

**Changes to legislation:** Representation of the People Act 1983, SCHEDULE 4 is up to date with all changes known to be in force on or before 22 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### SCHEDULE 4

Sections 90 and 197.

#### ELECTION EXPENSES AT CERTAIN LOCAL ELECTIONS IN ENGLAND AND WALES

##### Modifications etc. (not altering text)

**C1** Sch. 4 restricted (W.) (4.12.2020) by [The Local Government \(Coronavirus\) \(Postponement of Elections\) \(Wales\) \(No. 2\) Regulations 2020 \(S.I. 2020/1399\)](#), regs. 2, **7(2)** (with reg. 7(8))

- 1 (1) Any claim against any person in respect of any election expenses incurred by or on behalf of a candidate which is not sent in within 14 days after the day of election shall be barred and not paid, and all election expenses incurred as mentioned above shall be paid within 21 days after the day of election and not otherwise.
- (2) If any person makes a payment in contravention of this paragraph he shall be guilty of an illegal practice, but a candidate shall not be liable, nor shall his election be avoided, for any illegal practice committed under this subparagraph without his consent or connivance.
- 2 Every agent of a candidate at the election shall, within 23 days after the day of election, make a true return to the candidate in writing of all election expenses incurred by the agent and if he fails so to do he shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- 3 Within 28 days after the day of election every candidate shall [deliver] to the proper officer of the authority for which the election is held a return of all election expenses incurred by the candidate or his agents vouched (except in the case of sums under [£10]) by bills stating the particulars and receipts and accompanied by a declaration by the candidate as to election expenses.
- 4 (1) After the expiry of the time for making the return and declaration, the candidate, if elected, shall not, until he has made the return and declaration or until the date of the allowance of any authorised excuse under paragraph 7 below, sit or vote in the council and if he does so—
  - (a) he shall forfeit £50 for every day on which he so sits or votes; or
  - (b) instead of civil proceedings for a penalty, proceedings may be instituted in a magistrates' court, and he shall be liable on conviction to a fine of an amount not exceeding the amount of the penalty which would be recoverable in civil proceedings.
- [(2) Civil proceedings for a penalty under this paragraph shall be commenced within the period of one year beginning with the day in respect of which the penalty is alleged to have been incurred.

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- (3) For the purposes of sub-paragraph (2) above] the issue of a writ or other process shall be deemed to be a commencement of a proceeding, where the service or execution of the same on or against the alleged offender is prevented by the absconding or concealment or act of the alleged offender, but save as mentioned above the service or execution of the same on or against the alleged offender, and not its issue, shall be deemed to be the commencement of the proceeding.
- 5 If the candidate fails to make that return and declaration he shall be guilty of an illegal practice, and, if he knowingly makes that declaration falsely, he shall be guilty of a corrupt practice.
- 6 The High Court, an election court or the county court may, on application either of the candidate or a creditor, allow any claim to be sent in and any expense to be paid after the time limited by this Schedule, and a return of any sum so paid shall forthwith after payment be sent to the proper officer of the authority.
- 7 (1) If the candidate applies to the High Court, an election court or the county court and shows that the failure to make that return and declaration or either of them or any error or false statement in them has arisen by reason of—
- (a) his illness or absence, or
  - (b) the absence, death, illness or misconduct of any agent, clerk or officer, or
  - (c) inadvertence or any reasonable cause of a like nature,
- and not by reason of any want of good faith on the applicant's part, the court may—
- (i) after such notice of the application as it considers fit, and
  - (ii) on production of such evidence of the grounds stated in the application, and of the applicant's good faith, and otherwise, as it considers fit,
- make such order allowing the authorised excuse for the failure, error or false statement as it considers just.
- (2) The order may make the allowance conditional upon compliance with such terms as to the court seem best calculated for carrying into effect the objects of this Schedule, and the order shall relieve the applicant from any liability or consequence under this Act in respect of the matters excused by the order.
- (3) The date of the order, or, if conditions and terms are to be complied with, the date on which the applicant fully complies with them, is referred to in this Act as the date of the allowance of the excuse.
- 8 (1) The return and declaration shall be kept at the office of the proper officer of the authority and shall at all reasonable times during the twelve months next after they are received by him be open to inspection by any person on payment of the prescribed fee and the proper officer shall, on demand, provide copies of them, or of any part of them, at the prescribed price.
- (2) After the expiry of twelve months the proper officer of the authority may cause the return and declaration to be destroyed or, if the candidate so requires, shall return them to him.
- 9 For the purposes of this Schedule—
- (a) the jurisdiction vested by paragraph 7 in [<sup>F1</sup>the county court] may be exercised otherwise than in open court; and
  - (b) an appeal lies to the High Court from any order of [<sup>F1</sup>the county court] made by virtue of that paragraph.

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#### Textual Amendments

- F1** Words in Sch. 4 para. 9 substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 9 para. 52](#); [S.I. 2014/954](#), [art. 2\(c\)](#) (with [art. 3](#)) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act Representation of the People Acts amended by [1985 c. 50 Sch. 1 para. 24](#)
- Act power to amend conferred by [2009 c. 12 s. 34\(3\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Ss. 30-34 repealed (10.6.2014 for E.W., 15.9.2014 for N.I., 19.9.2014 for S.) by Electoral Registration and Administration Act 2013 (c. 6), s. 27(1), Sch. 4 para. 24(b) (with Sch. 5); S.I. 2014/414, art. 5(m); S.I. 2014/2439, art. 2(l))
- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

**Whole provisions yet to be inserted into this Act (including any effects on those provisions):**

- s. 9(2A) inserted by [2021 asc 1 s. 18\(2\)](#)
- s. 9E(1A) inserted by [2021 asc 1 s. 18\(4\)](#)
- s. 9ZA inserted by [2021 asc 1 s. 18\(3\)](#)
- s. 10(4C)(4D) inserted by [2009 c. 12 s. 33\(3\)\(e\)](#) (This amendment not applied to legislation.gov.uk. Ss. 30-34 repealed (10.6.2014 for E.W., 15.9.2014 for N.I., 19.9.2014 for S.) by Electoral Registration and Administration Act 2013 (c. 6), s. 27(1), Sch. 4 para. 24(b) (with Sch. 5); S.I. 2014/414, art. 5(m); S.I. 2014/2439, art. 2(l))
- s. 10A(1C)(1D) inserted by [2009 c. 12 s. 33\(5\)\(d\)](#) (This amendment not applied to legislation.gov.uk. Ss. 30-34 repealed (10.6.2014 for E.W., 15.9.2014 for N.I., 19.9.2014 for S.) by Electoral Registration and Administration Act 2013 (c. 6), s. 27(1), Sch. 4 para. 24(b) (with Sch. 5); S.I. 2014/414, art. 5(m); S.I. 2014/2439, art. 2(l))
- s. 10ZE(2A) inserted by [2021 asc 1 s. 18\(5\)\(a\)](#)
- s. 10ZE(4A) inserted by [2021 asc 1 s. 18\(5\)\(c\)](#)
- s. 10ZE(5A)-(5C) inserted by [2021 asc 1 s. 18\(5\)\(d\)](#)
- s. 13A(1)(zc) inserted by [2021 asc 1 s. 18\(6\)](#)
- s. 13A(2C)(2D) inserted by [2009 c. 12 s. 33\(6\)\(d\)](#) (This amendment not applied to legislation.gov.uk. Ss. 30-34 repealed (10.6.2014 for E.W., 15.9.2014 for N.I., 19.9.2014 for S.) by Electoral Registration and Administration Act 2013 (c. 6), s. 27(1), Sch. 4 para. 24(b) (with Sch. 5); S.I. 2014/414, art. 5(m); S.I. 2014/2439, art. 2(l))
- s. 16(1)(e) words substituted by [2022 c. 37 Sch. 8 para. 1\(5\)](#)
- s. 16(1)(e) words substituted by [2022 c. 37 Sch. 8 para. 1\(6\)](#)
- s. 49(5)(b)(iia) inserted by [2022 c. 37 Sch. 8 para. 1\(8\)\(a\)](#)
- s. 56(1)(azaa) inserted by [2021 asc 1 s. 18\(9\)](#)
- s. 62C applied (with modifications) by S.I. 2012/2031, Sch. 4 Pt. 1 Table 1 (as amended) by [S.I. 2023/1141 reg. 7\(2\)\(a\)](#)
- s. 62C applied (with modifications) by S.I. 2012/2031, Sch. 8 Table 1 (as amended) by [S.I. 2023/1141 reg. 7\(3\)\(a\)](#)
- s. 62C applied (with modifications) by S.I. 2012/323, Sch. 4 Table 1 (as amended) by [S.I. 2023/1141 reg. 5\(a\)](#)
- s. 62C applied (with modifications) by S.I. 2012/444, Sch. 4 Table 1 (as amended) by [S.I. 2023/1141 reg. 6\(a\)](#)
- s. 62C inserted by [2023 c. 12 s. 1](#)
- s. 63(3)(ba) inserted by [2006 c. 22 s. 7](#) (This amendment not applied to legislation.gov.uk. S. 7 repealed (2.4.2013) without ever being in force by 2013 c. 6, s. 23; S.I. 2013/702, art. 3(e))
- s. 81(4A)(4B) inserted by [2006 asp 14 s. 19\(2\)](#)

- s. 113(7)(b)(c) inserted by [2011 c. 1 Sch. 10 para. 15\(b\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- s. 114(4) inserted by [2011 c. 1 Sch. 10 para. 16](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- s. 115(3) inserted by [2011 c. 1 Sch. 10 para. 17](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- s. 139(6A) inserted by [2011 c. 1 Sch. 10 para. 19\(2\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- s. 165(3A) inserted by [2011 c. 1 Sch. 10 para. 20](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- s. 201(2B) inserted by [2009 c. 12 s. 33\(9\)](#) (This amendment not applied to legislation.gov.uk. Ss. 30-34 repealed (10.6.2014 for E.W., 15.9.2014 for N.I., 19.9.2014 for S.) by Electoral Registration and Administration Act 2013 (c. 6), s. 27(1), Sch. 4 para. 24(b) (with Sch. 5); S.I. 2014/414, art. 5(m); S.I. 2014/2439, art. 2(l))
- s. 203A applied (with modifications) by S.I. 2001/2599, Sch. 1 table (as amended) by [2022 c. 37 Sch. 8 para. 11\(3\)](#)
- s. 203A203B applied by 1989 c. 3, Sch. 1 Pt. 1 (as amended) by [2022 c. 37 Sch. 8 para. 9\(4\)](#)
- s. 203B applied (with modifications) by S.I. 2001/2599, Sch. 1 table (as amended) by [2022 c. 37 Sch. 8 para. 11\(3\)](#)
- Sch. 1 rule 37A inserted by [2011 c. 1 s. 9\(1\)](#) (This amendment not applied to legislation.gov.uk. S. 9 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(a))
- Sch. 1 rule 45A45B inserted by [2011 c. 1 s. 9\(2\)](#) (This amendment not applied to legislation.gov.uk. S. 9 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(a))
- Sch. 1 rule 46(3) inserted by [2011 c. 1 Sch. 10 para. 5\(3\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 47(3A)(3B) inserted by [2011 c. 1 Sch. 10 para. 6\(4\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 40(1B)(a) repealed by [2006 c. 22 Sch. 2](#)
- Sch. 1 rule 18 substituted by [2011 c. 1 Sch. 10 para. 2](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 47(4)(d) substituted by [2011 c. 1 Sch. 10 para. 6\(5\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 61(2)(c) substituted by [2011 c. 1 Sch. 10 para. 10\(3\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 62 substituted by [2011 c. 1 Sch. 10 para. 11\(1\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 47(1)(aa)(b) substituted for Sch. 1 rule 47(1)(b) by [2011 c. 1 Sch. 10 para. 6\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 47(2)-(2E) substituted for Sch. 1 rule 47(2) by [2011 c. 1 Sch. 10 para. 6\(3\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))

- Sch. 1 rule 47(4)(aa)(b) substituted for Sch. 1 rule 47(4)(b) by [2011 c. 1 Sch. 10 para. 6\(5\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 4949A substituted for Sch. 1 rule 49 by [2011 c. 1 Sch. 10 para. 7](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 50(1)(a)(aa)(ab)(b)(c) substituted for Sch. 1 rule 50(1)(a)-(c) by [2011 c. 1 Sch. 10 para. 8](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 61(2)(a)(aa) substituted for Sch. 1 rule 61(2)(a) by [2011 c. 1 Sch. 10 para. 10\(2\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 46(1)(1A) substituted for rule 46(1) by [2011 c. 1 Sch. 10 para. 5\(1\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 46(2) words inserted by [2011 c. 1 Sch. 10 para. 5\(2\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 47 heading words inserted by [2011 c. 1 Sch. 10 para. 6\(1\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 29(5) words substituted by [2011 c. 1 Sch. 10 para. 3](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 44(5) words substituted by [2011 c. 1 Sch. 10 para. 4](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 47(1) words substituted by [2011 c. 1 Sch. 10 para. 6\(2\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 47(1)(d) words substituted by [2011 c. 1 Sch. 10 para. 6\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 53(4) words substituted by [2011 c. 1 Sch. 10 para. 9](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 1 rule 61(1) words substituted by [2011 c. 1 Sch. 10 para. 10\(1\)](#) (This amendment not applied to legislation.gov.uk. Sch. 10 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(b))
- Sch. 2 para. 1(4ZA)-(4ZC) inserted by [2009 c. 12 s. 33\(10\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Ss. 30-34 repealed (10.6.2014 for E.W., 15.9.2014 for N.I., 19.9.2014 for S.) by Electoral Registration and Administration Act 2013 (c. 6), s. 27(1), Sch. 4 para. 24(b) (with Sch. 5); S.I. 2014/414, art. 5(m); S.I. 2014/2439, art. 2(l))
- Sch. 2 para. 1(6A) inserted by [2009 c. 12 s. 33\(10\)\(e\)](#) (This amendment not applied to legislation.gov.uk. Ss. 30-34 repealed (10.6.2014 for E.W., 15.9.2014 for N.I., 19.9.2014 for S.) by Electoral Registration and Administration Act 2013 (c. 6), s. 27(1), Sch. 4 para. 24(b) (with Sch. 5); S.I. 2014/414, art. 5(m); S.I. 2014/2439, art. 2(l))
- Sch. 2 para. 5C inserted by [2022 c. 37 Sch. 4 para. 5](#)
- Sch. 6A applied (with modifications) by S.I. 2001/2599, Sch. 1 table (as inserted) by [2022 c. 37 Sch. 8 para. 11\(4\)](#)
- Sch. 6A applied by 1989 c. 3, Sch. 1 Pt. 1 (as amended) by [2022 c. 37 Sch. 8 para. 9\(4\)](#)