



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

2014 CHAPTER 4

PART 2

NON-PARTY CAMPAIGNING ETC

Controlled expenditure

29 Constituency limits

- (1) Part 6 of the Political Parties, Elections and Referendums Act 2000 (controls relating to third party national election campaigns) is amended as follows.
- (2) In section 94 (limits on controlled expenditure by third parties)—
 - (a) in subsection (1), after “Northern Ireland” insert “, or in particular parliamentary constituencies,”;
 - (b) in subsection (2)—
 - (i) after “part of the United Kingdom” (the first time it occurs) insert “or a parliamentary constituency”;
 - (ii) after “part of the United Kingdom” (the second time it occurs) insert “or parliamentary constituency”;
 - (c) in subsection (6)—
 - (i) in paragraph (a), after “part of the United Kingdom” insert “or a particular parliamentary constituency”;
 - (ii) in the words after paragraph (b), after “part of the United Kingdom” insert “or parliamentary constituency”;
 - (d) in subsection (10), after paragraph (e) (as inserted by section 28) insert—

“(f) any reference to controlled expenditure being incurred in a parliamentary constituency shall be construed in accordance with paragraph 2A of Schedule 10.”

(3) In section 96 (returns as to controlled expenditure)—

(a) in subsection (2), after paragraph (a) insert—

“(aa) a statement listing each constituency (if any) in which the controlled expenditure incurred by or on behalf of the third party during that period exceeded 0.04% of the total of the maximum campaign expenditure limits in England, Scotland, Wales and Northern Ireland;

(ab) a statement showing, for each constituency listed under paragraph (aa), all payments made in respect of controlled expenditure incurred by or on behalf of the third party during that period in that constituency;”;

(b) in subsection (3)(a), after “subsection (2)(a)” insert “or (ab)”.

(4) Schedule 10 (limits on controlled expenditure) is amended in accordance with subsections (5) to (9).

(5) After paragraph 2 insert—

“Attribution of expenditure to different parliamentary constituencies

2A (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 parliamentary constituency in equal proportions.

(2) Controlled expenditure whose effects are wholly or substantially confined to any particular constituencies or constituency—

(a) shall be attributed to those constituencies in equal proportions, or

(b) shall be attributed solely to that constituency,

as the case may be.

(3) For the purposes of sub-paragraph (2), the effects of controlled expenditure are wholly or substantially confined to any particular constituencies or constituency if they have no significant effects in any other constituency or constituencies.

(4) References in this Schedule to controlled expenditure “in” a particular constituency are accordingly to controlled expenditure which is to be attributed to that constituency in accordance with this paragraph.”

(6) After paragraph 3(2) insert—

“(2A) The limit applying to controlled expenditure which is incurred by or on behalf of a recognised third party in the relevant period in any particular parliamentary constituency is 0.05% of the total of the maximum campaign expenditure limits in England, Scotland, Wales and Northern Ireland.”

(7) In paragraph 9 (combined limits where parliamentary election pending)—

(a) in sub-paragraph (1)(a), for “a limit” substitute “limits”;

(b) in sub-paragraph (2)(b), for “limit” substitute “limits”;

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

(c) after sub-paragraph (3) insert—

“(3A) 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 in any particular parliamentary constituency is the relevant proportion of the limit mentioned in paragraph 3(2A).

(3B) For this purpose “the relevant proportion” means—

$$\frac{A}{B}$$

where—

A is the number of days in the relevant period;

B is the number of days in the period which is the relevant period for the purposes of paragraph 3.”;

(d) in sub-paragraph (4), for “sub-paragraph (3)” substitute “sub-paragraphs (3) to (3B)”;

(e) after sub-paragraph (5) insert—

“(5A) Where two parliamentary general elections are pending during different parts of any such period as is mentioned in sub-paragraph (2)—

(a) the limit applying to controlled expenditure which is incurred by or on behalf of the recognised third party in the first relevant period in any particular parliamentary constituency is the relevant proportion of the limit mentioned in paragraph 3(2A), and

(b) the limit applying to controlled expenditure which is incurred by or on behalf of the recognised third party in the second relevant period in any particular parliamentary constituency is the relevant proportion of the limit mentioned in paragraph 3(2A).

(5B) For these purposes “the relevant proportion” means—

$$\frac{A}{B}$$

where—

A is the number of days in the first relevant period or (as the case may be) the second relevant period;

B is the number of days in the period which is the relevant period for the purposes of paragraph 3.”;

(f) in sub-paragraphs (6) and (7), for “sub-paragraph (5)” substitute “sub-paragraphs (5) to (5B)”.

(8) In paragraph 10 (combination of limit under paragraph 9 and other limit)—

(a) in sub-paragraph (1)—

(i) for “a limit” (in both places) substitute “limits”;

(ii) after “9(3)” insert “to (3B)”;

(iii) after “9(5)” insert “to (5B)”;

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

- (b) in sub-paragraph (2), for “limit” (in both places) substitute “limits”;
- (c) after sub-paragraph (3) insert—

“(3A) The limit applying to controlled expenditure which is incurred by or on behalf of the recognised third party during the combined period in any particular parliamentary constituency is the relevant proportion of the limit mentioned in paragraph 3(2A).

(3B) For this purpose “the relevant proportion” means—

$$\frac{A}{B}$$

where—

A is the number of days in the combined period;

B is the number of days in the period which is the relevant period for the purposes of paragraph 3.”

- (9) In paragraph 11 (combination of parliamentary general election and other election, or elections, falling within paragraphs 4 to 8)—

- (a) in sub-paragraph (1), for “a limit” substitute “limits”;
- (b) in sub-paragraph (2), for “limit” (in both places) substitute “limits”;
- (c) after sub-paragraph (4) insert—

“(4A) The limit applying to controlled expenditure which is incurred by or on behalf of the recognised third party during the combined period in any particular parliamentary constituency is the relevant proportion of the limit mentioned in paragraph 3(2A).

(4B) For this purpose “the relevant proportion” means—

$$\frac{A}{B}$$

where—

A is the number of days in the combined period;

B is the number of days in the period which is the relevant period for the purposes of paragraph 3.”