



Recall of MPs Act 2015

CHAPTER 25

RECALL OF MPS ACT 2015

How an MP becomes subject to a recall petition process

- 1 How an MP becomes subject to a recall petition process
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- 3 The first and third recall conditions: expiry of appeal period
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Early termination of recall petition process

- 13 Early termination of recall petition process

Outcome of recall petition

- 14 Determination of whether recall petition successful
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*Status: Point in time view as at 26/03/2015.**Changes to legislation: There are currently no known outstanding effects for the Recall of MPs Act 2015. (See end of Document for details)*

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 SCHEDULES

SCHEDULE 1 — Petition officers

Petition officer's general duty

- 1 It is the petition officer's general duty to do anything...

Performance of petition officer's functions: delegation, assistance etc

- 2 (1) Sub-paragraphs (2) and (3) apply in relation to a...

Expenditure

- 3 (1) A petition officer may recover from the Minister charges...

Taxation of petition officer's account

- 4 (1) An application under paragraph 3(7) for a petition officer's...

SCHEDULE 2 — Alteration of registers of parliamentary electors

- 1 Part 1 of the Representation of the People Act 1983...
- 2 In section 13 (publication of registers), in subsection (5)(b), for...
- 3 (1) Section 13A (alteration of registers) is amended as follows....
- 4 (1) Section 13AB (alteration of registers: interim publication dates) is...
- 5 (1) Section 13B (alteration of registers: pending elections), as it...
- 6 (1) Section 13BA (alteration of registers in Northern Ireland: pending...
- 7 Before section 13C, insert— Alteration of registers: recall petition (1)
This section applies if— (a) a Speaker's notice is...
- 8 (1) Section 56 (registration appeals: England and Wales) is amended...
- 9 (1) Section 58 (registration appeals: Northern Ireland) is amended as...

SCHEDULE 3 — Regulation of expenditure

PART 1 — INTRODUCTION

Overview

- 1 (1) This Schedule regulates expenditure in relation to recall petitions....

PART 2 — LIMITS ON EXPENDITURE

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Limit on petition expenditure: persons other than accredited campaigners

- 2 (1) The total petition expenses incurred during the recall petition...

Limit on petition expenditure: accredited campaigners

- 3 (1) The total petition expenses incurred during the recall petition...

Expenses incurred by persons acting in concert

- 4 (1) This paragraph applies where petition expenses are incurred by...

Expenses incurred before the recall petition period

- 5 (1) This paragraph applies where— (a) before the beginning of...

Notional petition expenses

- 6 (1) This paragraph applies where the following two conditions are...

Petition expenses incurred before becoming an accredited campaigner

- 7 A reference in this Part of this Schedule to a...

PART 3 — PETITION EXPENSES OF ACCREDITED CAMPAIGNERS: GENERAL CONTROLS

Restriction on incurring petition expenses

- 8 (1) No petition expenses are to be incurred by or...

Restriction on payments in respect of petition expenses

- 9 (1) No payment may be made in respect of petition...

Restrictions on payment of claims in respect of petition expenses

- 10 (1) A relevant claim is not payable unless it—

Payment of claims in respect of petition expenses: application for leave to pay late claims

- 11 (1) An application may be made to the appropriate court...

Disputed claims

- 12 (1) A person who makes a disputed claim may bring...

PART 4 — MEANING OF “PETITION EXPENSE”

Meaning of “petition expense”

- 13 (1) For the purposes of this Schedule an expense is...

List of matters

- 14 (1) The matters referred to in paragraph 13(1)(b) are as...

General exclusions

- 15 (1) The matters referred to in paragraph 13(1)(c) are as...

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Guidance

- 16 (1) The Electoral Commission (“the Commission”) may prepare, and from...

PART 5 — ACCREDITED CAMPAIGNERS AND RESPONSIBLE PERSONS

Meaning of “accredited campaigner”

- 17 (1) In this Schedule “accredited campaigner” means a person (“P”)...

Eligibility to be an accredited campaigner

- 18 (1) A person is eligible to be an accredited campaigner...

Accreditation notice

- 19 (1) In this Part of this Schedule, “accreditation notice”, in...

Notice of alteration

- 20 (1) This paragraph applies if, at any time before the...

The responsible person

- 21 (1) If the accredited campaigner is a registered party but...

Duty of petition officer to publish information about accredited campaigners

- 22 (1) The petition officer must, as soon as reasonably practicable...

PART 6 — FINAL PROVISIONS

Power to alter meaning of “petition expense”

- 23 (1) The Minister may by regulations amend paragraph 14 or...

Power to alter certain financial limits

- 24 (1) The Minister may by regulations amend any of the...

Corrupt and illegal practices

- 25 (1) An offence that is a corrupt practice under this...

Application of defined terms in PPERA 2000

- 26 (1) In this Schedule, the following expressions have the same...

SCHEDULE 4 — Control of donations to accredited campaigners

PART 1 — INTRODUCTION AND INTERPRETATION

Operation of Schedule and meaning of “accredited campaigner” and “relevant donation” etc

- 1 (1) This Schedule has effect for controlling relevant donations to...

Donations: general rules

- 2 (1) In this Schedule, “donation”, in relation to an accredited...

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Sponsorship

- 3 (1) For the purposes of this Schedule sponsorship is provided...

Payments etc not to be regarded as donations

- 4 (1) In this Schedule “donation” does not include—

Value of donations

- 5 (1) This paragraph has effect for the purposes of this...

Meaning of “permissible donor”

- 6 (1) In this Schedule “permissible donor” means—

Return of donations

- 7 References in this Schedule to returning a donation (however expressed)...

Power to alter certain financial limits

- 8 (1) The Minister may by regulations amend any of the...

PART 2 — CONTROL OF DONATIONS

Prohibition on accepting donations from impermissible or unidentifiable donors

- 9 A relevant donation received by an accredited campaigner must not...

Donations treated as received or not received from permissible donors

- 10 (1) For the purposes of this Schedule—

Meaning of “exempt trust donation” in paragraph 10

- 11 (1) In paragraph 10 “exempt trust donation” means a donation...

Donations made on behalf of other persons

- 12 (1) Sub-paragraphs (2) and (3) apply where—

Duty to verify identity of donor

- 13 (1) This paragraph applies where— (a) a relevant donation is...

Duty to return donations from impermissible donors

- 14 (1) This paragraph applies where an accredited campaigner receives a...

Duty to return donations from unidentifiable donors

- 15 (1) This paragraph applies where an accredited campaigner receives a...

Circumstances in which donations treated as accepted or received

- 16 (1) A relevant donation received by an accredited campaigner that...

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Forfeiture of donations made by impermissible or unidentifiable donors

17 (1) This paragraph applies where an accredited campaigner accepts a...

Appeal against order under paragraph 17

18 (1) Sub-paragraphs (2) to (5) apply where an order is...

Supplementary provision about orders under paragraph 17 or 18

19 (1) Provision may be made by rules of court—

Evasion of restrictions on donations

20 (1) A person commits an offence if the person—

Further provision about offences under this Schedule

21 (1) The following provisions of PPERA 2000 apply in relation...

Application of defined terms in PPERA 2000

22 In this Schedule, the following expressions have the same meaning...

SCHEDULE 5 — Recall petition returns

Recall petition returns

1 (1) The responsible person in relation to an accredited campaigner...

Statements and accompanying documents relating to petition expenses

2 (1) The statements required by paragraph 1(2)(a) to be contained...

Statement and accompanying documents relating to relevant donations accepted

3 (1) The statement required by paragraph 1(2)(b)(i) to be contained...

Statement relating to relevant donations received from impermissible or unidentifiable donors

4 (1) The statement required by paragraph 1(2)(b)(iii) to be contained...

Declaration of responsible person as to return

5 (1) The responsible person must make the following declaration—

Delivery of return etc to petition officer and supplementary returns

6 (1) The responsible person must, within 30 days of the...

Offences relating to return

7 (1) The responsible person commits an offence if, without reasonable...

Onward delivery of returns to Electoral Commission

8 (1) The petition officer must deliver to the Electoral Commission—...

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Inspection of returns and accompanying documents

- 9 (1) The petition officer must— (a) as soon as reasonably...

Application of certain provisions of Schedule 3

- 10 The following provisions of Schedule 3 (regulation of expenditure) apply...

SCHEDULE 6 — Minor and consequential amendments

Representation of the People Act 1983 (c. 2)

- 1 (1) Schedule 1 to the Representation of the People Act...

Political Parties, Elections and Referendums Act 2000 (c. 41)

- 2 PPERA 2000 is amended as follows.
3 (1) Part 1 (the Electoral Commission) is amended as follows....
4 (1) Part 2 (registration of political parties) is amended as...
5 (1) Part 5 (control of campaign expenditure) is amended as...
6 (1) Part 6 (controls relating to third party national election...
7 (1) Part 9 (reports of gifts received by unincorporated associations)...

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