

2006 No. 3252

REGISTRATION OF POLITICAL PARTIES

The Registration of Political Parties (Prohibited Words and Expressions) (Amendment) Order 2006

<i>Made</i> - - - -	<i>6th December 2006</i>
<i>Laid before Parliament</i>	<i>7th December 2006</i>
<i>Coming into force</i> - -	<i>1st January 2007</i>

This Order is made in exercise of the powers conferred by section 28A(2)(g) of the Political Parties, Elections and Referendums Act 2000(a).

The Secretary of State has consulted the Electoral Commission about this Order in accordance with section 28A(7) of the Political Parties, Elections and Referendums Act 2000.

Accordingly, the Secretary of State makes the following Order:

Citation and Commencement

1. This Order may be cited as the Registration of Political Parties (Prohibited Words and Expressions) (Amendment) Order 2006 and shall come into force on 1 January 2007.

Amendments

2.—(1) The Registration of Political Parties (Prohibited Words and Expressions) Order 2001(b) is amended as follows.

- (2) In article 2(1), (2)(b) and (2A)(c) after “registered name” insert “or registered description”.
- (3) In article 2(2)(b) after “party” insert “(other than the applicant party)”.
- (4) In article 2(2)(c)(ii) for “Part, or” substitute “Part”.
- (5) In article 2(2)(c)(iii) after ““party”,” insert “or”.
- (6) In article 2, after paragraph (2)(c)(iii) insert—

“(iv) the registered description of a registered party”.
- (7) In article 2(3)(b)(i)—
 - (a) after “applicant party”, where it first appears, insert “or a description”; and
 - (b) after “application under” insert “section 28B or”(d).

(a) 2000 c. 41; section 28A was inserted by section 49(1) of the Electoral Administration Act 2006 (c. 22).
(b) S.I. 2001/82, amended by S.I. 2004/366 and 2005/147.
(c) Paragraph (2A) of article 2 of S.I. 2001/82 was inserted by S.I. 2004/366.
(d) Section 28B of the Political Parties, Elections and Referendums Act 2000 (c. 41) was inserted by section 49(1) of the Electoral Administration Act 2006 (c. 22).

(8) In article 2(3)(b)(ii) after “applicant party” insert “or a description”.

(9) In the heading to the Schedule after “REGISTERED NAME” insert “OR REGISTERED DESCRIPTION”.

Signed by authority of the Secretary of State

Date 6th December 2006

Bridget Prentice
Parliamentary Under Secretary of State
Department for Constitutional Affairs

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Registration of Political Parties (Prohibited Words and Expressions) Order 2001(S.I. 2001/82) (“the 2001 Order”) in order to apply the 2001 Order to party descriptions.

The Electoral Administration Act 2006 (c. 22) amended the Political Parties, Elections and Referendums Act 2000 (c. 41) by introducing new sections 28A (descriptions) and 28B (joint descriptions) and modifying section 30 (changes to the register).

Section 28A permits a political party to include with its application for registration under section 28, a request for the registration of up to 12 descriptions for use on nomination papers or ballot papers. Section 28B permits two or more parties to register a joint description for use by a candidate standing in the names of both or all of those parties. The restrictions on political party descriptions are set out in section 28A and apply equally to joint descriptions under section 28B. Under those sections, the Electoral Commission is not permitted to register a description that includes any word or expression prohibited by order made by the Secretary of State. Section 28 imposes a similar restriction in respect of permitted political party names. The 2001 Order sets out the words and expressions that may not be registered in respect of a political party’s name. This Order amends the 2001 Order to ensure that words and expressions that are prohibited in relation to a party name are also prohibited in relation to a registered description.

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