

SCHEDULES

SCHEDULE 10

Section 94.

LIMITS ON CONTROLLED EXPENDITURE

PART I

INTRODUCTORY

Interpretation

- 1 (1) In this Schedule—
- (a) “an ordinary general election to the Scottish Parliament” means an election held under section 2 of the Scotland Act 1998;
 - (b) “an extraordinary general election to the Scottish Parliament” means an election held under section 3 of the Scotland Act 1998;
 - (c) “an ordinary election to the Welsh Assembly” means an election held under section 3 of the Government of Wales Act 1998;
 - (d) “an ordinary general election to the Northern Ireland Assembly” means an election held under section 31 of the Northern Ireland Act 1998; and
 - (e) “an extraordinary general election to the Northern Ireland Assembly” means an election held under section 32 of the Northern Ireland Act 1998.
- (2) For the purposes of this Schedule a parliamentary general election is pending during the period—
- (a) beginning with the date on which Her Majesty’s intention to dissolve Parliament is announced in connection with a forthcoming parliamentary general election, and
 - (b) ending with the date of the poll for that election.

Attribution of expenditure to different parts of the United Kingdom

- 2 (1) For the purposes of this Schedule controlled expenditure incurred by or on behalf of any recognised third party shall (subject to the following provisions of this paragraph) be attributed to each of England, Scotland, Wales and Northern Ireland in proportion to the number of parliamentary constituencies for the time being situated in that part of the United Kingdom.
- (2) Controlled expenditure whose effects are wholly or substantially confined to any particular parts or part of the United Kingdom—
- (a) shall be attributed to those parts in proportion to the number of parliamentary constituencies for the time being situated in those parts, or
 - (b) shall be attributed solely to that part,
- as the case may be.

Status: This is the original version (as it was originally enacted).

- (3) For the purposes of sub-paragraph (2) the effects of controlled expenditure are wholly or substantially confined to any particular parts or part of the United Kingdom if they have no significant effects in any other part or parts (so that, for example, expenditure on an advertisement in a newspaper circulating in Wales is to be attributed solely to Wales if the newspaper does not circulate to any significant extent in any other part of the United Kingdom).
- (4) References in this Schedule to controlled expenditure “in” a particular part of the United Kingdom are accordingly to controlled expenditure which is to be attributed to that part in accordance with this paragraph.

PART II

GENERAL LIMITS

Parliamentary general elections

- 3 (1) This paragraph imposes limits in relation to a parliamentary general election.
- (2) The limit applying to controlled expenditure which is incurred by or on behalf of a recognised third party in the relevant period in each of England, Scotland, Wales and Northern Ireland is—
- (a) in relation to England, £793,500;
 - (b) in relation to Scotland, £108,000;
 - (c) in relation to Wales, £60,000; and
 - (d) in relation to Northern Ireland, £27,000.
- (3) For the purposes of this paragraph the relevant period is—
- (a) (subject to paragraph (b)) the period of 365 days ending with the date of the poll for the election;
 - (b) where the election (“the election in question”) follows another parliamentary general election held less than 365 days previously, the period—
 - (i) beginning with the day after the date of the poll for the earlier election, and
 - (ii) ending with the date of the poll for the election in question.

General elections to European Parliament

- 4 (1) This paragraph imposes limits in relation to a general election to the European Parliament.
- (2) The limit applying to controlled expenditure which is incurred by or on behalf of a recognised third party in the relevant period in each of England, Scotland, Wales and Northern Ireland is—
- (a) in relation to England, £159,750;
 - (b) in relation to Scotland, £18,000;
 - (c) in relation to Wales, £11,259; and
 - (d) in relation to Northern Ireland, £6,750.
- (3) For the purposes of this paragraph the relevant period is the period of four months ending with the date of the poll for the election.

Status: This is the original version (as it was originally enacted).

General elections to Scottish Parliament

- 5
- (1) This paragraph imposes limits in relation to an ordinary or extraordinary general election to the Scottish Parliament.
 - (2) The limit applying to controlled expenditure which is incurred by or on behalf of a recognised third party in the relevant period in Scotland is £75,800.
 - (3) In the case of an ordinary general election, “the relevant period” for the purposes of this paragraph is the period beginning with the appropriate date (as defined by sub-paragraph (4)) and ending with the date of the poll.
 - (4) In sub-paragraph (3) “the appropriate date” means the date which falls four months before the date of the poll where—
 - (a) the date of the poll is that determined by section 2(2) of the Scotland Act 1998; or
 - (b) no less than five months before the day on which the poll would have taken place under section 2(2) of that Act, the date of the poll is brought forward under section 2(5) of that Act; or
 - (c) no less than four months before the day on which the poll would have taken place under section 2(2) of that Act, the date of the poll is postponed under section 2(5) of that Act;but where the date of the poll is brought forward or postponed otherwise than as mentioned in paragraph (b) or (c) above “the appropriate date” means the date which falls four months before the date when the poll would have taken place under section 2(2) of the Act.
 - (5) In the case of an extraordinary general election, “the relevant period” for the purposes of this paragraph is the period beginning with the date when the Presiding Officer proposes a day for the poll for the election under section 3(1) of the Scotland Act 1998 and ending with the date of the poll for the election.

Ordinary elections to Welsh Assembly

- 6
- (1) This paragraph imposes limits in relation to an ordinary election to the Welsh Assembly.
 - (2) The limit applying to controlled expenditure which is incurred by or on behalf of a recognised third party in the relevant period in Wales is £30,000.
 - (3) For the purposes of this paragraph “the relevant period” is the period beginning with the appropriate date (as defined by sub-paragraph (4)) and ending with the date of the poll.
 - (4) In sub-paragraph (3) “the appropriate date” is the date which falls four months before the date of the poll where—
 - (a) the date of the poll is that determined by section 3(2) of the Government of Wales Act 1998;
 - (b) no less than five months before the day on which the poll would have taken place under section 3(2) of that Act, the date of the poll is brought forward under section 3(3) of that Act; or
 - (c) no less than four months before the day on which the poll would have taken place under section 3(2) of the Act, the date of the poll is postponed under section 3(3) of that Act;

Status: This is the original version (as it was originally enacted).

but where the date of the poll is brought forward or postponed otherwise than as mentioned in paragraph (b) or (c) above “the appropriate date” means the date which falls four months before the date when the poll would have taken place under section 3(2) of that Act.

General elections to Northern Ireland Assembly

- 7 (1) This paragraph imposes limits in relation to an ordinary or extraordinary general election to the Northern Ireland Assembly.
- (2) The limit applying to controlled expenditure which is incurred by or on behalf of a recognised third party in the relevant period in Northern Ireland is £15,300.
- (3) In the case of an ordinary general election, “the relevant period” for the purposes of this paragraph is the period beginning with the appropriate date (as defined by sub-paragraph (4)) and ending with the date of the poll.
- (4) In sub-paragraph (3) “the appropriate date” means the date which falls four months before the date of the poll where—
- (a) the date of the poll is that determined by section 31(1) and (2) of the Northern Ireland Act 1998; or
 - (b) no less than five months before the day on which the poll would have taken place under section 31(1) and (2) of that Act, the date of the poll is brought forward under section 31(3) of that Act; or
 - (c) no less than four months before the day on which the poll would have taken place under section 31(1) and (2) of that Act, the date of the poll is postponed under section 31(3) of that Act;
- but where the date of the poll is brought forward or postponed otherwise than as mentioned in paragraph (b) or (c) above “the appropriate date” means the date which falls four months before the date when the poll would have taken place under section 31(1) and (2) of that Act.
- (5) In the case of an extraordinary general election, “the relevant period” for the purposes of this paragraph is the period beginning with the date when the Secretary of State proposes a date for the poll for the election under section 32(1) or (3) of the Northern Ireland Act 1998 and ending with the date of the poll for the election.

PART III

LIMITS APPLYING IN SPECIAL CIRCUMSTANCES

Combination of elections to European Parliament and to devolved legislature

- 8 (1) This paragraph imposes, in the circumstances mentioned in sub-paragraph (2), a limit in relation to—
- (a) a general election to the European Parliament; and
 - (b) an election to which paragraph 5, 6 or 7 would (apart from this paragraph) apply.
- (2) Where any part of the period which is the relevant period for the purposes of paragraph 4 in relation to a general election to the European Parliament falls within

Status: This is the original version (as it was originally enacted).

any period which is the relevant period for the purposes of any of paragraphs 5 to 7 in relation to an election to the legislature mentioned in that paragraph—

- (a) neither paragraph 4 nor paragraph 5, 6 or 7 (as the case may be) shall apply, in connection with either of those elections, to controlled expenditure incurred by or on behalf of a recognised third party in the part of the United Kingdom mentioned in paragraph 5(2), 6(2) or 7(2) (as the case may be); and
 - (b) the limit imposed by this paragraph shall apply to it instead.
- (3) The limit applying to controlled expenditure which is incurred by or on behalf of a recognised third party in the relevant period for the purposes of this paragraph in Scotland, Wales or Northern Ireland (as the case may be) is the aggregate of—
- (a) the limit which by virtue of paragraph 4 would (apart from this paragraph) apply to such expenditure incurred in that part of the United Kingdom during the relevant period for the purposes of that paragraph; and
 - (b) the limit which by virtue of paragraph 5, 6 or 7 would (apart from this paragraph) apply to such expenditure incurred in that part of the United Kingdom during the relevant period for the purposes of that paragraph.
- (4) For the purposes of this paragraph “the relevant period” is the period which—
- (a) begins with whichever is the earlier of the dates on which the periods mentioned in sub-paragraph (2) begin, and
 - (b) ends with whichever is the later of the dates on which those periods end.

Combined limits where parliamentary election pending

- 9 (1) This paragraph imposes—
- (a) in the circumstances mentioned in sub-paragraph (2), a limit in relation to—
 - (i) such a pending parliamentary general election as is mentioned in that sub-paragraph, and
 - (ii) an election, or elections, in relation to which the limit imposed by any of paragraphs 4 to 8 would otherwise apply as mentioned in that sub-paragraph; and
 - (b) in the circumstances mentioned in sub-paragraph (5), limits in relation to—
 - (i) two such pending parliamentary elections as are mentioned in that sub-paragraph, and
 - (ii) an election, or elections, in relation to which the limit imposed by any of paragraphs 4 to 8 would otherwise apply as mentioned in sub-paragraph (2).
- (2) Where a parliamentary general election is pending during any part of the period in relation to which a limit imposed by any of paragraphs 4 to 8 would otherwise apply to controlled expenditure incurred by or on behalf of a recognised third party in a particular part of the United Kingdom—
- (a) neither that paragraph, nor paragraph 3, shall apply in relation to such expenditure; and
 - (b) the limit imposed by this paragraph shall apply to it instead.
- (3) Subject to sub-paragraphs (5) to (7), the limit applying to controlled expenditure which is incurred by or on behalf of the recognised third party in the relevant period for the purposes of this sub-paragraph in England, Scotland, Wales or Northern Ireland (as the case may be) is the aggregate of—

Status: This is the original version (as it was originally enacted).

- (a) the limit which by virtue of paragraph 3 would (apart from this paragraph) apply to such expenditure incurred in that part of the United Kingdom during the relevant period for the purposes of that paragraph; and
 - (b) the limit which by virtue of paragraph 4, 5, 6, 7 or 8 would (apart from this paragraph) apply to such expenditure incurred in that part of the United Kingdom during the relevant period for the purposes of that paragraph.
- (4) For the purposes of sub-paragraph (3) “the relevant period” is—
- (a) where the parliamentary general election takes place at the same time as, or later than—
 - (i) the election in relation to which paragraph 4, 5, 6 or 7 would otherwise apply, or
 - (ii) (as the case may be) the later of the elections in relation to which paragraph 8 would otherwise apply,
 the period which for the purposes of paragraph 3 is the relevant period in relation to the parliamentary general election;
 - (b) where the parliamentary general election takes place earlier than the election mentioned in paragraph (a)(i) or (ii), the period which—
 - (i) begins at the beginning of the period mentioned in paragraph (a), and
 - (ii) ends with the date of the poll for the later, or (where paragraph 8 would otherwise apply) the last, of the elections.
- (5) Where two parliamentary general elections are pending during different parts of any such period as is mentioned in sub-paragraph (2), the limits applying to controlled expenditure which is incurred by or on behalf of the recognised third party in the relevant periods in England, Scotland, Wales or Northern Ireland (as the case may be) are as follows—
- (a) in the case of expenditure incurred in the first relevant period, the limit is the aggregate of—
 - (i) the limit which by virtue of paragraph 3 would (apart from this paragraph) apply, in connection with the first of the parliamentary general elections to take place, to such expenditure incurred in that part of the United Kingdom during the relevant period for the purposes of that paragraph, and
 - (ii) the limit mentioned in sub-paragraph (3)(b) above; and
 - (b) in the case of expenditure incurred in the second relevant period, the limit is the limit which by virtue of paragraph 3 would (apart from this paragraph) apply, in connection with the second parliamentary general election to take place, to such expenditure incurred in that part of the United Kingdom during the relevant period for the purposes of that paragraph.
- (6) For the purposes of sub-paragraph (5) “the first relevant period” is the period which—
- (a) begins at the beginning of the period which would, apart from this paragraph, apply for the purposes of paragraph 3 to the first of the parliamentary general elections to take place; and
 - (b) ends with the date on which Her Majesty’s intention to dissolve Parliament is announced in connection with the second of the parliamentary general elections to take place.
- (7) For the purposes of sub-paragraph (5) “the second relevant period” is the period which—

Status: This is the original version (as it was originally enacted).

- (a) begins on the day after the date mentioned in sub-paragraph (6)(b) above; and
- (b) ends with whichever is the later of the following, namely—
 - (i) the date of the poll for the second parliamentary general election to take place; and
 - (ii) the date of the poll for the election in relation to which paragraph 4, 5, 6 or 7 would otherwise apply or, as the case may be, the date of the poll for the later of the elections in relation to which paragraph 8 would otherwise apply.

Combination of limit under paragraph 9 and other limit

- 10 (1) This paragraph imposes a limit where—
- (a) paragraph 9 would (apart from this paragraph) impose a limit on controlled expenditure in relation to a period that would either be—
 - (i) a relevant period for the purposes of paragraph 9(3), or
 - (ii) a first relevant period for the purposes of paragraph 9(5); and
 - (b) any period (“the other controlled period”) which is the relevant period for the purposes of any of paragraphs 4 to 8, but is not a period during which the parliamentary general election is pending, either—
 - (i) falls wholly within, or
 - (ii) ends at any time falling within,the period mentioned in paragraph (a).
- (2) In such a case—
- (a) the limit imposed by paragraph 9 shall not apply in relation to the period mentioned in sub-paragraph (1)(a); and
 - (b) instead the limit imposed by this paragraph shall apply in relation to the period which is the combined period for the purposes of this paragraph.
- (3) The limit applying to controlled expenditure which is incurred by or on behalf of a recognised third party during the combined period in England, Scotland, Wales or Northern Ireland (as the case may be) is the aggregate of—
- (a) the limit which by virtue of paragraph 9 would (apart from this paragraph) apply to such expenditure incurred in that part of the United Kingdom during the period mentioned in sub-paragraph (1)(a); and
 - (b) the limit applying, by virtue of paragraph 4, 5, 6, 7 or 8 (as the case may be), to such expenditure incurred in that part of the United Kingdom during the relevant period for the purposes of that paragraph.
- (4) For the purposes of this paragraph “the combined period” is the period which begins with whichever is the earlier of the following, namely—
- (a) the beginning of the period which is the relevant period for the purposes of paragraph 4, 5, 6, 7 or 8 (as the case may be), and
 - (b) the beginning of the period mentioned in sub-paragraph (1)(a),
- and ends at the end of the period mentioned in sub-paragraph (1)(a).
- (5) Nothing in this paragraph affects the application of any limit imposed by virtue of paragraph 4, 5, 6, 7 or 8 in relation to any period which is a relevant period for the purposes of that paragraph. Combination of parliamentary general election and other election, or elections, falling within paragraphs 4 to 8

Status: This is the original version (as it was originally enacted).

- 11 (1) This paragraph imposes a limit where—
- (a) any period (“the other controlled period”) which is the relevant period for the purposes of any of paragraphs 4 to 8 either—
 - (i) falls wholly within, or
 - (ii) ends at any time falling within,the period which would (apart from this paragraph) be the relevant period for the purposes of paragraph 3 in relation to a parliamentary general election; and
 - (b) paragraph 9 does not apply in connection with those elections.
- (2) In such a case—
- (a) the limit imposed by paragraph 3 shall not apply in relation to the relevant period for the purposes of that paragraph, and
 - (b) instead the limit imposed by this paragraph shall apply in relation to the period which is the combined period for the purposes of this paragraph.
- (3) The limit applying to controlled expenditure which is incurred by or on behalf of a recognised third party in the combined period in England, Scotland, Wales or Northern Ireland, as the case may be, is the aggregate of—
- (a) the limit which by virtue of paragraph 3 would (apart from this paragraph) apply to such expenditure incurred in that part of the United Kingdom during the relevant period for the purposes of that paragraph; and
 - (b) the limit applying by virtue of paragraph 4, 5, 6, 7 or 8 (as the case may be) to such expenditure incurred in that part of the United Kingdom during the relevant period for the purposes of that paragraph.
- (4) Where two or more periods (“the other controlled periods”) which are relevant periods for the purposes of any of paragraphs 4, 5, 7 or 8—
- (a) fall wholly within, or
 - (b) end at any time falling within,
- the period which would (apart from this paragraph) be the relevant period for the purposes of paragraph 3 in relation to the parliamentary general election, sub-paragraph (3)(b) shall operate in relation to each of the limits applying in relation to those periods so as to produce two or more amounts to be added to the amount referred to in sub-paragraph (3)(a).
- (5) For the purposes of this paragraph “the combined period” is the period which begins with whichever is the earlier of the following, namely—
- (a) the beginning of—
 - (i) the period which is the relevant period for the purposes of paragraph 4, 5, 6, 7 or 8 (as the case may be), or
 - (ii) where sub-paragraph (4) applies, whichever of the relevant periods for the purposes of paragraph 4, 5, 7 or 8 is the first to begin, and
 - (b) the beginning of the period which would (apart from this paragraph) be the relevant period for the purposes of paragraph 3 in relation to the parliamentary general election,
- and ends with the date of the poll for the parliamentary general election.
- (6) Nothing in this paragraph affects the application of any limit imposed by virtue of paragraph 4, 5, 6, 7 or 8 in relation to any period which is a relevant period for the purposes of that paragraph.