



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Status: This is the original version (as it was originally enacted).

- (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

(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.