
EXPLANATORY NOTE

(This note is not part of the Order)

This Order is made under Schedule 19C to the Political Parties, Elections and Referendums Act 2000. It permits the Electoral Commission to impose civil sanctions in relation to the offences and the restrictions and requirements prescribed in Schedule 2 to the Order.

The Order prescribes the offences, restrictions and requirements for which a civil sanction may be imposed by the Commission.

The civil sanctions are:

- fixed monetary penalties (for which supplementary provision is made at Part 1 of Schedule 1);
- discretionary requirements (variable monetary penalties, compliance notices or restoration notices) (Part 2 of Schedule 1);
- stop notices (Part 3 of Schedule 1); and
- enforcement undertakings (Part 4 of Schedule 1).

In relation to monetary penalties, the Order makes provision for:

- prescribed or minimum and maximum amounts (article 6 and paragraphs 1, 2 and 5 of Schedule 1); and
- late payment penalties (paragraphs 4 and 9 of Schedule 1).

The Order also makes provision:

- allowing the Commission to withdraw, or to reduce the penalty or steps to be taken under a notice;
- for appeals against notices imposing civil sanctions, and decisions of the Commission not to certify completion, including time limits for the making of such appeals (article 8 and paragraphs 3, 7, 8, 12 and 16 of Schedule 1);
- setting out the procedure for entering into an enforcement undertaking and the terms to be included in such an undertaking (paragraphs 13 and 14 of Schedule 1); and
- that the Commission must certify that the Commission are satisfied that a discretionary requirement or enforcement undertaking has been complied with (paragraphs 6 and 15 of Schedule 1).