



# Representation of the People Act 1983

## 1983 CHAPTER 2

### PART II

#### THE ELECTION CAMPAIGN

##### *Election expenses*

#### **78 Time for sending in and paying claims.**

- (1) Every claim against a candidate or his election agent in respect of election expenses which is not sent in to the election agent [<sup>F1</sup>not later than][<sup>F2</sup>21 days] after the day on which the result of the election is declared shall be barred and not paid.
- (2) All election expenses shall be paid [<sup>F1</sup>not later than] 28 days after that day.
- (3) An election agent who pays a claim in contravention of subsection (1) or makes a payment in contravention of subsection (2) above shall be guilty of an illegal practice; but where the election court reports that it has been proved to the court by the candidate that any payment was made by an election agent without the sanction or connivance of the candidate—
  - (a) the candidate's election shall not be void, nor
  - (b) shall he be subject to any incapacity under this Act by reason only of that payment having been made in contravention of this section.
- (4) The claimant or the candidate or his election agent may apply to the High Court or to a county court for leave to pay a claim for any election expenses, although sent in after that period of [<sup>F2</sup>21 days] or although sent in to the candidate and not to the election agent, and the court on cause shown to their satisfaction may by order grant the leave.

In relation to an application in respect of expenses for a local government election in Scotland the reference in this subsection to the High Court shall be omitted.

- (5) Any sum specified in the order of leave may be paid by the candidate or his election agent and when paid in pursuance of the leave shall not be deemed to be in contravention of subsection (2) above.

*Status: Point in time view as at 16/02/2001. This version of this provision has been superseded.*

*Changes to legislation: Representation of the People Act 1983, Section 78 is up to date with all changes known to be in force on or before 09 June 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)*

<sup>F3</sup>(6) .....

[<sup>F4</sup>(7) Article 60 of the County Courts (Northern Ireland) Order 1980 (appeals from county courts) shall apply in relation to any order of a county court in Northern Ireland made by virtue of subsection (4) above as it applies in relation to any such decree of a county court as is mentioned in paragraph (1) of that Article.]

#### Textual Amendments

- F1** Words in s. 78(1)(2) substituted (16.2.2001) by 2000 c. 41, s. 138(1)(2), **Sch. 18 para. 6(2)** (with s. 156(6)); S.I. 2001/222, art. 2, **Sch. 1 Pt. I** (subject to transitional provisions in Sch. 1 Pt. II)
- F2** "21 days" substituted for "14 days" by Representation of the People Act 1985 (c. 50, SIF 42), s. 24, **Sch. 4 para. 26**
- F3** S. 78(6) repealed (16.2.2001) by 2000 c. 41, ss. 138(1)(2), 158(2)(3), Sch. 18 para. 18(1)(a), **Sch. 22** (with s. 156(6)); S.I. 2001/222, art. 2, **Sch. 1 Pt. I** (subject to transitional provisions in Sch. 1 Pt. II)
- F4** S. 78(7) substituted (16.2.2001) by 2000 c. 41, s. 138(1)(2), **Sch. 18 para. 18(2)** (with s. 156(6)); S.I. 2001/222, art. 2, **Sch. 1 Pt. I** (subject to transitional provisions in Sch. 1 Pt. II)

#### Modifications etc. (not altering text)

- C1** S. 78 applied (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, **Sch. 1 Pt. I**
- C2** S. 78 applied (E.W.S.) by S.I. 1986/2209, regs. 2, 3, 5(1)(6)–(8), **Sch. 1 Pt. I**
- C3** S. 78 applied (with modifications) (N.I.) (4.5.1996) by S.I. 1996/1220, art. 3(1)(5)–(8), **Sch. 1**
- C4** S. 78 applied (with modifications) (1.8.2001) by S.I. 2001/2599, art. 3, Sch. 1 (as substituted (10.2.2009) by S.I. 2009/256, arts. 1(2), 3, **Sch. 1**)

**Status:**

Point in time view as at 16/02/2001. This version of this provision has been superseded.

**Changes to legislation:**

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