



Political Parties, Elections and Referendums Act 2000

2000 CHAPTER 41

PART VII

REFERENDUMS

CHAPTER I

PRELIMINARY

Permitted participants

105 Permitted participants.

- (1) In this Part “permitted participant”, in relation to a particular referendum to which this Part applies, means—
- (a) a registered party by whom a declaration has been made under section 106 in relation to the referendum; or
 - (b) any of the following by whom a notification has been given under section 106 in relation to the referendum, namely—
 - (i) any individual resident in the United Kingdom or registered in an electoral register (as defined by section 54(8)), or
 - (ii) any body falling within any of paragraphs (b) and (d) to (h) of section 54(2).
- (2) In this Part “responsible person” means—
- (a) if the permitted participant is a registered party—
 - (i) the treasurer of the party, or
 - (ii) in the case of a minor party, the person for the time being notified to the Commission by the party in accordance with section 106(2)(b);

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- (b) if the permitted participant is an individual, that individual; and
- (c) otherwise, the person or officer for the time being notified to the Commission by the permitted participant in accordance with section 106(4)(b)(ii).

Modifications etc. (not altering text)

- C1** Pt. 7 modified (1.2.2016) by [European Union Referendum Act 2015 \(c. 36\)](#), s. 13(2), **Sch. 2 para. 1** (with [Sch. 2 paras. 3, 4](#)); [S.I. 2016/69](#), reg. 2
- C2** Pt. 7 restricted (1.2.2016) by [European Union Referendum Act 2015 \(c. 36\)](#), s. 13(2), **Sch. 1 para. 21**; [S.I. 2016/69](#), reg. 2
- C3** Pt. 7 applied (1.2.2016) by [European Union Referendum Act 2015 \(c. 36\)](#), **ss. 3, 13(2)** (with [Schs. 1-3](#)); [S.I. 2016/69](#), reg. 2
- C4** Pt. 7 excluded (1.2.2016) by [European Union Referendum Act 2015 \(c. 36\)](#), s. 13(2), **Sch. 1 para. 19**; [S.I. 2016/69](#), reg. 2
- C5** S. 105 applied (with modifications) (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004 \(S.I. 2004/1962\)](#), art. 7(1), **Sch. 3 Pt. 1**
- C6** S. 105 restricted (1.2.2016) by [European Union Referendum Act 2015 \(c. 36\)](#), s. 13(2), **Sch. 1 para. 7(2)**; [S.I. 2016/69](#), reg. 2
- C7** S. 105(1) modified (1.2.2016) by [European Union Referendum Act 2015 \(c. 36\)](#), s. 13(2), **Sch. 1 para. 2**; [S.I. 2016/69](#), reg. 2
- C8** S. 105(2) modified (1.2.2016) by [European Union Referendum Act 2015 \(c. 36\)](#), s. 13(2), **Sch. 1 para. 5**; [S.I. 2016/69](#), reg. 2

Commencement Information

- II** S. 105 wholly in force at 16.2.2001; s. 105 not in force at Royal Assent, see s. 163(2); s. 105 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](#))

106 Declarations and notifications for purposes of section 105.

- (1) For the purposes of section 105(1) a registered party makes a declaration to the Commission under this section if the party makes a declaration to the Commission which identifies—
 - (a) the referendum to which it relates, and
 - (b) the outcome or outcomes for which the party proposes to campaign.
- (2) A declaration under this section—
 - (a) must be signed by the responsible officers of the party (within the meaning of section 64); and
 - (b) if made by a minor party, must be accompanied by a notification which states the name of the person who will be responsible for compliance on the part of the party with the provisions of Chapter II.
- (3) For the purposes of section 105(1) an individual or body gives a notification to the Commission under this section if he or it gives the Commission a notification which identifies—
 - (a) the referendum to which it relates, and
 - (b) the outcome or outcomes for which the giver of the notification proposes to campaign.
- (4) A notification under this section must—
 - (a) if given by an individual, state—

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- (i) his full name, and
 - (ii) his home address in the United Kingdom, or (if he has no such address in the United Kingdom) his home address elsewhere,
- and be signed by him;
- (b) if given by a body falling within any of paragraphs (b) and (d) to (h) of section 54(2), state—
 - (i) all such details in respect of the body as are required by virtue of any of sub-paragraphs (4) and (6) to (10) of paragraph 2 of Schedule 6 to be given in respect of such a body as the donor of a recordable donation, and
 - (ii) the name of the person or officer who will be responsible for compliance on the part of the body with the provisions of Chapter II, and be signed by the body’s secretary or a person who acts in a similar capacity in relation to the body.
- (5) If at any time before the end of the compliance period any of the statements which, in accordance with any provision of subsection (4), are contained in a notification under this section (as it has effect for the time being) ceases to be accurate, the permitted participant by whom the notification was given shall give the Commission a notification (“a notification of alteration”) indicating that that statement is replaced by some other statement—
- (a) contained in the notification of alteration, and
 - (b) conforming with that provision of subsection (4).
- (6) For the purposes of subsection (5)—
- (a) “the compliance period” is the period during which any provisions of Chapter II remain to be complied with on the part of the permitted participant; and
 - (b) any reference to subsection (4) shall be read, in relation to a notification under subsection (2), as a reference to subsection (2).
- (7) In this section and sections 108 and 109 “outcome”, in the case of a referendum, means a particular outcome in relation to any question asked in the referendum.

Modifications etc. (not altering text)

- C9** S. 106 applied (with modifications) (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004 \(S.I. 2004/1962\)](#), art. 7(1), **Sch. 3 Pt. 1**
 - C10** S. 106 modified (1.2.2016) by [European Union Referendum Act 2015 \(c. 36\)](#), s. 13(2), **Sch. 1 para. 6**; [S.I. 2016/69](#), reg. 2
 - C11** S. 106 modified (1.2.2016) by [European Union Referendum Act 2015 \(c. 36\)](#), s. 13(2), **Sch. 1 para. 3(1)**; [S.I. 2016/69](#), reg. 2
 - C12** S. 106(3) modified (1.2.2016) by [European Union Referendum Act 2015 \(c. 36\)](#), s. 13(2), **Sch. 1 para. 7(1)**; [S.I. 2016/69](#), reg. 2
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Commencement Information

- I2** S. 106 wholly in force at 16.2.2001; s. 106 not in force at Royal Assent, see s. 163(2); s. 106 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](#))

107 Register of declarations and notifications for purposes of section 105.

- (1) The Commission shall maintain a register of—

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- (a) all declarations made to them under section 106; and
 - (b) all notifications given to them under that section.
- (2) The register shall be maintained by the Commission in such form as they may determine and shall contain, in the case of each such declaration or notification, all of the information supplied to the Commission in connection with it in pursuance of section 106.
- (3) Where any declaration or notification is made or given to the Commission under section 106, they shall cause—
- (a) the information mentioned in subsection (2) to be entered in the register, or
 - (b) in the case of a notification under section 106(5), any change required as a consequence of the notification to be made in the register,
- as soon as is reasonably practicable.
- (4) The information to be entered in the register in respect of a permitted participant who is an individual shall, however, not include his home address.

Modifications etc. (not altering text)

C13 S. 107 applied (23.7.2004) by [The Regional Assembly and Local Government Referendums Order 2004 \(S.I. 2004/1962\)](#), art. 7(1), **Sch. 3 Pt. 1**

C14 S. 107 restricted (1.2.2016) by [European Union Referendum Act 2015 \(c. 36\)](#), s. 13(2), **Sch. 1 para. 7(2)**; [S.I. 2016/69](#), reg. 2

Commencement Information

I3 S. 107 wholly in force at 16.2.2001; s. 107 not in force at Royal Assent, see s. 163(2); s. 107 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](#))

Changes to legislation:

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

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

- s. 2(2A) inserted by 2022 c. 37 s. 18(1)
- s. 4A-4E and cross-heading inserted by 2022 c. 37 s. 16
- s. 8(3)(d) inserted by 2011 c. 13 Sch. 10 para. 12
- s. 13ZA and cross-heading inserted by 2022 c. 37 s. 17(1)
- s. 54(1)(aa) inserted by 2009 c. 12 s. 9(1)
- s. 54(1)(aa) substituted by 2009 c. 12 s. 10(1)
- s. 54(2ZA)-(2ZC) inserted by 2009 c. 12 s. 10(3)
- s. 56(1A) inserted by 2009 c. 12 s. 10(5)
- s. 56(2)(aa) inserted by 2009 c. 12 s. 9(3)(b)
- s. 56(3B) inserted by 2009 c. 12 s. 9(4)
- s. 71H(3ZA) inserted by 2009 c. 12 Sch. 6 para. 19
- s. 71L(9A) inserted by 2009 c. 12 s. 11(2)
- Sch. 1 para. 2(1) Sch. 1 para. 2 renumbered as Sch. 1 para. 2(1) by 2022 c. 37 s. 19(2)
- Sch. 1 para. 2(2) inserted by 2022 c. 37 s. 19(4)
- Sch. 1 para. 2(1) words inserted by 2022 c. 37 s. 19(3)(a)
- Sch. 1 para. 2(1) words omitted by 2022 c. 37 s. 19(3)(b)
- Sch. 2 para. 2(1A) inserted by 2022 c. 37 s. 18(2)
- Sch. 2 para. 4 and cross-heading inserted by 2022 c. 37 s. 17(2)
- Sch. 7 para. 6(1)(aa) inserted by 2009 c. 12 Sch. 3 para. 1(1)
- Sch. 7 para. 8(1A) inserted by 2009 c. 12 Sch. 4 para. 2
- Sch. 7 para. 10(5)(aa) inserted by 2009 c. 12 Sch. 3 para. 2(5)(b)
- Sch. 7 para. 6(1)(aa) substituted by 2009 c. 12 Sch. 4 para. 1(1)
- Sch. 7 para. 10(5)(aa) words inserted by 2009 c. 12 Sch. 4 para. 3(3)
- Sch. 7A para. 8(9A) inserted by 2009 c. 12 s. 11(5)
- Sch. 7A para. 9(10)(ba) inserted by 2009 c. 12 s. 11(6)(b)
- Sch. 11 para. 4(3) inserted by 2009 c. 12 Sch. 6 para. 29(2)
- Sch. 11 para. 6(1)(aa) inserted by 2009 c. 12 Sch. 3 para. 4(1)
- Sch. 11 para. 7(2)(aa) inserted by 2009 c. 12 Sch. 4 para. 5
- Sch. 11 para. 6(1)(aa) substituted by 2009 c. 12 Sch. 4 para. 4(1)
- Sch. 11 para. 4(3) words inserted by 2009 c. 12 Sch. 6 para. 29(3)
- Sch. 15 para. 4(3)(4) inserted by 2009 c. 12 Sch. 6 para. 30(2)(b)
- Sch. 15 para. 6(1)(aa) inserted by 2009 c. 12 Sch. 3 para. 7(1)
- Sch. 15 para. 7(2)(aa) inserted by 2009 c. 12 Sch. 4 para. 8
- Sch. 15 para. 6(1)(aa) substituted by 2009 c. 12 Sch. 4 para. 7(1)
- Sch. 15 para. 4(3) words inserted by 2009 c. 12 Sch. 6 para. 30(3)