

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

POLITICAL PARTIES AND ELECTIONS ACT 2009

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

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

Part 4: Enforcement undertakings

254. *Paragraph 15* outlines the powers of the Commission to accept an enforcement undertaking from a person whom the Commission have reasonable grounds for believing has committed a prescribed offence or contravened a prescribed restriction or requirement of the 2000 Act. In this context a “person” means any entity regulated under the 2000 Act, including political parties. An enforcement undertaking may be offered by the person suspected of the offence or contravention and outlines the action they will take (within a specified period). The action may be with a view to preventing the recurrence of the offence or contravention or returning the position to what it would have been had the offence or contravention not taken place or it may be action of a kind that has been prescribed in an order by the Secretary of State. *Sub-paragraph (1) (d)* requires that the undertaking will take effect only if the Commission accept it. *Sub-paragraph (2)* provides that a person who has complied with the accepted undertaking will generally be exempt from other sanctions, including criminal proceedings, in relation to the acts or omissions on which the undertaking is based as long as the undertaking is complied with.