

POLITICAL PARTIES AND ELECTIONS ACT 2009

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 5: General

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

205. **Section 38** provides definitions of these terms, which are used throughout the Act.

Section 39: Amendments and repeals

206. **Section 39** gives effect to Schedules 6 and 7. Schedule 6 makes minor and consequential amendments and Schedule 7 contains repeals.

Section 40: Transitional provision

207. **Section 40** is a transitional provision which is needed to take account of the fact that certain provisions of the Criminal Justice Act 2003 increasing the sentencing powers of magistrates’ courts (in England and Wales) are not yet in force.

Section 41: Money

208. **Section 41** makes provision to deal with circumstances in which the provisions in this Act cause any increase in sums paid under other Acts.

Section 42: Extent

209. **Section 42** sets out that the Act extends generally to England, Wales, Scotland and Northern Ireland and specifies the provisions that extend to Gibraltar.

Section 43: Commencement

210. **Section 43** sets out the commencement arrangements for the provisions of this Act.

211. *Subsections (1) and (2)* provide that, as a general rule, provisions of the Act will come into force on day appointed by order, which may make different or transitional provision.

212. *Subsections (3) and (4)* make specific provision about the content of an order made under subsection (1) in respect of section 10 or 11 or Schedule 4. Such an order may make appropriate supplementary, incidental or consequential provision that is necessary for the purposes of, or giving full effect to those parts of the Act. Any such provision that amends this Act or the 2000 Act will be subject to the affirmative resolution procedure.

213. *Subsection (5)* specifies the provisions that come into force on the date on which the Act is passed. These are listed in the “Commencement Dates” segment of these Notes which appear at paragraph 295 below.

*These notes refer to the Political Parties and Elections Act
2009 (c.12) which received Royal Assent on 21 July 2009*

Section 44: Short title

214. [Section 44](#) sets out the short title of the Act.