

*Status: Point in time view as at 04/03/2016.*

*Changes to legislation: There are currently no known outstanding effects for the Recall of MPs Act 2015, PART 5. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 3

#### REGULATION OF EXPENDITURE

#### PART 5

##### ACCREDITED CAMPAIGNERS AND RESPONSIBLE PERSONS

###### *Meaning of “accredited campaigner”*

- 17 (1) In this Schedule “accredited campaigner” means a person (“P”) who—
- (a) is eligible to be an accredited campaigner (see paragraph 18),
  - (b) has delivered to the petition officer an accreditation notice (see paragraph 19), and
  - (c) has delivered to the petition officer a statement, signed by the individual named under paragraph 19(1)(d), confirming that he or she is willing to exercise the functions conferred by or by virtue of this Act on the responsible person in relation to P.
- (2) Sub-paragraph (1)(c) does not apply where—
- (a) P is a registered party but is not a minor party, or
  - (b) P is the individual named under paragraph 19(1)(d).

###### **Commencement Information**

**II** Sch. 3 para. 17 in force at 4.3.2016 by S.I. 2016/290, reg. 2

###### *Eligibility to be an accredited campaigner*

- 18 (1) A person is eligible to be an accredited campaigner if the person is any of the following—
- (a) a registered party;
  - (b) an individual who is resident in the United Kingdom;
  - (c) an individual who is registered in an electoral register;
  - (d) a company incorporated in the United Kingdom or another member State that is registered under the Companies Act 2006 and carries on business in the United Kingdom;
  - (e) a trade union entered in the list kept under the Trade Union and Labour Relations (Consolidation) Act 1992 or the Industrial Relations (Northern Ireland) Order 1992 (S.I. 1992/807 (N.I. 5));
  - (f) a building society (within the meaning of the Building Societies Act 1986);

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- (g) a limited liability partnership, registered under the Limited Liability Partnerships Act 2000, that carries on business in the United Kingdom;
  - (h) a friendly society registered under the Friendly Societies Act 1974, a registered society within the meaning of the Co-operative and Community Benefit Societies Act 2014 or a society registered (or deemed to be registered) under the Industrial and Provident Societies Act (Northern Ireland) 1969 (c. 24 (N.I.));
  - (i) an unincorporated association of two or more persons that is not within any of the preceding paragraphs but carries on business or other activities wholly or mainly in the United Kingdom and whose main office is there.
- (2) In this paragraph “an electoral register” means—
- (a) a register of parliamentary or local government electors maintained under section 9 of the Representation of the People Act 1983,
  - (b) a register of relevant citizens of the European Union prepared under the European Parliamentary Elections (Franchise of Relevant Citizens of the Union) Regulations 2001 (S.I. 2001/1184), or
  - (c) a register of peers prepared under regulations under section 3 of the Representation of the People Act 1985.

#### Commencement Information

**I2** Sch. 3 para. 18 in force at 4.3.2016 by S.I. 2016/290, reg. 2

#### Accreditation notice

- 19 (1) In this Part of this Schedule, “accreditation notice”, in relation to a person (“P”) who is eligible to be an accredited campaigner, means a notice—
- (a) identifying the recall petition to which it relates,
  - (b) stating whether P proposes to campaign for the success or failure of the petition,
  - (c) giving such further information as is required under sub-paragraph (3) in relation to P,
  - (d) naming an individual who is to exercise the functions conferred by or by virtue of this Act on the responsible person in relation to P, and
  - (e) signed by a person authorised under sub-paragraph (4) to sign it in relation to P.
- (2) Sub-paragraph (1)(d)—
- (a) does not apply where P is a registered party but is not a minor party (see paragraph 21(1));
  - (b) may be complied with, where P is an individual, by naming P or another individual;
  - (c) may be complied with by naming the holder of an office.
- (3) The further information mentioned in sub-paragraph (1)(c) is as set out in the following table—

#### Where P is....

a registered party

#### The further information required is...

- (a) the party's registered name, and

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|   | (b) | the address of the party's headquarters or, if it has no headquarters, the address to which communications to the party may be sent   |
| an individual   | (a) | the individual's full name, and   |
|   | (b) | the individual's home address in the United Kingdom or, if he or she has no home address in the United Kingdom, his or her home address elsewhere   |
| a company within paragraph 18(1)(d)                       | (a) | the company's registered name,  |
|   | (b) | the address of its registered office, and   |
|   | (c) | its registered number   |
| a trade union within paragraph 18(1)(e)                   | (a) | the name of the union as shown in the list kept under the Trade Union and Labour Relations (Consolidation) Act 1992 or the Industrial Relations (Northern Ireland) Order 1992 (S.I. 1992/807 (N.I. 5)), and |
|   | (b) | the address of its head or main office, as shown in that list   |
| a building society within paragraph 18(1)(f)              | (a) | the name of the society, and  |
|   | (b) | the address of its principal office   |
| a limited liability partnership within paragraph 18(1)(g) | (a) | the partnership's registered name, and  |
|   | (b) | the address of its registered office  |
| a friendly or other society within paragraph 18(1)(h)     | (a) | the name of the society, and  |
|   | (b) | the address of its registered office  |
| an unincorporated association within paragraph 18(1)(i)   | (a) | the name of the association, and  |
|   | (b) | the address of its main office in the United Kingdom  |
- (4) The persons authorised for the purposes of sub-paragraph (1)(e) to sign an accreditation notice are—
- (a) where P is an individual, P;
  - (b) where P is a registered party, the responsible officers of the party (within the meaning of section 64 of PPERA 2000);
  - (c) where P is a body other than a registered party, the body's secretary or a person who acts in a similar capacity in relation to the body.

#### Commencement Information

**I3** Sch. 3 para. 19 in force at 4.3.2016 by S.I. 2016/290, reg. 2

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### *Notice of alteration*

- 20 (1) This paragraph applies if, at any time before the end of the compliance period, any information which in accordance with this Schedule is contained in an accreditation notice ceases to be accurate.
- (2) The accredited campaigner must, as soon as reasonably practicable after becoming aware of the inaccuracy, deliver a notice (“a notice of alteration”) to the petition officer—
- indicating that the accreditation notice has become inaccurate, and
  - containing a corrected version of the accreditation notice.
- (3) References in sub-paragraphs (1) and (2) to an accreditation notice include a corrected version of an accreditation notice.
- (4) The accredited campaigner commits an offence if the accredited campaigner fails to deliver a notice of alteration in accordance with sub-paragraph (2).
- (5) A person guilty of an offence under this paragraph is liable on summary conviction—
- in England and Wales, to a fine,
  - in Scotland, to a fine not exceeding level 5 on the standard scale, and
  - in Northern Ireland, to a fine not exceeding level 5 on the standard scale.
- (6) Where a notice of alteration names a new individual who is to exercise the functions conferred by or by virtue of this Act on the responsible person in relation to the accredited campaigner, it must be accompanied by a statement, signed by that individual, confirming that he or she is willing to exercise those functions.
- (7) Sub-paragraph (6) does not apply where the new individual named in the notice of alteration is the accredited campaigner.
- (8) In this paragraph “the compliance period” means the period during which any provision of—
- this Schedule (apart from this paragraph),
  - Schedule 4 (control of donations to accredited campaigners),
  - Schedule 5 (recall petition returns), or
  - any order under section 62 of the Electoral Administration Act 2006 (loans),
- remains to be complied with on the part of the accredited campaigner.
- (9) In sub-paragraph (5)(a), the reference to a fine is to be read as a reference to a fine not exceeding level 5 on the standard scale in relation to an offence committed before section 85(1) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 comes into force.

### **Commencement Information**

**I4** [Sch. 3 para. 20](#) in force at 4.3.2016 by [S.I. 2016/290](#), [reg. 2](#)

### *The responsible person*

- 21 (1) If the accredited campaigner is a registered party but is not a minor party, the responsible person in relation to the accredited campaigner is the treasurer of the party.

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- (2) In any other case, the responsible person in relation to the accredited campaigner is—
- (a) the individual named in the accreditation notice as the person who is to exercise the functions conferred by or by virtue of this Act on the responsible person in relation to the accredited campaigner, or
  - (b) if a notice of alteration has been delivered which names a new individual who is to exercise those functions, the individual named in that notice.
- (3) But where the individual named as mentioned in sub-paragraph (2)(a) or (b) is not the accredited campaigner, that named individual is the responsible person in relation to the accredited campaigner only if—
- (a) in a case within sub-paragraph (2)(a), the accreditation notice is accompanied by the statement required by paragraph 17(1)(c), or
  - (b) in a case within sub-paragraph (2)(b), the notice of alteration is accompanied by the statement required by paragraph 20(6).

**Commencement Information**

**I5** Sch. 3 para. 21 in force at 4.3.2016 by S.I. 2016/290, reg. 2

*Duty of petition officer to publish information about accredited campaigners*

- 22 (1) The petition officer must, as soon as reasonably practicable after receiving an accreditation notice under paragraph 17 or a corrected version of an accreditation notice under paragraph 20, make the information contained in it available to the public in any way the officer thinks fit.
- (2) But the petition officer must not make available to the public the home address of an accredited campaigner who is an individual.

**Commencement Information**

**I6** Sch. 3 para. 22 in force at 4.3.2016 by S.I. 2016/290, reg. 2

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