

2001 No. 222 (C. 11)

**ELECTORAL COMMISSION
REGISTRATION OF POLITICAL PARTIES
POLITICAL PARTIES
NATIONAL ELECTION EXPENDITURE
REFERENDUMS**

**The Political Parties, Elections and Referendums Act 2000
(Commencement No. 1 and Transitional Provisions) Order
2001**

Made - - - - 29th January 2001

The Secretary of State, in exercise of the powers conferred on him by section 163(2) of the Political Parties, Elections and Referendums Act 2000(a), hereby makes the following Order:

1.—(1) This Order may be cited as the Political Parties, Elections and Referendums Act 2000 (Commencement No. 1 and Transitional Provisions) Order 2001.

(2) In this Order “the Act” means the Political Parties, Elections and Referendums Act 2000.

2. The provisions of the Act which are specified in Part I of Schedule 1 to this Order shall come into force on 16th February 2001, subject to the transitional provisions in Part II of that Schedule.

3. Section 144 of the Act, together with the entries in Schedule 22 to the Act relating to paragraph 35 of Schedule 4 to the Representation of the People Act 1985(b), Schedule 10 to the Broadcasting Act 1996(c) and paragraph 28 of Schedule 3 to the Greater London Authority Act 1999(d) shall come into force on 16th March 2001; except that section 144 shall come into force on 16th February 2001 for the purposes of drawing up the codes referred to in section 93 of the Representation of the People Act 1983(e), as substituted by that section.

4. The provisions of the Act which are specified in Part I of Schedule 2 to this Order shall come into force on 1st July 2001, subject to the transitional provisions in Part II of that Schedule.

Home Office
29th January 2001

Mike O'Brien
Parliamentary Under-Secretary of State

(a) 2000 c. 41; the powers in section 163(2) are extended by section 163(5) and (6).

(b) 1985 c. 50.

(c) 1996 c. 55.

(d) 1999 c. 29.

(e) 1983 c. 2; section 93 was amended by the entries in Schedule 22 to the Act referred to in article 3 of this Order.

SCHEDULE 1

Article 2

PROVISIONS OF THE ACT COMING INTO FORCE ON 16th FEBRUARY 2001

PART I: PROVISIONS COMING INTO FORCE

The following provisions of Part I, namely: sections 4 and 5; section 6, except subsection (1)(c) and (d); sections 7 and 8; sections 10 to 12; and section 21.

Part II (sections 22 to 40, together with Schedule 4), except section 36 (which came into force under section 163(4)).

Part IV (sections 50 to 71, together with Schedules 6 and 7).

Part V (sections 72 to 84, together with Schedules 8 and 9).

Part VI (sections 85 to 100, together with Schedules 10 and 11).

Part VII (sections 101 to 129, together with Schedules 12 to 15).

The following provisions of Part VIII, namely: section 131; subsections (1) and (5) of section 132; section 133; section 136; section 137, together with Schedule 17; and section 138, together with paragraphs 1, 2, 6, 8, 9, 11(c), 12 to 14, 17, 18 and 19 of Schedule 18.

Part IX (sections 139 and 140, together with Schedule 19).

The following provisions of Part X, namely: sections 142 and 143; sections 145 to 150, together with Schedule 20; sections 151 to 155; section 157; section 158, together with paragraphs 1 to 5, 6(1), (5), (6), (7)(b) and (c), (8) and (9), 8 to 11, 12(2) and (3) and 13 to 15 of Schedule 21 and the repeals in Schedule 22 referred to in the Annex to this Part and sections 161 and 162.

ANNEX

Repeals in Schedule 22 to the Act to come into force on 16th February 2001

The entries relating to the following provisions in the Representation of the People Act 1983, namely, sections 72, 75(1B) and (1C), 78(6), 79(3), 82(4), 86(9), 101 to 105, 106(8), 108, 122(8), 138(1), 148 to 153, 157(5), 159(2), 167(4) and 174(6) and rule 30(5) of Schedule 1.

The entries relating to section 14(3) to (5) of, and paragraphs 6 and 7 of Schedule 3 to, the Representation of the People Act 1985.

The entry relating to section 6 of the Representation of the People Act 1989**(a)**.

The entries relating to section 13 of the Local Government Act 1992**(b)**.

The entry relating to section 11(2) of the Government of Wales Act 1998**(c)**.

The entry relating to section 12(2) of the Scotland Act 1998**(d)**.

The entry relating to the Registration of Political Parties Act 1998**(e)**.

All of the entries relating to Schedule 3 to the Greater London Authority Act 1999 except the one in respect of paragraph 28.

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- (a) 1989 c. 28.
(b) 1992 c. 19.
(c) 1998 c. 38.
(d) 1998 c. 46.
(e) 1998 c. 48.

PART II

TRANSITIONAL PROVISIONS

1. The coming into force of section 11(1) and (2) of the Act shall not affect the validity of any rules made under section 36 or 107 of the Broadcasting Act 1990^(a) before 16th February 2001.

2. Nothing in Part IV of the Act shall apply to a donation which is received by a registered party or regulated donee (within the meaning of paragraph 1(7) of Schedule 7 to the Act) before 16th February 2001 even though it is accepted (within the meaning of section 56(5), including that section as applied by paragraph 8 of Schedule 7) after that date.

3. As respects the period ending on 31st March 2001, section 62(1)(a) of the Act shall have effect as if “16th February” were substituted for “January”.

4. As respects the year ending on 31st December 2001, any reference in section 68 of, and paragraph 14 of Schedule 7 to, the Act to a calendar year shall have effect as if it referred to the period from 16th February 2001 to 31st December 2001.

5.—(1) This paragraph applies if the date of the poll for the next parliamentary general election after the date on which this Order is made is before 16th February 2002.

(2) If this paragraph applies, for the words “of 365 days” in paragraph 3(7)(a) of Schedule 9 and paragraph 3(3)(a) of Schedule 10, to the Act substitute “beginning with 16th February 2001 and”.

(3) For the sum in paragraph 3(2)(a) and (4) of Schedule 9 to the Act, substitute the sum of—

- (a) £22,500 if the date of the poll at the general election is between 16th February and 15th May 2001;
- (b) £24,000 if that date is between 16th May and 15th June 2001;
- (c) £25,500 if that date is between 16th June and 15th July 2001;
- (d) £27,000 if that date is between 16th July and 15th August 2001; and
- (e) £28,500 if that date is between 16th August and 15th November 2001.

(4) For the sums in paragraphs (a), (b), (c) and (d) of paragraph 3(2) of Schedule 10 to the Act, substitute (respectively) the sums of:

- (a) £595,125, £81,000, £45,000 and £20,250 if the date of the poll at the general election is between 16th February and 15th May 2001;
- (b) £634,800, £86,400, £48,000 and £21,600 if that date is between 16th May and 15th June 2001;
- (c) £674,475, £91,800, £51,000 and £22,950 if that date is between 16th June and 15th July 2001;
- (d) £714,150, £97,200, £54,000 and £24,300 if that date is between 16th July and 15th August 2001; and
- (e) £753,825, £102,600, £57,000 and £25,650 if that date is between 16th August and 15th November 2001.

6. The coming into force of—

- (a) section 136 of,
- (b) paragraphs 7 and 8 of Schedule 17 to,

the Act shall not affect any incapacities arising from a conviction or, as the case may be, a report by an election court where the conviction took place or the report was made before 16th February 2001.

7. The coming into force of paragraph 6(7)(b) of Schedule 21 to the Act shall not affect the reference in section 201(2) of the Representation of the People Act 1983 to section 29(8) of that Act until such time as paragraph 6(3) of that Schedule is brought into force.

(a) 1990 c. 42.

SCHEDULE 2

Article 4

PROVISIONS OF THE ACT COMING INTO FORCE ON 1st JULY 2001

PART I: PROVISIONS COMING INTO FORCE

Sections 9 and 13.

Sections 130 (together with Schedule 16), 132(2) to (4) and (6), 134 and 135, and paragraphs 3 to 5, 7, 10, 11(a), (b) and (d), 15 and 16 of Schedule 18.

Paragraphs 6(2) and (7)(d) and 16 to 18 of Schedule 21.

In Schedule 22, the entries relating to sections 73 and 81 of, and Schedule 3 to, the Representation of the People Act 1983.

PART II

TRANSITIONAL PROVISIONS

1. Nothing in the provisions brought into force by Part I of this Schedule shall apply to election expenses where the date of the poll for the election to which they relate was before 1st July 2001.

2. Nothing in paragraph 16 of Schedule 21 to the Act shall apply to pilot schemes under section 10 of the Representation of the People Act 2000(a) where the date of the poll for the election to which the pilot scheme related was before 1st July 2001.

(a) 2000 c. 2.

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of, and Schedule 1 to, this Order bring the provisions of the Political Parties, Elections and Referendums Act 2000 listed in Part I of that Schedule into force on 16th February 2001 subject to the transitional provisions in Part II of that Schedule. Sub-paragraphs (3) and (4) of paragraph 5 of that Part exercise the power in section 163(6) to vary the financial limits in Schedules 9 and 10 to that Act in the event of the poll for a parliamentary general election taking place before 16th February 2002.

Article 3 brings section 144 of the 2000 Act into full force on 16th March 2001 and into force for some purposes only on 16th February 2001.

Article 4 of, and Schedule 2 to, this Order bring the provisions listed in Part I of that Schedule into force on 1st July 2001 subject to the transitional provisions in Part II of that Schedule.

The provisions listed in sections 163(3) and (4) of the 2000 Act were brought into force by those provisions on Royal Assent and at the end of the period of two weeks beginning with Royal Assent, respectively.

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