



# Elections Act 2022

## 2022 CHAPTER 37

### PART 6

#### INFORMATION TO BE INCLUDED WITH ELECTRONIC MATERIAL

##### *Requirements*

#### **41 Requirement to include information with electronic material**

- (1) This section applies to electronic material which—
  - (a) meets the conditions in section 42 (paid-for electronic material), or
  - (b) meets the conditions in section 44 (other electronic material).
- (2) Electronic material to which this section applies must not be published unless, in accordance with this section—
  - (a) the information mentioned in subsection (3) is included as part of the electronic material, or
  - (b) if it is not reasonably practicable to comply with paragraph (a), the information mentioned in that subsection is displayed in text form in a location that is directly accessible from the electronic material.
- (3) That information is—
  - (a) the name and address of the promoter of the material, and
  - (b) the name and address of any person on behalf of whom the material is being published (and who is not the promoter).
- (4) The Secretary of State may by regulations amend subsection (3) so as to—
  - (a) add a description of information, or
  - (b) modify or remove a description of information that is for the time being specified in that subsection.
- (5) Information is included as part of electronic material for the purposes of subsection (2)(a) only if—

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**Changes to legislation:** *Elections Act 2022, Section 41 is up to date with all changes known to be in force on or before 11 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) View outstanding changes*

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- (a) where the material consists of or includes text or moving or still images, it is displayed in text form as part of that material;
  - (b) where the material consists only of speech or music, it forms an audible part of that material.
- (6) Information that is included as part of electronic material—
- (a) must be legible or audible (as the case may be) regardless of the device used to access the material, and
  - (b) must be such that, if the electronic material were to be republished by a person who did not alter the material, the information would be retained as part of the material when republished.
- (7) Information that is directly accessible from electronic material—
- (a) must be legible regardless of the device used to access the information, and
  - (b) must be such that, if the electronic material were to be republished by a person who did not alter the material, access to the information would be retained as part of the material when republished.
- (8) This section is subject to—
- (a) section 46 (electronic material relating to more than one candidate), and
  - (b) section 47 (exceptions).

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**Commencement Information**

- I1** S. 41 not in force at Royal Assent, see **s. 67(1)**
- I2** S. 41 in force at 1.11.2023 by **S.I. 2023/1145, reg. 3(f)** (with **Sch. para. 10**)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 9 para. 35(ea) inserted by [2023 c. 47 s. 3\(3\)](#)