



Elections Act 2022

2022 CHAPTER 37

PART 4

REGULATION OF EXPENDITURE

Controlled expenditure etc

26 Restriction on which third parties may incur controlled expenditure

(1) In Part 6 of PPERA, at the beginning of Chapter 2 insert—

“Which third parties may incur expenditure

89A Restriction on which third parties may incur controlled expenditure

- (1) No amount of controlled expenditure may be incurred by or on behalf of a third party during a reserved regulated period unless the third party—
 - (a) falls within any paragraph of section 88(2) (third parties eligible to give notification), or
 - (b) is an unincorporated association with the requisite UK connection.
- (2) Subsection (1) does not apply to any expenses incurred by or on behalf of a third party during a reserved regulated period which do not in total exceed £700.
- (3) Subsections (4) and (5) apply where expenses are incurred by or on behalf of a third party in contravention of subsection (1).
- (4) If the third party is not an individual—
 - (a) any person who authorised the expenses to be incurred by or on behalf of the third party is guilty of an offence if the person knew or ought reasonably to have known that the expenses would be incurred in contravention of subsection (1), and

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(b) the third party is also guilty of an offence.

(5) If the third party is an individual, the individual is guilty of an offence if they knew or ought reasonably to have known that the expenses would be incurred in contravention of subsection (1).

(6) An unincorporated association has “the requisite UK connection” if it consists of two or more persons both or all of whom are registered in a register of parliamentary electors in pursuance of a declaration made under and in accordance with section 1C of the Representation of the People Act 1985 (overseas elector’s declaration).

(7) In this section—

“register of parliamentary electors” means a register of parliamentary electors maintained under section 9 of the Representation of the People Act 1983;

“reserved regulated period” means a period in relation to which any limit is imposed by paragraph 3, 7, 9, 10 or 11 of Schedule 10 (periods involving parliamentary general elections or general elections to the Northern Ireland Assembly).”

(2) In Schedule 20 to PPERA (penalties), at the appropriate place in the table insert—

“Section 89A(4) or (5) (incurring controlled expenditure in contravention of section 89A(1))	On summary conviction in England and Wales: fine
	On summary conviction in Scotland or Northern Ireland: statutory maximum
	On indictment: fine”.

(3) The amendments made by [subsections \(1\)](#) and [\(2\)](#) have effect only in relation to reserved regulated periods beginning on or after the day on which this section comes fully into force.

(4) In [subsection \(3\)](#), “reserved regulated period” means a period in relation to which any limit is imposed by paragraph 3, 7, 9, 10 or 11 of Schedule 10 to PPERA (periods involving parliamentary general elections or general elections to the Northern Ireland Assembly).

Commencement Information

- I1** S. 26 not in force at Royal Assent, see [s. 67\(1\)](#)
I2 S. 26 in force at 24.11.2022 by [S.I. 2022/1226](#), [reg. 2\(c\)](#)

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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):

- Sch. 9 para. 35(ea) inserted by [2023 c. 47 s. 3\(3\)](#)