



Elections Act 2022

2022 CHAPTER 37

PART 4

REGULATION OF EXPENDITURE

Registration of parties etc

23 Declaration of assets and liabilities to be provided on application for registration

(1) Section 28 of PPERA (registration of parties) is amended in accordance with [subsections \(2\) to \(4\)](#).

(2) In subsection (1)—

- (a) omit the “and” after paragraph (a);
- (b) after paragraph (b) insert “, and
- (c) (subject to [subsection \(3E\)](#)) is accompanied by a declaration falling within [subsection \(3B\)](#).”

(3) Before subsection (4) insert—

“(3B) The declarations falling within this subsection are—

- (a) a declaration that, to the best of the proposed registered treasurer’s knowledge and belief, the assets/liabilities condition is met in relation to the party;
- (b) a declaration that, to the best of the proposed registered treasurer’s knowledge and belief, the assets/liabilities condition is not met in relation to the party.

(3C) The assets/liabilities condition is met in relation to a party if—

- (a) the total value of the party’s assets does not exceed £500, and
- (b) the total amount of the party’s liabilities does not exceed £500.

(3D) A declaration within [subsection \(3B\)\(b\)](#) must be accompanied by a record of the party’s assets and liabilities; and that record must comply with such

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requirements as to its form and contents as may be prescribed by regulations made by the Commission.

(3E) Subsection (1)(c) does not apply to an application under this section made in pursuance of a declaration falling within subsection (2)(d) (and [subsections \(3D\)](#) and [\(8A\)](#) to [\(8C\)](#) are accordingly to be disregarded in relation to such an application).”

(4) After subsection (8) insert—

“(8A) [Subsections \(8B\)](#) and [\(8C\)](#) apply where—

- (a) the Commission grant an application by a party under this section, and
- (b) the application was accompanied by a declaration within [subsection \(3B\)\(b\)](#).

(8B) The Commission must ensure that the party’s entry in the register is marked so as to indicate that its application was accompanied by a declaration within [subsection \(3B\)\(b\)](#).

(8C) The Commission must—

- (a) as soon as reasonably practicable after granting the application, make a copy of the record of assets and liabilities provided by the party under [subsection \(3D\)](#) available for public inspection, and
- (b) keep the copy available for public inspection for such period as the Commission think fit.”

(5) In section 34 of PPERA (registration of minor parties), in subsection (8)(c)(i), for “sections 28(4) to (8)” substitute “sections 28(1)(c) and (3B) to (8C)”.

Commencement Information

- I1** S. 23 not in force at Royal Assent, see [s. 67\(1\)](#)
- I2** [S. 23](#) in force at 24.11.2022 by [S.I. 2022/1226](#), [reg. 2\(c\)](#) (with [reg. 3\(3\)](#))

24 Prohibition on entities being registered political parties and recognised third parties at same time

(1) PPERA is amended as follows.

(2) In section 28 (registration of parties), after subsection (7) insert—

“(7A) A party may not make an application under this section at any time when the party is also a recognised third party for the purposes of Part 6 (see section 85(5)).”

(3) In section 85 (controlled expenditure by third parties), in subsection (7), omit paragraph (b).

(4) In section 88 (third parties recognised for purposes of Part 6)—

- (a) in subsection (2), omit paragraph (b);
- (b) in subsection (3), omit paragraph (b);
- (c) in subsection (3A), for “(3)(b)(iii), (c)(ii) or (d)(ii)” substitute “(3)(c)(ii) or (d)(ii)”.

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- (5) In section 90 (restriction on incurring controlled expenditure), omit subsection (3).
- (6) In section 95 (control of donations to recognised third parties), omit the words from “which” to the end.
- (7) In section 95A (quarterly donation reports), omit subsection (11).
- (8) In section 95B (weekly donation reports during general election periods), omit subsection (11).
- (9) In section 96 (returns as to controlled expenditure), in subsection (2)(d), omit the words from “in a case” to “minor party,”.
- (10) In section 99 (declaration by responsible person as to return under section 96), in subsection (3), omit the words from “, in a case” to “minor party,”.
- (11) In Schedule 11 (control of donations to recognised third parties), in paragraph 1—
 - (a) in sub-paragraph (1), omit the words from “which” to the end;
 - (b) omit sub-paragraph (3).

Commencement Information

- I3** S. 24 not in force at Royal Assent, see [s. 67\(1\)](#)
- I4** [S. 24](#) in force at 24.11.2022 by [S.I. 2022/1226](#), [reg. 2\(c\)](#)

25 Section 24: transitional provision

- (1) If controlled expenditure is incurred by or on behalf of a relevant person during any post-commencement period in relation to which any limit is imposed by Schedule 10 to PPERA (limits on controlled expenditure), no campaign expenditure may be incurred during that period by or on behalf of the person.
- (2) “Relevant person” means a person who, immediately before the commencement date, is both a registered party and a recognised third party.
- (3) Where campaign expenditure is incurred by or on behalf of a relevant person in contravention of subsection (1), section 79(2) of PPERA (offence for exceeding limit on campaign expenditure) applies as if campaign expenditure had been incurred in excess of any limit imposed by Schedule 9 to PPERA (and for this purpose references in section 79(2) of PPERA to a registered party are to be read as references to the relevant person in its capacity as a registered party).
- (4) See also [section 89A](#) of PPERA (inserted by section 26 below), which among other things restricts the incurring of controlled expenditure by or on behalf of a registered party which is also a third party.
- (5) A third party may not give a notification under section 88(4)(b) of PPERA (recognised third parties: renewal of original notification) on or after the commencement date if it is also a registered party.
- (6) In this section—
 - “campaign expenditure” has the same meaning as it has for the purposes of Part 5 of PPERA (see section 72(2) of that Act);

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“the commencement date” means the date on which this section comes into force (and post-commencement, in relation to a period, means beginning on or after that date);

“controlled expenditure”, “recognised third party” and “third party” have the same meaning as they have for the purposes of Part 6 of PPERA (see section 85 of that Act);

“registered party” has the same meaning as in PPERA (see section 160(1) of that Act).

Commencement Information

I5 S. 25 not in force at Royal Assent, see [s. 67\(1\)](#)

I6 [S. 25](#) in force at 24.11.2022 by [S.I. 2022/1226](#), [reg. 2\(c\)](#)

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