



Political Parties, Elections and Referendums Act 2000

2000 CHAPTER 41

PART II

REGISTRATION OF POLITICAL PARTIES

Registration

28 Registration of parties.

- (1) A party may apply to be registered under this Part by sending to the Commission an application which—
 - (a) complies with the requirements of Part I of Schedule 4, and
 - (b) is accompanied by a declaration falling within subsection (2).
- (2) The declarations falling within this subsection are—
 - (a) a declaration that the party—
 - (i) intends to contest one or more relevant elections in Great Britain and one or more such elections in Northern Ireland, and
 - (ii) is accordingly applying to be registered (as two such separate parties as are mentioned in section 23(4)) in both the Great Britain register and the Northern Ireland register;
 - (b) a declaration that the party—
 - (i) intends to contest one or more relevant elections (which will not be confined to one or more parish or community elections) in Great Britain only, and
 - (ii) is accordingly applying to be registered in the Great Britain register only;
 - (c) a declaration that the party—
 - (i) intends to contest one or more relevant elections in Northern Ireland only, and

Status: Point in time view as at 01/10/2010. This version of this provision has been superseded.

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- (ii) is accordingly applying to be registered in the Northern Ireland register only;
- (d) a declaration that the party—
 - (i) intends only to contest one or more parish or community elections, and
 - (ii) is accordingly applying to be registered in the Great Britain register only.
- (3) A declaration falling within paragraph (a), (b) or (d) of subsection (2) must specify the part or parts of Great Britain in respect of which the party is applying to be registered in the Great Britain register.
- [^{F1}(3A) A declaration under subsection (2)(a) or (b) which specifies that the party is applying to be registered in respect of England may include a statement that the party intends to contest one or more elections to the European Parliament in the combined region.]
- (4) Where a party sends an application to the Commission in accordance with subsection (1), the Commission shall grant the application unless in their opinion the party proposes a registered name which—
 - (a) would either—
 - (i) be the same as that of a party which is already registered in the register in which that party is applying to be registered, or
 - (ii) be likely to result in electors confusing that party with a party which is already registered in respect of the relevant part of the United Kingdom,
 - (b) comprises more than six words,
 - (c) is obscene or offensive,
 - (d) includes words the publication of which would be likely to amount to the commission of an offence,
 - [^{F2}(da) would be likely, were it to appear on a ballot paper issued at an election—
 - (i) to result in an elector being misled as to the effect of his vote, or
 - (ii) to contradict, or hinder an elector's understanding of, any directions for his guidance in voting given on the ballot paper or elsewhere,]
 - (e) includes any script other than Roman script, or
 - (f) includes any word or expression prohibited by order made by the Secretary of State after consulting the Commission,

or it appears to the Commission that the party has failed to adopt a scheme approved under section 26.
- (5) In subsection (4)(a) “already registered in respect of the relevant part of the United Kingdom” means—
 - (a) in connection with registration of the applicant party in the Great Britain register, already registered in respect of any part of Great Britain in respect of which that party is applying to be registered;
 - (b) in connection with registration of the applicant party in the Northern Ireland register, already registered in that register.
- (6) An order under subsection (4)(f) may except the use of a word or expression from the prohibition in specified circumstances.
- (7) If—

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- (a) at any time two or more applications for registration are pending each of which would (in the absence of the other or others) fall to be granted by the Commission, but
- (b) the registered names proposed by the applicant parties are such that, if one of those names was already registered in pursuance of the application in question, the Commission would be required to refuse the other application or applications by virtue of subsection (4)(a),

the Commission shall determine by reference to the history of each of the applicant parties which of them has, in the Commission's opinion, the greater or greatest claim to the name proposed by it, and shall then grant the application by that party and refuse the other application or applications.

- (8) Where the Commission grant an application by a party under this section, they shall include in the party's entry in the register—
 - (a) the particulars, apart from home addresses, given in the application in accordance with paragraphs 2 to 4, 5(2) and 6 of Schedule 4; ^{F3} . . .
 - (b) the date of registration.
 - [^{F4}(c) any statement made under subsection (3A); and
 - (d) if the party—
 - (i) is established in Gibraltar (in this Act referred to as a “Gibraltar party”); and
 - (ii) has made a statement under subsection (3A), a notice that it is a Gibraltar party.]
- (9) Where the Commission refuse an application by a party under this section, they shall notify the party of their reasons for refusing the application.
- (10) In this Part “the register” means—
 - (a) in relation to a party registered in the Great Britain register, the Great Britain register, and
 - (b) in relation to a party registered in the Northern Ireland register, the Northern Ireland register.

Textual Amendments

- F1** S. 28(3A) inserted (5.2.2004) by [The European Parliamentary Elections \(Combined Region and Campaign Expenditure\) \(United Kingdom and Gibraltar\) Order 2004 \(S.I. 2004/366\)](#), arts. 1(2), 4(2), [Sch. para. 4\(a\)](#)
- F2** S. 28(4)(da) inserted (11.9.2006) by [Electoral Administration Act 2006 \(c. 22\)](#), [ss. 48, 77\(2\)](#); [S.I. 2006/1972](#), [art. 3](#), [Sch. 1 para. 9](#) (subject to [art. 4](#), [Sch. 2](#))
- F3** Word in s. 28(8) omitted (5.2.2004) by virtue of [The European Parliamentary Elections \(Combined Region and Campaign Expenditure\) \(United Kingdom and Gibraltar\) Order 2004 \(S.I. 2004/366\)](#), arts. 1(2), 4(2), [Sch. para. 4\(b\)](#)
- F4** S. 28(8)(c)(d) inserted (5.2.2004) by [The European Parliamentary Elections \(Combined Region and Campaign Expenditure\) \(United Kingdom and Gibraltar\) Order 2004 \(S.I. 2004/366\)](#), arts. 1(2), 4(2), [Sch. para. 4\(b\)](#)

Commencement Information

- II** S. 28 wholly in force at 16.2.2001; s. 28 in force at Royal Assent for specified purposes and at 14.12.2000 for further specified purposes, see s. 163(2)(4); s. 28 in force at 16.2.2001 by [S.I. 2001/222](#), [art. 2](#), [Sch. 1 Pt. I](#) (subject to transitional provisions in [Sch. 1 Pt. II](#))

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