



Elections Act 2022

2022 CHAPTER 37

PART 3

THE ELECTORAL COMMISSION

Strategy and policy statement

17 Examination of duty to have regard to strategy and policy statement

(1) After section 13 of PPERA insert—

“Examination of Commission’s duty to have regard to strategy and policy statement

13ZA Examination of duty to have regard to strategy and policy statement

- (1) The Speaker’s Committee may examine the performance by the Commission of the Commission’s duty under [section 4B\(2\)](#) (duty to have regard to strategy and policy statement).
- (2) The Speaker’s Committee may require the Commission to provide the Committee with information that—
 - (a) the Committee require for the purposes of enabling them to exercise their power under [subsection \(1\)](#), and
 - (b) is held by the Commission.
- (3) The Commission—
 - (a) must as soon as is reasonably practicable provide the Speaker’s Committee with information required under [subsection \(2\)](#), and
 - (b) must provide the information in such form as the Committee may reasonably require.

*Changes to legislation: There are currently no known outstanding effects
 for the Elections Act 2022, Section 17. (See end of Document for details)*

- (4) A requirement imposed on the Commission under [subsection \(2\)](#) does not require the Commission to provide information that, in their opinion, might adversely affect any current investigation or proceedings.
 - (5) Except as provided by [subsection \(6\)](#), the disclosure of information pursuant to a requirement imposed under [subsection \(2\)](#) does not breach—
 - (a) any obligation of confidence owed by the Commission, or
 - (b) any other restriction on the disclosure of information (however imposed).
 - (6) A requirement imposed on the Commission under [subsection \(2\)](#) does not require them to disclose information if to do so would contravene the data protection legislation (but, in determining whether a disclosure would do so, the requirement imposed on the Commission is to be taken into account).
 - (7) In [subsection \(6\)](#), “the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3(9) of that Act).”
- (2) In Schedule 2 to PPERA (Speaker’s Committee), after paragraph 3 insert—

“Protection for witnesses etc

- 4 (1) Evidence given by a person who is a witness before the Speaker’s Committee may not be used against the person in any civil or disciplinary proceedings, or in any criminal proceedings, unless the evidence was given in bad faith.
- (2) For the purposes of the law of defamation the publication by the Speaker’s Committee of any evidence given by a person who is a witness before the Speaker’s Committee is absolutely privileged.”

Commencement Information

- I1** S. 17 not in force at Royal Assent, see [s. 67\(1\)](#)
- I2** [S. 17](#) in force at 19.8.2022 by [S.I. 2022/908](#), [reg. 2](#) (with [reg. 3](#))

Changes to legislation:

There are currently no known outstanding effects for the Elections Act 2022, Section 17.