



Political Parties and Elections Act 2009

CHAPTER 12

POLITICAL PARTIES AND ELECTIONS ACT 2009

PART 1

THE ELECTORAL COMMISSION

Functions of Electoral Commission

- 1 Compliance with controls imposed by the 2000 Act etc
- 2 Investigatory powers of Commission
- 3 Civil sanctions

Electoral Commissioners etc

- 4 Selection of prospective Electoral Commissioners and Commission chairman
- 5 Four Electoral Commissioners to be persons put forward by parties
- 6 Number of Electoral Commissioners
- 7 Political restrictions on Electoral Commissioners and staff
- 8 Education about systems of government and EU institutions

PART 2

POLITICAL DONATIONS ETC AND EXPENDITURE

Donations etc

- 9 Declaration as to source of donation
- 10 Non-resident donors etc
- 11 Non-resident lenders etc
- 12 Defence to charge of failing to return donation from impermissible donor

Offences

- 13 “Reasonable excuse” in relation to certain offences under the 2000 Act

Responsible persons and compliance officers

- 14 Control of donations to members associations: responsible persons
15 Control of donations to holders of elective office: compliance officers
16 Control of loans etc to members associations: responsible persons
17 Control of loans etc to holders of elective office: compliance officers
18 Person may not be “responsible person” for more than one third party

Unincorporated associations

- 19 Reports of gifts received by unincorporated associations making political contributions

Thresholds

- 20 Increased thresholds in relation to donations etc

Election expenses

- 21 Limitation of pre-candidacy election expenses for certain general elections
22 Election expenses: guidance by Commission

PART 3

ELECTIONS

- 23 Election falling within canvass period
24 Candidate at parliamentary election may withhold home address from publication
25 Disposal of election documents in Scotland
26 Filling vacant European Parliament seats in Northern Ireland
27 Returning officers for elections to the European Parliament

PART 4

ELECTORAL REGISTRATION

Co-ordinated on-line record of electors

- 28 Establishment of corporation sole to be CORE keeper
29 Use of CORE information

Identifying information

- 30 Voluntary provision of identifying information
31 Regulations amending or supplementing section 30
32 Report by Electoral Commission on provision of identifying information
33 Obligatory provision of identifying information
34 Provision supplementing section 33

Data schemes

- 35 Schemes for provision of data to registration officers

36 Schemes under section 35: proposals, consultation and evaluation

Interpretation

37 Meaning of expressions relating to registration

PART 5

GENERAL

38 Meaning of “the 1983 Act” and “the 2000 Act”

39 Amendments and repeals

40 Transitional provision

41 Money

42 Extent

43 Commencement

44 Short title

SCHEDULES

SCHEDULE 1 — Investigatory powers of Commission: Schedule to be inserted into the 2000 Act

SCHEDULE 2 — Civil sanctions: Schedule to be inserted into the 2000 Act

SCHEDULE 3 — Declaration as to source of donation

- 1 Schedule 7 to the 2000 Act (control of donations to individuals and members associations)
- 2 (1) Paragraph 10 of that Schedule (donation reports: donations from...
- 3 (1) Paragraph 11 of that Schedule (donation reports: donations from...
- 4 Schedule 11 to the 2000 Act (control of donations to recognised third parties)
- 5 (1) In paragraph 9 of that Schedule (statement of relevant...
- 6 (1) Paragraph 11 of that Schedule (donations from impermissible donors)...
- 7 Schedule 15 to the 2000 Act (control of donations to permitted participants)
- 8 (1) In paragraph 9 of that Schedule (statement of relevant...
- 9 (1) Paragraph 11 of that Schedule (donations from impermissible or...
- 10 Schedule 20 to the 2000 Act (penalties)

SCHEDULE 4 — Declaration as to whether residence etc condition satisfied

- 1 Schedule 7 to the 2000 Act (control of donations to individuals and members associations)
- 2 In paragraph 8 of that Schedule (acceptance or return of...
- 3 (1) Paragraph 10 of that Schedule (donation reports: donations from...
- 4 Schedule 11 to the 2000 Act (control of donations to recognised third parties)
- 5 In paragraph 7 of that Schedule (acceptance or return of...
- 6 In paragraph 9A of that Schedule (inserted by Schedule 3...
- 7 Schedule 15 to the 2000 Act (control of donations to permitted participants)
- 8 In paragraph 7 of that Schedule (acceptance or return of...

- 9 In paragraph 9A of that Schedule (inserted by Schedule 3...
 10 Schedule 20 to the 2000 Act (penalties)

SCHEDULE 5 — Reports of gifts received by unincorporated associations making political contributions: Schedule to be inserted into the 2000 Act

SCHEDULE 6 — Minor and consequential amendments

- 1 Representation of the People Act 1983 (c. 2)
 2 In section 13 (publication of registers), in subsection (5)(b), for...
 3 In section 13A (alteration of registers), in subsection (5), for...
 4 In section 65A (false statements in nomination papers etc), in...
 5 (1) Section 70 (effect of default in election agent’s appointment)...
 6 In section 76A (power to vary provisions about election expenses),...
 7 In section 90ZA (meaning of “election expenses”), for subsection (5)...
 8 (1) Schedule 1 (parliamentary elections rules) is amended as follows....
 9 Political Parties, Elections and Referendums Act 2000 (c. 41)
 10 In section 3 (appointment of Electoral Commissioners and Commission
 chairman),...
 11 In section 15 (Deputy Electoral Commissioners), in subsection (3)
 (Deputy...
 12 In section 54 (permissible donors), in subsection (1)(b), for “that...
 13 (1) In section 55 (payments etc which are (or are...
 14 In section 56 (acceptance or return of donations: general), in...
 15 In section 58 (forfeiture of donations made by impermissible or...
 16 In section 62 (quarterly donation reports), in subsection (9) (donation...
 17 In section 65 (submission of donation reports to Commission), in...
 18 In section 67 (weekly donation reports in connection with elections...
 19 In section 71H (authorised participants), after subsection (3) there is...
 20 In section 71U (weekly donation reports in connection with elections...
 21 In the heading to Part 9, after “companies” there is...
 22 In section 145 (function of Commission with respect to compliance...
 23 In section 148 (general offences), in subsection (1) (offence of...
 24 In section 149 (inspection of Commission’s registers etc), in
 subsection...
 25 In section 156 (orders and regulations), in subsection (2), for...
 26 In section 160 (general interpretation), in subsection (1) (definitions),
 at...
 27 (1) Schedule 1 (the Electoral Commission) is amended as follows....
 28 (1) Schedule 7 (control of donations to individuals and members...
 29 (1) Schedule 11 (control of donations to recognised third parties)...
 30 (1) Schedule 15 (control of donations to permitted participants) is...
 31 In Schedule 20 (penalties), in the entry for section 56(3)...

SCHEDULE 7 — Repeals