



Elections Act 2022

2022 CHAPTER 37

PART 5

DISQUALIFICATION OF OFFENDERS FOR HOLDING ELECTIVE OFFICE ETC

34 Campaigners

- (1) A person falls within this section if the person is an individual—
- (a) who is a permitted participant in relation to a referendum to which Part 7 of PPERA applies,
 - (b) who is a recognised third party,
 - (c) who is involved in the conduct or management of a local referendum campaign,
 - (d) who is an accredited campaigner in relation to a recall petition, or
 - (e) who—
 - (i) undertakes activities for election purposes, for referendum purposes or for recall petition purposes, and
 - (ii) is employed or engaged by a person falling within subsection (5) wholly or partly for the purpose of undertaking such activities.
- (2) Activities are undertaken “for election purposes” if they are undertaken—
- (a) for the purposes of or in connection with—
 - (i) promoting or procuring electoral success for a registered party at a relevant election, or
 - (ii) promoting or procuring the election of a candidate at a relevant election,
 - (b) for the purposes of or in connection with enhancing the standing with the electorate, in connection with future relevant elections (whether imminent or otherwise), of a registered party or a candidate at a relevant election, or
 - (c) with a view to prejudicing—
 - (i) the electoral prospects of a registered party or a candidate at a relevant election, or

Status: Point in time view as at 01/11/2023.

Changes to legislation: Elections Act 2022, Section 34 is up to date with all changes known to be in force on or before 05 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)

- (ii) the standing with the electorate, in connection with future relevant elections (whether imminent or otherwise), of a registered party or a candidate at a relevant election.
- (3) Activities are undertaken “for referendum purposes” if they are undertaken—
- (a) for the purposes of or in connection with promoting or procuring a particular outcome in relation to the question asked in a relevant referendum, or
 - (b) with a view to prejudicing the prospects of another particular outcome in relation to the question asked in a relevant referendum.
- (4) Activities are undertaken “for recall petition purposes” if they are undertaken for the purposes of or in connection with promoting or procuring the success or failure of a recall petition.
- (5) The following persons fall within this subsection—
- (a) a registered party;
 - (b) a person who falls within section 32(1)(a) (candidates etc);
 - (c) a permitted participant in relation to a referendum to which Part 7 of PPERA applies;
 - (d) a recognised third party;
 - (e) a person involved in the conduct or management of a local referendum campaign;
 - (f) an accredited campaigner in relation to a recall petition.
- (6) In this section—
- “accredited campaigner” has the same meaning as in the Recall of MPs Act 2015 (see Part 5 of Schedule 3 to that Act);
- “local referendum” means a referendum under or by virtue of—
- (a) Chapter 4 of Part 1A of the Local Government Act 2000 (local authority governance: England);
 - (b) Part 2 of the Local Government Act 2000 (local authority governance: Wales);
 - (c) section 52ZG or 52ZN of the Local Government Finance Act 1992 (referendums in relation to council tax);
 - (d) Schedule 4B or 4C to the Town and Country Planning Act 1990 (referendums on neighbourhood development plans);
- “local referendum campaign” means a campaign conducted with a view to promoting or procuring a particular outcome in relation to the question to be asked in a local referendum;
- “permitted participant” has the same meaning as in PPERA (see section 105 of that Act);
- “recall petition” has the same meaning as in the Recall of MPs Act 2015 (see section 1 of that Act);
- “recognised third party” has the meaning given in section 85(5) of PPERA;
- “registered party” has the same meaning as in PPERA (see section 160 of that Act);
- “relevant election” means an election for a relevant elective office or a relevant Scottish elective office;
- “relevant referendum” means—
- (a) a referendum to which Part 7 of PPERA applies, or

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(b) a local referendum.

(7) In this section a reference to a individual who is “engaged” by a person falling within subsection (5) includes a reference to an individual who is engaged otherwise than for payment or promise of payment.

Commencement Information

I1 S. 34 not in force at Royal Assent, see **s. 67(1)**

I2 S. 34 in force at 1.11.2023 by **S.I. 2023/1145, reg. 3(e)**

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