



Political Parties, Elections and Referendums Act 2000

2000 CHAPTER 41

PART I **U.K.**

THE ELECTORAL COMMISSION

Establishment of Electoral Commission and bodies with related functions

1 Establishment of the Electoral Commission. **U.K.**

- (1) There shall be a body corporate to be known as the Electoral Commission or, in Welsh, Comisiwn Etholiadol (in this Act referred to as “the Commission”).
- (2) The Commission shall consist of members to be known as Electoral Commissioners.
- (3) There shall be [^{F1}nine or ten] Electoral Commissioners.
- (4) The Electoral Commissioners shall be appointed by Her Majesty (in accordance with section 3).
- (5) Her Majesty shall (in accordance with section 3 [^{F2}but subject to section 3A(6)]) appoint one of the Electoral Commissioners to be the chairman of the Commission.
- (6) Schedule 1, which makes further provision in relation to the Commission, shall have effect.

Textual Amendments

- F1** Words in s. 1(3) substituted (1.10.2010) by [Political Parties and Elections Act 2009 \(c. 12\), ss. 6, 43\(1\); S.I. 2010/2409, art. 2](#)
- F2** Words in s. 1(5) inserted (21.7.2009) by [Political Parties and Elections Act 2009 \(c. 12\), ss. 39, 43\(1\) \(5\)\(b\), Sch. 6 para. 9](#)

Status: Point in time view as at 07/04/2021. This version of this part contains provisions that are prospective.
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2 Speaker's Committee. **U.K.**

- (1) There shall be a Committee (to be known as “the Speaker’s Committee”) to perform the functions conferred on the Committee by this Act.
- (2) The Speaker’s Committee shall consist of the Speaker of the House of Commons, who shall be the chairman of the Committee, and the following other members, namely—
 - (a) the Member of the House of Commons who is for the time being the Chairman of the Home Affairs Select Committee of the House of Commons;
 - ^{F3}(b) the [^{F4}Minister for the Cabinet Office];
 - (c) a Member of the House of Commons who is a Minister of the Crown with responsibilities in relation to local government; and
 - (d) five Members of the House of Commons who are not Ministers of the Crown.
- (3) The member of the Committee mentioned in subsection (2)(c) shall be appointed to membership of the Committee by the Prime Minister.
- (4) The members of the Committee mentioned in subsection (2)(d) shall be appointed to membership of the Committee by the Speaker of the House of Commons.
- (5) Schedule 2, which makes further provision in relation to the Speaker’s Committee, shall have effect.
- (6) In this section and that Schedule, references to the Home Affairs Select Committee shall—
 - (a) if the name of that Committee is changed, be taken (subject to paragraph (b)) to be references to the Committee by its new name;
 - (b) if the functions of that Committee at the passing of this Act with respect to electoral matters (or functions substantially corresponding thereto) become functions of a different committee of the House of Commons, be taken to be references to the committee by whom the functions are for the time being exercisable.

Textual Amendments

- F3** S. 2(2)(b) substituted (25.11.2002) by [S.I. 2002/2626](#), art. 20, **Sch. 2 para. 25(2)**
F4 Words in s. 2(2)(b) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016](#) (S.I. 2016/997), art. 1(2), **Sch. 2 para. 15(a)** (with art. 12)

Modifications etc. (not altering text)

- C1** S. 2(2)(b): transfer of functions (18.8.2010) by [Lord President of the Council Order 2010](#) (S.I. 2010/1837), arts. 1(2), **4**
C2 S. 2(2)(b): functions transferred (25.11.2002) by [S.I. 2002/2626](#), **arts. 11-13**
C3 S. 2(2)(b) functions transferred (22.6.2015) by [The Chancellor of the Duchy of Lancaster Order 2015](#) (S.I. 2015/1376), arts. 1(2), **5(1)(a)** (with art. 9)
C4 S. 2(2)(b) functions transferred (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016](#) (S.I. 2016/997), arts. 1(2), **7(b)** (with arts. 8, 12)
C5 S. 2(2)(b): functions made exercisable concurrently (7.4.2021) by [The Transfer of Functions \(Speaker’s Committee\) Order 2021](#) (S.I. 2021/310), arts. 1(2), **2**

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3 Appointment of Electoral Commissioners and Commission chairman. **U.K.**

(1) The powers of Her Majesty under section 1(4) and (5) shall be exercisable on an Address from the House of Commons.

[^{F5}(2) A motion for such an Address may be made only if—

- (a) the Speaker of the House of Commons agrees that the motion may be made;
- (b) the motion has been the subject of consultation with the registered leader of each registered party to which two or more Members of the House of Commons then belong; and
- (c) each person whose appointment is proposed in the motion has been selected in accordance with a procedure put in place and overseen by the Speaker's Committee.]

(3) Such an Address shall specify the period (not exceeding 10 years) for which each proposed Electoral Commissioner to whom the Address relates is to hold office as such Commissioner or (as the case may be) the period for which the proposed chairman of the Commission is to hold office as such chairman.

(4) [^{F6}Subject to subsection (4A), a person may not be appointed] as an Electoral Commissioner if the person—

- (a) is a member of a registered party;
- (b) is an officer or employee of a registered party or of any accounting unit of such a party;
- (c) holds a relevant elective office (within the meaning of Schedule 7); or
- (d) has at any time [^{F7}within the last five years]—
 - (i) been such an officer or employee as is mentioned in paragraph (b), or
 - (ii) held such an office as is mentioned in paragraph (c), or
 - (iii) been named as a donor in the register of donations reported under Chapter III or V of Part IV. [^{F8}, or
 - (iv) been named as a participant in the register of recordable transactions reported under Part 4A.]

[^{F9}(4A) Paragraphs (a) and (d) of subsection (4) do not apply to the appointment of a person as a nominated Commissioner (within the meaning of section 3A).]

(5) An Electoral Commissioner, or the chairman of the Commission, may be re-appointed (or further re-appointed).

[^{F10}(5A) In the case of a re-appointment (or further re-appointment) of an Electoral Commissioner, the reference in subsection (2)(c) to being selected in accordance with a procedure put in place and overseen by the Speaker's Committee is to be read as including a reference to being recommended for re-appointment (or further re-appointment) by that Committee.]

(6) In subsection (2)(b) the reference to Members of the House of Commons does not include any Member of that House who at the time in question—

- (a) has not made and subscribed the oath required by the ^{M1}Parliamentary Oaths Act 1866 (or the corresponding affirmation); or
- (b) is disqualified from sitting and voting in that House.

(7) In this section “registered party”—

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- (a) includes (in relation to times before the appointed day for the purposes of Part II of this Act) a party registered under the ^{M2}Registration of Political Parties Act 1998; and
- (b) in subsection (4)(b) also includes (in relation to times before 1st April 1999) any political party.

Textual Amendments

- F5** S. 3(2) substituted (21.7.2009) by [Political Parties and Elections Act 2009 \(c. 12\)](#), [ss. 4\(2\)](#), [43\(1\)\(5\)\(b\)](#)
- F6** Words in s. 3(4) substituted (21.7.2009) by [Political Parties and Elections Act 2009 \(c. 12\)](#), [ss. 39](#), [43\(1\)\(5\)\(b\)](#), [Sch. 6 para. 10](#)
- F7** Words in s. 3(4)(d) substituted (21.7.2009) by [Political Parties and Elections Act 2009 \(c. 12\)](#), [ss. 7\(1\)](#), [43\(1\)\(5\)\(b\)](#)
- F8** S. 3(4)(d)(iv) and preceding word inserted (11.9.2006) by [Electoral Administration Act 2006 \(c. 22\)](#), [ss. 74\(1\)](#), [77\(1\)](#), [Sch. 1 para. 139](#); S.I. 2006/1972, [art. 3](#), Sch. 1 paras. 24, 25(g) (subject to art. 4, Sch. 2)
- F9** S. 3(4A) inserted (21.7.2009) by [Political Parties and Elections Act 2009 \(c. 12\)](#), [ss. 5\(1\)](#), [43\(1\)\(5\)\(b\)](#)
- F10** S. 3(5A) inserted (21.7.2009) by [Political Parties and Elections Act 2009 \(c. 12\)](#), [ss. 4\(3\)](#), [43\(1\)\(5\)\(b\)](#)

Marginal Citations

- M1** 1866 c. 19.
- M2** 1998 c. 48.

[^{F11}3A Four Electoral Commissioners to be persons put forward by parties **U.K.**

- (1) Four of the Electoral Commissioners shall each be a person whom the registered leader of a qualifying party put forward to be considered for appointment as an Electoral Commissioner (a “nominated Commissioner”).
- (2) In subsection (1) “qualifying party” means a registered party with two or more Members of the House of Commons at the time of the person's appointment.
- (3) Three of the nominated Commissioners shall each be a person put forward by the registered leader of one of the three largest nominating parties at the time of the person's appointment.
- (4) In subsection (3) “nominating party” means a party whose registered leader—
 - (a) has put forward three persons to be considered for appointment as a nominated Commissioner, or
 - (b) previously put forward persons one of whom was appointed as a nominated Commissioner and is expected to continue to hold office.
- (5) No appointment may be made that would result in two or more nominated Commissioners being persons put forward by the leader of the same party (and nothing in this section has effect so as to require that result).
- (6) A nominated Commissioner may not be appointed as the chairman of the Commission.
- (7) For the purposes of this section, the relative size of any two or more registered parties shall be determined according to the number of Members of the House of Commons belonging to each party at the time in question (or, in the case of two parties with the same number of Members, according to the total number of votes cast for

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persons standing for election in the name of each of those parties at the most recent parliamentary general election).

- (8) A reference in this section to a Member of the House of Commons does not include any Member of that House who at the time in question—
- (a) has not made and subscribed the oath required by the Parliamentary Oaths Act 1866 (or the corresponding affirmation), or
 - (b) is disqualified from sitting and voting in that House.]

Textual Amendments

F11 S. 3A inserted (21.7.2009) by [Political Parties and Elections Act 2009 \(c. 12\)](#), ss. 5(2), 43(1)(5)(b)

4 Parliamentary Parties Panel. **U.K.**

- (1) There shall be a panel (to be known as “the Parliamentary Parties Panel”) which consists of representatives of qualifying parties appointed in accordance with this section.
- (2) The function of the panel shall be to submit representations or information to the Commission about such matters affecting political parties as the panel think fit.
- (3) Where the panel submit any such representations or information to the Commission, the Commission shall—
 - (a) consider the representations or information, and
 - (b) decide whether, and (if so) to what extent, they should act on the representations or information.
- (4) Each qualifying party shall be entitled to be represented on the panel by a person appointed to the panel by the treasurer of the party.
- (5) Subject to subsection (6), a person so appointed shall be a member of the panel for such period as the treasurer of the party may determine when making the appointment.
- (6) A person so appointed shall cease to be a member of the panel if at any time—
 - (a) his appointment is terminated for any reason by the treasurer of the party, or
 - (b) the party ceases to be a qualifying party.
- (7) The panel may determine their own procedure.
- (8) The validity of any proceedings of the panel shall not be affected by any failure by the treasurer of a qualifying party to make any appointment in accordance with this section.
- (9) In this section “qualifying party” means a registered party—
 - (a) to which two or more Members of the House of Commons for the time being belong, who have made and subscribed to the oath required by the ^{M3}Parliamentary Oaths Act 1866 (or the corresponding affirmation) and are not disqualified from sitting or voting in the House; or
 - (b) to which two or more such Members belonged immediately after the most recent parliamentary general election.

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Commencement Information

II S. 4 wholly in force at 16.2.2001; s. 4 not in force at Royal Assent, see s. 163(2); s. 4 in force at 16.2.2001 by [S.I. 2001/222](#), [art. 2](#), [Sch. 1 Pt. I](#) (subject to transitional provisions in [Sch. 1 Pt. II](#))

Marginal Citations

M3 [1866 c. 19](#).

Commission's general functions

5 Reports on elections^[F12], referendums etc] . **U.K.**

- (1) The Commission shall, after—
- (a) each election to which this section applies, and
 - (b) each referendum to which Part VII applies,
- prepare and publish (in such manner as the Commission may determine) a report on the administration of the election or referendum.
- (2) The elections to which this section applies are the following, namely—
- (a) a parliamentary general election;
 - ^{F13}(b)
 - (c) a Scottish Parliamentary general election;
 - ^{F14}(d) a National Assembly for Wales general election;]
 - (e) a Northern Ireland Assembly general election.
 - ^{F15}(f) an ordinary election of police and crime commissioners.]

^{F16}(2A) After—

- (a) a parliamentary by-election,
- (b) an election held under section 9 of the Scotland Act 1998 (election for the Scottish Parliament in the case of a constituency vacancy), ^{F17}...
- (c) an election held under ^{F18}[section 10 of the Government of Wales Act 2006] (election for the National Assembly for Wales in the case of a constituency vacancy), ^{F19}[or
- (d) an election held under section 51 of the Police Reform and Social Responsibility Act 2011 (election to fill vacancy in office of police and crime commissioner),]

the Commission may prepare and publish (in such manner as the Commission may determine) a report on the administration of the election.]

^{F20}(2B) After an ordinary election of councillors for local government areas in Scotland, the Commission must prepare and publish (in such manner as the Commission may determine) a report on the administration of the election.]

^{F21}(2C) Subsection (2D) applies where a report under this section relates to one of the following elections—

- (a) a Scottish Parliamentary general election,
- (b) an election held under section 9 of the Scotland Act 1998 (constituency vacancies), or
- (c) an ordinary election of councillors for local government areas in Scotland.

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- (2D) The report must include a description of the steps taken by returning officers to assist disabled persons (within the meaning of section 6(2) of the Equality Act 2010) to vote at the election.
- (2E) In subsection (2D), “returning officer”—
- (a) in the case of a Scottish Parliamentary general election, means an officer who is—
 - (i) appointed by order in accordance with section 12(1) of the Scotland Act 1998, or
 - (ii) appointed by order under section 12(6) of that Act,
 - (b) in the case of an election held under section 9 of that Act, means an officer who is appointed by order in accordance with section 12(1) of that Act,
 - (c) in the case of an ordinary election of councillors for local government areas in Scotland, means an officer who is appointed under section 41(1) of the Representation of the People Act 1983.”. Miscellaneous]

(3) After a poll held under [F22]section 64 of the Government of Wales Act 2006] the Commission shall, if requested to do so by the National Assembly for Wales, at the Assembly’s expense prepare and publish (in such manner as the Commission may determine) a report on the administration of the poll.

[F23(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.]

Textual Amendments

- F12** Words in s. 5 heading substituted (4.3.2016) by [Recall of MPs Act 2015 \(c. 25\), s. 24\(3\), Sch. 6 para. 3\(2\)\(a\)](#); S.I. 2016/290, reg. 2
- F13** S. 5(2)(b) repealed (31.12.2020) by [The European Parliamentary Elections Etc. \(Repeal, Revocation, Amendment and Saving Provisions\) \(United Kingdom and Gibraltar\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1310\), reg. 1, Sch. 1 Pt. 1](#) (as amended by S.I. 2019/1389, regs. 1, 2(2))
- F14** S. 5(2)(d) substituted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\), art. 3, Sch. 1 para. 90\(a\)](#), the amending provision coming into force immediately after the ordinary election under s. 3 of the [Government of Wales Act 1998 \(c. 38\)](#) held on 3.5.2007, see art. 1(2) of the amending S.I.
- F15** S. 5(2)(f) inserted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 10 para. 9\(a\)](#); S.I. 2012/1129, art. 2(g)
- F16** S. 5(2A) inserted (1.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\), ss. 28, 77\(2\)](#); S.I. 2006/3412, [art. 3, Sch. 1 para. 14\(m\)](#) (subject to art. 6, Sch. 2); S.I. 2008/1316, [arts. 2\(2\), 4\(j\)](#)
- F17** Word in s. 5(2A) omitted (25.4.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 10 para. 9\(b\)](#); S.I. 2012/1129, art. 2(g)
- F18** Words in s. 5(2A)(c) substituted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\), art. 3, Sch. 1 para. 90\(b\)](#), S. 5(2)(d) substituted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\), art. 3, Sch. 1 para. 90\(a\)](#), the amending provision coming into force immediately after the ordinary election under s. 3 of the [Government of Wales Act 1998 \(c. 38\)](#) held on 3.5.2007, see art. 1(2) of the amending S.I.

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- F19** S. 5(2A)(d) and word inserted (25.4.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 10 para. 9(b)**; S.I. 2012/1129, art. 2(g)
- F20** S. 5(2B) inserted (S.) (29.6.2011) by Local Electoral Administration (Scotland) Act 2011 (asp 10), **ss. 10, 21(1)**; S.S.I. 2011/277, art. 2(b)
- F21** S. 5(2C)-(2E) inserted (S.) (1.10.2020) by Scottish Elections (Reform) Act 2020 (asp 12), **ss. 22, 35**; S.S.I. 2020/278, reg. 2, sch.
- F22** Words in s. 5(3) substituted by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order 2007 (S.I. 2007/1388), art. 3, **Sch. 1 para. 90(c)**, the amending provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) -- see **ss. 46, 161(5)** of the Government of Wales Act 2006 (c. 32) and art. 1(2) of the amending S.I.
- F23** S. 5(4) inserted (4.3.2016) by Recall of MPs Act 2015 (c. 25), s. 24(3), **Sch. 6 para. 3(2)(b)**; S.I. 2016/290, reg. 2

Modifications etc. (not altering text)

- C6** S. 5 applied (with modifications) (23.7.2004) by The Regional Assembly and Local Government Referendums Order 2004 (S.I. 2004/1962), art. 7(1), **Sch. 3 Pt. 1**

Commencement Information

- I2** S. 5 wholly in force at 16.2.2001; s. 5 not in force at Royal Assent, see s. 163(2); s. 5 in force at 16.2.2001 by S.I. 2001/222, art. 2, **Sch. 1 Pt. I** (subject to transitional provisions in Sch. 1 Pt. II)

6 Reviews of electoral and political matters. **U.K.**

- (1) The Commission shall keep under review, and from time to time submit reports to the Secretary of State on, the following matters, namely—
- (a) such matters relating to elections to which this section applies as the Commission may determine from time to time;
 - (b) such matters relating to referendums to which this section applies as the Commission may so determine;
 - [^{F24}(ba) such matters relating to recall petitions as the Commission may so determine;]
 - (c) the redistribution of seats at parliamentary elections;
 - (d) [^{F25}if any functions are transferred by an order under section 18(1), 19(1) or 20(1), the matters in relation to which those functions are exercisable;]
 - (e) the registration of political parties and the regulation of their income and expenditure;
 - (f) political advertising in the broadcast and other electronic media;
 - (g) the law relating to the matters mentioned in each of paragraphs (a) to (f).
- (2) At the request of the Secretary of State, and within such time as the Secretary of State may specify, the Commission shall—
- (a) review, and
 - (b) submit a report to the Secretary of State on,
- such matter or matters (whether or not falling within subsection (1)) as the Secretary of State may specify.
- (3) The Commission shall not, however, carry out any review (or make any report) under this section with respect to any of the following matters, namely—
- (a) the funding of political parties under section 97 of the ^{M4}Scotland Act 1998 or for the purpose of assisting members of the Northern Ireland Assembly connected with such parties to perform their Assembly duties [^{F26}or the

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- funding of political groups under section 24 of the Government of Wales Act 2006];
- (b) the conduct of referendums held in pursuance of any provision made by or under an Act of the Scottish Parliament [^{F27}, Senedd Cymru] or the Northern Ireland Assembly or the conduct of any poll under [^{F28}section 64 of the Government of Wales Act 2006];
- [^{F29}(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) the law relating to the matters mentioned in each of paragraphs (a) [^{F30}to (ba)].
- (4) Where any review carried out under this section relates to elections [^{F31}, referendums or recall petitions] in Northern Ireland, the Commission shall consult the Chief Electoral Officer for Northern Ireland with respect to such elections[^{F31}, referendums or recall petitions].
- (5) Each report made by the Commission under this section shall be published by them in such manner as they may determine.
- (6) The elections and referendums to which this section applies are—
- (a) in the case of elections—
- (i) the elections mentioned in section 5(2) [^{F32}other than those mentioned in paragraph (d) of that subsection],
- (ii) local government elections in England ^{F33} ..., ^{F34} ...
- (iii) local elections in Northern Ireland; and
- [^{F35}(iv) local government elections in Scotland; and]
- (b) in the case of referendums, referendums to which Part VII applies [^{F36}and those under Part II of the ^{M5}Local Government Act 2000].

[^{F37}(6A) This section is subject to section 6ZA.]

Textual Amendments

- F24** S. 6(1)(ba) inserted (4.3.2016) by [Recall of MPs Act 2015 \(c. 25\), s. 24\(3\), Sch. 6 para. 3\(3\)\(a\)](#); S.I. 2016/290, reg. 2
- F25** S. 6(1)(d) repealed (S.) (1.10.2020) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\), ss. 13\(2\)\(a\), 35](#); S.S.I. 2020/278, reg. 2, sch.
- F26** Words in s. 6(3)(a) inserted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\), art. 3, Sch. 1 para. 91\(a\)](#), the amending provision coming into force immediately after the ordinary election under s. 3 of the [Government of Wales Act 1998 \(c. 38\)](#) held on 3.5.2007, see art. 1(2) of the amending S.I.
- F27** Words in s. 6(3)(b) inserted (E.W.) (1.10.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\), s. 42\(3\)\(b\), Sch. 2 para. 3\(2\)](#); S.I. 2020/1052, art. 2(b)
- F28** Words in s. 6(3)(b) substituted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\), art. 3, Sch. 1 para. 91\(b\)](#), the amending provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) -- see ss. 46, 161(5) of the [Government of Wales Act 2006 \(c. 32\)](#) and art. 1(2) of the amending S.I.
- F29** S. 6(3)(ba) inserted (4.3.2016) by [Recall of MPs Act 2015 \(c. 25\), s. 24\(3\), Sch. 6 para. 3\(3\)\(b\)](#); S.I. 2016/290, reg. 2
- F30** Words in s. 6(3)(c) substituted (4.3.2016) by [Recall of MPs Act 2015 \(c. 25\), s. 24\(3\), Sch. 6 para. 3\(3\)\(c\)](#); S.I. 2016/290, reg. 2

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- F31** Words in s. 6(4) substituted (4.3.2016) by Recall of MPs Act 2015 (c. 25), s. 24(3), **Sch. 6 para. 3(3)(d)**; S.I. 2016/290, reg. 2
- F32** Words in s. 6(6)(a)(i) inserted (E.W.) (1.10.2020) by Senedd and Elections (Wales) Act 2020 (anaw 1), s. 42(3)(b), **Sch. 2 para. 3(3)(a)(i)**; S.I. 2020/1052, art. 2(b)
- F33** Words in s. 6(6)(a)(ii) omitted (E.W.) (1.10.2020) by virtue of Senedd and Elections (Wales) Act 2020 (anaw 1), s. 42(3)(b), **Sch. 2 para. 3(3)(a)(ii)**; S.I. 2020/1052, art. 2(b)
- F34** Word in s. 6(6)(a) repealed (S.) (1.10.2020) by Scottish Elections (Reform) Act 2020 (asp 12), **ss. 13(2)(b)(i)**, 35; S.S.I. 2020/278, reg. 2, sch.
- F35** S. 6(6)(a)(iv) inserted (S.) (1.10.2020) by Scottish Elections (Reform) Act 2020 (asp 12), **ss. 13(2)(b)(ii)**, 35; S.S.I. 2020/278, reg. 2, sch.
- F36** Words in s. 6(6)(b) omitted (E.W.) (1.10.2020) by virtue of Senedd and Elections (Wales) Act 2020 (anaw 1), s. 42(3)(b), **Sch. 2 para. 3(3)(b)**; S.I. 2020/1052, art. 2(b)
- F37** S. 6(6A) inserted (S.) (1.10.2020) by Scottish Elections (Reform) Act 2020 (asp 12), **ss. 13(2)(c)**, 35; S.S.I. 2020/278, reg. 2, sch.

Commencement Information

- I3** S. 6 partly in force; s. 6 not in force at Royal Assent, see s. 163(2); s. 6(1)(a)(b)(e)-(g)(2)-(6) in force at 16.2.2001 by S.I. 2001/222, art. 2, **Sch. 1 Pt. I** (subject to transitional provisions in **Sch. 1 Pt. II**); s. 6(1)(d) in force at 30.10.2001 by S.I. 2001/3526, **art. 2(a)**

Marginal Citations

- M4** 1998 c. 46.
M5 2000 c. 22.

[^{F38}6ZA Reviews of electoral and political matters: devolved Scottish elections **U.K.**

- (1) Where a report under subsection (1) of section 6 relates to Scottish Parliamentary general elections or local government elections in Scotland, the Commission must submit the report to—
- (a) the Scottish Ministers in so far as the report relates to—
 - (i) a matter mentioned in paragraph (a) of that subsection, or
 - (ii) the law relating to such a matter,
 - (b) the Secretary of State in so far as the report relates to—
 - (i) a matter mentioned in paragraph (b), (c), (e) or (f) of that subsection, or
 - (ii) the law relating to such a matter.
- (2) At the request of the Scottish Ministers, and within such time as the Scottish Ministers may specify, the Commission must—
- (a) review, and
 - (b) submit a report to the Scottish Ministers on, such matter as the Scottish Ministers may specify in so far as it relates to any elections mentioned in subsection (3) and does not relate to a reserved matter (within the meaning of the Scotland Act 1998).
- (3) The elections are—
- (a) Scottish Parliamentary general elections,
 - (b) elections held under section 9 of the Scotland Act 1998 (constituency vacancies),
 - (c) local government elections in Scotland.]

Status: Point in time view as at 07/04/2021. This version of this part contains provisions that are prospective.
Changes to legislation: Political Parties, Elections and Referendums Act 2000, Part 1 is up to date with all changes known to be in force on or before 01 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F38 S. 6ZA inserted (S.) (1.10.2020) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), **ss. 13(3)**, 35; [S.S.I. 2020/278](#), **reg. 2**, **sch.**

[^{F39}**6ZA** **Reviews of devolved electoral matters in Wales** **U.K.**

- (1) The Commission must keep the matters mentioned in subsection (2) under review, and must from time to time submit reports on those matters to the Welsh Ministers.
- (2) The matters are such matters as the Commission may from time to time determine relating to—
 - (a) general elections of Members of the Senedd;
 - (b) elections under section 10 of the Government of Wales Act 2006 (elections for Senedd constituency vacancies);
 - (c) local government elections in Wales;
 - (d) referendums under Part 2 of the Local Government Act 2000 and Part 4 of the Local Government (Wales) Measure 2011 (referendums relating to executive arrangements of local authorities in Wales);
 - (e) the law relating to the elections and referendums mentioned in paragraphs (a) to (d).
- (3) Subsection (4) applies if the Welsh Ministers request the Commission to review and report on any matter or matters for which provision is or could be made in an Act of Senedd Cymru (whether or not falling within subsection (2)).
- (4) The Commission must, within such time as the Welsh Ministers may specify—
 - (a) review the matters specified in the request, and
 - (b) submit a report on those matters to the Welsh Ministers.
- (5) The Commission must publish each report made under this section in such manner as the Commission may determine.]

Textual Amendments

F39 S. 6ZA inserted (E.W.) (1.10.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), **s. 42(3)(b)**, **Sch. 2 para. 4**; [S.I. 2020/1052](#), **art. 2(b)**

[^{F40}**6A** **Attendance of representatives of Commission at elections etc.** **U.K.**

- (1) A representative of the Commission may attend—
 - (a) proceedings relating to an election specified in subsection (5) which are the responsibility of the returning officer for the election;
 - (b) proceedings relating to a referendum to which Part 7 applies which are the responsibility of the relevant counting officer.
 - [^{F41}(c) proceedings relating to a recall petition which are the responsibility of the petition officer in relation to the petition.]
- (2) The right conferred on a representative of the Commission by this section is subject to any enactment which regulates attendance at the proceedings in question.

Status: Point in time view as at 07/04/2021. This version of this part contains provisions that are prospective.
Changes to legislation: Political Parties, Elections and Referendums Act 2000, Part I is up to date with all changes known to be in force on or before 01 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (3) In this section, “representative of the Commission” means any of the following—
- (a) a member of the Commission;
 - (b) a member of staff of the Commission;
 - (c) a person appointed by the Commission for the purposes of this section.
- (4) A reference to the relevant counting officer must be construed—
- (a) if the area to which the proceedings relates is in Great Britain, in accordance with section 128(3);
 - (b) if the area to which the proceedings relates is Northern Ireland, as a reference to the Chief Electoral Officer for Northern Ireland.
- (5) The elections specified in this subsection are—
- (a) an election mentioned in section 5(2);
 - (b) a parliamentary by-election;
 - (c) an election under section 9 of the Scotland Act 1998 (constituency vacancies);
 - (d) an election under [^{F42}section 10 of the Government of Wales Act 2006 (constituency vacancies)];
 - ^{F43}(da) [an election under section 51 of the Police Reform and Social Responsibility Act 2011 (election to fill vacancy in office of police and crime commissioner);]
 - (e) a local government election in England or Wales;
 - ^{F44}(ea) [a local government election in Scotland;]
 - (f) a local election in Northern Ireland.

Textual Amendments

- F40** Ss. 6A-6F inserted (31.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), **ss. 29, 77(2)**; [S.I. 2006/3412](#), **art. 5** (with [art. 6, Sch. 2](#)); [S.I. 2008/1316](#), **arts. 2(2), 4(k)**
- F41** S. 6A(1)(c) inserted (4.3.2016) by [Recall of MPs Act 2015 \(c. 25\)](#), **s. 24(3)**, **Sch. 6 para. 3(4)**; [S.I. 2016/290](#), **reg. 2**
- F42** Words in s. 6A(5)(d) substituted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), **art. 3, Sch. 1 para. 92**, the amending provision coming into force immediately after the ordinary election under s. 3 of the [Government of Wales Act 1998 \(c. 38\)](#) held on 3.5.2007, see [art. 1\(2\)](#) of the amending S.I.
- F43** S. 6A(5)(da) inserted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **s. 157(1)**, **Sch. 10 para. 10**; [S.I. 2012/1129](#), **art. 2(g)**
- F44** S. 6A(5)(ea) inserted (S.) (29.6.2011) by [Local Electoral Administration \(Scotland\) Act 2011 \(asp 10\)](#), **ss. 11(1), 21(1)**; [S.S.I. 2011/277](#), **art. 2(b)**

Modifications etc. (not altering text)

- C7** S. 6A applied (with modifications) (E.) (27.7.2007) by [The Local Authorities \(Conduct of Referendums\) \(England\) Regulations 2007 \(S.I. 2007/2089\)](#), **regs. 1(2)(3), 8, 11, 13**, {[Sch. 4 Table 4](#)}
- C8** S. 6A applied (with modifications) (W.) (23.7.2008) by [The Local Authorities \(Conduct of Referendums\) \(Wales\) Regulations 2008 \(S.I. 2008/1848\)](#), **regs. 1(2), 8**, {[Sch. 4 Table 3](#)}
- C9** S. 6A applied (with modifications) (E.) (9.2.2012) by [The Local Authorities \(Conduct of Referendums\)\(England\) Regulations 2012 \(S.I. 2012/323\)](#), **reg. 1, Sch. 4 para. 1** [Table 4](#)
- C10** S. 6A applied (with modifications) (18.2.2012) by [The Local Authorities \(Conduct of Referendums\) \(Council Tax Increases\) \(England\) Regulations 2012 \(S.I. 2012/444\)](#), **reg. 1, Sch. 4 para. 1** [Table 4](#) (with [reg. 27](#))

Status: Point in time view as at 07/04/2021. This version of this part contains provisions that are prospective.
Changes to legislation: Political Parties, Elections and Referendums Act 2000, Part 1 is up to date with all changes known to be in force on or before 01 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- C11** S. 6A applied (with modifications) (3.8.2012) by [The Neighbourhood Planning \(Referendums\) Regulations 2012 \(S.I. 2012/2031\)](#), regs. 1, 8, 12, 13, **Sch. 4 Pt. 1** Table 4
- C12** S. 6A applied (with modifications) by S.I. 2012/2031, reg. 17, Sch. 8 Table 3 (as inserted (6.4.2013) by [The Neighbourhood Planning \(Referendums\) \(Amendment\) Regulations 2013 \(S.I. 2013/798\)](#), regs. 1, 7, **Sch. 3**)
- C13** S. 6A modified (26.2.2016) by [The European Union Referendum \(Conduct\) Regulations 2016 \(S.I. 2016/219\)](#), reg. 1, **Sch. 2 para. 1**
- C14** S. 6A(4) applied (with modifications) (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011 \(c. 1\)](#), s. 19(1), **Sch. 4 para. 4**

6B Observation of working practices by representatives of Commission **U.K.**

- (1) A representative of the Commission may observe the working practices of any of the following—
 - (a) an electoral registration officer;
 - (b) a returning officer;
 - (c) a relevant counting officer;
 - (d) any person acting under the direction of a person mentioned in paragraphs (a) to (c).
- (2) In this section—
 - (a) “relevant counting officer”, and
 - (b) “representative of the Commission”,must be construed in accordance with section 6A.

^{F45}(3)

Textual Amendments

- F40** Ss. 6A-6F inserted (31.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), **ss. 29, 77(2)**; S.I. 2006/3412, **art. 5** (with art. 6, Sch. 2); S.I. 2008/1316, **arts. 2(2)**, 4(k)
- F45** S. 6B(3) repealed (S.) (29.6.2011) by [Local Electoral Administration \(Scotland\) Act 2011 \(asp 10\)](#), **ss. 11(2)**, 21(1); S.S.I. 2011/277, art. 2(b)

Modifications etc. (not altering text)

- C15** S. 6B applied (with modifications) (E.) (27.7.2007) by [The Local Authorities \(Conduct of Referendums\) \(England\) Regulations 2007 \(S.I. 2007/2089\)](#), **regs. 1(2)(3)**, 8, 11, 13, {Sch. 4 Table 4}
- C16** S. 6B applied (with modifications) (W.) (23.7.2008) by [The Local Authorities \(Conduct of Referendums\) \(Wales\) Regulations 2008 \(S.I. 2008/1848\)](#), **regs. 1(2)**, 8, {Sch. 4 Table 3}
- C17** S. 6B applied (with modifications) (E.) (9.2.2012) by [The Local Authorities \(Conduct of Referendums\)\(England\) Regulations 2012 \(S.I. 2012/323\)](#), reg. 1, **Sch. 4 para. 1** Table 4
- C18** S. 6B applied (with modifications) (18.2.2012) by [The Local Authorities \(Conduct of Referendums\) \(Council Tax Increases\) \(England\) Regulations 2012 \(S.I. 2012/444\)](#), reg. 1, **Sch. 4 para. 1** Table 4 (with reg. 27)
- C19** S. 6B applied (with modifications) (3.8.2012) by [The Neighbourhood Planning \(Referendums\) Regulations 2012 \(S.I. 2012/2031\)](#), regs. 1, 8, 12, 13, **Sch. 4 Pt. 1** Table 4
- C20** S. 6B applied (with modifications) by S.I. 2012/2031, reg. 17, Sch. 8 Table 3 (as inserted (6.4.2013) by [The Neighbourhood Planning \(Referendums\) \(Amendment\) Regulations 2013 \(S.I. 2013/798\)](#), regs. 1, 7, **Sch. 3**)
- C21** S. 6B modified (26.2.2016) by [The European Union Referendum \(Conduct\) Regulations 2016 \(S.I. 2016/219\)](#), reg. 1, **Sch. 2 para. 2**

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6C Accredited observers: individuals **U.K.**

- (1) A person who is aged 16 or over may apply to the Commission to be an accredited observer at any of the following proceedings relating to an election specified in subsection (5) of section 6A or a referendum to which Part 7 applies—
 - (a) proceedings at the issue or receipt of postal ballot papers;
 - (b) proceedings at the poll;
 - (c) proceedings at the counting of votes.
- (2) If the Commission grant the application, the accredited observer may attend the proceedings in question.
- (3) An application under subsection (1) must be made in the manner specified in the code of practice issued under section 6F ^{F46} or 6G ^{F47} or, in relation to ^{F48} a Scottish Parliamentary general election, an election under section 9 of the Scotland Act 1998 (constituency vacancies) or] a local government election in Scotland, section 6G].
- (4) The Commission may at any time revoke the grant of an application under subsection (1).
- (5) If the Commission—
 - (a) refuse an application under subsection (1), or
 - (b) revoke the grant of any such application,
 they must give their decision in writing and must at the same time give reasons in writing for the refusal or revocation.
- (6) The right conferred on an accredited observer by this section is subject to any enactment which regulates attendance at the proceedings in question.

Textual Amendments

- F40** Ss. 6A-6F inserted (31.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006](#) (c. 22), **ss. 29, 77(2)**; S.I. 2006/3412, **art. 5** (with art. 6, Sch. 2); S.I. 2008/1316, **arts. 2(2), 4(k)**
- F46** Words in s. 6C(3) inserted (E.W.) (1.10.2020) by [Senedd and Elections \(Wales\) Act 2020](#) (anaw 1), s. 42(3)(b), **Sch. 2 para. 5**; S.I. 2020/1052, art. 2(b)
- F47** Words in s. 6C(3) inserted (S.) (29.6.2011) by [Local Electoral Administration \(Scotland\) Act 2011](#) (asp 10), **ss. 11(3), 21(1)**; S.S.I. 2011/277, art. 2(b)
- F48** Words in s. 6C(3) inserted (S.) (1.10.2020) by [Scottish Elections \(Reform\) Act 2020](#) (asp 12), **ss. 11(3), 35**; S.S.I. 2020/278, reg. 2, sch.

Modifications etc. (not altering text)

- C22** S. 6C applied (with modifications) (E.) (27.7.2007) by [The Local Authorities \(Conduct of Referendums\) \(England\) Regulations 2007](#) (S.I. 2007/2089), **regs. 1(2)(3), 8, 11, 13**, {Sch. 4 Table 4}
- C23** S. 6C applied (with modifications) (W.) (23.7.2008) by [The Local Authorities \(Conduct of Referendums\) \(Wales\) Regulations 2008](#) (S.I. 2008/1848), **regs. 1(2), 8**, {Sch. 4 Table 3}
- C24** S. 6C applied (with modifications) (E.) (9.2.2012) by [The Local Authorities \(Conduct of Referendums\)\(England\) Regulations 2012](#) (S.I. 2012/323), reg. 1, **Sch. 4 para. 1** Table 4
- C25** S. 6C applied (with modifications) (18.2.2012) by [The Local Authorities \(Conduct of Referendums\) \(Council Tax Increases\) \(England\) Regulations 2012](#) (S.I. 2012/444), reg. 1, **Sch. 4 para. 1** Table 4 (with reg. 27)
- C26** S. 6C applied (with modifications) (3.8.2012) by [The Neighbourhood Planning \(Referendums\) Regulations 2012](#) (S.I. 2012/2031), **regs. 1, 8, 12, 13**, **Sch. 4 Pt. 1** Table 4

Status: Point in time view as at 07/04/2021. This version of this part contains provisions that are prospective.
Changes to legislation: Political Parties, Elections and Referendums Act 2000, Part 1 is up to date with all changes known to be in force on or before 01 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- C27** S. 6C applied (with modifications) by S.I. 2012/2031, reg. 17, Sch. 8 Table 3 (as inserted (6.4.2013) by [The Neighbourhood Planning \(Referendums\) \(Amendment\) Regulations 2013 \(S.I. 2013/798\)](#), regs. 1, 7, **Sch. 3**)
- C28** S. 6C modified (26.2.2016) by [The European Union Referendum \(Conduct\) Regulations 2016 \(S.I. 2016/219\)](#), reg. 1, **Sch. 2 para. 3**
- C29** S. 6C applied (4.3.2016) by [The Recall of MPs Act 2015 \(Recall Petition\) Regulations 2016 \(S.I. 2016/295\)](#), **reg. 150**

6D Accredited observers: organisations **U.K.**

- (1) An organisation may apply to the Commission to be accredited for the purpose of nominating observers at any of the following proceedings relating to an election specified in subsection (5) of section 6A or a referendum to which Part 7 applies—
 - (a) proceedings at the issue or receipt of postal ballot papers;
 - (b) proceedings at the poll;
 - (c) proceedings at the counting of votes.
- (2) If the Commission grant the application the organisation may nominate members who may attend the proceedings in question.
- (3) The Commission, in granting an application under this section, may specify a limit on the number of observers nominated by the organisation who may attend, at the same time, specified proceedings by virtue of this section.
- (4) An application under subsection (1) must be made in the manner specified in the code of practice issued under section 6F ^{[^{F49}} or 6G] ^{[^{F50}} or, in relation to ^{[^{F51}}a Scottish Parliamentary general election, an election under section 9 of the Scotland Act 1998 (constituency vacancies) or] a local government election in Scotland, section 6G].
- (5) The Commission may at any time revoke the grant of an application under subsection (1).
- (6) If the Commission—
 - (a) refuse an application under subsection (1), or
 - (b) revoke the grant of any such application,they must give their decision in writing and must at the same time give reasons in writing for the refusal or revocation.
- (7) The right conferred by this section is subject to any enactment which regulates attendance at the proceedings in question.

Textual Amendments

- F40** Ss. 6A-6F inserted (31.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), **ss. 29, 77(2)**; S.I. 2006/3412, **art. 5** (with art. 6, Sch. 2); S.I. 2008/1316, **arts. 2(2), 4(k)**
- F49** Words in s. 6D(4) inserted (E.W.) (1.10.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(3)(b), **Sch. 2 para. 6**; S.I. 2020/1052, art. 2(b)
- F50** Words in s. 6D(4) inserted (S.) (29.6.2011) by [Local Electoral Administration \(Scotland\) Act 2011 \(asp 10\)](#), **ss. 11(4), 21(1)**; S.S.I. 2011/277, art. 2(b)
- F51** Words in s. 6D(4) inserted (S.) (1.10.2020) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), **ss. 11(4), 35**; S.S.I. 2020/278, reg. 2, sch.

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Changes to legislation: Political Parties, Elections and Referendums Act 2000, Part I is up to date with all changes known to be in force on or before 01 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Modifications etc. (not altering text)

- C30** S. 6D applied (with modifications) (E.) (27.7.2007) by [The Local Authorities \(Conduct of Referendums\) \(England\) Regulations 2007 \(S.I. 2007/2089\)](#), **regs. 1(2)(3)**, 8, 11, 13, {Sch. 4 Table 4}
- C31** S. 6D applied (with modifications) (W.) (23.7.2008) by [The Local Authorities \(Conduct of Referendums\) \(Wales\) Regulations 2008 \(S.I. 2008/1848\)](#), **regs. 1(2)**, 8, {Sch. 4 Table 3}
- C32** S. 6D applied (with modifications) (E.) (9.2.2012) by [The Local Authorities \(Conduct of Referendums\)\(England\) Regulations 2012 \(S.I. 2012/323\)](#), **reg. 1**, **Sch. 4 para. 1** Table 4
- C33** S. 6D applied (with modifications) (18.2.2012) by [The Local Authorities \(Conduct of Referendums\) \(Council Tax Increases\) \(England\) Regulations 2012 \(S.I. 2012/444\)](#), **reg. 1**, **Sch. 4 para. 1** Table 4 (with **reg. 27**)
- C34** S. 6D applied (with modifications) (3.8.2012) by [The Neighbourhood Planning \(Referendums\) Regulations 2012 \(S.I. 2012/2031\)](#), **regs. 1**, 8, 12, 13, **Sch. 4 Pt. 1** Table 4
- C35** S. 6D applied (with modifications) by S.I. 2012/2031, **reg. 17**, **Sch. 8** Table 3 (as inserted (6.4.2013) by [The Neighbourhood Planning \(Referendums\) \(Amendment\) Regulations 2013 \(S.I. 2013/798\)](#), **regs. 1**, 7, **Sch. 3**)
- C36** S. 6D modified (26.2.2016) by [The European Union Referendum \(Conduct\) Regulations 2016 \(S.I. 2016/219\)](#), **reg. 1**, **Sch. 2 para. 4**

6E Attendance and conduct of observers **U.K.**

- (1) A relevant officer may limit the number of persons who may be present at any proceedings at the same time in pursuance of section 6C or 6D.
- (2) If a person who is entitled to attend any proceedings by virtue of section 6C or 6D misconducts himself while attending the proceedings, the relevant officer may cancel the person's entitlement.
- (3) Subsection (2) does not affect any power a relevant officer has by virtue of any enactment or rule of law to remove a person from any place.
- (4) A relevant officer is—
 - (a) in the case of proceedings at a polling station, the presiding officer;
 - (b) in the case of any other proceedings at an election, the returning officer;
 - (c) in the case of any other proceedings at a referendum, the relevant counting officer (within the meaning of section 6A);
 - (d) such other person as a person mentioned in paragraph (a), (b) or (c) authorises for the purposes of the proceedings mentioned in that paragraph.

Textual Amendments

- F40** Ss. 6A-6F inserted (31.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), **ss. 29**, 77(2); S.I. 2006/3412, **art. 5** (with **art. 6**, **Sch. 2**); S.I. 2008/1316, **arts. 2(2)**, 4(k)

Modifications etc. (not altering text)

- C37** S. 6E modified (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011 \(c. 1\)](#), **s. 19(1)**, **Sch. 5 para. 4**
- C38** S. 6E applied (with modifications) (E.) (27.7.2007) by [The Local Authorities \(Conduct of Referendums\) \(England\) Regulations 2007 \(S.I. 2007/2089\)](#), **regs. 1(2)(3)**, 8, 11, 13, {Sch. 4 Table 4}
- C39** S. 6E applied (with modifications) (W.) (23.7.2008) by [The Local Authorities \(Conduct of Referendums\) \(Wales\) Regulations 2008 \(S.I. 2008/1848\)](#), **regs. 1(2)**, 8, {Sch. 4 Table 3}
- C40** S. 6E applied (with modifications) (E.) (9.2.2012) by [The Local Authorities \(Conduct of Referendums\) \(England\) Regulations 2012 \(S.I. 2012/323\)](#), **reg. 1**, **Sch. 4 para. 1** Table 4

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- C41** S. 6E applied (with modifications) (18.2.2012) by [The Local Authorities \(Conduct of Referendums\) \(Council Tax Increases\) \(England\) Regulations 2012 \(S.I. 2012/444\)](#), reg. 1, **Sch. 4 para. 1** Table 4 (with reg. 27)
- C42** S. 6E applied (with modifications) (3.8.2012) by [The Neighbourhood Planning \(Referendums\) Regulations 2012 \(S.I. 2012/2031\)](#), regs. 1, 8, 12, 13, **Sch. 4 Pt. 1** Table 4
- C43** S. 6E applied (with modifications) by S.I. 2012/2031, reg. 17, Sch. 8 Table 3 (as inserted (6.4.2013) by [The Neighbourhood Planning \(Referendums\) \(Amendment\) Regulations 2013 \(S.I. 2013/798\)](#), regs. 1, 7, **Sch. 3**)

6F Code of practice on attendance of observers at elections etc. U.K.

- (1) The Commission must prepare a code of practice on the attendance of—
- (a) representatives of the Commission,
 - (b) accredited observers, and
 - (c) nominated members of accredited organisations,

at elections specified in subsection (5) of section 6A [^{F52}, other than those specified in subsection (2) of section 6G,]^{F53} (other than [^{F54} a Scottish Parliamentary general election, an election under section 9 of the Scotland Act 1998 (constituency vacancies) and] a local government election in Scotland)] and referendums to which Part 7 applies.

[The code must also cover the attendance of representatives of the Commission at ^{F55}(1A) proceedings relating to a recall petition which are the responsibility of the petition officer in relation to the petition.]

- (2) The code must in particular—
- (a) specify the manner in which applications under sections 6C(1) and 6D(1) are to be made to the Commission;
 - (b) specify the criteria to be taken into account by the Commission in determining such applications;
 - (c) give guidance to relevant officers (within the meaning of section 6E) as to the exercise of the power conferred by subsection (1) of that section;
 - (d) give guidance to such officers as to the exercise of the power mentioned in subsection (2) of that section as it relates to a person having the permission mentioned in subsection (1) of that section;
 - (e) give guidance to such officers as to the exercise of any power under any enactment to control the number of persons present at any proceedings relating to an election or referendum as it relates to a person having such permission;
 - (f) give guidance to representatives of the Commission, accredited observers and nominated members of accredited organisations on the exercise of the rights conferred by sections 6A, 6B, 6C and 6D.
- (3) The code may make different provision for different purposes.
- (4) Before preparing the code, the Commission must consult the Secretary of State.
- (5) The Commission must lay the code before each House of Parliament.
- (6) The Commission must publish the code (in such manner as the Commission may determine).
- (7) The following persons must have regard to the code in exercising any function conferred by section 6A, 6B, 6C, 6D or 6E—

Status: Point in time view as at 07/04/2021. This version of this part contains provisions that are prospective.
Changes to legislation: Political Parties, Elections and Referendums Act 2000, Part 1 is up to date with all changes known to be in force on or before 01 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) the Commission;
 - (b) representatives of the Commission;
 - (c) relevant officers (within the meaning of section 6E);
 - (d) relevant counting officers.
- (8) The Commission may at any time revise the code.
- (9) Subsections (4) to (7) apply in relation to a revision of the code as they apply in relation to the code.
- (10) In this section [^{F56}and section 6G] —
- (a) “accredited observer” must be construed in accordance with section 6C;
 - (b) “accredited organisation” must be construed in accordance with section 6D, and “nominated member” must be construed accordingly;
 - (c) “relevant counting officer” must be construed in accordance with section 6A;
 - (d) “representative of the Commission” has the same meaning as in section 6A.]

Textual Amendments

- F40** Ss. 6A-6F inserted (31.1.2007 for E.W.S. and 1.7.2008 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), [ss. 29, 77\(2\)](#); [S.I. 2006/3412](#), [art. 5](#) (with [art. 6, Sch. 2](#)); [S.I. 2008/1316](#), [arts. 2\(2\)](#), 4(k)
- F52** Words in s. 6F(1) inserted (E.W.) (1.10.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(3)(b), [Sch. 2 para. 7\(2\)](#); [S.I. 2020/1052](#), [art. 2\(b\)](#)
- F53** Words in s. 6F(1) inserted (S.) (29.6.2011) by [Local Electoral Administration \(Scotland\) Act 2011 \(asp 10\)](#), [ss. 11\(5\)\(a\)](#), 21(1); [S.S.I. 2011/277](#), [art. 2\(b\)](#)
- F54** Words in s. 6F(1) inserted (S.) (1.10.2020) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), [ss. 11\(5\)](#), 35; [S.S.I. 2020/278](#), [reg. 2, sch.](#)
- F55** S. 6F(1A) inserted (4.3.2016) by [Recall of MPs Act 2015 \(c. 25\)](#), s. 24(3), [Sch. 6 para. 3\(5\)](#); [S.I. 2016/290](#), [reg. 2](#)
- F56** Words in s. 6F(10) inserted (S.) (29.6.2011) by [Local Electoral Administration \(Scotland\) Act 2011 \(asp 10\)](#), [ss. 11\(5\)\(b\)](#), 21(1); [S.S.I. 2011/277](#), [art. 2\(b\)](#); and (E.W.) (1.10.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(3)(b), [Sch. 2 para. 7\(3\)](#); [S.I. 2020/1052](#), [art. 2\(b\)](#)

6G [^{F57}Code of practice on attendance of observers at Scottish Parliamentary elections and local government elections in Scotland] **S**

- (1) [^{F58}The Commission must prepare a code of practice on the attendance of—
- (a) representatives of the Commission;
 - (b) accredited observers; and
 - (c) nominated members of accredited organisations,
- at [^{F59}Scottish Parliamentary general elections, elections under section 9 of the Scotland Act 1998 (constituency vacancies) and] local government elections in Scotland.
- (2) The code must in particular—
- (a) specify the manner in which applications under section 6C(1) and 6D(1) are to be made to the Commission;
 - (b) specify the criteria to be taken into account by the Commission in determining such applications;
 - (c) give guidance to relevant officers (within the meaning of section 6E) as to the exercise of the power conferred by subsection (1) of that section;

Status: Point in time view as at 07/04/2021. This version of this part contains provisions that are prospective.
Changes to legislation: Political Parties, Elections and Referendums Act 2000, Part 1 is up to date with all changes known to be in force on or before 01 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (d) give guidance to such officers as to the exercise of the power mentioned in subsection (2) of that section as it relates to a person having the permission mentioned in subsection (1) of that section;
 - (e) give guidance to such officers as to the exercise of any power under any enactment to control the number of persons present at any proceedings relating to an election as it relates to a person having such permission;
 - (f) give guidance to representatives of the Commission, accredited observers and nominated members of accredited organisations on the exercise of the rights conferred by sections 6A, 6B, 6C and 6D.
- (3) The code may make different provision for different purposes.
- (4) Before preparing the code, the Commission must consult the Scottish Ministers.
- (5) The Commission must lay the code before the Scottish Parliament.
- (6) The Commission must publish the code (in such matter as they may determine).
- (7) The following persons must have regard to the code in exercising any function conferred by section 6A, 6B, 6C, 6D or 6E—
- (a) the Commission;
 - (b) representatives of the Commission;
 - (c) relevant officers (within the meaning of section 6E).
- (8) The Commission may at any time revise the code.
- (9) Subsections (4) to (7) apply in relation to a revision of the code as they apply in relation to the code.]

Textual Amendments

- F57** S. 6G title substituted (S.) (1.10.2020) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), **ss. 11(2)(b)**, 35; [S.S.I. 2020/278](#), [reg. 2](#), [sch.](#)
- F58** S. 6G inserted (S.) (29.6.2011) by [Local Electoral Administration \(Scotland\) Act 2011 \(asp 10\)](#), **ss. 11(6)**, 21(1); [S.S.I. 2011/277](#), [art. 2\(b\)](#)
- F59** Words in s. 6G(1) inserted (S.) (1.10.2020) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), **ss. 11(2)(a)**, 35; [S.S.I. 2020/278](#), [reg. 2](#), [sch.](#)

Modifications etc. (not altering text)

- C44** S. 6G applied (with modifications) (30.1.2020) by [Referendums \(Scotland\) Act 2020 \(asp 2\)](#), **ss. 24**, 41

[^{F60}6G Code of practice on attendance of observers at devolved elections in Wales **U.K.**

- (1) The Commission must prepare a code of practice on the attendance at elections specified in subsection (2) of—
- (a) representatives of the Commission,
 - (b) accredited observers, and
 - (c) nominated members of accredited organisations.
- (2) The code must make provision about attendance at—
- (a) general elections of Members of the Senedd;

Status: Point in time view as at 07/04/2021. This version of this part contains provisions that are prospective.

Changes to legislation: Political Parties, Elections and Referendums Act 2000, Part 1 is up to date with all changes known to be in force on or before 01 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (b) elections under section 10 of the Government of Wales Act 2006 (elections for Senedd constituency vacancies);
 - (c) local government elections in Wales.
- (3) The code must in particular—
- (a) specify the manner in which applications under sections 6C(1) and 6D(1) are to be made to the Commission;
 - (b) specify the criteria to be taken into account by the Commission in determining such applications;
 - (c) give guidance to relevant officers (within the meaning of section 6E) as to the exercise of the power conferred by subsection (1) of that section;
 - (d) give guidance to such officers as to the exercise of the power mentioned in subsection (2) of that section as it relates to a person having the permission mentioned in subsection (1) of that section;
 - (e) give guidance to such officers as to the exercise of any power under any enactment to control the number of persons present at any proceedings relating to an election as it relates to a person having such permission;
 - (f) give guidance to representatives of the Commission, accredited observers and nominated members of accredited organisations on the exercise of the rights conferred by sections 6A, 6B, 6C and 6D.
- (4) The code may make different provision for different purposes.
- (5) Before preparing the code, the Commission must consult the Welsh Ministers.
- (6) The Commission must lay the code before Senedd Cymru.
- (7) The Commission must publish the code (in such manner as the Commission may determine).
- (8) The following persons must have regard to the code in exercising any function conferred by section 6A, 6B, 6C, 6D or 6E in relation to an election specified in subsection (2)—
- (a) the Commission;
 - (b) representatives of the Commission;
 - (c) relevant officers (within the meaning of section 6E).
- (9) The Commission may at any time revise the code.
- (10) Subsections (4) to (7) apply in relation to a revision of the code as they apply in relation to the code.]

Textual Amendments

F60 S. 6G inserted (E.W.) (1.10.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(3)(b), [Sch. 2 para. 8](#); S.I. 2020/1052, art. 2(b)

[^{F61}6H Code of practice on expenditure of candidates at Scottish parliamentary elections **U.K.**

- (1) The Commission may prepare, and from time to time revise, a code of practice giving guidance as to—

Status: Point in time view as at 07/04/2021. This version of this part contains provisions that are prospective.
Changes to legislation: Political Parties, Elections and Referendums Act 2000, Part 1 is up to date with all changes known to be in force on or before 01 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) the matters which are, or are not, to be regarded as election expenses,
 - (b) the cases or circumstances in which expenses are, or are not, to be regarded as incurred,for the purposes of any order under section 12(1) of the Scotland Act 1998 in so far as regulating the incurring of expenses for the purposes of a candidate's election at a Scottish Parliamentary general election or an election under section 9 of the Scotland Act 1998 (constituency vacancies).
- (2) Once the Commission have prepared a draft code under this section, the Commission must submit it to the Scottish Ministers for their approval.
- (3) The Scottish Ministers may approve a draft code either without modification or with such modifications as they may determine.
- (4) Once the Scottish Ministers have approved a draft code, they must lay a copy of the draft before the Scottish Parliament, either—
 - (a) in its original form, or
 - (b) in a form which incorporates any modifications determined under subsection (3).
- (5) If the draft incorporates any modifications determined under subsection (3), the Scottish Ministers must at the same time lay before the Scottish Parliament a statement of their reasons for making the modifications.
- (6) If, within the 40-day period, the Scottish Parliament resolves not to approve the draft code, the Scottish Ministers must take no further steps in relation to the draft code.
- (7) If no such resolution is made within the 40-day period—
 - (a) the Scottish Ministers must issue the code in the form of the draft laid before the Scottish Parliament, and
 - (b) the Commission must arrange for it to be published in such manner as the Commission think appropriate.
- (8) Subsection (6) does not prevent a new draft code from being laid before the Scottish Parliament.
- (9) In this section, “the 40-day period”, in relation to the draft code, means the period of 40 days beginning with the day on which the draft code is laid before the Scottish Parliament (taking no account of any time during which the Parliament is dissolved or in recess for more than 4 days).
- (10) In this section, references to a draft code include references to a draft revised code.]

Textual Amendments

F61 S. 6H inserted (S.) (1.10.2020) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), **ss. 9, 35**; S.S.I. 2020/278, reg. 2, sch.

7 Commission to be consulted on changes to electoral law. **U.K.**

- (1) Before making an instrument to which this section applies, the authority making the instrument shall consult the Commission.
- (2) This section applies to an instrument containing—

Status: Point in time view as at 07/04/2021. This version of this part contains provisions that are prospective.
Changes to legislation: Political Parties, Elections and Referendums Act 2000, Part I is up to date with all changes known to be in force on or before 01 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- ^{F62}(a)
- ^{F62}(b)
- (c) an order under section 24(1)(c), (cc) or (e), 25(1)(b), 28(1)(b) or 35(2B) of the Representation of the ^{M6}People Act 1983 (designations of returning officers and acting returning officers);
- (d) rules under section 36 of that Act (local government elections in England ^{F63}...);
- (e) regulations under that Act (“the 1983 Act”), or under the Representation of the ^{M7}People Act 1985, in relation to which section 201(2) of the 1983 Act (regulations which may not be made unless a draft of them has been laid before and approved by a resolution of each House of Parliament) has effect;
- [^{F64}(ea) regulations made by virtue of paragraph 7F of Schedule 4 to the Representation of the People Act 2000 (regulations made by the Scottish Ministers about notification of rejected postal votes in relation to local government elections in Scotland);]
- [^{F65}(f) an order under section 13 or 64(3) [^{F66} or regulations under section 13A] of the Government of Wales Act 2006 (conduct of elections to the National Assembly for Wales and of polls held by Welsh Ministers);]
- (g) an order under section 12(1) or (6) [^{F67} or regulations under section 12A(1)] of the ^{M8}Scotland Act 1998 (conduct of elections to the Scottish Parliament);
- (h) an order under section 34(4) of the ^{M9}Northern Ireland Act 1998 (conduct of elections to the Northern Ireland Assembly);
- [^{F68}(ha) an order under subsection (1)(b) of section 54 of the Police Reform and Social Responsibility Act 2011 (designations of returning officers for elections of persons as police and crime commissioners in England and Wales);
- (hb) regulations under subsection (2) of that section (functions of returning officers and local returning officers for such elections);
- (hc) an order under section 58 of that Act (conduct of elections of persons as police and crime commissioners in England and Wales);]
- (i) an order under section 17A(3) of the ^{M10}Greater London Authority Act 1999 (free delivery of election addresses at elections to the Greater London Authority).
- [^{F69}(j) an order under section 3(1) of the Local Governance (Scotland) Act 2004.]
- [^{F70}(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).]
- (3) No draft Order shall be laid before Parliament under section 84(4) of the ^{M11}Northern Ireland Act 1998 (power to make provision with respect to elections in Northern Ireland) except after consultation with the Commission.

Textual Amendments

- F62** S. 7(2)(a)(b) repealed (31.12.2020) by [The European Parliamentary Elections Etc. \(Repeal, Revocation, Amendment and Saving Provisions\) \(United Kingdom and Gibraltar\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1310\), reg. 1, Sch. 1 Pt. 1](#) (as amended by [S.I. 2019/1389, regs. 1, 2\(2\)](#))
- F63** Words in s. 7(2)(d) omitted (20.3.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\), s. 175\(3\)\(f\), Sch. 2 para. 11](#)
- F64** S. 7(2)(ea) inserted (2.4.2013) by [Electoral Registration and Administration Act 2013 \(c. 6\), ss. 22\(2\), 27\(1\); S.I. 2013/702, art. 3\(d\)](#)

Status: Point in time view as at 07/04/2021. This version of this part contains provisions that are prospective.
Changes to legislation: Political Parties, Elections and Referendums Act 2000, Part 1 is up to date with all changes known to be in force on or before 01 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- F65** S. 7(2)(f) substituted (3.5.2007) by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), art. 3, **Sch. 1 para. 93**, the amending provision coming into force immediately after the ordinary election under s. 3 of the [Government of Wales Act 1998 \(c. 38\)](#) held on 3.5.2007, see art. 1(2) of the amending S.I.
- F66** Words in s. 7(2)(f) inserted (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), **ss. 5(3)**, 71(4) (with Sch. 7 paras. 1, 6); S.I. 2017/1179, reg. 3(b)
- F67** Words in s. 7(2)(g) inserted (1.7.2015) by [Scotland Act 2012 \(c. 11\)](#), **ss. 3(5)**, 44(5); S.I. 2015/682, art. 2(b)
- F68** S. 7(2)(ha)-(hc) inserted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 10 para. 11**; S.I. 2012/1129, art. 2(g)
- F69** S. 7(2)(j) inserted (S.) (29.6.2011) by [Local Electoral Administration \(Scotland\) Act 2011 \(asp 10\)](#), **ss. 12**, 21(1); S.S.I. 2011/277, art. 2(b)
- F70** S. 7(2)(k) inserted (26.3.2015 for specified purposes, 4.3.2016 in so far as not already in force) by [Recall of MPs Act 2015 \(c. 25\)](#), s. 24(2)(g), **Sch. 6 para. 3(6)**; S.I. 2016/290, reg. 2

Modifications etc. (not altering text)

- C45** S. 7(2)(g) saving for effect of 2012 c. 11, s. 3(5) (1.7.2015) by [The Scotland Act 2012 \(Saving and Consequential Provisions\) Order 2015 \(S.I. 2015/683\)](#), arts. 1, 2

Commencement Information

- I4** S. 7 wholly in force at 16.2.2001; s. 7 not in force at Royal Assent, see s. 163(2); s. 7 in force at 16.2.2001 by [S.I. 2001/222](#), art. 2, **Sch. 1 Pt. I** (subject to transitional provisions in [Sch. 1 Pt. II](#))

Marginal Citations

- M6** 1983 c. 2.
M7 1985 c. 50.
M8 1998 c. 46.
M9 1998 c. 47.
M10 1999 c. 29.
M11 1998 c. 47.

8 Powers with respect to elections exercisable only on Commission recommendation. **U.K.**

- (1) The function of giving directions under section 52(1) of the Representation of the ^{M12}People Act 1983 (directions as to discharge of registration duties) shall be exercisable only on, and in accordance with, a recommendation of the Commission.
- (2) A function to which this subsection applies shall, unless [^{F71}the person on whom the function is conferred] considers that the exercise of the function is expedient in consequence of changes in the value of money, be exercisable only on, and in accordance with, a recommendation of the Commission.
- (3) Subsection (2) applies to the following functions, namely—
- the making of orders under section 76(2A) of that Act (limitation of expenses in connection with elections to the Greater London Authority);
 - the making of orders under section [^{F72}13 of the Government of Wales Act 2006] or section 12 of the ^{M13}Scotland Act 1998 so far as relating to the matters mentioned in subsection (2)(c) of the section (limitation of expenses in connection with elections to the National Assembly for Wales or Scottish Parliament);
- ^{F73}(c)

Status: Point in time view as at 07/04/2021. This version of this part contains provisions that are prospective.
Changes to legislation: Political Parties, Elections and Referendums Act 2000, Part I is up to date with all changes known to be in force on or before 01 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F71** Words in s. 8(2) substituted (1.7.2015) by [Scotland Act 2012 \(c. 11\)](#), **ss. 3(6)**, 44(5); [S.I. 2015/682](#), art. 2(b)
- F72** Words in s. 8(3)(b) substituted by [Government of Wales Act 2006 \(c. 32\)](#), s. 160, **Sch. 10 para. 59** (with [Sch. 11 para. 22](#)), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) of the amending Act, which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) -- see ss. 46, 161(1)(4)(5) of the amending Act.
- F73** [S. 8\(3\)\(c\)](#) repealed (31.12.2020) by [The European Parliamentary Elections Etc. \(Repeal, Revocation, Amendment and Saving Provisions\) \(United Kingdom and Gibraltar\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1310\)](#), reg. 1, **Sch. 1 Pt. 1** (as amended by [S.I. 2019/1389](#), regs. 1, 2(2))

Modifications etc. (not altering text)

- C46** [S. 8\(2\)](#) saving for effect of [2012 c. 11](#), s. 3(6) (1.7.2015) by [The Scotland Act 2012 \(Saving and Consequential Provisions\) Order 2015 \(S.I. 2015/683\)](#), arts. 1, 2

Commencement Information

- I5** [S. 8](#) wholly in force at 16.2.2001; [s. 8](#) not in force at Royal Assent, see [s. 163\(2\)](#); [s. 8](#) in force at 16.2.2001 by [S.I. 2001/222](#), art. 2, **Sch. 1 Pt. I** (subject to transitional provisions in [Sch. 1 Pt. II](#))

Marginal Citations

- M12** [1983 c. 2](#).
M13 [1998 c. 46](#).

9 Involvement of Commission in changes in electoral procedures. **U.K.**

- (1) The Commission—
- (a) may participate with any relevant local authority in the joint submission of proposals falling within section 10(1) of the Representation of the People Act 2000 (pilot schemes); and
 - (b) shall have such other functions in relation to—
 - (i) orders and schemes under section 10 of that Act, and
 - (ii) orders under section 11 of that Act (revision of procedures in the light of pilot schemes),
 as are conferred on the Commission by those sections.
- (2) Where any scheme under section 10 of that Act falls to be implemented following the approval by the Secretary of State of proposals jointly submitted by the Commission and a relevant local authority as mentioned in subsection (1)(a) above, the Commission may, in connection with the implementation of the scheme, provide that authority with such assistance (except financial assistance) as the Commission think fit.
- (3) In this section “relevant local authority” has the same meaning as in section 10 of that Act.

Status: Point in time view as at 07/04/2021. This version of this part contains provisions that are prospective.
Changes to legislation: Political Parties, Elections and Referendums Act 2000, Part I is up to date with all changes known to be in force on or before 01 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Commencement Information

I6 S. 9 wholly in force at 1.7.2001; s. 9 not in force at Royal Assent, s. 163(2); s. 9 in force at 1.7.2001 by S.I. 2001/222, art. 4, **Sch. 2 Pt. I** (with Sch. 2 Pt. II para. 1)

[^{F74}9A Setting of performance standards **U.K.**

- (1) The Commission may from time to time—
 - (a) determine standards of performance for relevant officers [^{F75}mentioned in subsection (2)], and
 - (b) publish, in such form and in such manner as they consider appropriate, the standards so determined.
- (2) The standards of performance are such standards as the Commission think ought to be achieved by—
 - (a) electoral registration officers in the performance of their functions;
 - (b) returning officers in the administration of the elections specified in subsection (6);
 - (c) counting officers in the administration of the referendums specified in subsection (7).
- (3) Before determining standards under subsection (1), the Commission must consult—
 - (a) the Secretary of State, and
 - (b) any other person they think appropriate.
- (4) The Commission may determine different standards for different descriptions of relevant officers.
- (5) When the Commission publish standards under subsection (1) they must send a copy of the published standards to the Secretary of State who must lay a copy of the published standards before each House of Parliament.

[In relation to electoral registration officers for areas in Wales, the reference to their ^{F76}(5A) functions in subsection (2)(a) is a reference to their functions in relation to registers of parliamentary electors.]

[But subsections (3) and (5) do not apply in relation to standards relating to— ^{F77}(5A) (a) Scottish Parliamentary general elections,
(b) elections held under section 9 of the Scotland Act 1998 (constituency vacancies), or
(c) local government elections in Scotland.]

- (6) The elections specified in this subsection are—
 - (a) an election mentioned in section 5(2) [^{F78}other than one mentioned in paragraph (d) of that subsection];
 - (b) a parliamentary by-election;
 - (c) an election under section 9 of the Scotland Act 1998 (constituency vacancies);
 - ^{F79}(d)
 - [^{F80}(da) an election under section 51 of the Police Reform and Social Responsibility Act 2011 (election to fill vacancy in office of police and crime commissioner);]

Status: Point in time view as at 07/04/2021. This version of this part contains provisions that are prospective.
Changes to legislation: Political Parties, Elections and Referendums Act 2000, Part I is up to date with all changes known to be in force on or before 01 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (e) a local government election in England ^{F81}....
 - ^{F82}[a local government election in Scotland.]
 - (f)
- (7) The referendums specified in this subsection are—
- (a) a referendum to which Part 7 applies;
 - (b) [^{F83}a referendum under Part 2 of the Local Government Act 2000.]
- (8) For the purposes of this section and sections [^{F84}9AA,] 9B and 9C, the relevant officers are—
- (a) electoral registration officers;
 - (b) in relation to elections within subsection (6) [^{F85}or section 9AA(6)], returning officers;
 - (c) in relation to referendums within subsection (7) [^{F86} or section 9AA(7)], counting officers.

Textual Amendments

- F74** Ss. 9A-9C inserted (11.9.2006) by Electoral Administration Act 2006 (c. 22), **ss. 67, 77(2)**; S.I. 2006/1972, **art. 3, Sch. 1 para. 23** (subject to art. 4, Sch. 2)
- F75** Words in s. 9A(1)(a) inserted (E.W.) (1.10.2020) by Senedd and Elections (Wales) Act 2020 (anaw 1), s. 42(3)(b), **Sch. 2 para. 9(2)**; S.I. 2020/1052, art. 2(b)
- F76** S. 9A(5A) inserted (E.W.) (1.10.2020) by Senedd and Elections (Wales) Act 2020 (anaw 1), s. 42(3)(b), **Sch. 2 para. 9(3)**; S.I. 2020/1052, art. 2(b)
- F77** S. 9A(5A) inserted (S.) (1.10.2020) by Scottish Elections (Reform) Act 2020 (asp 12), **ss. 14(2), 35**; S.S.I. 2020/278, reg. 2, sch.
- F78** Words in s. 9A(6)(a) inserted (E.W.) (1.10.2020) by Senedd and Elections (Wales) Act 2020 (anaw 1), s. 42(3)(b), **Sch. 2 para. 9(4)(a)**; S.I. 2020/1052, art. 2(b)
- F79** S. 9A(6)(d) omitted (E.W.) (1.10.2020) by virtue of Senedd and Elections (Wales) Act 2020 (anaw 1), s. 42(3)(b), **Sch. 2 para. 9(4)(b)**; S.I. 2020/1052, art. 2(b)
- F80** S. 9A(6)(da) inserted (25.4.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 10 para. 13**; S.I. 2012/1129, art. 2(g)
- F81** Words in s. 9A(6)(e) omitted (E.W.) (1.10.2020) by virtue of Senedd and Elections (Wales) Act 2020 (anaw 1), s. 42(3)(b), **Sch. 2 para. 9(4)(c)**; S.I. 2020/1052, art. 2(b)
- F82** S. 9A(6)(f) inserted (S.) (29.6.2011) by Local Electoral Administration (Scotland) Act 2011 (asp 10), **ss. 13(1), 21(1)**; S.S.I. 2011/277, art. 2(b)
- F83** S. 9A(7)(b) omitted (E.W.) (1.10.2020) by virtue of Senedd and Elections (Wales) Act 2020 (anaw 1), s. 42(3)(b), **Sch. 2 para. 9(5)**; S.I. 2020/1052, art. 2(b)
- F84** Word in s. 9A(8) inserted (E.W.) (1.10.2020) by Senedd and Elections (Wales) Act 2020 (anaw 1), s. 42(3)(b), **Sch. 2 para. 9(6)(a)**; S.I. 2020/1052, art. 2(b)
- F85** Words in s. 9A(8)(b) inserted (E.W.) (1.10.2020) by Senedd and Elections (Wales) Act 2020 (anaw 1), s. 42(3)(b), **Sch. 2 para. 9(6)(b)**; S.I. 2020/1052, art. 2(b)
- F86** Words in s. 9A(8)(c) inserted (E.W.) (1.10.2020) by Senedd and Elections (Wales) Act 2020 (anaw 1), s. 42(3)(b), **Sch. 2 para. 9(6)(c)**; S.I. 2020/1052, art. 2(b)

^{F87}9AA Performance standards for devolved elections and referendums in Wales **U.K.**

- (1) The Commission may from time to time—
- (a) determine standards of performance for relevant officers mentioned in subsection (2), and

Status: Point in time view as at 07/04/2021. This version of this part contains provisions that are prospective.
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- (b) publish, in such form and in such manner as they consider appropriate, the standards so determined.
- (2) The standards of performance are such standards as the Commission think ought to be achieved by—
- (a) electoral registration officers for areas in Wales in the performance of their functions in relation to registers of local government electors;
 - (b) returning officers in the administration of the elections specified in subsection (6);
 - (c) counting officers in the administration of the referendums specified in subsection (7).
- (3) Before determining standards under subsection (1), the Commission must consult—
- (a) the Welsh Ministers, and
 - (b) any other person they think appropriate.
- (4) The Commission may determine different standards for different descriptions of relevant officers.
- (5) When the Commission publish standards under subsection (1) they must send a copy to the Welsh Ministers who must lay a copy before Senedd Cymru.
- (6) The elections specified in this subsection are—
- (a) a general election of Members of the Senedd;
 - (b) an election under section 10 of the Government of Wales Act 2006 (elections for Senedd constituency vacancies);
 - (c) a local government election in Wales.
- (7) The referendums specified in this subsection are referendums under Part 2 of the Local Government Act 2000 or Part 4 of the Local Government (Wales) Measure 2011 (referendums relating to executive arrangements of local authorities in Wales).]

Textual Amendments

- F74** Ss. 9A-9C inserted (11.9.2006) by [Electoral Administration Act 2006 \(c. 22\)](#), **ss. 67, 77(2)**; S.I. 2006/1972, **art. 3**, Sch. 1 para. 23 (subject to art. 4, Sch. 2)
- F87** S. 9AA inserted (E.W.) (1.10.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(3)(b), **Sch. 2 para. 10**; S.I. 2020/1052, art. 2(b)

^{F88}9AA **Setting performance standards: devolved Scottish elections** **U.K.**

- (1) Before determining standards under subsection (1) of section 9A relating to any elections mentioned in subsection (5A)(a) to (c) of that section, the Commission must consult—
- (a) the Scottish Ministers, and
 - (b) any other person they think appropriate.
- (2) When the Commission publish standards under subsection (1) of section 9A relating to any elections mentioned in subsection (5A)(a) to (c) of that section—
- (a) the Commission must send a copy of the published standards to the Scottish Ministers, and

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- (b) the Scottish Ministers must lay a copy of the published standards before the Scottish Parliament.]

Textual Amendments

- F74** Ss. 9A-9C inserted (11.9.2006) by [Electoral Administration Act 2006 \(c. 22\)](#), **ss. 67, 77(2)**; S.I. 2006/1972, **art. 3**, Sch. 1 para. 23 (subject to art. 4, Sch. 2)
- F88** S. 9AA inserted (S.) (1.10.2020) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), **ss. 14(3), 35**; S.S.I. 2020/278, reg. 2, sch.

9B Returns and reports on performance standards **U.K.**

- (1) The Commission may from time to time issue directions to relevant officers to provide the Commission with such reports regarding their level of performance against the standards determined under section 9A(1) [^{F89}or 9AA(1)] as may be specified in the direction.
- (2) A direction under subsection (1)—
- must specify the relevant officer or officers to whom it is issued (and may specify a description or descriptions of relevant officers),
 - may require the report or reports to relate to such elections or referendums (or both) as may be specified in the direction, and
 - may require the report or reports to be provided in a form specified in the direction.
- (3) A report provided to the Commission in pursuance of subsection (1) may be published by the relevant officer to whom it relates.
- (4) The Commission shall from time to time prepare and publish (in such manner as the Commission may determine) assessments of the level of performance by relevant officers against the standards determined under section 9A(1) [^{F90}or 9AA(1)].
- (5) An assessment under subsection (4)—
- must specify the relevant officer or officers to whom it relates;
 - must specify the period to which it relates;
 - may specify the elections or referendums (or both) to which it relates.
- (6) The Commission must not prepare an assessment under subsection (4) unless they have received reports in pursuance of subsection (1) from the relevant officer or officers for the matters to which the assessment relates.
- (7) Before publishing an assessment under subsection (4), the Commission shall—
- provide to each relevant officer a copy of those parts of the assessment which relate to him;
 - have regard to any comments made by him regarding the factual accuracy of the assessment.

Textual Amendments

- F74** Ss. 9A-9C inserted (11.9.2006) by [Electoral Administration Act 2006 \(c. 22\)](#), **ss. 67, 77(2)**; S.I. 2006/1972, **art. 3**, Sch. 1 para. 23 (subject to art. 4, Sch. 2)

Status: Point in time view as at 07/04/2021. This version of this part contains provisions that are prospective.
Changes to legislation: Political Parties, Elections and Referendums Act 2000, Part 1 is up to date with all changes known to be in force on or before 01 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- F89** Words in s. 9B(1) inserted (E.W.) (1.10.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(3)(b), [Sch. 2 para. 11](#); S.I. 2020/1052, art. 2(b)
- F90** Words in s. 9B(4) inserted (E.W.) (1.10.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(3)(b), [Sch. 2 para. 11](#); S.I. 2020/1052, art. 2(b)

9C Provision of information about expenditure on elections etc. **U.K.**

- (1) The Commission may by notice in writing direct a relevant officer to provide the Commission with such expenditure information as may be specified in the direction.
- (2) Expenditure information is information relating to—
- (a) in the case of an electoral registration officer, expenditure in connection with the performance of his functions;
 - (b) in the case of a returning officer, expenditure in connection with the election or elections specified in section 9A(6) [^{F91}or 9AA(6)] for which he is appointed or otherwise holds office;
 - (c) in the case of a counting officer, expenditure in connection with the referendum or referendums specified in section 9A(7) [^{F92}or 9AA(7)] for which he is appointed.
- (3) A direction under subsection (1)—
- (a) may require the information to relate to such elections or (as the case may be) referendums as may be specified in the direction;
 - (b) may require the information to be provided in a form specified in the direction;
 - (c) may specify the time within which the information must be provided.
- (4) This section does not affect any other power of the Commission to request information.]

Textual Amendments

- F74** Ss. 9A-9C inserted (11.9.2006) by [Electoral Administration Act 2006 \(c. 22\)](#), **ss. 67, 77(2)**; S.I. 2006/1972, **art. 3**, [Sch. 1 para. 23](#) (subject to art. 4, [Sch. 2](#))
- F91** Words in s. 9C(2)(b) inserted (E.W.) (1.10.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(3)(b), [Sch. 2 para. 12\(a\)](#); S.I. 2020/1052, art. 2(b)
- F92** Words in s. 9C(2)(c) inserted (E.W.) (1.10.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(3)(b), [Sch. 2 para. 12\(b\)](#); S.I. 2020/1052, art. 2(b)

Modifications etc. (not altering text)

- C47** S. 9C applied (with modifications) (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011 \(c. 1\)](#), s. 19(1), [Sch. 4 para. 5](#)
- C48** S. 9C(2) modified (26.2.2016) by [The European Union Referendum \(Conduct\) Regulations 2016 \(S.I. 2016/219\)](#), reg. 1, [Sch. 2 para. 5](#)

10 Giving of advice and assistance. **U.K.**

- (1) The Commission may, at the request of any relevant body, provide the body with advice and assistance as respects any matter in which the Commission have skill and experience.

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Changes to legislation: Political Parties, Elections and Referendums Act 2000, Part I is up to date with all changes known to be in force on or before 01 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (2) The assistance which may be so provided includes (in particular) the secondment of members of the Commission’s staff.
- (3) The Commission may also—
- (a) provide advice and assistance to—
 - (i) registration officers,
 - (ii) returning officers at relevant elections,
 - (iii) registered parties,
 - (iv) recognised third parties within the meaning of Part VI, ^{F93}...
 - (v) permitted participants within the meaning of Part VII;
 - ^{F94}(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);]
 - (b) provide advice and assistance to other persons which is incidental to, or otherwise connected with, the discharge by the Commission of their functions.
- (4) The Commission—
- (a) may make charges for advice or assistance provided by them under subsection (1); but
 - (b) may not make charges for advice and assistance provided under subsection (3).
- (5) Nothing in this section authorises the Commission to provide any form of financial assistance.
- (6) In this section “relevant body” means—
- (a) the Scottish Parliament;
 - (b) the Scottish Executive;
 - (c) the National Assembly for Wales;
 - ^{F95}(caa) the Welsh Ministers;]
 - ^{F96}(ca) the National Assembly for Wales Commission;]
 - (d) the Northern Ireland Assembly;
 - (e) the Executive Committee of the Northern Ireland Assembly;
 - (f) any of the following local authorities—
 - (i) in England, the council of a county, district or London borough,
 - (ii) in Wales, the council of a county or county borough, and
 - (iii) in Scotland, a council constituted under section 2 of the ^{M14}Local Government etc. (Scotland) Act 1994;
 - (g) a national or regional parliament or government in a country other than the United Kingdom;
 - (h) a body in any such other country having functions corresponding to any of the functions of the Commission;
 - (i) an organisation of which two or more countries (or their governments) are members or a subordinate body of such an organisation.
- (7) In this section “relevant election” means any election falling within section 22(5) ^{F97}....
- ^{F98}(8)
- ^{F98}(9)

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^{F98}(10)

Textual Amendments

- F93** Word in s. 10(3)(a)(iv) omitted (4.3.2016) by virtue of [Recall of MPs Act 2015 \(c. 25\)](#), s. 24(3), [Sch. 6 para. 3\(7\)](#); [S.I. 2016/290](#), reg. 2
- F94** S. 10(3)(a)(vi)(vii) inserted (4.3.2016) by [Recall of MPs Act 2015 \(c. 25\)](#), s. 24(3), [Sch. 6 para. 3\(7\)](#); [S.I. 2016/290](#), reg. 2
- F95** S. 10(6)(caa) inserted after paragraph (c) by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), art. 3, [Sch. 1 para. 95](#), the amending provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) -- see ss. 46, 161(5) of the [Government of Wales Act 2006 \(c. 32\)](#) and art. 1(2) of the amending S.I.
- F96** S. 10(6)(ca) inserted by [Government of Wales Act 2006 \(c. 32\)](#), s. 160, [Sch. 10 para. 60](#) (with [Sch. 11 para. 22](#)), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) of the amending Act, which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) -- see ss. 46, 161(1)(4)(5) of the amending Act.
- F97** Words in s. 10(7) repealed (S.) (29.6.2011) by [Local Electoral Administration \(Scotland\) Act 2011 \(asp 10\)](#), [ss. 14\(2\)](#), 21(1); [S.S.I. 2011/277](#), art. 2(b)
- F98** S. 10(8)-(10) repealed (S.) (29.6.2011) by [Local Electoral Administration \(Scotland\) Act 2011 \(asp 10\)](#), [ss. 14\(3\)](#), 21(1); [S.S.I. 2011/277](#), art. 2(b)

Modifications etc. (not altering text)

- C49** S. 10 applied (with modifications) (16.12.2010) by [The National Assembly for Wales Referendum \(Assembly Act Provisions\) \(Referendum Question, Date of Referendum Etc.\) Order 2010 \(S.I. 2010/2837\)](#), art. 1(2), [Sch. 5](#) Table

Commencement Information

- I7** S. 10 wholly in force at 16.2.2001; s. 10 not in force at Royal Assent, see s. 163(2); s. 10 in force at 16.2.2001 by [S.I. 2001/222](#), art. 2, [Sch. 1 Pt. I](#) (subject to transitional provisions in [Sch. 1 Pt. II](#))

Marginal Citations

- M14** 1994 c. 39.

11 Broadcasters to have regard to Commission's views on party political broadcasts. **U.K.**

- (1) ^{F99}
- (2) ^{F99}
- (3) The British Broadcasting Corporation [^{F100} shall have regard, in determining its policy with respect to party political broadcasts,] to any views expressed by the Electoral Commission for the purposes of this subsection.

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Textual Amendments

- F99** S. 11(1)(2) repealed (29.12.2003) by [Communications Act 2003 \(c.21\)](#), ss. 406, 408, 411(2), [Sch. 19\(1\)](#) (with [Sch. 18](#), [Sch. 19\(1\)](#) Note 1); S.I. 2003/3142, [art. 3\(1\)](#), [Sch. 1](#) (subject to [art. 3\(3\)](#) and with [art. 11](#))
- F100** Words in s. 11(3) substituted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), ss. 406, 408, 411(2), [Sch. 17 para. 167\(3\)](#) (with [Sch. 18](#)); S.I. 2003/3142, [art. 3\(1\)](#), [Sch. 1](#) (subject to [art. 3\(3\)](#) and with [art. 11](#))

Commencement Information

- I8** S. 11 wholly in force at 16.2.2001; s. 11 not in force at Royal Assent, see s. 163(2); s. 11 in force at 16.2.2001 by S.I. 2001/222, [art. 2](#), [Sch. 1 Pt. I](#) (with [Sch. 1 Pt. II para. 1](#))

12 Policy development grants. **U.K.**

- (1) For the purposes of this section—
- (a) “a policy development grant” is a grant to a represented registered party to assist the party with the development of policies for inclusion in any manifesto on the basis of which—
 - (i) candidates authorised to stand by the party will seek to be elected at an election which is a relevant election for the purposes of Part II, or
 - (ii) the party itself will seek to be so elected (in the case of such an election for which the party itself may be nominated); and
 - (b) a registered party is “represented” if there are at least two Members of the House of Commons belonging to the party who—
 - (i) have made and subscribed the oath required by the ^{M15}Parliamentary Oaths Act 1866 (or the corresponding affirmation), and
 - (ii) are not disqualified from sitting or voting in that House.
- (2) The Commission shall submit recommendations to the Secretary of State for the terms of a scheme for the making by the Commission of policy development grants.
- (3) Where the Secretary of State receives recommendations under subsection (2), he shall make an order setting out such a scheme in terms which, with any modifications he considers appropriate, give effect to the recommendations.
- (4) The scheme shall, in particular, specify or provide for the determination of—
- (a) the parties eligible for policy development grants, and
 - (b) how any money provided to the Commission for the making of policy development grants is to be allocated between the parties eligible for such grants.
- (5) The Commission shall keep under review the terms of any scheme under this section and shall make recommendations to the Secretary of State for any variations to the scheme which they consider appropriate.
- (6) Where the Secretary of State receives recommendations under subsection (5), he shall make an order giving effect, with any modifications he considers appropriate, to the recommendations.
- (7) Where any such modifications as are mentioned in subsection (3) or (6) would result in an order under that subsection giving effect with modifications to any

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recommendations of the Commission in respect of either of the matters mentioned in subsection (4), the order shall not be made without the agreement of the Commission to the modifications so far as relating to those matters.

- (8) The Commission shall make such grants as are provided for under any scheme under this section, and any such grants may be made subject to such conditions as (consistently with the terms of the scheme) the Commission consider appropriate; but nothing in such a scheme shall have effect to authorise the Commission to make in any financial year more than £2 million in policy development grants.
- (9) The Secretary of State may by order made with the consent of the Treasury vary the sum for the time being specified in subsection (8).

Commencement Information

I9 S. 12 wholly in force at 16.2.2001; s. 12 partly in force at Royal Assent, see s. 163(3); s. 12 in force at 16.2.2001 by [S.I. 2001/222](#), [art. 2](#), [Sch. 1 Pt. I](#) (subject to transitional provisions in [Sch. 1 Pt. II](#))

Marginal Citations

M15 [1866 c. 19](#).

13 Education about electoral and democratic systems. U.K.

- (1) The Commission shall promote public awareness of—
 - (a) current electoral systems in the United Kingdom and any pending such systems, together with such matters connected with any such existing or pending systems as the Commission may determine;

^{F101}(b)

^{F101}(c)

^{F102}(1A)

- (2) For the purposes of subsection (1) any system such as is mentioned in paragraph (a) ^{F103}... of that subsection is pending at a time when arrangements for giving effect to it have been made by any enactment but the arrangements are not yet in force.

^{F104}(3)

- (4) The Commission shall perform their functions under subsection (1) in such manner as they think fit but may, in particular, do so by—

- (a) carrying out programmes of education or information to promote public awareness of any of the matters mentioned in subsection (1); or

- (b) making grants to other persons or bodies for the purpose of enabling them to carry out such programmes.

- (5) Any grant under subsection (4)(b) may be made subject to such conditions as the Commission consider appropriate.

- (6) The total expenditure incurred in any financial year by the Commission in performing their functions under subsection (1) (whether by making grants or otherwise) shall not exceed such sum as is for the time being specified for the purposes of this subsection by an order made by the Secretary of State with the consent of the Treasury.

^{F105}(7)

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(8) Subsection (6) shall not apply to the expenditure incurred by the Commission in performing their functions exercisable [^{F106}in relation to local government elections in Scotland]; ^{F107} ...

^{F108}(9)

^{F108}(10)

^{F108}(11)

[^{F109}(12) Subsection (6) shall not apply to the expenditure incurred by the Commission to the extent that it is, or is to be, met under [^{F110}paragraph 16A of Schedule 1 to this Act or] paragraph 6 of Schedule 2 to the Government of Wales Act 2006.]

Textual Amendments

F101 S. 13(1)(b)(c) repealed (1.1.2011) by [Political Parties and Elections Act 2009 \(c. 12\)](#), ss. 8, 43(1), **Sch. 7**; S.I. 2010/2866, art. 4(a)

F102 S. 13(1A) repealed (31.12.2020) by [The European Parliamentary Elections Etc. \(Repeal, Revocation, Amendment and Saving Provisions\) \(United Kingdom and Gibraltar\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1310\)](#), reg. 1, **Sch. 1 Pt. 1** (as amended by S.I. 2019/1389, regs. 1, 2(2))

F103 Words in s. 13(2) repealed (1.1.2011) by [Political Parties and Elections Act 2009 \(c. 12\)](#), s. 43(1), **Sch. 7**; S.I. 2010/2866, art. 4(f)(g)

F104 S. 13(3) repealed (S.) (29.6.2011) by [Local Electoral Administration \(Scotland\) Act 2011 \(asp 10\)](#), ss. **15(2)**, 21(1); S.S.I. 2011/277, art. 2(b)

F105 S. 13(7) repealed (S.) (29.6.2011) by [Local Electoral Administration \(Scotland\) Act 2011 \(asp 10\)](#), ss. **15(2)**, 21(1); S.S.I. 2011/277, art. 2(b)

F106 Words in s. 13(8) substituted (S.) (29.6.2011) by [Local Electoral Administration \(Scotland\) Act 2011 \(asp 10\)](#), ss. **15(3)**, 21(1); S.S.I. 2011/277, art. 2(b)

F107 Words in s. 13(8) repealed (S.) (29.6.2011) by [Local Electoral Administration \(Scotland\) Act 2011 \(asp 10\)](#), ss. **16(2)(a)**, 21(1); S.S.I. 2011/277, art. 2(b)

F108 S. 13(9)-(11) repealed (S.) (29.6.2011) by [Local Electoral Administration \(Scotland\) Act 2011 \(asp 10\)](#), ss. **16(2)(b)**, 21(1); S.S.I. 2011/277, art. 2(b)

F109 S. 13(12) inserted by [Government of Wales Act 2006 \(c. 32\)](#), s. 160, **Sch. 10 para. 61** (with Sch. 11 para. 22), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) of the amending Act, which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) -- see ss. 46, 161(1)(4)(5) of the amending Act.

F110 Words in s. 13(12) inserted (E.W.) (1.10.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(3)(b), **Sch. 2 para. 13**; S.I. 2020/1052, art. 2(b)

Commencement Information

I10 S. 13 wholly in force at 1.7.2001; s. 13 partly in force at Royal Assent, see s. 163(3); s. 13 in force at 1.7.2001 by S.I. 2001/222, art. 4, **Sch. 2 Pt. I** (with Sch. 2 Pt. II para. 1)

^{F111}**13A Reimbursement of costs by Scottish Ministers etc.** **S**

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Status: Point in time view as at 07/04/2021. This version of this part contains provisions that are prospective.
Changes to legislation: Political Parties, Elections and Referendums Act 2000, Part I is up to date with all changes known to be in force on or before 01 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F111 S. 13A repealed (S.) (1.10.2020) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), **ss. 16, 35**; S.I. 2020/278, **reg. 2, sch.**

Commission's electoral boundary functions

F112 **14** **Boundary committees.** **U.K.**

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Textual Amendments

F112 S. 14 repealed (1.4.2010) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), **s. 61(2)(a)(3)(a), 148(3)(b)**, **Sch. 7 Pt. 3**; S.I. 2009/3318, **art. 4(j)(hh)**

F113 **15** **Deputy Electoral Commissioners.** **U.K.**

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Textual Amendments

F113 S. 15 repealed (1.4.2010) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), **ss. 61(2)(b), 148(3)(b)**, **Sch. 7 Pt. 3**; S.I. 2009/3318, **art. 4(j)(hh)**

F114 **16** **Transfer of functions of Boundary Commissions.** **U.K.**

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Textual Amendments

F114 S. 16 repealed (1.4.2010) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), **ss. 61(3)(b), 148(3)(b)**, **Sch. 7 Pt. 3**; S.I. 2009/3318, **art. 4(j)(hh)**

PROSPECTIVE

F115 **17** **Transfer of property etc. of the Boundary Commissions.** **U.K.**

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Textual Amendments

F115 S. 17 repealed (1.4.2010) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), **ss. 61(3)(b), 148(3)(b)**, **Sch. 7 Pt. 3**; S.I. 2009/3318, **art. 4(j)(hh)**

Status: Point in time view as at 07/04/2021. This version of this part contains provisions that are prospective.

Changes to legislation: Political Parties, Elections and Referendums Act 2000, Part I is up to date with all changes known to be in force on or before 01 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

^{F116}**18 Transfer of functions of Local Government Commission for England. U.K.**

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Textual Amendments

F116 S. 18 repealed (1.4.2010) by [Local Democracy, Economic Development and Construction Act 2009](#) (c. 20), ss. 66(b), 148(3)(b), **Sch. 7 Pt. 3**; S.I. 2009/3318, art. 4(m)(hh)

Commencement Information

I11 S. 18 wholly in force; S. 18 partly in force Royal Assent see s. 163(3); S. 18 in force insofar as not already in force at 30.10.2001 by [S.I. 2001/3526](#), **art. 2(c)**

^{F117}**19 Transfer of functions of Local Government Boundary Commission for Scotland. U.K.**

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Textual Amendments

F117 S. 19 repealed (1.4.2010) by [Local Democracy, Economic Development and Construction Act 2009](#) (c. 20), ss. 61(3)(c), 148(3)(b), **Sch. 7 Pt. 3**; S.I. 2009/3318, art. 4(j)(hh)

^{F118}**20 Transfer of functions of Local Government Boundary Commission for Wales. U.K.**

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Textual Amendments

F118 S. 20 repealed (1.4.2010) by [Local Democracy, Economic Development and Construction Act 2009](#) (c. 20), ss. 61(3)(c), 148(3)(b), **Sch. 7 Pt. 3**; S.I. 2009/3318, art. 4(j)(hh)

[^{F119}Commission's functions relating to CORE]

Textual Amendments

F119 S. 20A and preceding cross-heading inserted (11.7.2006) by [Electoral Administration Act 2006](#) (c. 22), **s. 4(1)**, 77(1)(d)

^{F120}**20A Commission as CORE keeper U.K.**

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Textual Amendments

F120 S. 20A repealed (2.4.2013) by [Electoral Registration and Administration Act 2013](#) (c. 6), **ss. 23(2)**, 27(1); S.I. 2013/702, art. 3(e)

Status: Point in time view as at 07/04/2021. This version of this part contains provisions that are prospective.
Changes to legislation: Political Parties, Elections and Referendums Act 2000, Part I is up to date with all changes known to be in force on or before 01 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Supplementary

21 Interpretation of Part I. **U.K.**

[^{F121}(1)] In this Part “financial year”, in relation to the Commission, means a period of 12 months ending with 31st March; but the first financial year of the Commission is the period beginning with the date of the establishment of the Commission and ending with the next 31st March.

[^{F122}(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).]

Textual Amendments

F121 S. 21 renumbered as s. 21(1) (4.3.2016) by [Recall of MPs Act 2015 \(c. 25\)](#), s. 24(3), [Sch. 6 para. 3\(8\)](#); [S.I. 2016/290](#), reg. 2

F122 S. 21(2) inserted (4.3.2016) by [Recall of MPs Act 2015 \(c. 25\)](#), s. 24(3), [Sch. 6 para. 3\(8\)](#); [S.I. 2016/290](#), reg. 2

Commencement Information

I12 S. 21 wholly in force at 16.2.2001; s. 21 not in force at Royal Assent, see s. 163(2); s. 21 in force at 16.2.2001 by [S.I. 2001/222](#), art. 2, [Sch. 1 Pt. I](#) (subject to transitional provisions in [Sch. 1 Pt. II](#))

Status:

Point in time view as at 07/04/2021. This version of this part contains provisions that are prospective.

Changes to legislation:

Political Parties, Elections and Referendums Act 2000, Part I is up to date with all changes known to be in force on or before 01 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.