



# Political Parties, Elections and Referendums Act 2000

## 2000 CHAPTER 41

### PART V

#### CONTROL OF CAMPAIGN EXPENDITURE

##### *General restrictions relating to campaign expenditure*

#### **75 Restriction on incurring campaign expenditure.**

- (1) No campaign expenditure shall be incurred by or on behalf of a registered party unless it is incurred with the authority of—
  - (a) the treasurer of the party,
  - (b) a deputy treasurer of the party, or
  - (c) a person authorised in writing by the treasurer or a deputy treasurer.
- (2) A person commits an offence if, without reasonable excuse, he incurs any expenses in contravention of subsection (1).
- (3) Where any expenses are incurred in contravention of subsection (1), the expenses shall not count for the purposes of sections 79 to 83 or Schedule 9 as campaign expenditure incurred by or on behalf of the party.

#### **Commencement Information**

- II** [S. 75](#) wholly in force at 16.2.2001; [s. 75](#) not in force at Royal Assent, see [s. 163\(2\)](#); [s. 75](#) in force at 16.2.2001 by [S.I. 2001/222](#), [art. 2](#), [Sch. 1 Pt. I](#) (subject to transitional provisions in [Sch. 1 Pt. II](#))

*Status: Point in time view as at 01/01/2007.*

*Changes to legislation: Political Parties, Elections and Referendums Act 2000, Cross Heading: General restrictions relating to campaign expenditure is up to date with all changes known to be in force on or before 11 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)*

## 76 Restriction on payments in respect of campaign expenditure.

- (1) No payment (of whatever nature) may be made in respect of any campaign expenditure incurred or to be incurred by or on behalf of a registered party unless it is made by—
  - (a) the treasurer of the party,
  - (b) a deputy treasurer of the party, or
  - (c) a person authorised in writing by the treasurer or a deputy treasurer.
- (2) Any payment made in respect of any such expenditure by a person within any of paragraphs (a) to (c) of subsection (1) must be supported by an invoice or a receipt unless it is not more than £200.
- (3) Where a person within paragraph (b) or (c) of subsection (1) makes a payment to which subsection (2) applies, he must deliver to the treasurer—
  - (a) notification that he has made the payment, and
  - (b) the supporting invoice or receipt,
 as soon as possible after making the payment.
- (4) A person commits an offence if, without reasonable excuse—
  - (a) he makes any payment in contravention of subsection (1), or
  - (b) he contravenes subsection (3).

### Commencement Information

- I2** S. 76 wholly in force at 16.2.2001; s. 76 not in force at Royal Assent, see s. 163(2); s. 76 in force at 16.2.2001 by S.I. 2001/222, art. 2, Sch. 1 Pt. I (subject to transitional provisions in Sch. 1 Pt. II)

## 77 Restriction on making claims in respect of campaign expenditure.

- (1) A claim for payment in respect of campaign expenditure incurred by or on behalf of a registered party during any period which is, in relation to the party, a relevant campaign period (within the meaning of section 80) shall not be payable if the claim is not sent to—
  - (a) the treasurer or a deputy treasurer of the party, or
  - (b) any other person authorised under section 75 to incur the expenditure,
 not later than <sup>F1</sup>30 days] after the end of the relevant campaign period.
- (2) Any claim sent in accordance with subsection (1) shall be paid not later than <sup>F2</sup>60 days] after the end of the relevant campaign period.
- (3) A person commits an offence if, without reasonable excuse—
  - (a) he pays any claim which by virtue of subsection (1) is not payable, or
  - (b) he makes any payment in respect of a claim after the end of the period allowed under subsection (2).
- (4) In the case of any claim to which subsection (1) applies—
  - (a) the person making the claim, or
  - (b) the person with whose authority the expenditure in question was incurred,
 may apply to the High Court or a county court or, in Scotland, to the Court of Session or the sheriff for leave for the claim to be paid although sent in after the end of the

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- period mentioned in that subsection; and the court, if satisfied that for any special reason it is appropriate to do so, may by order grant the leave.
- (5) Nothing in subsection (1) or (2) shall apply in relation to any sum paid in pursuance of the order of leave.
- (6) Subsection (2) is without prejudice to any rights of a creditor of a registered party to obtain payment before the end of the period allowed under that subsection.
- (7) The jurisdiction conferred by subsection (4) on the Court of Session or the sheriff may be exercised in such manner as is prescribed by Act of Sederunt; and any order made by the sheriff by virtue of that subsection may be appealed to the Court of Session.
- (8) Article 60 of the <sup>M1</sup>County Courts (Northern Ireland) Order 1980 (appeals from county courts) shall apply in relation to any order of a county court in Northern Ireland made by virtue of subsection (4) as it applies in relation to any such decree of a county court as is mentioned in paragraph (1) of that Article.
- (9) Where, in the case of any campaign expenditure, the period allowed under subsection (1) or (2) would (apart from this subsection) end on—
- (a) a Saturday or Sunday or Christmas Eve, Christmas Day, <sup>F3</sup> . . . or Good Friday,
  - (b) a bank holiday, or
  - (c) a day appointed for public thanksgiving or mourning,
- the period instead ends on the first day following that day which is not one of those days.
- (10) In subsection (9)(b) “bank holiday” means [<sup>F4</sup>a day within subsection (11) or] a day which under the <sup>M2</sup>Banking and Financial Dealings Act 1971 is a bank holiday in any part of the United Kingdom—
- (a) in which is situated the office of the treasurer, deputy treasurer or (as the case may be) other authorised person to whom the claim is sent pursuant to subsection (1); or
  - (b) in which the person providing the property, services or facilities to which the expenditure relates conducts his business; or
  - (c) (if he conducts his business in more than one part of the United Kingdom) in which is situated the office from which dealings relating to the expenditure were conducted.
- [<sup>F5</sup>(11) A day is within this subsection if under the law of Gibraltar it is a bank holiday or a public holiday and—
- (a) the office of the treasurer, deputy treasurer or (as the case may be) other authorised person to whom the claim is sent pursuant to subsection (1) is situated in Gibraltar; or
  - (b) the person providing the property, services or facilities to which the expenditure relates conducts his business in Gibraltar; or
  - (c) (if he conducts his business in one or more parts of the United Kingdom and Gibraltar) the office from which dealings relating to the expenditure were conducted is situated in Gibraltar.
- (12) In the application of subsection (4) to Gibraltar, the references to the High Court or a county court shall have effect as if they were references to the Gibraltar court.]

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### Textual Amendments

- F1** Words in s. 77(1) substituted (11.9.2006) by [Electoral Administration Act 2006 \(c. 22\)](#), **ss. 65(1)(a)**, 77(2); S.I. 2006/1972, **art. 3**, Sch. 1 para. 22 (subject to [art. 4](#), Sch. 2)
- F2** Words in s. 77(2) substituted (11.9.2006) by [Electoral Administration Act 2006 \(c. 22\)](#), **ss. 65(1)(b)**, 77(2); S.I. 2006/1972, **art. 3**, Sch. 1 para. 22 (subject to [art. 4](#), Sch. 2)
- F3** Words in s. 77(9)(a) repealed (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), **ss. 20**, 74(2), 77(2), Sch. 1 para. 54, **Sch. 2**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 14(g) (aa)(bb)(cc) (subject to [art. 6](#), Sch. 2); S.I. 2008/1316, **arts. 2(2)**, 4(d)(y)(z)(aa)
- F4** Words in s. 77(10) inserted (5.2.2004) by [The European Parliamentary Elections \(Combined Region and Campaign Expenditure\) \(United Kingdom and Gibraltar\) Order 2004 \(S.I. 2004/366\)](#), **arts. 1(2)**, 4(2), **Sch. para. 20(a)**
- F5** S. 77(11)(12) inserted (5.2.2004) by [The European Parliamentary Elections \(Combined Region and Campaign Expenditure\) \(United Kingdom and Gibraltar\) Order 2004 \(S.I. 2004/366\)](#), **arts. 1(2)**, 4(2), **Sch. para. 20(b)**

### Commencement Information

- I3** S. 77 wholly in force at 16.2.2001; s. 77 not in force at Royal Assent, see [s. 163\(2\)](#); s. 77 in force at 16.2.2001 by [S.I. 2001/222](#), **art. 2**, **Sch. 1 Pt. I** (subject to transitional provisions in [Sch. 1 Pt. II](#))

### Marginal Citations

- M1** [S.I. 1980/397 \(N.I. 3\)](#).  
**M2** 1971 c. 80.

## 78 Disputed claims.

- (1) This section applies where—
- (a) a claim for payment in respect of campaign expenditure incurred by or on behalf of a registered party as mentioned in section 77(1) is sent to—
    - (i) the treasurer of the party, or
    - (ii) any other person with whose authority it is alleged that the expenditure was incurred,  
 within the period allowed under that provision; and
  - (b) the treasurer or other person to whom the claim is sent fails or refuses to pay the claim within the period allowed under section 77(2);  
 and the claim is referred to in this section as “the disputed claim”.
- (2) The person by whom the disputed claim is made may bring an action for the disputed claim, and nothing in section 77(2) shall apply in relation to any sum paid in pursuance of any judgment or order made by a court in the proceedings.
- (3) Subsections (4) to (8) of section 77 shall apply in relation to an application made by the person mentioned in subsection (1)(b) above for leave to pay the disputed claim as they apply in relation to an application for leave to pay a claim (whether it is disputed or otherwise) which is sent in after the period allowed under section 77(1).

### Commencement Information

- I4** S. 78 wholly in force at 16.2.2001; S. 78 not in force at Royal Assent, see [s. 163\(2\)](#); s. 78 in force at 16.2.2001 by [S.I. 2001/222](#), **art. 2**, **Sch. 1 Pt. I** (subject to transitional provisions in [Sch. 1 Pt. II](#))

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