

Changes to legislation: Political Parties, Elections and Referendums Act 2000, Part 5 is up to date with all changes known to be in force on or before 07 June 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

[^{F1}SCHEDULE 19C

CIVIL SANCTIONS

Textual Amendments

- F1** Sch. 19C inserted (1.12.2010) by [Political Parties and Elections Act 2009 \(c. 12\)](#), ss. 3(2), 43(1), [Sch. 2](#); S.I. 2010/2866, art. 3(c)(f) (with art. 6)

Modifications etc. (not altering text)

- C1** Sch. 19C modified by 2000 c. 41, Pt. 7 Ch. 2 (as modified (1.2.2016) by [European Union Referendum Act 2015 \(c. 36\)](#), s. 13(2), [Sch. 1 para. 37\(1\)](#) (with Sch. 1 para. 37(2)); S.I. 2016/69, reg. 2)
- C1** Sch. 19C modified (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011 \(c. 1\)](#), ss. 6(6)(7), 19(1), [Sch. 9](#)
- C1** Sch. 19C modified (1.2.2016) by [European Union Referendum Act 2015 \(c. 36\)](#), s. 13(2), [Sch. 2 para. 9\(5\)](#) (with Sch. 9 para. 9(6)); S.I. 2016/69, reg. 2
- C1** Sch. 19C modified (1.2.2016) by [European Union Referendum Act 2015 \(c. 36\)](#), s. 13(2), [Sch. 2 para. 2\(7\)](#) (with Sch. 2 para. 2(8)); S.I. 2016/69, reg. 2
- C1** Sch. 19C modified (1.2.2016) by [European Union Referendum Act 2015 \(c. 36\)](#), s. 13(2), [Sch. 1 para. 44\(4\)](#) (with Sch. 1 para. 44(6)); S.I. 2016/69, reg. 2

PART 5

POWER TO MAKE SUPPLEMENTARY PROVISION ETC BY ORDER

Supplementary orders: general

- 16 (1) The Secretary of State may by order (a “supplementary order”)—
- make provision (including transitional provision) supplementing that made by this Schedule;
 - make provision that is consequential on or incidental to that made by this Schedule.
- (2) The following provisions of this Part are not to be read as limiting the power conferred by sub-paragraph (1).
- (3) A supplementary order may make provision amending, repealing or revoking an enactment (whenever passed or made).

Consultation

- 17 (1) Before making a supplementary order the Secretary of State shall consult the Commission and such other persons (if any) as the Secretary of State considers appropriate.

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- (2) If, as a result of any consultation required by sub-paragraph (1), it appears to the Secretary of State that it is appropriate substantially to change the whole or any part of the proposals, the Secretary of State shall undertake such further consultation with respect to the changes as the Secretary of State considers appropriate.
- (3) If, before the day on which this Schedule comes into effect, any consultation was undertaken which, had it been undertaken after that day, would to any extent have satisfied the requirements of this paragraph, those requirements may to that extent be taken to have been satisfied.

Monetary penalties

- 18 (1) A supplementary order may make any of the following provision in relation to the power of the Commission to require a person to pay a fixed monetary penalty, a variable monetary penalty or a non-compliance penalty—
 - (a) provision for early payment discounts;
 - (b) provision for the payment of interest or other financial penalties for late payment;
 - (c) provision for enforcement.
- (2) Provision made by virtue of sub-paragraph (1)(b) must secure that the interest or other financial penalties for late payment do not in total exceed the amount of the penalty itself.
- (3) Provision made by virtue of sub-paragraph (1)(c) may include—
 - (a) provision for the Commission to recover the penalty, and any interest or other financial penalty for late payment, as a civil debt;
 - (b) provision for the penalty, and any interest or other financial penalty for late payment, to be recoverable, on the order of a court, as if payable under a court order.
- (4) In relation to the power of the Commission to require a person to pay a fixed monetary penalty, a variable monetary penalty or a non-compliance penalty for failing to comply with a requirement or undertaking by the end of a particular period, a supplementary order may—
 - (a) make provision under which the amount of the penalty is determined by reference to the length of time between the end of that period and the time of compliance;
 - (b) make provision for successive penalties to be payable in a case of continued failure to comply.

Enforcement undertakings

- 19 A supplementary order may make any of the following provision in relation to an enforcement undertaking—
 - (a) provision as to the procedure for entering into an undertaking;
 - (b) provision as to the terms of an undertaking;
 - (c) provision as to publication of an undertaking by the Commission;
 - (d) provision as to variation of an undertaking;
 - (e) provision as to circumstances in which a person may be regarded as having complied with an undertaking;

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- (f) provision as to monitoring by the Commission of compliance with an undertaking;
- (g) provision as to certification by the Commission that an undertaking has been complied with;
- (h) provision for appeals against refusal to give such certification;
- (i) in a case where a person has given inaccurate, misleading or incomplete information in relation to an undertaking, provision for the person to be regarded as not having complied with it;
- (j) in a case where a person has complied partly but not fully with an undertaking, provision for that part-compliance to be taken into account in the imposition of any criminal or other sanction on the person.

Extension of time for taking criminal proceedings

- 20 For the purposes of enabling criminal proceedings to be instituted against a person in respect of an offence under this Act—
- (a) in the case referred to in paragraph 8(2), or
 - (b) in a case where there has been a breach of an enforcement undertaking or any part of an enforcement undertaking,
- a supplementary order may make provision extending any period within which such proceedings may be instituted.

Appeals

- 21 (1) A supplementary order may make any of the following provision in relation to an appeal in respect of the imposition of a requirement, or the service of a notice, under this Schedule—
- (a) provision suspending the requirement or notice pending determination of the appeal;
 - (b) provision as to the powers of the court to which the appeal is made;
 - (c) provision as to how a sum payable in pursuance of a decision of that court is to be recoverable.
- (2) Provision made by virtue of sub-paragraph (1)(b) may in particular include provision conferring on the court to which the appeal is made—
- (a) power to withdraw the requirement or notice;
 - (b) power to confirm the requirement or notice;
 - (c) power to take such steps as the Commission could take in relation to the act or omission giving rise to the requirement or notice;
 - (d) power to remit the decision whether to confirm the requirement or notice, or any matter relating to that decision, to the Commission;
 - (e) power to award costs or (in the case of a court in Scotland) expenses.]

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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\(3\)](#)