

## REPRESENTATION OF THE PEOPLE

### The Parliamentary Elections (Returning Officers' Accounts) Regulations 2024

*Made* - - - - *21st February 2024*

*Coming into force* *22nd February 2024*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 29(8) and 201(1) and (3) of the Representation of the People Act 1983(a).

#### Citation, commencement and extent

1.—(1) These Regulations may be cited as the Parliamentary Elections (Returning Officers' Accounts) Regulations 2024 and come into force on the day after the day on which they are made.

(2) These Regulations extend to England and Wales and Scotland.

#### Interpretation

2. In these Regulations—

“the Act” means the Representation of the People Act 1983;

“account” means an account prepared by a returning officer for the purposes of section 29(5) of the Act (payments by and to returning officer)(b) and includes an account or part of an account prepared for that purpose in order to account for the use of an advance made under section 29(7) of the Act(c);

“Accounting Officer” means the accounting officer appointed under section 5(6) of the Government Resources and Accounts Act 2000(d) for the Department for Levelling Up, Housing and Communities.

#### Submission of accounts

3. An account must be addressed to the Accounting Officer and must be submitted by the returning officer electronically to the Elections Claims Unit through the website, or to the email address, notified by the Secretary of State.

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- (a) 1983 c. 2. Section 29(8) was substituted by S.I. 1991/1728. It is prospectively substituted by paragraph 6(3) of Schedule 21 to the Political Parties, Elections and Referendums Act 2000 (c. 41) from a date and time to be appointed. Section 201(1) is prospectively amended by paragraph 6(7)(a) of Schedule 21 to the Political Parties, Elections and Referendums Act 2000 from a date and time to be appointed. Section 201(3) was inserted by paragraph 21 of Schedule 1 to the Representation of the People Act 2000 (c. 2) and amended by paragraph 6(7)(d) of Schedule 21 to the Political Parties, Elections and Referendums Act 2000.
- (b) Section 29(5) was amended by section 1(3) of the Representation of the People Act 1991 (c. 11) and by S.I. 1991/1728. It is prospectively substituted by paragraph 6(3) of Schedule 21 to the Political Parties, Elections and Referendums Act 2000 and by paragraph 107(2) of Schedule 1 to the Electoral Administration Act 2006 (c. 22) from a date and time to be appointed.
- (c) Section 29(7) was amended by S.I. 1991/1728. It is prospectively amended by paragraph 6(3) of Schedule 21 to the Political Parties, Elections and Referendums Act 2000 from a date and time to be appointed.
- (d) 2000 c. 20.

### **Time for submission of accounts**

4.—(1) Subject to paragraphs (2) and (3), a complete account must be submitted in accordance with these Regulations by the returning officer within the period of 9 months commencing with the day of the declaration of the result of the parliamentary election to which the charges in the account relate.

(2) If a returning officer is unable to submit an account within the period referred to in paragraph (1), that officer may, before the end of that period, apply to the Accounting Officer for an extension of time for submission of the account.

(3) If the Accounting Officer agrees to an extension of time for the submission of the account—

- (a) the Accounting Officer must specify an extension period, for which the end of that period is no later than 3 months after the last day of the period specified in paragraph (1), and
- (b) the returning officer must submit the account within that extension period.

### **Form of accounts**

5.—(1) An account must be in writing and show the charges in respect of each listed item separately.

(2) In paragraph (1), “listed item” means any of the types of services rendered, and expenses incurred, by a returning officer which are specified in an Order made under section 29(3) and (3A) of the Act(a) in force at the date of the poll of the parliamentary election to which the charges in the account relate.

### **Declaration etc. to be submitted with accounts**

6.—(1) An account must be accompanied by a declaration, signed by the returning officer, in the following terms—

“I declare that the account for the purposes of the payment of any charges in respect of services necessarily rendered and expenses necessarily incurred for the efficient and effective conduct of the parliamentary election in the area for which I am responsible is correct to the best of my knowledge and belief.”

(2) If requested to do so by or on behalf of the Accounting Officer, the returning officer must submit supporting documentation relating to their account.

### **Revocation**

7. The Parliamentary Elections (Returning Officers’ Accounts) Regulations 2019 are revoked.

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

*Simon Hoare*  
Parliamentary Under Secretary of State  
Department for Levelling Up, Housing and Communities

21st February 2024

### **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

The Parliamentary Elections (Returning Officers’ Charges) Order 2019 (S.I. 2019/1454) sets out the maximum amounts which returning officers can recover in respect of their services and

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(a) Section 29(3) was substituted, and section 29(3A) inserted, by section 68(2) of the Electoral Administration Act 2006 (c. 22). Section 29(3) was amended by section 18(1) of the Electoral Registration and Administration Act 2013 (c. 6). Section 29(3) and (3A) are prospectively substituted by paragraph 6(3) of Schedule 21 to the Political Parties, Elections and Referendums Act 2000 (c. 41) and by paragraph 107(2) of Schedule 1 to the Electoral Administration Act 2006 from a date and time to be appointed.

expenses incurred in connection with parliamentary elections in England, Wales and Scotland. These Regulations make provision as to the manner and form in which returning officers' accounts are to be prepared and submitted, in order to obtain reimbursement in relation to such services and expenses.

These Regulations revoke and replace the Parliamentary Elections (Returning Officers' Accounts) Regulations 2019.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.