
DRAFT STATUTORY INSTRUMENTS

2012 No.

The Police and Crime Commissioner Elections Order 2012

PART 3

The election campaign

Candidate election expenses

Time for sending in and paying claims

37.—(1) Every claim against a candidate or the candidate's election agent in respect of election expenses which is not sent in to the election agent within 21 days after the day on which the result of the election is declared is barred and must not be paid.

(2) All election expenses must be paid not later than 28 days after that day.

(3) Any person who pays a claim in contravention of paragraph (1) or makes a payment in contravention of paragraph (2) is guilty of an illegal practice.

(4) Where the election court reports that it has been proved to the court that any payment made as described in paragraph (3) was by an election agent without the sanction or connivance of the candidate—

(a) the candidate's election is not void, nor

(b) is the candidate subject to any incapacity under this Order by reason only of that payment having been made in contravention of this article.

(5) The claimant or the candidate or the candidate's election agent may apply to the High Court or to a county court for leave to pay a claim for any election expenses, although sent in after the period of 21 days or although sent in to the candidate and not to the election agent, and the court on cause shown to their satisfaction may by order grant the leave.

(6) Any sum specified in the order of leave may be paid by the candidate or the candidate's election agent and when paid in pursuance of the leave does not contravene paragraph (2).