
DRAFT STATUTORY INSTRUMENTS

2012 No.

The Police and Crime Commissioner Elections Order 2012

PART 3

The election campaign

Candidate election expenses

Court's power to require information from election agent or sub-agent

46.—(1) Where on an application under article 45 it appears to the court that any person (“P”) who is or has been an election agent or sub-agent has refused or failed to make such return, or to supply such particulars, as will enable the candidate and the candidate’s election agent respectively to comply with the provisions of this Order as to the return or declarations as to election expenses, the court, before making an order under that article, must order P to attend before the court.

(2) The court must on the attendance of P, unless P shows cause to the contrary, order P—

(a) to make the return and declaration, or

(b) to deliver a statement of the particulars required to be contained in the return,

as the court considers just, within such time, to such person and in such manner as the court may direct, or may order P to be examined with respect to the particulars.

(3) If P fails to comply with any order of the court under this article, the court may order P to pay a fine not exceeding the amount specified in paragraph (4).

(4) The specified amount is the amount of the maximum fine to which P would be liable if, at the time the court makes the order under paragraph (3), P were convicted of a summary offence on conviction of which P was liable to a fine of level 5 on the standard scale.