SCHEDULES

SCHEDULE 3

REGULATION OF EXPENDITURE

PART 4

MEANING OF "PETITION EXPENSE"

Guidance

16 (1) The Electoral Commission ("the Commission") may prepare, and from time to time revise, a code of practice giving—

(a) guidance as to the cases or circumstances in which expenses are, or are not, within paragraph 13(1)(a);

(b) guidance as to the matters which are, or are not, within paragraph 14 or 15.

(2) Once the Commission have prepared a draft code under this paragraph, they must submit it to the Minister for approval.

(3) The Minister may approve a draft code either without modification or with such modifications as the Minister may determine.

(4) Once the Minister has approved a draft code, the Minister must lay before Parliament—

(a) a copy of the draft, incorporating any modifications determined under sub-paragraph (3), and

(b) if the draft incorporates any such modifications, a statement of the Minister's reasons for making them.

(5) If, within the 40-day period, either House of Parliament resolves not to approve the draft, neither the Minister nor the Commission are to take any further step in relation to the draft code.

(6) If no such resolution is made within the 40-day period—

(a) the Commission must arrange for the code to be published, in such manner as they think appropriate, and

(b) the code comes into force on such date as the Minister may by regulations appoint.

(7) Sub-paragraph (5) does not prevent a new draft code from being laid before Parliament.

(8) In this paragraph "the 40-day period", in relation to a draft code, means—

(a) if the draft is laid before the two Houses of Parliament on different days, the period of 40 days beginning with the later of the two days, and

(b) in any other case, the period of 40 days beginning with the day on which the draft is laid before each House.

For that purpose, no account is to be taken of any period during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than 4 days.

(9) In this paragraph references to a draft code include a revised draft code.