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DRAFT STATUTORY INSTRUMENTS

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**2004 No.**

European Parliamentary Elections  
(Northern Ireland) Regulations 2004

PART 2

*The Election Campaign*

**Meaning of “election expenses”**

**55.**—(1) In this Part of these Regulations “election expenses”, in relation to a candidate at an election, means (subject to paragraphs (2) and (3) and regulations 56 and 57) any expenses incurred in respect of—

- (a) the acquisition or use of any property, or
- (b) the provision by any person of any goods, services or facilities,

which is or are used for the purposes of the candidate’s election after the date when he becomes a candidate at the election.

(2) Paragraph (1) applies whether the expenses are incurred before or after that date.

(3) No election expenses shall be regarded as incurred, by virtue of paragraph (1) or (2) or regulations 56 and 57, in respect of—

- (a) the payment of any deposit required by rule 9 of the European Parliamentary elections rules;
- (b) the publication of any matter, other than an advertisement, relating to the election in—
  - (i) a newspaper or periodical,
  - (ii) a broadcast made by the British Broadcasting Corporation, or
  - (iii) a programme included in any service licensed under Part I or III of the Broadcasting Act 1990 or Part I or II of the Broadcasting Act 1996;
- (c) the provision of any facilities provided in pursuance of any right conferred on candidates at an election by these Regulations;
- (d) the provision by any individual of his own services which he provides voluntarily in his own time and free of charge.

(4) In this regulation and in regulations 56 and 57 “for the purposes of the candidate’s election” means with a view to, or otherwise in connection with, promoting or procuring the election of a candidate at the election.

(5) For the purposes of this Part of these Regulations—

- (a) election expenses are incurred by or on behalf of a candidate at an election if they are incurred—
  - (i) by the candidate or his election agent, or

- (ii) by any person authorised by the candidate or his election agent to incur the expenses;  
and
  - (b) any reference to election expenses incurred by or on behalf of a candidate at an election includes expenses which are incurred as mentioned in sub-paragraph (a)(i) or (ii) before the date when he becomes a candidate at the election but which by virtue of paragraph (1) and (2) fall to be regarded as election expenses.
- (6) In this Part, and in Part 4 of these Regulations, any reference (in whatever terms) to promoting or procuring the election of a candidate's election at an election includes doing so by prejudicing the electoral prospects of another candidate at the election.