

Status: Point in time view as at 04/03/2016.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, SCHEDULE 6. (See end of Document for details)

SCHEDULES

SCHEDULE 6

Section 20

MINOR AND CONSEQUENTIAL AMENDMENTS

Representation of the People Act 1983 (c. 2)

- 1 (1) Schedule 1 to the Representation of the People Act 1983 (parliamentary election rules) is amended as follows.
- (2) In the form of writ in the Appendix of Forms at the end of that Schedule—
- (a) for “[† in the place of]” substitute “[†]”;
 - (b) for the note marked “†” substitute “†Except in a general election insert here (as applicable): “ as a result of a successful recall petition under the Recall of MPs Act 2015 ” or “in the place of [A.B.], deceased” or otherwise, stating the cause of vacancy.”

Commencement Information

- II** Sch. 6 para. 1 in force at 4.3.2016 by S.I. 2016/290, reg. 2

Political Parties, Elections and Referendums Act 2000 (c. 41)

- 2 PPERA 2000 is amended as follows.

Commencement Information

- I2** Sch. 6 para. 2 partly in force; Sch. 6 para. 2 in force at Royal Assent for specified purposes, see s. 24(2)(g)
I3 Sch. 6 para. 2 in force at 4.3.2016 in so far as not already in force by S.I. 2016/290, reg. 2

- 3 (1) Part 1 (the Electoral Commission) is amended as follows.
- (2) In section 5 (reports on elections and referendums)—
- (a) in the heading, for “**and referendums**” substitute “**, referendums etc**”;
 - (b) after subsection (3), insert—

“(4) After the end of a recall petition period (within the meaning of Schedule 3 to the Recall of MPs Act 2015), the Commission must prepare and publish (in such manner as the Commission may determine) a report on the actions taken, or not taken, under or by virtue of that Act in relation to the recall petition in question after the giving of the Speaker's notice under section 5 of that Act in relation to that petition.”
- (3) In section 6 (reviews of electoral and political matters)—
- (a) in subsection (1), after paragraph (b) insert—

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- “(ba) such matters relating to recall petitions as the Commission may so determine;”;
- (b) in subsection (3), after paragraph (b) insert—
- “(ba) how a member of the House of Commons becomes subject to a recall petition process under sections 1 to 5 of the Recall of MPs Act 2015;”;
- (c) in subsection (3)(c), for “and (b)” substitute “ to (ba) ”;
- (d) in subsection (4), for “or referendums” (in both places) substitute “ , referendums or recall petitions ”.
- (4) In section 6A(1) (attendance of representatives of Commission at elections etc), after paragraph (b) insert—
- “(c) proceedings relating to a recall petition which are the responsibility of the petition officer in relation to the petition.”
- (5) In section 6F (code of practice on attendance of observers at elections etc), after subsection (1) insert—
- “(1A) The code must also cover the attendance of representatives of the Commission at proceedings relating to a recall petition which are the responsibility of the petition officer in relation to the petition.”
- (6) In section 7(2) (Commission to be consulted on changes to electoral law), after paragraph (j) insert—
- “(k) regulations under section 9(5) or 18 of the Recall of MPs Act 2015 (wording of the recall petition signing sheet and the conduct of a recall petition etc).”
- (7) In section 10(3)(a) (giving of advice and assistance), omit the “and” at the end of sub-paragraph (iv) and after sub-paragraph (v) insert—
- “(vi) petition officers in relation to recall petitions, and
(vii) accredited campaigners within the meaning of Schedule 3 to the Recall of MPs Act 2015 (see Part 5 of that Schedule);”.
- (8) In section 21 (interpretation of Part 1), make the existing provision subsection (1) and after that subsection insert—
- “(2) In this Part, “petition officer” and “recall petition” have the same meaning as in the Recall of MPs Act 2015 (see section 22 of that Act).”
- (9) In Schedule 1 (the Electoral Commission), in paragraph 3(3)—
- (a) in paragraph (b), omit the “or” at the end of sub-paragraph (ii) and in sub-paragraph (iii) after “Part VII” insert “ , or
(iv) an accredited campaigner within the meaning of Schedule 3 to the Recall of MPs Act 2015 (see Part 5 of that Schedule);”;
- (b) in paragraph (c)(iii), after “122” insert “ or in a recall petition return delivered to a petition officer under paragraph 6 of Schedule 5 to the Recall of MPs Act 2015 ”.

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- I4** Sch. 6 para. 3 partly in force; Sch. 6 para. 3(1) in force for specified purposes and Sch. 6 para. 3(6) wholly in force at Royal Assent, see s. 24(2)(g)
- I5** Sch. 6 para. 3(1) in force at 4.3.2016 in so far as not already in force by S.I. 2016/290, reg. 2
- I6** Sch. 6 para. 3(2)-(5) in force at 4.3.2016 by S.I. 2016/290, reg. 2

- 4 (1) Part 2 (registration of political parties) is amended as follows.
- (2) In section 24 (office-holders to be registered)—
- (a) in subsection (4)(b), after “referendums” insert “ and Schedules 3 to 5 to the Recall of MPs Act 2015 (financial controls on recall petitions) ”;
- (b) in subsection (8)(b), for “or a” substitute “ , a ” and after “Part VII” insert “ or a recall petition within the meaning of the Recall of MPs Act 2015 (see section 1(2) of that Act) ”.
- (3) In section 25 (parties with campaigns officers)—
- (a) in subsection (2), after “VII” insert “ and Schedules 3 to 5 to the Recall of MPs Act 2015 (financial controls on recall petitions) ”;
- (b) after subsection (6), insert—
- “(7) In relation to any time when a party is (or was) registered as a party with a campaigns officer, the provisions of Schedules 3 to 5 to the Recall of MPs Act 2015 shall apply as if any reference to the treasurer of the party were a reference to the registered campaigns officer.”

Commencement Information

- I7** Sch. 6 para. 4 in force at 4.3.2016 by S.I. 2016/290, reg. 2

- 5 (1) Part 5 (control of campaign expenditure) is amended as follows.
- (2) In section 72(7) (campaign expenditure)—
- (a) the words “a return as to election expenses” to the end become paragraph (a);
- (b) at the end of that paragraph, insert “ , or
- (b) a recall petition return within the meaning of Schedule 5 to the Recall of MPs Act 2015 (see paragraph 1 of that Schedule).”
- (3) In section 74(3) (officers of registered party with responsibility for campaign expenditure), for “or a” substitute “ , a ” and after “Part VII” insert “ or a recall petition within the meaning of the Recall of MPs Act 2015 (see section 1(2) of that Act) ”.

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- I8** Sch. 6 para. 5 in force at 4.3.2016 by S.I. 2016/290, reg. 2

- 6 (1) Part 6 (controls relating to third party national election campaigns) is amended as follows.

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- (2) In section 87(1)(b) (expenditure by third parties which is not controlled expenditure)
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- (a) omit the “or” at the end of sub-paragraph (i);
 - (b) at the end of sub-paragraph (ii), insert “or
 - (iii) an amount of expenses falls to be included in a recall petition return within the meaning of Schedule 5 to the Recall of MPs Act 2015 (see paragraph 1 of that Schedule),”.

Commencement Information

I9 Sch. 6 para. 6 in force at 4.3.2016 by S.I. 2016/290, reg. 2

- 7 (1) Part 9 (reports of gifts received by unincorporated associations) is amended as follows.
- (2) In Schedule 19A (reports of gifts received by unincorporated associations making political contributions), in paragraph 1—
- (a) in sub-paragraph (2), after paragraph (f) insert—
 - “(g) it makes a relevant donation within the meaning of Schedule 4 to the Recall of MPs Act 2015 (see Part 1 of that Schedule) to an accredited campaigner.”;
 - (b) in sub-paragraph (4), at the appropriate place insert—
 - ““accredited campaigner” has the same meaning as in Schedule 3 to the Recall of MPs Act 2015 (see Part 5 of that Schedule);”;
 - (c) in sub-paragraph (5), after paragraph (e) insert—
 - “(f) the value of a donation to an accredited campaigner shall be determined in accordance with paragraph 5 of Schedule 4 to the Recall of MPs Act 2015.”

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I10 Sch. 6 para. 7 in force at 4.3.2016 by S.I. 2016/290, reg. 2

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