

Changes to legislation: Political Parties, Elections and Referendums Act 2000, Cross Heading: Inspection warrants is up to date with all changes known to be in force on or before 18 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

[^{F1}SCHEDULE 19B U.K.]

INVESTIGATORY POWERS OF COMMISSION

Textual Amendments

- F1** Sch. 19B inserted (1.12.2010) by [Political Parties and Elections Act 2009 \(c. 12\)](#), ss. 2(2), 43(1), [Sch. 1](#); [S.I. 2010/2866](#), art. 3(b)(e) (with art. 5)

Inspection warrants

- 2 (1) This paragraph applies to the following organisations and individuals—
- (a) a registered party or, in the case of a registered party with accounting units—
 - (i) the central organisation of the party;
 - (ii) an accounting unit of the party;
 - (b) a recognised third party (within the meaning of Part 6);
 - (c) a permitted participant (within the meaning of Part 7);
 - (d) a members association (within the meaning of Schedule 7).
- (2) A justice of the peace may issue an inspection warrant in relation to premises occupied by any such organisation or individual if satisfied, on information on oath given by or on behalf of the Commission, that—
- (a) there are reasonable grounds for believing that on those premises there are documents relating to the income and expenditure of the organisation or individual,
 - (b) the Commission need to inspect the documents for the purposes of carrying out functions of the Commission other than investigatory functions, and
 - (c) permission to inspect the documents on the premises has been requested by the Commission and has been unreasonably refused.
- (3) An inspection warrant is a warrant authorising a member of the Commission's staff—
- (a) at any reasonable time to enter the premises specified in the warrant, and
 - (b) having entered the premises, to inspect any documents within sub-paragraph (2)(a).
- (4) An inspection warrant also authorises the person who executes the warrant to be accompanied by any other persons who the Commission consider are needed to assist in executing it.
- (5) The person executing an inspection warrant must, if required to do so, produce—
- (a) the warrant, and
 - (b) documentary evidence that the person is a member of the Commission's staff, for inspection by the occupier of the premises that are specified in the warrant or by anyone acting on the occupier's behalf.

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- (6) An inspection warrant continues in force until the end of the period of one month beginning with the day on which it is issued.
- (7) An inspection warrant may not be used for the purposes of carrying out investigatory functions.
- (8) In this paragraph “investigatory functions” means functions of investigating suspected offences under this Act or suspected contraventions of restrictions or requirements imposed by or by virtue of this Act.
- (9) In the application of this paragraph to Scotland—
 - (a) a reference to a justice of the peace is to be read as a reference to a justice of the peace or a sheriff;
 - (b) a reference to information on oath is to be read as a reference to evidence on oath.]

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 8(3)(d) inserted by 2011 c. 13 Sch. 10 para. 12
- s. 54(1)(aa) inserted by 2009 c. 12 s. 9(1)
- s. 54(1)(aa) substituted by 2009 c. 12 s. 10(1)
- s. 54(2ZA)-(2ZC) inserted by 2009 c. 12 s. 10(3)
- s. 56(1A) inserted by 2009 c. 12 s. 10(5)
- s. 56(2)(aa) inserted by 2009 c. 12 s. 9(3)(b)
- s. 56(3B) inserted by 2009 c. 12 s. 9(4)
- s. 71H(3ZA) inserted by 2009 c. 12 Sch. 6 para. 19
- s. 71L(9A) inserted by 2009 c. 12 s. 11(2)
- Sch. 7 para. 6(1)(aa) inserted by 2009 c. 12 Sch. 3 para. 1(1)
- Sch. 7 para. 8(1A) inserted by 2009 c. 12 Sch. 4 para. 2
- Sch. 7 para. 10(5)(aa) inserted by 2009 c. 12 Sch. 3 para. 2(5)(b)
- Sch. 7 para. 6(1)(aa) substituted by 2009 c. 12 Sch. 4 para. 1(1)
- Sch. 7 para. 10(5)(aa) words inserted by 2009 c. 12 Sch. 4 para. 3(3)
- Sch. 7A para. 8(9A) inserted by 2009 c. 12 s. 11(5)
- Sch. 7A para. 9(10)(ba) inserted by 2009 c. 12 s. 11(6)(b)
- Sch. 11 para. 4(3) inserted by 2009 c. 12 Sch. 6 para. 29(2)
- Sch. 11 para. 6(1)(aa) inserted by 2009 c. 12 Sch. 3 para. 4(1)
- Sch. 11 para. 7(2)(aa) inserted by 2009 c. 12 Sch. 4 para. 5
- Sch. 11 para. 6(1)(aa) substituted by 2009 c. 12 Sch. 4 para. 4(1)
- Sch. 11 para. 4(3) words inserted by 2009 c. 12 Sch. 6 para. 29(3)
- Sch. 15 para. 4(3)(4) inserted by 2009 c. 12 Sch. 6 para. 30(2)(b)
- Sch. 15 para. 6(1)(aa) inserted by 2009 c. 12 Sch. 3 para. 7(1)
- Sch. 15 para. 7(2)(aa) inserted by 2009 c. 12 Sch. 4 para. 8
- Sch. 15 para. 6(1)(aa) substituted by 2009 c. 12 Sch. 4 para. 7(1)
- Sch. 15 para. 4(3) words inserted by 2009 c. 12 Sch. 6 para. 30(3)