The
Electoral
Commission

Distribution of UK MEPs between electoral regions

Recommendation

July 2013

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Presented to Parliament pursuant to paragraph 1(4) of Schedule 1A to the European Parliamentary Elections Act 2002

Contents

1 Recommendations

1.1   Under Schedule 1A to the European Parliamentary Elections Act 2002 (the 2002 Act), the Electoral Commission must, as soon as possible after 1 May in a pre-election year, carry out a review (referred to in the legislation as a 'periodic review') of the distribution of Members of the European Parliament (MEPs) between the twelve electoral regions of the UK and report its conclusions to the Secretary of State.

1.2   As required by paragraph 1(2) of Schedule 1A to the 2002 Act, in making our recommendation, we have ensured that:

- Each electoral region is allocated at least three MEPs
- The ratio of electors to MEPs is as nearly as possible the same for every electoral region

1.3   We have again applied the Sainte–Laguë method to distribute the UK's 73 MEP seats between the twelve UK electoral regions. This follows consultation exercises in 2003 and 2007, which have confirmed that this method enables us to adhere to the statutory criterion to ensure that the ratio of registered electors to MEPs is as nearly as possible the same in each electoral region, once three seats had been allocated to each region.

Recommended distribution of UK MEP seats

1.4   We recommend the distribution set out in Table 1. **Our recommendation would leave the current distribution of UK MEP seats unchanged.**

Table 1: Recommended distribution of MEP seats[1]

Region	Electorate	Current seats	Recommended seats
East Midlands	3,411,433	5	5
Eastern	4,365,674	7	7
London	5,327,117	8	8
North East	1,994,671	3	3
North West	5,303,352	8	8
Northern Ireland	1,224,792	3	3
Scotland	3,995,701	6	6
South East	6,428,908	10	10
South West[2]	4,113,801	6	6

[1] We are grateful to Clive Payne, Emeritus Fellow of Nuffield College, Oxford and Fellow of the Royal Statistical Society for validating the calculations included in this table.

[2] The South West figure includes 20,842 electors in Gibraltar, which is aligned with the South West region for the purposes of European Parliamentary elections.

Wales	2,301,290	4	4
West Midlands	4,221,158	7	7
Yorkshire & the Humber	3,868,166	6	6
Total	**46,556,063**	**73**	**73**

1.5   This recommendation has been submitted to the Secretary of State, and laid before Parliament in accordance with paragraph 1(4) of Schedule 1A to the European Parliamentary Elections Act 2002.

Further recommendation

1.6   There is a tension between the statutory requirement to ensure electoral equality between regions and the statutory requirement to allocate at least three MEP seats to each electoral region. This tension has become increasingly apparent following the reduction in the total number of MEP seats allocated to the UK in recent years, from 87 to 78 in 2004, then to 72 in 2009 and up by one to 73 in 2011, as a result of provisions in the Lisbon Treaty. This reflects a decrease in representation of almost one-fifth.

1.7   As part of our review, we have examined the mathematical grounds for retaining three as the minimum number of MEPs per region; details of this assessment are set out in Chapter 5.

1.8   We have calculated the average number of electors per MEP both nationally and for each region using the relevant European Parliamentary electorate and the appropriate number of MEPs.

1.9   Our calculations show that requiring each region to be allocated three seats has resulted in Northern Ireland (the electoral region with the smallest electorate) being over-represented by more than 35% in comparison with the average ratio of MEPs to electors across the UK as a whole. Other regions – for example, the South West and East Midlands – are by contrast, under-represented.

Recommendation

The UK Government and ultimately the UK Parliament should review the current statutory criteria for the allocation of MEP seats, to ensure that the objective of electoral equality between electoral regions is balanced appropriately with any other criterion.

In particular, the UK Government and UK Parliament should consider whether the current minimum of three MEP seats per electoral region remains appropriate given the reduction of almost 20% in the overall number of MEP seats allocated to the UK since the statutory criteria were established in 2003.

The UK Government should consult the bodies, organisations and individuals with a particular interest in this issue, including though not limited to:

- The Scottish Government and Parliament; the Welsh Government and National Assembly; and the Northern Ireland Executive and Assembly
- UK Members of the European Parliament
- Political parties registered to contest European Parliamentary elections
- Academics with a relevant interest

The UK Government and Parliament should ensure that it has concluded its review in time for any changes to the current statutory criteria to be made in advance of the next scheduled European Parliamentary elections in 2019. This means that any changes to the legislation should be made and in force by **1 June 2017**, six months before the publication of the electoral registers potentially to be used for the next distribution recommendation.

2 Background

2.1   Under the Lisbon Treaty, which came into force on 1 December 2009, the total number of MEPs was fixed to 751[3] to prevent the European Parliament expanding further should more states accede to the European Union (EU). The Lisbon Treaty set the maximum number of MEPs per country at 96 and the minimum number at six.

2.2   Seats are allocated to countries under a system of degressive proportionality, whereby the more citizens a member state has, the more seats it will get, but also the more citizens each MEP will represent. So MEPs from smaller countries represent fewer people than their colleagues from larger states.

2.3   The UK is currently allocated 73 seats, the third highest number of MEPs after Germany (96) and France (74).

2.4   UK MEPs are elected on a regional basis from twelve electoral regions – Scotland, Wales, Northern Ireland and nine regions in England. Since June 2004, Gibraltar has been aligned with the South West region for the purposes of European Parliamentary elections.

UK legislation

2.5   Under Schedule 1A to the 2002 Act we must, as soon as possible after 1 May in a pre-election year, carry out a review (referred to in the legislation as a 'periodic review') of the distribution of MEPs between the twelve electoral regions of the UK and report our conclusions to the Secretary of State.

2.6   The 2002 Act states that a periodic review is not necessary if the Secretary of State has, within the past year, already directed the Commission to make a recommendation as to the distribution of MEPs between the regions under the European Parliament (Representation) Act 2003 (the 2003 Act) or given a suspension notice to the Commission. As at 1 May 2013 we had received no such direction or suspension notice and therefore proceeded to conduct our periodic review, as required by the legislation.

2.7   In carrying out a periodic review we must ensure that:

- each electoral region is allocated at least three MEPs
- the ratio of electors to MEPs is as nearly as possible the same for every electoral region

2.8   If we conclude that this result is not achieved by the current distribution of MEPs, we must include in our report a recommendation specifying a distribution that would achieve that result.

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[3] 750 MEPs plus the President of the European Parliament.

2.9   Once prepared, we must submit our report to the Secretary of State, who in this case is the Deputy Prime Minister and Lord President of the Council. The Secretary of State must then lay the report before Parliament. Any changes would be implemented in time for the 2014 European Parliamentary elections by the Secretary of State laying an Order giving effect to the Commission's recommendation, which would be subject to the affirmative resolution procedure in Parliament. If Parliament rejects the Commission's recommendation, the Secretary of State may alter the draft Order following consultation with the Commission.

2.10 The UK Government has confirmed to us that where no changes are recommended (as is the case in this report), no action by Parliament need be taken and the existing distribution of UK MEPs as set out in the legislation will stand.

2.11 The relevant sections of the 2002 Act are attached at Appendix B.

Future reviews

2.12 On 1 July 2013, Croatia acceded to the EU. The European Council has confirmed that this will have no impact on the number of seats currently allocated to the UK in the European Parliament.[4]

2.13 Our next review of the distribution of UK MEPs is currently scheduled to take place in advance of the 2019 European Parliamentary elections, possibly during early 2018 following a direction by the Secretary of State under the 2003 Act, or during summer 2018 by means of a periodic review under the 2002 Act. The European Council has indicated that it will consider the allocation of seats between member states again before the 2019-2024 European Parliamentary term, which could have an impact on the timing of any Commission review. [5]

2.14 We acknowledge that between now and the next scheduled review there will be a referendum on Scottish independence and may be a referendum on the UK's membership of the EU. Each of these polls could have an impact on the review criteria.

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[4] European Council Press Release, The European Council decides on the composition of the European Parliament 2014 - 2019 – 28 June 2013 (Accessed 2 July 2013) http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/137648.pdf

[5] *ibid.*

3 Electorate figures

Data collection

3.1   We have compiled electorate figures for the twelve UK electoral regions using data provided by Electoral Registration Officers in England and Wales, local authorities and Valuation Joint Boards in Scotland, the Electoral Office for Northern Ireland and the Clerk to the House of Assembly of Gibraltar, who serves as the European Electoral Registration Officer for Gibraltar. We gratefully acknowledge their assistance.

The 'relevant date'

3.2   The 2002 Act specifies that, for the purposes of our calculations, an elector is a person registered to vote in European Parliamentary elections and whose name appears in the electoral register on the 'relevant date' – this is defined in the legislation as 1 May 2013.

3.3   Table 2 outlines the electorate figures that applied at 1 May 2013 and have been used in making our recommendation. As required by the legislation, all figures include attainers.[6]

Table 2: Electorate figures for the twelve UK electoral regions, 1 May 2013

Region	Electorate
East Midlands	3,411,433
Eastern	4,365,674
London	5,327,117
North East	1,994,671
North West	5,303,352
Northern Ireland	1,224,792
Scotland	3,995,701
South East	6,428,908
South West	4,113,801
Wales	2,301,290
West Midlands	4,221,158
Yorkshire & the Humber	3,868,166
Total	**46,556,063**

Electoral registration data

3.4   During the review process undertaken before the 2009 European Parliamentary elections, we received correspondence questioning the use of

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[6] The term 'attainers' refers to 16 and 17 year olds who will turn 18 during the period in which the electoral register is in force.

electoral registration data as the sole statutory basis for calculating the distribution of MEPs among the regions. Some argued that other factors, including the impact of devolution, geographic size, expected population growth and political culture should be taken into account in determining levels of representation. Others still have contended that the European Parliamentary electorate does not accurately reflect the actual size of constituency to be represented when the homeless and other vulnerable persons or large numbers of non-UK citizens are resident.[7]

3.5   We have no scope, however, to depart from the statutory criteria, which require that we use only European Parliamentary electorate figures for the twelve regions rather than anything else for the purposes of our calculations. Any changes to the allocation criteria would require changes to legislation, and so would be for the UK Government and ultimately Parliament to consider.

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[7] The Electoral Commission (July 2007) *Distribution between electoral regions of UK MEPs: Recommendation*.

4 Method of calculation

The Commission's choice of method

4.1   At the time of our first such report in 2003, we conducted a public consultation and obtained independent validation on the method of calculation to use in making recommendations as to the distribution of MEPs among the regions. A number of expert sources confirmed that the Sainte–Laguë method would enable us to adhere to the statutory criterion to ensure that the ratio of electors to MEPs is as nearly as possible the same for every electoral region.[8] The Sainte–Laguë method was therefore used to distribute 78 MEP seats across the twelve electoral regions of the UK. In our 2003 report, we indicated our intention to use this method of calculation to determine future recommendations.

4.2   We undertook a shorter consultation on the method of seat allocation in 2007 following the reduction in the total number of UK MEPs to 72. The responses we received, again including from expert sources, supported our view that the Sainte–Laguë method should continue to be used.[9] Our 2007 recommendation was therefore based on the application of the Sainte–Laguë method.

4.3   In 2010, we again used the Sainte–Laguë method to calculate the allocation of the 73rd MEP seat, granted to the UK as a result of the Lisbon Treaty.[10]

4.4   Our 2003, 2007 and 2010 recommendations on the distribution of UK MEPs were laid before Parliament and approved without amendment.

4.5   One of the statutory criteria by which our recommendation must abide, is for the ratio of electors to MEPs to be equitable, that is, 'as nearly as possible the same for every electoral region'. To assess whether the Sainte-Laguë method produces a result which meets this requirement and as such, is still an appropriate means on which to base our recommendation, we also determined alternative seat allocations using the d'Hondt and standard quota methods (Hare).

4.6   In order to test which of these methods produces the most equitable result, we then calculated the respective standard deviation produced by each

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[8] For a detailed explanation and analysis of the Sainte–Laguë method see The Electoral Commission (October 2003) *Distribution between electoral regions of UK MEPs: Recommendation.*

[9] The Electoral Commission (July 2007), *op. cit.*

[10] See The Electoral Commission (October 2010) *Allocation of the additional MEP awarded to the UK under the Treaty of Lisbon: Recommendation.* Available at http://www.electoralcommission.org.uk/__data/assets/pdf_file/0003/105960/MEP-Report-final-laid.pdf

distribution.[11] The smaller the standard deviation, the more similar and therefore equitable the ratios of registered electors to MEPs for each region.

4.7   Both the Sainte-Laguë and Hare methods distribute the 73 MEP seats identically and therefore produce the same standard deviation. The d'Hondt method varies by allocating nine seats to London and three seats to Wales. However, this allocation produces a greater standard deviation and so is less equitable than either Sainte-Laguë or Hare and as such cannot be the recommended basis for this calculation.

4.8   Consequently, we remain of the view that the Sainte–Laguë method enables us most closely to adhere to the statutory criterion and have therefore decided to use this method to carry out our 2013 periodic review of the distribution of the UK's 73 MEP seats.

4.9   The detailed working of our calculation using the Sainte-Laguë method is provided at Appendix A.

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[11] The standard deviation is calculated as follows: the UK-wide ratio of registered electors to MEPs is calculated by dividing the total electorate by the total number of MEPs; similarly, the ratios of registered electors to MEPs for each of the twelve regions is calculated using the number of MEPs allocated to the respective region under each of the three quota methods tested. The variance of each method (the square of the difference between the ratio for the method and the UK-wide ratio) is then calculated and these values are added together and then divided by the number of regions (twelve) to give a mean variance; the square root of this mean variance is the standard deviation.

5 Issues

Minimum number of seats per region

5.1   A number of respondents to our 2007 consultation highlighted what they considered to be an unnecessary restriction in the legislation, namely, that each electoral region must be allocated a minimum of three seats regardless of electorate size. They referred to the reduction in the overall number of UK MEP seats, arguing that maintaining the statutory minimum three seats per region against this background discriminated against the bigger regions and gave over-representation to smaller ones.[12]

Effect of the statutory criteria in 2013

5.2   We have recommended that there should be no change in the number of MEP seats allocated to each electoral region of the UK for the 2014 European Parliamentary elections. We recognise, however, that this allocation will mean that there would be a significant range in the ratio of electors per MEP seat between regions. The requirement for each electoral region to be allocated at least three MEP seats, taken together with a reduced overall number of seats since 2003, means that electoral regions with smaller registered electorates are more likely to have a lower than average number of electors per MEP.

5.3   Table 3 below, shows the number of electors per seat for each electoral region (based on 1 May 2013 electoral data), with five regions having a ratio of electors to seats which varies by more than 5% from the average.

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[12] The Electoral Commission (July 2007), *op. cit.*

Table 3: Number of electors per MEP seat for each electoral region, based on 1 May 2013 electoral data

Electoral region	Electorate	Seats	Electors per MEP	Variance from average
South West	4,113,801	6	685,634	**7.51%**
East Midlands	3,411,433	5	682,287	**6.98%**
Scotland	3,995,701	6	665,950	**4.42%**
London	5,327,117	8	665,890	**4.41%**
North East	1,994,671	3	664,890	**4.25%**
North West	5,303,352	8	662,919	**3.95%**
Yorkshire & the Humber	3,868,166	6	644,694	**1.09%**
South East	6,428,908	10	642,891	**0.81%**
Eastern	4,365,674	7	623,668	**-2.21%**
West Midlands	4,221,158	7	603,023	**-5.45%**
Wales	2,301,290	4	575,323	**-9.79%**
Northern Ireland	1,224,792	3	408,264	**-35.98%**
TOTAL (UK wide ratio)	**46,556,063**	**73**	**637,754**	**Average**

UK wide ratio +5% = 669,642   UK wide ratio -5% = 605,867

5.4   We have previously highlighted the range of electoral variance between different electoral regions, which has arisen from the application of the minimum representation criterion.[13]

5.5   As Table 3 shows, the Northern Ireland electoral region is over-represented, relative to other regions, by 35.98%.

5.6   Should the requirement remain in place for every electoral region to be allocated a minimum of three MEP seats, regardless of electorate size, any future reduction in the overall number of MEP seats allocated to the UK is likely to further magnify the size of the electoral variance for Northern Ireland.

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[13] See, for example, The Electoral Commission (2010) *op. cit.*

This could also make it harder to achieve electoral equality for other electoral regions in future.

5.7 While we acknowledge that there may be important arguments in favour of retaining a minimum representation criterion of three MEP seats per electoral region, it is also important to ensure electoral equality. We therefore recommend that the UK Government should consider amending the current minimum representation criterion, consulting relevant Governments, elected bodies, elected representatives, political parties and other individuals, e.g. academics with an interest in this issue before making a recommendation to Parliament, which ultimately has responsibility for any changes to the allocation criteria.

Recommendation

The UK Government and ultimately the UK Parliament should review the current statutory criteria for the allocation of MEP seats, to ensure that the objective of electoral equality between electoral regions is balanced appropriately with any other criterion.

In particular, the UK Government and UK Parliament should consider whether the current minimum of three MEP seats per electoral region remains appropriate given the reduction of almost 20% in the overall number of MEP seats allocated to the UK since the statutory criteria were established in 2003.

The UK Government should consult the bodies, organisations and individuals with a particular interest in this issue, including though not limited to:

- The Scottish Government and Parliament; the Welsh Government and National Assembly; and the Northern Ireland Executive and Assembly
- UK Members of the European Parliament
- Political parties registered to contest European Parliamentary elections
- Academics with a relevant interest

The UK Government and Parliament should ensure that it has concluded its review in time for any changes to the current statutory criteria to be made in advance of the next scheduled European Parliamentary elections in 2019. This means that any changes to the legislation should be made and in force by **1 June 2017**, six months before the publication of the electoral registers potentially to be used for the next distribution recommendation.

Appendix A

Full iterative working: the Sainte-Laguë method

We set out and explain below the full working of our calculations using the Sainte-Laguë method.

The 2002 Act requires that each region must have at least three MEPs. The first 36 seats have therefore been allocated to ensure that this requirement is met, as shown in Table A1.

Table A1: Allocation of first 36 seats

Region	East Midlands	Eastern	London	North East	North West	Northern Ireland	Scotland	South East	South West	Wales	West Midlands	Yorkshire & the Humber
Electorate	3,411,433	4,365,674	5,327,117	1,994,671	5,303,352	1,224,792	3,995,701	6,428,908	4,113,801	2,301,290	4,221,158	3,868,166
Allocation	3	3	3	3	3	3	3	3	3	3	3	3

Under the Sainte-Laguë method, account is taken of the regional electorate and the number of seats so far allocated when distributing subsequent seats. The regional electorates are divided by one more than twice the number of seats so far allocated (the divisor). As all regions have been allocated three seats in the initial allocation, the electorate figure for each region is divided by seven ((2 x 3) + 1 = 7), producing a new quotient for each region. The next (37th) seat is allocated to the region with the highest quotient – the South East, as shown in Table A2.

Table A2: Allocation of the 37th seat

Region	East Midlands	Eastern	London	North East	North West	Northern Ireland	Scotland	South East	South West	Wales	West Midlands	Yorkshire & the Humber
Electorate	3,411,433	4,365,674	5,327,117	1,994,671	5,303,352	1,224,792	3,995,701	6,428,908	4,113,801	2,301,290	4,221,158	3,868,166
Allocation	3	3	3	3	3	3	3	3	3	3	3	3
Divisor	7	7	7	7	7	7	7	7	7	7	7	7
Quotient	487,348	623,668	761,017	284,953	757,622	174,970	570,814	918,415	587,686	328,756	603,023	552,595
Seat 37								X				
Allocation	3	3	3	3	3	3	3	**4**	3	3	3	3

For the next (38th) allocation, divisors and therefore quotients remain the same for all regions except the South East. Because the South East has already been allocated four seats, its divisor is nine ((2 x 4) + 1 = 9). The new quotient is the total electorate figure for the South East divided by nine. The region with the highest quotient now is London. Accordingly, the 38th seat is allocated to London, as shown in Table A3.

Table A3: Allocation of the 38th seat

Region	East Midlands	Eastern	London	North East	North West	Northern Ireland	Scotland	South East	South West	Wales	West Midlands	Yorkshire & the Humber
Divisor	7	7	7	7	7	7	7	9	7	7	7	7
Quotient	487,348	623,668	761,017	284,953	757,622	174,970	570,814	714,323	587,686	328,756	603,023	552,595
Seat 38			X									
Allocation	3	3	**4**	3	3	3	3	4	3	3	3	3

Subsequent allocations are made following the same process, until the required total number of seats (73) has been allocated, as shown in Tables A4 and A5.

Table A4: Allocation of seats 39 – 72

Region	East Midlands	Eastern	London	North East	North West	Northern Ireland	Scotland	South East	South West	Wales	West Midlands	Yorkshire & the Humber
Divisor	7	7	9	7	7	7	7	9	7	7	7	7
Quotient	487,348	623,668	591,902	284,953	757,622	174,970	570,814	714,323	587,686	328,756	603,023	552,595
Seat 39					X							
Allocation	3	3	4	3	**4**	3	3	4	3	3	3	3
Divisor	7	7	9	7	9	7	7	9	7	7	7	7
Quotient	487,348	623,668	591,902	284,953	589,261	174,970	570,814	714,323	587,686	328,756	603,023	552,595
Seat 40								X				
Allocation	3	3	4	3	4	3	3	**5**	3	3	3	3
Divisor	7	7	9	7	9	7	7	11	7	7	7	7
Quotient	487,348	623,668	591,902	284,953	589,261	174,970	570,814	584,446	587,686	328,756	603,023	552,595
Seat 41		X										
Allocation	3	**4**	4	3	4	3	3	5	3	3	3	3
Divisor	7	9	9	7	9	7	7	11	7	7	7	7
Quotient	487,348	485,075	591,902	284,953	589,261	174,970	570,814	584,446	587,686	328,756	603,023	552,595
Seat 42											X	
Allocation	3	4	4	3	4	3	3	5	3	3	**4**	3
Divisor	7	9	9	7	9	7	7	11	7	7	9	7
Quotient	487,348	485,075	591,902	284,953	589,261	174,970	570,814	584,446	587,686	328,756	469,018	552,595
Seat 43			X									
Allocation	3	4	**5**	3	4	3	3	5	3	3	4	3
Divisor	7	9	11	7	9	7	7	11	7	7	9	7
Quotient	487,348	485,075	484,283	284,953	589,261	174,970	570,814	584,446	587,686	328,756	469,018	552,595
Seat 44					X							
Allocation	3	4	5	3	**5**	3	3	5	3	3	4	3

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Region	East Midlands	Eastern	London	North East	North West	Northern Ireland	Scotland	South East	South West	Wales	West Midlands	Yorkshire & the Humber
Divisor	7	9	11	7	11	7	7	11	7	7	9	7
Quotient	487,348	485,075	484,283	284,953	482,123	174,970	570,814	584,446	587,686	328,756	469,018	552,595
Seat 45									X			
Allocation	3	4	5	3	5	3	3	5	**4**	3	4	3
Divisor	7	9	11	7	11	7	7	11	9	7	9	7
Quotient	487,348	485,075	484,283	284,953	482,123	174,970	570,814	584,446	457,089	328,756	469,018	552,595
Seat 46								X				
Allocation	3	4	5	3	5	3	3	**6**	4	3	4	3
Divisor	7	9	11	7	11	7	7	13	9	7	9	7
Quotient	487,348	485,075	484,283	284,953	482,123	174,970	570,814	494,531	457,089	328,756	469,018	552,595
Seat 47							X					
Allocation	3	4	5	3	5	3	**4**	6	4	3	4	3
Divisor	7	9	11	7	11	7	9	13	9	7	9	7
Quotient	487,348	485,075	484,283	284,953	482,123	174,970	443,967	494,531	457,089	328,756	469,018	552,595
Seat 48												X
Allocation	3	4	5	3	5	3	4	6	4	3	4	**4**
Divisor	7	9	11	7	11	7	9	13	9	7	9	9
Quotient	487,348	485,075	484,283	284,953	482,123	174,970	443,967	494,531	457,089	328,756	469,018	429,796
Seat 49								X				
Allocation	3	4	5	3	5	3	4	**7**	4	3	4	4
Divisor	7	9	11	7	11	7	9	15	9	7	9	9
Quotient	487,348	485,075	484,283	284,953	482,123	174,970	443,967	428,594	457,089	328,756	469,018	429,796
Seat 50	X											
Allocation	**4**	4	5	3	5	3	4	7	4	3	4	4
Divisor	9	9	11	7	11	7	9	15	9	7	9	9
Quotient	379,048	485,075	484,283	284,953	482,123	174,970	443,967	428,594	457,089	328,756	469,018	429,796
Seat 51		X										
Allocation	4	**5**	5	3	5	3	4	7	4	3	4	4

Region	East Midlands	Eastern	London	North East	North West	Northern Ireland	Scotland	South East	South West	Wales	West Midlands	Yorkshire & the Humber
Divisor	9	11	11	7	11	7	9	15	9	7	9	9
Quotient	379,048	396,879	484,283	284,953	482,123	174,970	443,967	428,594	457,089	328,756	469,018	429,796
Seat 52			X									
Allocation	4	5	**6**	3	5	3	4	7	4	3	4	4
Divisor	9	11	13	7	11	7	9	15	9	7	9	9
Quotient	379,048	396,879	409,778	284,953	482,123	174,970	443,967	428,594	457,089	328,756	469,018	429,796
Seat 53					X							
Allocation	4	5	6	3	**6**	3	4	7	4	3	4	4
Divisor	9	11	13	7	13	7	9	15	9	7	9	9
Quotient	379,048	396,879	409,778	284,953	407,950	174,970	443,967	428,594	457,089	328,756	469,018	429,796
Seat 54											X	
Allocation	4	5	6	3	6	3	4	7	4	3	**5**	4
Divisor	9	11	13	7	13	7	9	15	9	7	11	9
Quotient	379,048	396,879	409,778	284,953	407,950	174,970	443,967	428,594	457,089	328,756	383,742	429,796
Seat 55									X			
Allocation	4	5	6	3	6	3	4	7	**5**	3	5	4
Divisor	9	11	13	7	13	7	9	15	11	7	11	9
Quotient	379,048	396,879	409,778	284,953	407,950	174,970	443,967	428,594	373,982	328,756	383,742	429,796
Seat 56							X					
Allocation	4	5	6	3	6	3	**5**	7	5	3	5	4
Divisor	9	11	13	7	13	7	11	15	11	7	11	9
Quotient	379,048	396,879	409,778	284,953	407,950	174,970	363,246	428,594	373,982	328,756	383,742	429,796
Seat 57												X
Allocation	4	5	6	3	6	3	5	7	5	3	5	**5**
Divisor	9	11	13	7	13	7	11	15	11	7	11	11
Quotient	379,048	396,879	409,778	284,953	407,950	174,970	363,246	428,594	373,982	328,756	383,742	351,651
Seat 58								X				
Allocation	4	5	6	3	6	3	5	**8**	5	3	5	5

Region	East Midlands	Eastern	London	North East	North West	Northern Ireland	Scotland	South East	South West	Wales	West Midlands	Yorkshire & the Humber
Divisor	9	11	13	7	13	7	11	17	11	7	11	11
Quotient	379,048	396,879	409,778	284,953	407,950	174,970	363,246	378,171	373,982	328,756	383,742	351,651
Seat 59			X									
Allocation	4	5	**7**	3	6	3	5	8	5	3	5	5
Divisor	9	11	15	7	13	7	11	17	11	7	11	11
Quotient	379,048	396,879	355,141	284,953	407,950	174,970	363,246	378,171	373,982	328,756	383,742	351,651
Seat 60					X							
Allocation	4	5	7	3	**7**	3	5	8	5	3	5	5
Divisor	9	11	15	7	15	7	11	17	11	7	11	11
Quotient	379,048	396,879	355,141	284,953	353,557	174,970	363,246	378,171	373,982	328,756	383,742	351,651
Seat 61		X										
Allocation	4	**6**	7	3	7	3	5	8	5	3	5	5
Divisor	9	13	15	7	15	7	11	17	11	7	11	11
Quotient	379,048	335,821	355,141	284,953	353,557	174,970	363,246	378,171	373,982	328,756	383,742	351,651
Seat 62											X	
Allocation	4	6	7	3	7	3	5	8	5	3	**6**	5
Divisor	9	13	15	7	15	7	11	17	11	7	13	11
Quotient	379,048	335,821	355,141	284,953	353,557	174,970	363,246	378,171	373,982	328,756	324,704	351,651
Seat 63	X											
Allocation	**5**	6	7	3	7	3	5	8	5	3	6	5
Divisor	11	13	15	7	15	7	11	17	11	7	13	11
Quotient	310,130	335,821	355,141	284,953	353,557	174,970	363,246	378,171	373,982	328,756	324,704	351,651
Seat 64								X				
Allocation	5	6	7	3	7	3	5	**9**	5	3	6	5
Divisor	11	13	15	7	15	7	11	19	11	7	13	11
Quotient	310,130	335,821	355,141	284,953	353,557	174,970	363,246	338,364	373,982	328,756	324,704	351,651
Seat 65									X			
Allocation	5	6	7	3	7	3	5	9	**6**	3	6	5

Region	East Midlands	Eastern	London	North East	North West	Northern Ireland	Scotland	South East	South West	Wales	West Midlands	Yorkshire & the Humber
Divisor	11	13	15	7	15	7	11	19	13	7	13	11
Quotient	310,130	335,821	355,141	284,953	353,557	174,970	363,246	338,364	316,446	328,756	324,704	351,651
Seat 66							X					
Allocation	5	6	7	3	7	3	**6**	9	6	3	6	5
Divisor	11	13	15	7	15	7	13	19	13	7	13	11
Quotient	310,130	335,821	355,141	284,953	353,557	174,970	307,362	338,364	316,446	328,756	324,704	351,651
Seat 67			X									
Allocation	5	6	**8**	3	7	3	6	9	6	3	6	5
Divisor	11	13	17	7	15	7	13	19	13	7	13	11
Quotient	310,130	335,821	313,360	284,953	353,557	174,970	307,362	338,364	316,446	328,756	324,704	351,651
Seat 68					X							
Allocation	5	6	8	3	**8**	3	6	9	6	3	6	5
Divisor	11	13	17	7	17	7	13	19	13	7	13	11
Quotient	310,130	335,821	313,360	284,953	311,962	174,970	307,362	338,364	316,446	328,756	324,704	351,651
Seat 69												X
Allocation	5	6	8	3	8	3	6	9	6	3	6	**6**
Divisor	11	13	17	7	17	7	13	19	13	7	13	13
Quotient	310,130	335,821	313,360	284,953	311,962	174,970	307,362	338,364	316,446	328,756	324,704	297,551
Seat 70								X				
Allocation	5	6	8	3	8	3	6	**10**	6	3	6	6
Divisor	11	13	17	7	17	7	13	21	13	7	13	13
Quotient	310,130	335,821	313,360	284,953	311,962	174,970	307,362	306,138	316,446	328,756	324,704	297,551
Seat 71		X										
Allocation	5	**7**	8	3	8	3	6	10	6	3	6	6
Divisor	11	15	17	7	17	7	13	21	13	7	13	13
Quotient	310,130	291,045	313,360	284,953	311,962	174,970	307,362	306,138	316,446	328,756	324,704	297,551
Seat 72										X		
Allocation	5	7	8	3	8	3	6	10	6	**4**	6	6

Table A5: Final allocation - the 73rd seat

Region	East Midlands	Eastern	London	North East	North West	Northern Ireland	Scotland	South East	South West	Wales	West Midlands	Yorkshire & the Humber
Divisor	11	15	17	7	17	7	13	21	13	9	13	13
Quotient	310,130	291,045	313,360	284,953	311,962	174,970	307,362	306,138	316,446	255,699	324,704	297,551
Seat 73											X	
Allocation	**5**	**7**	**8**	**3**	**8**	**3**	**6**	**10**	**6**	**4**	**7**	**6**

Appendix B

Relevant clauses of the European Parliamentary Elections Act 2002

Schedule 1A - Periodic reviews of distribution of MEPs

Electoral Commission review and recommendation

1(1)   As soon as possible after 1st May in a pre-election year the Electoral Commission ("the Commission") must, subject to paragraph 2—.

    (a)   carry out a review ("the periodic review") of the distribution of MEPs between the electoral regions; and

    (b)   report its conclusions to the Secretary of State.

(2)   In carrying out the periodic review the Commission must consider whether (assuming that each region is entitled to be allocated at least three MEPs) the ratio of electors to MEPs is as nearly as possible the same for every electoral region.

(3)   If the Commission concludes that the result mentioned in sub-paragraph (2) is not achieved by the current distribution of MEPs, it must include in its report a recommendation specifying a distribution that would achieve that result.

(4)   The report must be published by the Commission and laid before Parliament by the Secretary of State.

Exclusion or suspension of duties under paragraph 1

2(1)   The Commission may not take any step (or further step) under paragraph 1 if a 2003 Act order is made or a suspension notice is given to the Commission—.

    (a)   within the period of 12 months ending with 1st May in the pre-election year in question or,

    (b)   after the end of that period but before the Commission makes its report,

unless and until the duties under paragraph 1 revive by virtue of sub-paragraph (2).

(2)   If the Secretary of State withdraws a suspension notice more than nine months before the date of the poll for the next general election of MEPs, the duties under paragraph 1 revive (but subject again to this paragraph).

(3)   In this Schedule—.

"2003 Act order" means an order under section 5 of the European Parliament (Representation) Act 2003 (orders implementing changes in the number of United Kingdom MEPs) which takes effect in relation to the next general election of MEPs after it is made; and

 "suspension notice" means a notice stating that the Secretary of State considers it likely that a 2003 Act order will be made before the next general election of MEPs.

Supplementary

6(1)   In this Schedule—

"general election of MEPs" means an election required to be held in the United Kingdom by virtue of Article of the Act annexed to Council Decision 76/787;

"pre-election year" means a year (including 2003) which immediately precedes a year in which a general election of MEPs is to be held; and

"relevant register" means—

(a)   a register of parliamentary electors;

(b)   a register of local government electors;

(c)   a register of peers maintained under section 3 of the Representation of the People Act 1985 (c. 50) (peers resident outside the United Kingdom); and

(d)   a register maintained under regulation 5 of the European Parliamentary Elections (Franchise of Relevant Citizens of the Union) Regulations 2001 (SI 2001/1184) (citizens of the European Union other than Commonwealth and Republic of Ireland citizens).

 (2)   For the purposes of paragraph 1(2) a person is an "elector", in relation to an electoral region, if his name appears on 1st May in the pre-election year concerned in (or in any part of) a relevant register which relates to the region.

(3)   In calculating the total number of electors for any electoral region –

(a)   persons who are registered but have not attained the age of 18 are to be counted as electors;

(b)   a citizen of the European Union (not being a Commonwealth citizen or a citizen of the Republic of Ireland) who is registered only for the purposes of local government elections is to be disregarded; and.

(c)   the Electoral Commission may assume that each relevant register is accurate and that names appearing more than once

on registers (or parts of registers) which relate to an electoral region are the names of different electors.

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