

*Status: Point in time view as at 04/12/2020.*

*Changes to legislation: Political Parties, Elections and Referendums Act 2000, Part 3 is up to date with all changes known to be in force on or before 16 July 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)*

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 19C

#### CIVIL SANCTIONS

##### Textual Amendments

- F1** Sch. 19C inserted (1.12.2010) by [Political Parties and Elections Act 2009 \(c. 12\)](#), ss. 3(2), 43(1), [Sch. 2](#); S.I. 2010/2866, art. 3(c)(f) (with art. 6)

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

- C1** Sch. 19C modified (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011 \(c. 1\)](#), ss. 6(6)(7), 19(1), [Sch. 9](#)
- C1** Sch. 19C modified by 2000 c. 41, Pt. 7 Ch. 2 (as modified (1.2.2016) by [European Union Referendum Act 2015 \(c. 36\)](#), s. 13(2), [Sch. 1 para. 37\(1\)](#) (with Sch. 1 para. 37(2)); S.I. 2016/69, reg. 2)
- C1** Sch. 19C modified (1.2.2016) by [European Union Referendum Act 2015 \(c. 36\)](#), s. 13(2), [Sch. 1 para. 44\(4\)](#) (with Sch. 1 para. 44(6)); S.I. 2016/69, reg. 2
- C1** Sch. 19C modified (1.2.2016) by [European Union Referendum Act 2015 \(c. 36\)](#), s. 13(2), [Sch. 2 para. 2\(7\)](#) (with Sch. 2 para. 2(8)); S.I. 2016/69, reg. 2
- C1** Sch. 19C modified (1.2.2016) by [European Union Referendum Act 2015 \(c. 36\)](#), s. 13(2), [Sch. 2 para. 9\(5\)](#) (with Sch. 9 para. 9(6)); S.I. 2016/69, reg. 2

### PART 3

#### STOP NOTICES

##### *Imposition of stop notices*

- 10 (1) Where sub-paragraph (2) or (3) applies, the Commission may serve on a person a notice (a “stop notice”) prohibiting the person from carrying on an activity specified in the notice until the person has taken the steps specified in the notice.
- (2) This sub-paragraph applies where—
- (a) the person is carrying on the activity,
  - (b) the Commission reasonably believe that the activity as carried on by the person involves or is likely to involve the person—
    - (i) committing a prescribed offence under this Act, or
    - (ii) contravening (otherwise than by committing an offence under this Act) a prescribed restriction or requirement imposed by or by virtue of this Act,
- and
- (c) the Commission reasonably believe that the activity as carried on by the person is seriously damaging public confidence in the effectiveness of the

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controls in this Act on the income and expenditure of registered parties and others, or presents a significant risk of doing so.

- (3) This sub-paragraph applies where—
- (a) the person is likely to carry on the activity,
  - (b) the Commission reasonably believe that the activity as carried on by the person will involve or will be likely to involve the person—
    - (i) committing a prescribed offence under this Act, or
    - (ii) contravening (otherwise than by committing an offence under this Act) a prescribed restriction or requirement imposed by or by virtue of this Act,
  - and
  - (c) the Commission reasonably believe that the activity as likely to be carried on by the person will seriously damage public confidence in the effectiveness of the controls mentioned in sub-paragraph (2)(c), or will present a significant risk of doing so.
- (4) The steps referred to in sub-paragraph (1) must be steps to secure that the activity is carried on or (as the case may be) will be carried on in a way that does not involve the person acting as mentioned in sub-paragraph (2)(b) or (3)(b).

*Information to be included in stop notices*

- 11 A stop notice must include information as to—
- (a) the grounds for serving the notice;
  - (b) rights of appeal;
  - (c) the consequences of not complying with the notice.

*Completion certificates*

- 12 (1) Where, after the service of a stop notice on a person, the Commission are satisfied that the person has taken the steps specified in the notice, they shall issue a certificate to that effect (a “completion certificate”).
- (2) A stop notice ceases to have effect on the issue of a completion certificate relating to that notice.
- (3) A person on whom a stop notice is served may at any time apply for a completion certificate.

The Commission shall make a decision whether to issue a completion certificate within 14 days of the day on which they receive such an application.

*Appeals etc*

- 13 (1) A person served with a stop notice may appeal against the decision to serve it on the ground that—
- (a) the decision was based on an error of fact,
  - (b) the decision was wrong in law,
  - (c) the decision was unreasonable,
  - (d) any step specified in the notice is unreasonable, or

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- (e) the person has not acted as mentioned in paragraph 10(2)(b) or (3)(b) and would not have done so even if the stop notice had not been served, or on such other grounds as may be prescribed.
- (2) A person served with a stop notice may appeal against a decision not to issue a completion certificate on the ground that the decision—
  - (a) was based on an error of fact,
  - (b) was wrong in law, or
  - (c) was unfair or unreasonable,or on such other grounds as may be prescribed.
- (3) An appeal under sub-paragraph (1) or (2) is to [<sup>F2</sup>(in England and Wales) the county court or (in Northern Ireland)] a county court or (in Scotland) the sheriff.

#### Textual Amendments

- F2** Words in Sch. 19C para. 13(3) inserted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 9 para. 121\(d\)](#); [S.I. 2014/954, art. 2\(c\)](#) (with [art. 3](#)) (with transitional provisions and savings in [S.I. 2014/956, arts. 3-11](#))

#### *Failure to comply with stop notice*

- 14 A person served with a stop notice who does not comply with it is guilty of an offence.]

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