

Changes to legislation: There are currently no known outstanding effects for the European Union Referendum Act 2015, Cross Heading: Unincorporated associations with offensive etc names. (See end of Document for details)

SCHEDULES

SCHEDULE 1

CAMPAIGNING AND FINANCIAL CONTROLS

Unincorporated associations with offensive etc names

- 7 (1) This paragraph applies to a notification which, in relation to the referendum, is given to the Electoral Commission under section 106(3) of the 2000 Act by an unincorporated association falling within section 54(2)(h) or 54(2A)(g) of that Act.
- (2) A notification to which this paragraph applies is not to be treated for the purposes of section 105 or 107 of the 2000 Act as having been given unless the Electoral Commission have accepted the notification.
- (3) As soon as reasonably practicable after receiving a notification to which this paragraph applies the Electoral Commission must decide whether or not to accept the notification, and they must accept it unless in their opinion the name of the association—
- (a) is obscene or offensive, or
 - (b) includes words the publication of which would be likely to amount to the commission of an offence.
- (4) As soon as reasonably practicable after deciding whether to accept the notification the Electoral Commission must give written notice to the association—
- (a) stating whether they accept the notification, and
 - (b) if their decision is not to accept the notification, giving the reasons for that decision.

Commencement Information

II Sch. 1 para. 7 in force at 1.2.2016 by S.I. 2016/69, reg. 2

- 8 (1) Where—
- (a) a permitted participant is an unincorporated association falling within section 54(2)(h) or 54(2A)(g) of the 2000 Act,
 - (b) the Electoral Commission is notified under section 106(5) of that Act of a change of name of the association, and
 - (c) in the opinion of the Electoral Commission the new name is obscene or offensive or includes words the publication of which would be likely to amount to the commission of an offence,
- the Electoral Commission does not have to enter the new name in the register under section 107 of that Act.
- (2) If the Electoral Commission decide under this paragraph not to enter the new name of an unincorporated association in that register, the Electoral Commission—

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- (a) must as soon as reasonably practicable give written notice to the association of that decision and the reasons for it, and
 - (b) in any case where they are required to make available for public inspection a document that uses the association's new name, may replace that name in the document with the name that appears on the register in respect of the association.
- (3) The fact that the association's new name is not entered in the register does not cause the association to cease to be a permitted participant.

Commencement Information

I2 Sch. 1 para. 8 in force at 1.2.2016 by S.I. 2016/69, reg. 2

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