STATUTORY INSTRUMENTS

2014 No. 2448

REPRESENTATION OF THE PEOPLE

The Political Parties, Elections and Referendums (Civil Sanctions) (Amendment) (No.2) Order 2014

Made - - - -	*10th September 2014*
Coming into force - -	*19th September 2014*

The Lord President of the Council makes the following Order in exercise of the powers conferred by paragraphs 1, 5, 10, 15 and 16 of Schedule 19C to the Political Parties, Elections and Referendums Act 2000(**a**).

The Lord President of the Council has consulted the Electoral Commission 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) (No.2) Order 2014 and comes into force on 19th September 2014.

Amendments to the list of prescribed offences

2. In Part 1 of Schedule 2 to the Political Parties, Elections and Referendums (Civil Sanctions) Order 2010(**b**), in the appropriate places in the table of prescribed offences, insert the entries in the following table—

Provision creating offence	*Offence*
section 94E(2) or (3)(**c**)	exceeding limits on targeted controlled expenditure when not authorised
section 95C(1)(a)	failure of responsible person to deliver quarterly or weekly report to Commission

(**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. In accordance with section 159A of the 2000 Act, inserted by S.I. 2002/2626 and amended by the Lord President of the Council Order 2010 (S.I. 2010/1837), the powers conferred on the Secretary of State by Schedule 19C are exercisable concurrently by the Lord President of the Council and the Secretary of State. Paragraph 29 of Schedule 19C defines "prescribed".

(**b**) S.I. 2010/2860, amended by S.I. 2014/335.

(**c**) The provisions listed in the table were inserted into the Political Parties, Elections and Referendums Act 2000 by the following provisions of the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (c.4). Section 94E was inserted by section 30(8); section 95C was inserted by section 33(2); paragraph (aa) and (ba) of section 98(4) were inserted by section 35(6); and section 99A was inserted by section 35(7).

section 95C(1)(b)	failure to deliver signed declaration with quarterly or weekly report to the Commission
section 95C(1)(c)	failure to comply with requirements for quarterly or weekly reports
section 98(4)(aa)	failure of responsible person to deliver statement of accounts and auditor's report to Commission
section 98(4)(ba)	failure to comply with requirements for statements of accounts
section 99A(3)(b)	failure to deliver signed declaration with statement of accounts to Commission

Signed by the Authority of the Lord President of the Council

Sam Gymiah
Minister for the Constitution
Cabinet Office

10th September 2014

EXPLANATORY NOTE

(This note is not part of the Order)

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

Article 2 amends the list of prescribed offences. Prescribed offences are those offences in the Political Parties, Elections and Referendums Act 2000 for which the Electoral Commission may impose a civil sanction. The new offences prescribed were introduced by the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (c.4).

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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