

EXPLANATORY MEMORANDUM TO
THE ELECTIONS (POLICY DEVELOPMENT GRANTS SCHEME)(AMENDMENT)
ORDER 2018

2018 No. 127

1. Introduction

- 1.1 This explanatory memorandum has been prepared by Cabinet Office and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

- 2.1 To amend the Elections (Policy Development Grants Scheme) Order 2006 following recommendations received from the Electoral Commission. The amendments remove references to two political parties that are no longer eligible for the scheme.

3. Matters of special interest to Parliament

Matters of special interest to the Joint Committee on Statutory Instruments

- 3.1 None.

Other matters of interest to the House of Commons

- 3.2 As this instrument is subject to negative resolution procedure and has not been prayed against, consideration as to whether there are other matters of interest to the House of Commons does not arise at this stage.

4. Legislative Context

- 4.1 The policy development grants scheme is provided for in section 12 of the Political Parties, Elections and Referendums Act 2000 (the 2000 Act). Section 12(2) requires the Electoral Commission to submit recommendations to the Secretary of State or Minister for the Cabinet Office for the terms of a scheme for the making of policy development grants. Section 12(3) requires the Secretary of State or Minister for the Cabinet Office to make an order setting out such a scheme, with any modifications he considers appropriate. The administration of the scheme is set out under the Elections (Policy Development Grants Scheme) Order 2006 (the 2006 Order).
- 4.2 Section 12(5) of the 2000 Act requires the Electoral Commission to keep the terms of the policy development grants scheme under review and make recommendations for any variations which they consider appropriate. Section 12(6) requires the Secretary of State or Minister for the Cabinet Office to make an order giving effect to these recommendations, with any modifications he considers appropriate.
- 4.3 The 2006 Order has previously been amended, following recommendations from the Electoral Commission, by the Elections (Policy Development Grants Scheme)(Amendment) Order 2014 (S.I. 2014/556), the Elections (Policy Development Grants Scheme)(Amendment)(No.2) Order 2015 (S.I. 2015/302), the Elections (Policy Development Grants Scheme) (Amendment) Order 2016 (S.I. 2016/164) and the Elections (Policy Development Grants Scheme) (Amendment) Order 2017 (S.I. 2017/109).

5. Extent and Territorial Application

- 5.1 The extent of this instrument is the United Kingdom.
- 5.2 The territorial application of this instrument is all of the United Kingdom.

6. European Convention on Human Rights

- 6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

What is being done and why

- 7.1 This Order amends the policy development grants scheme in line with a recommendation received from the Electoral Commission. The recommendation is to remove references to the Social Democratic and Labour Party (SDLP) and Ulster Unionist Party (UUP) in the Order, as they no longer meet the eligibility criteria set out in section 12 of the 2000 Act.
- 7.2 Section 12 of the 2000 Act requires the Electoral Commission to keep the terms of the scheme under review and make recommendations to the Secretary of State or Minister for the Cabinet Office of any variations to the scheme which the Commission considers appropriate.
- 7.3 Policy development grants were established by section 12 of the 2000 Act. They are awarded to help parties develop policies to include in manifestos for elections. Parties are eligible for a grant if they have two Members of the House of Commons who have taken the oath of allegiance.
- 7.4 The administration of the scheme is set out under the 2006 Order, as amended in 2014, 2015, 2016 and 2017. The 2006 Order lists the eligible political parties and sets out the formula for dividing the funding. This formula involves grouping together political parties that stand for election in the same parts of the UK and the names of eligible political parties therefore appear at various points in the Order.
- 7.5 Following the 2017 General Election, the SDLP and UUP no longer meet the eligibility requirement to receive a grant and the Electoral Commission has therefore recommended amending the Order to remove references to them.

Consolidation

- 7.6 The Cabinet Office will consider consolidating the Statutory Instrument for subsequent amendments that implement recommendations of the Electoral Commission.

8. Consultation outcome

- 8.1 This Order gives effect to a recommendation of the Electoral Commission dated 7 December 2017.

9. Guidance

- 9.1 The Electoral Commission issues guidance to eligible political parties on the policy development grants scheme.

10. Impact

- 10.1 There is no impact on business, charities or voluntary bodies.
- 10.2 There is no impact on the public sector.
- 10.3 An Impact Assessment has not been prepared for this instrument.

11. Regulating small business

- 11.1 The legislation does not apply to activities that are undertaken by small businesses.

12. Monitoring & review

- 12.1 Section 12 of the 2000 Act requires the Electoral Commission to keep the terms of the scheme under review and make recommendations to the Secretary of State or Minister for the Cabinet Office for any variations to the scheme which they consider appropriate.

13. Contact

- 13.1 Catherine Millington at the Cabinet Office, telephone: 0207 271 3123 or email: catherine.millington@cabinetoffice.gov.uk can answer any queries regarding the instrument.