



# Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014

## 2014 CHAPTER 4

### PART 4

#### SUPPLEMENTARY

#### 44 Financial provision

There is to be paid out of money provided by Parliament—

- (a) any expenditure incurred by a Minister of the Crown under or by virtue of this Act, and
- (b) any increase attributable to this Act in the sums payable under any other Act out of money so provided.

#### 45 Commencement

(1) The following provisions of this Act come into force on such day as the Minister may appoint by order made by statutory instrument—

- (a) Part 1, except as mentioned in subsection (3)(a);
- (b) in Part 2—
  - (i) section 26(11) and (12) (definition of “election material”);
  - (ii) section 31 (extension of power to vary specified sums);
  - (iii) section 32 (recognised third parties);
  - (iv) section 36 (third party expenditure in respect of candidates);
  - (v) section 37 (candidate’s personal expenses not to count for local election expenses limit in England and Wales);
  - (vi) section 38 (functions of Electoral Commission with respect to compliance);

- (c) Part 3, except as mentioned in subsection (3)(c).
- (2) An order under subsection (1)—
  - (a) may appoint different days for different purposes, and
  - (b) may make transitional, transitory or saving provision.
- (3) The following provisions of this Act come into force on the day on which the Act is passed—
  - (a) any provision of Part 1 which confers power to make regulations, for the purposes of the exercise of that power;
  - (b) the provisions of Part 2 not mentioned in subsection (1)(b);
  - (c) section 41, for the purposes of the exercise of the power to make subordinate legislation conferred by section 24ZB(3) of the Trade Union and Labour Relations (Consolidation) Act 1992 (which is inserted by that section);
  - (d) Part 4.
- (4) Section 46 contains transitional provision relating to the commencement of the provisions to which subsection (3)(b) applies.
- (5) “The Minister” means—
  - (a) for the purposes of subsection (1)(a) and (b), the Secretary of State or the Lord President of the Council;
  - (b) for the purposes of subsection (1)(c), the Secretary of State.

#### **46 Transitional provision**

- (1) The amendments made by Part 2 which in accordance with section 45(3)(b) come into force on the day on which this Act is passed have effect only in relation to—
  - (a) regulated periods beginning after that day, or
  - (b) (for the purposes of enactments having effect otherwise than in relation to regulated periods) expenditure incurred after that day.
- (2) In this section “regulated period” means a period in relation to which any limit is imposed by—
  - (a) Schedule 9 to PPERA 2000 (limits on campaign expenditure), or
  - (b) Schedule 10 to that Act (limits on controlled expenditure),
 (including a period in relation to which a limit is imposed by that Schedule by virtue of subsection (3)(b) or (5)(b)).
- (3) If, apart from this subsection, the day on which this Act is passed would fall within a period in relation to which one or more limits are imposed by paragraph 11 of Schedule 9 to PPERA 2000 (limit on campaign expenditure where combination of parliamentary election and other election)—
  - (a) paragraph 11(2) of that Schedule (which disapplies limits and periods which would otherwise be imposed by paragraph 3 of that Schedule and substitutes new limits and periods) is of no effect (and is treated as never having had effect) in relation to the parliamentary general election, and
  - (b) for the purposes of paragraph 3 of that Schedule as it applies by virtue of paragraph (a), the relevant period is the Schedule 9 transitional period.
- (4) In subsection (3) “the Schedule 9 transitional period” means the period—
  - (a) beginning with 23 May 2014, and

- (b) ending with the date of the poll for the parliamentary general election.
- (5) If, apart from this subsection, the day on which this Act is passed would fall within a period in relation to which one or more limits are imposed by paragraph 11 of Schedule 10 to PPERA 2000 (limit on controlled expenditure where combination of parliamentary election and other election)—
  - (a) paragraph 11(2) of that Schedule (which disapplies limits and periods which would otherwise be imposed by paragraph 3 of that Schedule and substitutes new limits and periods) is of no effect (and is treated as never having had effect) in relation to the parliamentary general election, and
  - (b) for the purposes of paragraph 3 of that Schedule as it applies by virtue of paragraph (a), the relevant period is the Schedule 10 transitional period.
- (6) In subsection (5) “the Schedule 10 transitional period” means the period—
  - (a) beginning with 19 September 2014, and
  - (b) ending with the date of the poll for the parliamentary general election.
- (7) Subsections (3) and (5) do not apply in the case of a period in relation to which one or more limits are imposed by paragraph 11 of Schedule 9 to PPERA 2000, or paragraph 11 of Schedule 10 to that Act, that ends with the date of the poll for an early parliamentary general election.
- (8) An “early parliamentary general election” is a parliamentary general election the date of the poll for which is appointed under section 2(7) of the Fixed-term Parliaments Act 2011.
- (9) The Minister may by order made by statutory instrument make provision disapplying the preceding provisions of this section, and applying alternative transitional, transitory or saving provision, where a poll for an extraordinary general election to the Scottish Parliament, the National Assembly for Wales or the Northern Ireland Assembly takes place in the period—
  - (a) beginning with the day after that on which this Act is passed, and
  - (b) ending with the date of the poll for the next parliamentary general election.
- (10) A statutory instrument containing an order under subsection (9) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (11) In this section—
  - “the Minister” means the Secretary of State or the Lord President of the Council;
  - “PPERA 2000” means the Political Parties, Elections and Referendums Act 2000.

#### **47 Power to make consequential provision**

- (1) The Minister may by order made by statutory instrument make provision consequential on any provision of Part 2 or section 46.
- (2) An order under this section—
  - (a) may include provision amending or modifying any provision of or made under PPERA 2000 (including any provision inserted by this Act),

- (b) may include incidental, supplementary, transitional, transitory or saving provision, and
  - (c) may make different provision for different purposes or cases or for different areas.
- (3) A statutory instrument containing an order under this section that amends or modifies any provision of PPERA 2000 may not be made unless a draft of the instrument containing it has been laid before, and approved by a resolution of, each House of Parliament.
- (4) Any other statutory instrument containing an order under this section is subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) No order may be made under this section after the date of the poll for the first relevant parliamentary general election.
- (6) In this section—
- “the first relevant parliamentary general election” has the same meaning as in section 39;
  - “the Minister” means the Secretary of State or the Lord President of the Council;
  - “PPERA 2000” means the Political Parties, Elections and Referendums Act 2000.

#### **48 Extent**

- (1) Part 1 of this Act extends to the United Kingdom.
- (2) In Part 2 of this Act—
- (a) section 33(10) to (13) extends to the United Kingdom and Gibraltar, and
  - (b) section 39 extends to the United Kingdom.
- (3) Any amendment or repeal made by Part 2 or 3 of this Act has the same extent as the enactment amended or repealed.
- (4) Part 4 of this Act extends to the United Kingdom and Gibraltar.

#### **49 Short title**

This Act may be cited as the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014.