regulations 2004 (as amended by the European Parliamentary Election (Amendment) Regulations 2009)	EPE Regulations	These Regulations cover the conduct of European Parliamentary elections and also include provisions on absent voting and the election campaign.

Table 1 (continued): Relevant legislation

Full title	Abbreviation	Summary
	EPE Rules	Schedule 1 of the European Parliamentary Election (Amendment) Regulations 2009, which sets out the rules governing the conduct of European Parliamentary elections.
Electoral Administration Act 2006	EAA	This Act allows accredited observers and Commission representatives to attend relevant electoral proceedings and introduces performance standards for Electoral Registration and Returning Officers.
The European Parliament (Number of MEPs and Distribution between Electoral Regions) (United Kingdom and Gibraltar) Order 2008	Distribution of MEPs Order	This Order provides for the number and distribution of UK Members of the European Parliament.

1.8 The guidance should be read in conjunction with the legislation referred to in Table 1 and any other legislation to which it refers. For example, the RPA 1983 has within it a reference to the Postal Services Act 2000 in relation to the definition of 'universal service provider'.

1.9 All references to the relevant provisions of electoral legislation made throughout the manual will be contained in footnotes, using the abbreviations shown in Table 1.

2 The electoral framework

Timing of elections

2.1 European Parliamentary general elections are held every five years, and in 2009 they will take place between 4–7 June in all 27 member states. In the UK, polling will take place on 4 June.

2.2 The member states of the European Union (EU) are:

Austria	Germany	Poland
Belgium	Greece	Portugal
Bulgaria	Hungary	Republic of Ireland
Cyprus	Italy	Romania
Czech Republic	Latvia	Slovakia
Denmark	Lithuania	Slovenia
Estonia	Luxembourg	Spain
Finland	Malta	Sweden
France	The Netherlands	United Kingdom

2.3 There are nine electoral regions in England. Scotland, Wales and Northern Ireland are each a separate electoral region.

2.4 Seventy-two Members of the European Parliament (MEPs) will be elected to represent the UK: 59 for England, six for Scotland, four for Wales and three for Northern Ireland.³

2.5 The allocation of MEPs to the different electoral regions in England is shown in Table 2.⁴

³ Section 1, EPE Act.

⁴ The European Parliament (Number of MEPs and distribution between electoral regions) (United Kingdom and Gibraltar) Order 2008.

Table 2: MEP allocation to electoral regions in England

Electoral region	Number of MEPs per electoral region
East Midlands	5
Eastern	7
London	8
North East	3
North West	8
South East	10
South West	6
West Midlands	6
Yorkshire & the Humber	6

Timetable



A detailed timetable for the European Parliamentary elections on 4 June 2009 is given in Part C, 'Action before the poll', Section 1, 'Timetable'

Electoral system

2.6 MEPs representing the UK are elected under a form of closed list proportional representation, which uses the d'Hondt formula for the distribution of seats. Electors can vote for either a registered political party with a list of candidates or for an individual candidate. Ballot papers are marked by placing a single 'X' in the appropriate box.

D'Hondt

2.7 All Local Returning Officers will transmit the total number of votes cast for each registered political party or individual candidate in their local counting area to the Regional Returning Officer. From there, the Regional Returning Officer will total all of the votes cast within the region before applying the d'Hondt formula to carry out the allocation of seats:

Total number of votes received

Number of seats list/individual has already been allocated in electoral region + 1

2.8 The first seat is therefore allocated to the individual candidate or registered party list which has received the highest number of votes cast in

the electoral region. The second and subsequent seats are allocated in the same way except that where a registered party has already been allocated a seat, their original total is divided by one plus the number of seats already allocated to that party/individual in the region: for example, a party which has been allocated one seat already will have its original total divided by two.

2.9 Any individual candidate who has been allocated a seat or any party which has been allocated as many seats as there are candidates on its list can be excluded from the subsequent stages of the calculation.

2.10 The seats each political party is entitled to are filled by the candidates in the order in which their names appear on their party list.

Table 3: Worked example

	Party A	Party B	Party C	Party D	Party E
Votes	340, 000	280, 000	160, 000	60, 000	15, 000
Seat 1	340, 000	280, 000	160, 000	60, 000	15, 000
Seat 2	170, 000	280, 000	160, 000	60, 000	15, 000
Seat 3	170, 000	140, 000	160, 000	60, 000	15, 000
Seat 4	113, 333	140, 000	160, 000	60, 000	15, 000
Total seats	2	1	1	0	0

2.11 In the worked example in Table 3, there are four seats available and these have been allocated as follows:

2.12 **Seat 1** – Party A obtained the highest number of votes (340,000) and is therefore entitled to the first available seat.

2.13 **Seat 2** – The allocation of the next seat is calculated by dividing the total number of votes each list received by the number of seats it has already been allocated in the region, plus one. As a result, Party A’s original total must be divided by two, whereas the other parties’ totals are still divided by one. Party B, with its total of 280,000, wins the second seat.

2.14 **Seat 3** – To calculate the allocation of the third seat, both Party A’s and Party B’s total number of votes are divided by two, whereas Party C and Party D still have their totals divided by one. This results in the third seat being allocated to Party A, with its total of 170,000.

2.15 **Seat 4** – As Party A now has two seats, its original total of 340,000 is divided by three. At this stage, Party C, with a total of 160,000, wins the fourth and final seat.

2.16 Parties often list more candidates than the number of seats they expect to fill, although they are not allowed to include more names on the list than there are seats available.

Casual vacancies⁵

2.17 If a seat previously held by someone elected on a registered party list becomes vacant, the Secretary of State will notify the Regional Returning Officer of that fact. The Regional Returning Officer must then contact the next person on that party's list and ask them to:⁶

- state in writing that they are willing and able to be returned as an MEP, and
- submit a certificate signed by or on behalf of the Nominating Officer of the registered party stating that they may be returned as that party's MEP

2.18 If after a reasonable amount of time the person has not responded to the Regional Returning Officer's request or fails to submit any of the requested documents, or if the person states that they are not willing and able to be returned as an MEP, the Regional Returning Officer must contact the next person on the list until the vacancy is filled.

2.19 Where the Regional Returning Officer has exhausted all the options on the party list without success, they must notify the Secretary of State of this fact and a by-election must be held within six months of the Secretary of State receiving that notice.⁷ Where the last day the poll could be held falls on or after the next general election to the European Parliament, no by-election should be held.⁸

2.20 However, where a seat was previously filled by an individual candidate, a by-election must be held within six months of a formal vacancy notification by the European Parliament or the Secretary of State. Where the last day the poll could be held falls on or after the next general election to the European Parliament, no by-election should be held.⁹

2.21 This guidance manual has been developed specifically for the general election to the European Parliament scheduled for 4 June 2009 and does not address any issues or procedures related to the running of a European Parliamentary by-election.

⁵ Regulations 82, 83 and 84, EPE Regulations.

⁶ Regulation 83(2), EPE Regulations.

⁷ Regulation 84(2), EPE Regulations.

⁸ Regulation 85(2), EPE Regulations.

⁹ Regulation 82(5), EPE Regulations.

3 Roles and responsibilities

The Electoral Registration Officer

3.1 The Electoral Registration Officer is the official with responsibility for the preparation and maintenance of the register of electors and lists of absent voters within their area.



In England, the council of every district and London borough is required to appoint an officer of the council to be the Electoral Registration Officer.¹⁰ In the City of London, the Common Council must appoint an officer as the Electoral Registration Officer.¹¹

In councils undergoing transition to unitary status, the Electoral Registration Officer will be the person who has been appointed by the preparing council as the 'electoral appointee'. The Electoral Registration Officer appointment for new unitary authorities will become effective as from the re-organisation date of 1 April 2009. Before that date the electoral appointee may work with the Electoral Registration Officers of the predecessor councils to take such steps that they feel necessary to prepare for their new functions after 1 April 2009, such as working on the preparation of a new unitary-wide register.



In Wales, the appointment of the Electoral Registration Officer is made by the county or county borough council. The person appointed must be a current officer of the council.¹²



In Scotland, the Electoral Registration Officer must be appointed by the local authority. The person appointed must be either an officer of that council or an adjoining council, or may be an officer appointed by a combination of local authorities.¹³

3.2 Councils can approve a deputy for the Electoral Registration Officer, known as a depute in Scotland,¹⁴ who can carry out any of the duties and powers of the Electoral Registration Officer.¹⁵ In addition, the council is required to provide officers to assist the Electoral Registration Officer in carrying out their functions.¹⁶

¹⁰ Section 8 (2)(a), RPA 1983.

¹¹ Section 8 (2)(b), RPA 1983.

¹² Section 8 (2A), RPA 1983.

¹³ Section 8 (3), RPA 1983.

¹⁴ Throughout this manual, all references made to 'deputy' should be read as 'depute' in respect of Scotland.

¹⁵ Section 52(2), RPA 1983.

¹⁶ Section 52(4), RPA 1983.

3.3 If an Electoral Registration Officer is found guilty of any act or omission in breach of their official duty, they shall be liable on summary conviction to a fine not exceeding £5,000.¹⁷

The Regional Returning Officer

Appointment of Regional Returning Officers

3.4 Each of Great Britain's 11 electoral regions has a Regional Returning Officer. They are appointed by the Secretary of State for Justice,¹⁸ following an advertisement and recruitment process. For an electoral region in England and Wales, the Regional Returning Officer must be an Acting Returning Officer, whereas in Scotland, the Regional Returning Officer must be a Parliamentary Returning Officer.¹⁹

3.5 The current Regional Returning Officers for electoral regions in Great Britain are as shown in Table 4.²⁰

Table 4: Regional Returning Officers for electoral regions in Great Britain

Electoral region	UK Parliamentary constituency
East Midlands	Leicester East
Eastern	Huntingdon
London	Lewisham Deptford
North East	Sunderland South
North West	Manchester Central
Scotland	Edinburgh South
South East	Southampton, Test
South West	Poole
Wales	Preseli Pembrokeshire
West Midlands	Birmingham, Ladywood
Yorkshire & the Humber	Leeds Central

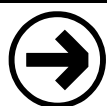
¹⁷ Section 63(1), RPA 1983.

¹⁸ Section 6(2) and (3), EPE Act.

¹⁹ Section 6, EPE Act.

²⁰ European Parliamentary Elections (Returning Officers) Order 2008.

3.6 Regional Returning Officers may appoint one or more deputies to discharge their duties.²¹ There are no statutory requirements regarding the qualifications needed to be appointed as a deputy Regional Returning Officer, and indeed a Regional Returning Officer may appoint as a deputy an officer from another local authority. However, should a Regional Returning Officer become unable to act personally, the role of Regional Returning Officer would remain with the local authority at which the Acting Returning Officer role is held and could not pass to an individual at any other local authority.



A job description setting out in detail the role and responsibilities of Regional Returning Officers can be found on the Ministry of Justice website at www.justice.gov.uk/guidance/european-elections-june-09.htm

Discharge of duties of the Regional Returning Officer

3.7 The duties of the Regional Returning Officer are separate from their duties as a local government officer. The Regional Returning Officer is personally liable for the conduct of the election.



The Regional Returning Officer has a power of direction over Local Returning Officers in relation to the discharge of their functions in their region.²² The power of direction can be used at the Regional Returning Officer's discretion and Local Returning Officers have a duty to comply with whatever directions they receive, which may include the provision of any information which the Local Returning Officer has or is entitled to have.

The Local Returning Officer

3.8 European Parliamentary elections in Great Britain are administered on a local counting area basis, and the conduct of the poll and count in each local counting area is the responsibility of the Local Returning Officer.²³



In England and Scotland, the definition of local counting area is local government area.²⁴ In Wales, it refers to UK Parliamentary constituencies.²⁵

3.9 In England, the elections will be held on local authority boundaries and the Local Returning Officer will be the Returning Officer for a district council,

²¹ Regulation 7(1), EPE Regulations.

²² Regulation 9(3), EPE Regulations.

²³ Regulation 6, EPE Regulations.

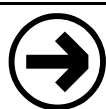
²⁴ Paragraph 7, The Local Elections (Ordinary Day of Elections in 2009) Order 2008 and Regulation 2, EPE Regulations. In England, this only applies for the purposes of the European Parliamentary general elections in 2009 and refers to (a) a district for which there is a district council; (b) a county for which there is a county council but no district councils; (c) a London borough; (d) the City of London (including the Inner and Middle Temples); and (e) the Isles of Scilly.

²⁵ Regulation 2, EPE Regulations.

unitary authority or a London borough, or the Returning Officer for the City of London or the Isles of Scilly.²⁶

3.10 In Scotland, the elections will be held on local authority boundaries and the Local Returning Officer in each area will be the Returning Officer for the UK Parliamentary constituency listed in Schedule A1 to the EPE Regulations.²⁷

3.11 Elections in Wales will be run on UK Parliamentary boundaries.²⁸ Although the Parliamentary Constituencies and Assembly Electoral Regions (Wales) Order 2006 has changed the boundaries for UK Parliamentary constituencies in Wales, unless there is a UK Parliamentary general election called before 4 June 2009, the European Parliamentary elections in Wales will be run on the existing UK Parliamentary boundaries.²⁹ The Local Returning Officer will be the Acting Returning Officer for the UK Parliamentary constituency.



For an explanation of the duties of Regional and Local Returning Officers, see Part B, 'Preparing for a European Parliamentary election', Section 1, 'Planning and risk management'.

Breach of official duty

3.12 If the Local Returning Officer (or deputy) is, without reasonable cause, guilty of any act or omission in breach of their official duty, they are liable on summary conviction to a fine not exceeding £5,000.³⁰ A Local Returning Officer is, in respect of any breach of their official duty, liable only to the fine imposed by that section. No action for damages lies against the Local Returning Officer or their staff in respect of a breach of official duties.³¹

3.13 Local Returning Officers can correct procedural errors made by themselves, an Electoral Registration Officer, a Presiding Officer, a person providing goods or services to the Local Returning Officer and any deputy or authorised assistant of any of the above.³² Where a Local Returning Officer remedies an act or omission by using this power, they will not be guilty of an offence of breach of official duty, except where any conviction for such a breach is made before the act or omission has been remedied in full.³³

Appointment of Presiding Officer and Poll Clerks

3.14 Local Returning Officers are required to appoint and pay a Presiding Officer and such Poll Clerks as may be necessary to attend at each polling

²⁶ Paragraph 7, The Local Elections (Ordinary Day of Elections in 2009) Order 2008; Regulation 2, EPE Regulations.

²⁷ Regulation 6, EPE Regulations.

²⁸ Regulations 2 and 6, EPE Regulations.

²⁹ Section 4(6) (Orders in Council) of the Parliamentary Constituencies Act 1986.

³⁰ Regulation 25(1), EPE Regulations.

³¹ Regulation 25(2), EPE Regulations.

³² Regulation 9(4A), EPE Regulations.

³³ Regulation 25(5), EPE Regulations.

station.³⁴ Presiding Officers and Poll Clerks are liable to be convicted for an offence if they are found, without reasonable cause, to have committed a breach of official duty.³⁵



For further information on the Local Returning Officer's staff, see Part B, 'Preparing for a European Parliamentary election', Section 7, 'Staffing'.

³⁴ Rule 30, EPE Rules.

³⁵ Regulation 25, EPE Regulations.

4 The role of other organisations

The Electoral Commission

Background

4.1 The Electoral Commission is an independent body, established by the UK Parliament in November 2000. The Commission reports directly to the UK Parliament through a committee chaired by the Speaker of the House of Commons, known as the Speaker's Committee.

Statutory functions

4.2 The Commission has a number of statutory functions and powers in relation to elections, and these are set out in PPERA. These include:

- setting and publishing performance standards for electoral services and collecting information on the costs of electoral services from Electoral Registration Officers, Returning Officers and referendum Counting Officers³⁶
- attending at certain election proceedings³⁷
- preparing and publishing a Code of Practice on the attendance at elections of representatives of the Commission, accredited observers and nominated members of accredited organisations, and managing a scheme for the accreditation of electoral observers³⁸
- promoting public awareness of electoral matters³⁹
- publishing reports on the administration of elections and referendums⁴⁰
- conducting reviews of the law and practice relating to elections and referendums⁴¹
- giving advice and assistance to those involved in the electoral process, including political parties and electoral administrators⁴²
- being consulted by the UK Government on proposals to amend electoral law⁴³
- being consulted on the allocation of party political broadcasts⁴⁴
- maintaining, monitoring and making available for reasons of transparency a register of political parties, and the registration of political party descriptions where parties wish to field candidates standing under the party name or a description other than 'Independent' on the ballot paper⁴⁵

³⁶ Sections 9A to 9C, PPERA, as inserted by Section 67, EAA.

³⁷ Section 6A, PPERA, as inserted by Section 29, EAA.

³⁸ Sections 6C, 6D and 6F, PPERA, as inserted by Section 29, EAA.

³⁹ Section 13, PPERA.

⁴⁰ Section 5, PPERA.

⁴¹ Section 6, PPERA.

⁴² Section 10, PPERA.

⁴³ Section 7, PPERA.

⁴⁴ Section 11, PPERA.

⁴⁵ Sections 23, 28, 28A and 28B, PPERA.

- maintaining, reviewing and publishing for reasons of transparency a register of donations made to registered political parties and others regulated by the legislation⁴⁶
- reviewing and publishing the annual statements of accounts of political parties⁴⁷
- reviewing and publishing the returns of campaign expenditure incurred by political parties in respect of their election campaign⁴⁸
- reviewing returns of donations and loans to, and the expenditure by and on behalf of, candidates and their agents⁴⁹
- receiving from Returning Officers copies of candidates' returns of election expenses⁵⁰

Provision of advice

4.3 Section 10 of PPERA allows the Commission to provide advice and assistance to Electoral Registration Officers, Local Returning Officers and registered political parties. The Commission cannot, however, give a definitive legal view on any subject as this is ultimately a matter for a court to decide in any particular case.

Devolved and English offices

4.4 The first point of contact for any queries should be either the Commission's office in Scotland or Wales or the Commission's English regional office covering the Returning Officer's electoral area, as appropriate.

Wales Office

Joanne Nelson

Tel: 029 2034 6803

Email: jnelson@electoralcommission.org.uk

Scotland Office

David Freeland

Tel: 0131 225 0208

Email: dfreeland@electoralcommission.org.uk

London Office

Peter Dawson

Tel: 0207 271 0689

Email: pdawson@electoralcommission.org.uk

North of England Office

North East and Yorkshire & the Humber

Sarah Seavers

Tel: 01904 567994

Email: sseavers@electoralcommission.org.uk

⁴⁶ Section 69, PPERA.

⁴⁷ Section 46, PPERA.

⁴⁸ Sections 84 and 145, PPERA.

⁴⁹ Section 145, PPERA.

⁵⁰ Section 87A, RPA 1983.

North West Office

Sandra Hardy

Tel: 01904 567993

Email: shardy@electoralcommission.org.uk

Midlands Office

East Midlands and West Midlands

Chris Hinde

Tel: 02476 820092

Email: chinde@electoralcommission.org.uk

South of England Office

South East and Eastern

John Pollard

Tel: 020 7271 0660

Email: jpollard@electoralcommission.org.uk

South West Office

South West

Elizabeth Gorst

Tel: 01392 332878

Email: egorst@electoralcommission.org.uk

4.5 For guidance or advice on dealing with matters of electoral malpractice, fraud and related integrity issues, please contact:

Richard Jordan

Senior Practice Adviser – Integrity

Tel: 020 7271 0562

Karen Quaintmere

Head of Electoral Administration

Tel: 020 7271 0607

Registration of political parties and election expenses

4.6 PPERA requires political parties to register with the Commission in order to field candidates at an election.⁵¹ Parties can also register up to 12 descriptions with the Commission.⁵² A candidate may contest a local government election as an independent candidate and need not be a member of a registered political party, although in such circumstances the candidate may only use the description 'Independent' (and/or 'Annibynnol' in Wales), or use no description on the ballot paper.

⁵¹ Section 22, PPERA.

⁵² Section 28A, PPERA, as inserted by Section 49, EAA.

4.7 For advice on registration and political parties, please contact:

Party and Election Finance

Tel: 020 7271 0616

Email: pef@electoralcommission.org.uk

www.electoralcommission.org.uk/guidance/candidates-agents

4.8 In Scotland and Wales, please contact:

Scotland

Mark Nicholls

Tel: 0131 225 0211

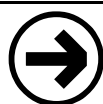
Email: mnicholls@electoralcommission.org.uk

Wales

David Beacock

Tel: 0292 034 6806

Email: dbeacock@electoralcommission.org.uk



The Commission's guidance on the registration of political parties can be obtained from the Commission's website at www.electoralcommission.org.uk or by telephoning 020 7271 0520.

Ministry of Justice

4.9 The Ministry of Justice (MoJ) is the central government department with responsibility for the legislative framework for UK Parliamentary elections, European Parliamentary elections and national referendums, including the franchise, conduct and funding. The MoJ also has responsibility for policy on the conduct of local government elections and mayoral and local government referendums, and has responsibility for all issues covered by PPERA. These include generic issues associated with national and regional referendums, the registration of political parties, rules on donations to political parties and third-party donations.

4.10 The Elections and Democracy Division is the part of the MoJ responsible for issues concerning the conduct of elections. The division currently has six branches: Boundaries and Conduct of Elections; Registration and Franchise; Political Parties and Referendums; CORE and Electoral Modernisation; Democratic Engagement; and the Party Funding Bill team.

4.11 The Boundaries and Conduct of Elections branch has overall responsibility for policy and law on the conduct of UK Parliamentary, European Parliamentary, Greater London Authority and English and Welsh local elections, and can be contacted on 0203 334 3778.



More information on the MoJ can be found at www.justice.gov.uk

Election Claims Unit



For advice on the election funding process and related procedures in England and Wales, please do not contact the MoJ's Elections and Democracy Division, but contact instead the Election Claims Unit:

Angela Monk

Tel: 020 7944 0140

Paul Martin

Tel: 020 7944 0182

Sandra Brooke

Tel: 020 7944 0125

Martin Irwin

Tel: 020 7944 0123

or write to:

FSSD/CLAIMS

Department for Communities and Local Government

1/07

Hempstead House

2 Selden Hill

Hemel Hempstead

Hertfordshire HP2 4XN



The Scotland Office is responsible for monitoring the accounts submitted by Local Returning Officers in Scotland, who can recover their charges in respect of services properly rendered or expenses properly incurred through the European Parliamentary Elections Fees and Charges Order.

For advice on the election funding process and related procedures in Scotland, contact the Scotland Office at:

Accounts Payable

Finance Branch

The Scotland Office

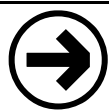
1 Melville Crescent

Edinburgh EH3 7HW

Tel: 0131 244 9011

Election Petitions Office/Court of Session

4.12 In England and Wales, petitions challenging the result of a European Parliamentary election must be filed with the Election Petitions Office at the Royal Courts of Justice.⁵³ In Scotland, petitions must be filed with the Petitions Department of the Court of Session.⁵⁴



Contact details for the Petitions Office and the Petitions Department and further information on the petitions process can be found in Part G, 'After the declaration of result', Section 4, 'Election petitions'.

Royal Mail

4.13 Royal Mail performs a number of functions at elections and may be engaged throughout the electoral process. Further information may be obtained at www.royalmail.com

⁵³ Section 122, RPA 1983; Regulation 89, EPE Regulations.

⁵⁴ Section 122, RPA 1983; Regulation 89, EPE Regulations.

5 Resources

Contact details for ordering Electoral Commission forms and leaflets



Throughout this guidance we refer to forms and leaflets produced by the Commission and available from our distributor:

Tel: 0845 8500 501

Fax: 020 8867 3225

Email: ecpublications@ecgroup.co.uk

For a complete, up-to-date list of all the forms and leaflets available for order, please refer to the public awareness materials on the Commission's website at www.electoralcommission.org.uk