

*Status: Point in time view as at 03/12/1998.*

*Changes to legislation: There are currently no known outstanding effects for the Registration of Political Parties Act 1998. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 1

Section 2.

#### APPLICATIONS FOR REGISTRATION

##### *Introductory*

- 1 An application for inclusion in the register of political parties—
- (a) must comply with paragraphs 2 to 8 below, and
  - (b) must be accompanied by any fee prescribed by order made by the Secretary of State.

##### *Names*

- 2 (1) An application must specify either—
- (a) a name to be the party's registered name, or
  - (b) a name in Welsh and a name in English to be the party's registered names.
- (2) If a name to be registered is in a language other than English or Welsh the application must include an English translation.

##### *Headquarters*

- 3 An application must specify—
- (a) the address of the party's headquarters, or
  - (b) if the party has no headquarters, an address to which communications to the party may be sent.

##### *Registered officers*

- 4 (1) An application must give the name and home address of a person to be registered as the party's leader.
- (2) That person must be—
- (a) the overall leader of the party, or
  - (b) where there is no overall leader of the party, a person who is the leader of the party for some purpose specified in the application.
- 5 (1) An application must give the name and home address of a person to be registered as the party's nominating officer.
- (2) A party's registered nominating officer must have responsibility for the arrangements for—
- (a) the submission by representatives of the party of lists of candidates for the purpose of elections, and
  - (b) the approval of descriptions and emblems used on nomination and ballot papers at elections.

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- 6 If one person is named in an application both as leader and as nominating officer, the application must also give the name and home address of the holder of some other specified office in the party.

*Additional information*

- 7 An application must include any other information prescribed by order made by the Secretary of State.

*Signature*

- 8 An application must be signed by the proposed registered leader or registered nominating officer and must include a declaration that he is authorised to sign the application on behalf of the party.

VALID FROM 24/03/1999

SCHEDULE 2

Section 13.

AMENDMENTS OF THE PARLIAMENTARY ELECTIONS RULES

- 1 The Parliamentary Elections Rules set out in Schedule 1 to the Representation of the <sup>M1</sup>People Act 1983 shall be amended as follows.

**Marginal Citations**

**M1** 1983 c. 2.

- 2 After rule 6 (nomination of candidates) insert—

*“Nomination papers: name of registered political party*

- 6A (1) A nomination paper may not include a description of a candidate which is likely to lead voters to associate the candidate with a registered political party unless the description is authorised by a certificate—
- (a) issued by or on behalf of the registered nominating officer of the party, and
  - (b) received by the returning officer at some time during the period for delivery of nomination papers set out in the Table in rule 1.
- (2) A person shall be guilty of a corrupt practice if he fraudulently purports to be authorised to issue a certificate under paragraph (1) on behalf of a registered political party’s nominating officer.
- (3) In the application of this rule in relation to an election “registered political party” means a party which was registered under the Registration of Political Parties Act 1998 at the time by which the notice of election is required to be published by virtue of rule 1.”.

- 3 (1) Rule 12 (decisions as to validity of nomination papers) is amended as follows.

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- (2) At the beginning of paragraph (3) insert “Subject to paragraph (3A),”.
- (3) After paragraph (3) insert—
- “(3A) If in the returning officer’s opinion a nomination paper breaks rule 6A(1), he shall give a decision to that effect as soon as practicable after the close of the period for delivery of nomination papers set out in the Table in rule 1.”.
- (4) In paragraph (4) for “Where he” substitute “ Where the returning officer ”.
- 4 In rule 19 (the ballot papers), after paragraph (2) insert—
- “(2A) If a candidate who is the subject of a party’s authorisation under rule 6A(1) so requests, the ballot paper shall contain, against the candidate’s particulars, the party’s registered emblem (or, as the case may be, one of the party’s registered emblems).
- (2B) The request must—
- (a) be made in writing to the returning officer, and
- (b) be received by him during the period for delivery of nomination papers set out in the Table in rule 1.”.
- 5 In the Appendix of Forms, for the form of the front of the ballot paper there shall be substituted the form set out in the Appendix to this Schedule.
- 6 In the Directions as to printing the ballot paper in the Appendix of Forms—
- (a) in paragraph 2(a) for “and the particulars of the candidates” substitute “, the particulars of the candidates and words forming part of emblems”, and
- (b) after paragraph 3 add—
- “3A Where an emblem is to be printed against a candidate’s particulars—
- (a) it shall be printed between the candidate’s particulars and the vertical rule separating the candidates’ particulars from the spaces where the vote is to be marked, and
- (b) its size as printed shall not exceed two centimetres square.”.

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**APPENDIX**

<b>1</b>	<p><b>BASWRA</b>            Paresh Baswra            20 Kincaide Road, Small Heath,            Birmingham B10 9JG            Liberal Democrat</p> 	
<b>2</b>	<p><b>CRANLEY</b>            Alana Cranley            4 Kennil Road, Edgware,            Middx. HA8 5JJ            Green Party</p> 	
<b>3</b>	<p><b>EDGBASTON</b>            Richard Edgbaston            6 Tagwood Lane, Small Heath,            Birmingham B10 0H11            The Stop the By-Pass Candidate</p> 	
<b>4</b>	<p><b>GUNNIL-WALKER</b>            Roger Gunnil-Walker            33 Horsemeadow Lane, Sheldon,            Birmingham B25 3G13            The Labour Party Candidate</p> 	
<b>5</b>	<p><b>SMITH</b>            CATHERINE ANGELINA Smith            21 Terminal Grove, Selly Oak,            Birmingham B32 5JP            Independent</p>	
<b>6</b>	<p><b>SMITH</b>            KEITH JAMES Smith            The Links, 3 Kingsdown Road,            Birmingham B44 4JN            The Conservative Party Candidate</p> 	

SCHEDULE 3

Section 23.

CONSEQUENTIAL AMENDMENTS AND MODIFICATIONS

*European Parliamentary Elections Act 1978 (c. 10)*

- 1 In section 3(8)(a) of the European Parliamentary Elections Act 1978 (electoral system in Great Britain: meaning of “registered party”) for “a party registered under any enactment providing for the registration of political parties” substitute “a party registered under the Registration of Political Parties Act 1998”.

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*Companies Act 1985 (c. 6)*

- 2 Section 704(2) of the Companies Act 1985 (staff) shall have effect as if the purpose referred to included the purpose of carrying out functions under this Act.

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*Broadcasting Act 1990 (c. 42)*

- 3 In sections 36(3) and 107(2) of the Broadcasting Act 1990 (party political broadcasts) after “subsection (1)” insert “ but subject to section 14 of the Registration of Political Parties Act 1998 (prohibition of broadcasts by unregistered parties) ”.

*Deregulation and Contracting Out Act 1994 (c. 40)*

- 4 Section 74(4)(a) of the Deregulation and Contracting Out Act 1994 (office-holders) applies in relation to functions conferred by this Act as it applies in relation to functions conferred by the Companies Acts.

*Government of Wales Act 1998 (c. 38)*

- 5 In section 4(8) of the Government of Wales Act 1998 (National Assembly for Wales: voting at ordinary elections) for “a party registered under any enactment providing for the registration of political parties” substitute “ a party registered under the Registration of Political Parties Act 1998 ”.

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