Draft Order laid before Parliament under section 156(4A) of the Political Parties, Elections and Referendums Act 2000, for approval by resolution of each House of Parliament.

D R A F T S T A T U T O R Y I N S T R U M E N T S

2013 No. XXX

REPRESENTATION OF THE PEOPLE

The Political Parties, Elections and Referendums (Civil Sanctions) (Amendment) Order 2013

Made - - - - ***

Coming into force in accordance with article 1

The Lord President of the Council makes the following Order in exercise of the powers conferred by paragraphs 1, 5, 16 and 18 of Schedule 19C to the Political Parties, Elections and Referendums Act 2000(**a**).

The Lord President of the Council has consulted the Electoral Commission about this Order in accordance with paragraph 17(1) of Schedule 19C to that Act.

In accordance with section 156(4A) of that Act, a draft of this Order has been laid before and approved by a resolution of each House of Parliament.

Citation and commencement

1. This Order may be cited as the Political Parties, Elections and Referendums (Civil Sanctions) (Amendment) Order 2013 and comes into force on the day after the day on which it is made.

Prescribed offences amendments

2.—(1) Article 4(1) of the Political Parties, Elections and Referendums (Civil Sanctions) Order 2010(**b**) is amended as follows.

(2) After "paragraphs 1(1)(a)" insert ", (2)(a), (3)(a) and (4)(a)".

(3) After "5(1)(a)" insert ", (2)(a), (3)(a) and (4)(a)".

Recovery of payments amendments

3.—(1) Article 5 of the Political Parties, Elections and Referendums (Civil Sanctions) Order 2010 is amended as follows.

(**a**) 2000 c.41. Schedule 19C was inserted by section 3(2) of and Schedule 2 to the Political Parties and Elections Act 2009 (c.12); section 156(4A) was inserted by section 3(4) of the 2009 Act.

(**b**) S.I 2010/2860.

(2) In paragraph (1) after "variable monetary penalty," insert "non-compliance penalty,".

(3) In paragraph (2) after "variable monetary penalty," insert "non-compliance penalty,".

Signed by authority of the Lord President of the Council

Minister for Political and Constitutional Reform
Cabinet Office

Date

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Political Parties, Elections and Referendums (Civil Sanctions) Order 2010 ("the Order") which makes supplementary provision in relation to civil sanctions provided for by Schedule 19C to the Political Parties, Elections and Referendums Act 2000.

Regulation 2 amends article 4(1) of the Order, so that fixed monetary penalties and discretionary requirements which may be imposed in relation to the prescribed offences listed in the Order may be imposed not only on individuals but also on registered parties, recognised third parties, and permitted participants.

Regulation 3 amends article 5 of the Order, so as to include non-compliance penalties in the list of financial penalty civil sanctions that are recoverable by the Electoral Commission as if they were payable under a court order.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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