

2001 No. 82

REGISTRATION OF POLITICAL PARTIES

The Registration of Political Parties (Prohibited Words and Expressions) Order 2001

Made - - - - - 15th January 2001

Laid before Parliament 25th January 2001

Coming into force - - 16th February 2001

The Secretary of State in exercise of the powers conferred upon him by section 28(4)(f) and (6) of the Political Parties, Elections and Referendums Act 2000^(a) hereby makes the following Order:—

1.—(1) This Order may be cited as the Registration of Political Parties (Prohibited Words and Expressions) Order 2001.

(2) This Order shall come into force on 16th February 2001.

(3) The Registration of Political Parties (Prohibited Words and Expressions) Order 1998^(b) is hereby revoked.

2.—(1) Subject to paragraph (2), the registered name of a party shall not include any word or expression which is listed in any Part of the Schedule to this Order.

(2) Paragraph (1) shall not apply to a word or expression listed in—

- (a) Part I of the Schedule where it forms part of the name of a place, institution or local government area;
- (b) Part II of the Schedule where it is qualified by another word or expression other than the registered name of a party which is already registered in respect of the relevant part of the United Kingdom;
- (c) Part III of the Schedule where it is qualified by another word or expression other than—
 - (i) the registered name of a registered party;
 - (ii) a word listed in that Part, or
 - (iii) the word “party”;
- (d) Part IV of the Schedule where it is qualified by the name of a local government or geographical area.

^(a) 2000 c. 41.

^(b) S.I. 1998/2873.

- (3) In paragraph (2)(b)—
- (a) the reference to another word or expression includes another word or expression listed in Part II of the Schedule or the word “party”; and
 - (b) “already registered in the relevant part of the United Kingdom” means—
 - (i) in connection with the registration of the applicant party in the Great Britain register, already registered in respect of the part of Great Britain in respect of which the applicant party is registered (in the case of an application under section 30 of the Political Parties, Elections and Referendums Act 2000) or is applying to be registered (in the case of an application under section 28 of that Act);
 - (ii) in connection with registration of the applicant party in the Northern Ireland register, already registered in that register.
- (4) In this article, any reference to a word or expression listed in any Part of the Schedule to this Order includes a reference to a word or expression which translates a word or expression so listed into a language other than English.

Home Office
15th January 2001

Mike O'Brien
Parliamentary Under-Secretary of State

SCHEDULE

Article 2

WORDS AND EXPRESSIONS WHICH MAY NOT BE INCLUDED IN THE REGISTERED NAME OF A PARTY EXCEPT WHERE ARTICLE 2(2) APPLIES

PART I

WORDS AND EXPRESSIONS WHICH MAY ONLY BE SO INCLUDED WHERE ARTICLE 2(2)(a) APPLIES

Duke
Duchess
Her Majesty
His Majesty
King
Prince
Princess
Queen
Royal
Royalty

PART II

WORDS AND EXPRESSIONS WHICH MAY ONLY BE SO INCLUDED WHERE ARTICLE 2(2)(b) APPLIES

Britain
British
England
English
National
Scotland
Scots
Scottish
United Kingdom
Wales
Welsh

PART III

WORDS AND EXPRESSIONS WHICH MAY ONLY BE SO INCLUDED WHERE ARTICLE 2(2)(c) APPLIES

Independent
Official
Unofficial

PART IV

WORDS AND EXPRESSIONS WHICH MAY ONLY BE SO INCLUDED WHERE ARTICLE 2(2)(d) APPLIES

Ratepayers
Residents
Tenants

EXPLANATORY NOTE

(This note is not part of the Order)

Under section 28(4) of the Political Parties, Elections and Referendums Act 2000, the Electoral Commission must grant an application for registration under Part II of that Act unless in their opinion the party propose a name which falls within paragraphs (a) to (f) of that provision. A similar requirement applies in respect of an application under section 30(1)(a) or (b) of that Act to change the party's registered name or (in the case of the Great Britain register) the part or parts of Great Britain in respect of which it is registered.

Section 28(4)(f) refers to the inclusion of any word or expression prohibited by an order under that provision. Parts I to IV of the Schedule to this Order list words and expressions for this purpose. However, the words and expressions listed in Parts I, II, III and IV may be used in the circumstances prescribed in paragraphs (a), (b), (c) and (d) of article 2(2), respectively.

Section 28(4)(f) of the 2000 Act is in substance the same as section 3(1)(f) of the Registration of Political Parties Act 1998 (which is repealed by Schedule 22 to the 2000 Act). Apart from the omission of transitional material and the change referred to below, this Order is also the same as the Order under the 1998 Act which is revoked by article 1(3) of this Order. That change is to article 2(2)(b) of this Order. The effect of article 2(3) is that the words listed in Part II of the Schedule to this Order can be qualified by the name of another registered political party provided that that party is not registered in the same register or (where it is so registered and the register is the Great Britain register) the party which is already registered is not registered in respect of the same part of Great Britain as the one for which the application is being made.

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