



Elections Act 2022

2022 CHAPTER 37

PART 6

INFORMATION TO BE INCLUDED WITH ELECTRONIC MATERIAL

Requirements

VALID FROM 01/11/2023

45 Purposes referred to in section 44

- (1) This section sets out the purposes referred to in section 44.
- (2) The first purpose is promoting or procuring electoral success at one or more particular relevant elections for—
 - (a) a registered party,
 - (b) registered parties who advocate (or do not advocate) particular policies or who otherwise fall within a particular category of such parties, or
 - (c) candidates or future candidates who hold (or do not hold) particular opinions or who advocate (or do not advocate) particular policies or who otherwise fall within a particular category of candidates or future candidates.
- (3) For the purposes of subsection (2)—
 - (a) the reference to electoral success at a particular relevant election is a reference—
 - (i) in relation to a registered party, to the return at the election of any candidate or future candidate who is standing, or is to stand, in the name of the party or is included, or is to be included, in a list of candidates submitted by the party in connection with the election, and
 - (ii) in relation to any candidate or future candidate, to their return at the election, and

Status: Point in time view as at 29/12/2022. This version of this provision is not valid for this point in time.

Changes to legislation: Elections Act 2022, Section 45 is up to date with all changes known to be in force on or before 10 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)

- (b) the reference to doing any of the things mentioned in that subsection includes doing so by prejudicing the electoral prospects at the election of other parties, candidates or future candidates.
- (4) For the purposes of determining whether electronic material can reasonably be regarded as intended to achieve the purpose mentioned in subsection (2), it is immaterial that it does not expressly mention the name of any party, candidate or future candidate.
- (5) The second purpose is promoting or procuring the election of a particular candidate or particular future candidate at one or more particular elections.
- (6) For the purposes of determining whether electronic material can reasonably be regarded as intended to achieve the purpose mentioned in subsection (5), it is immaterial that it does not expressly mention the name of any candidate or future candidate.
- (7) The third purpose is promoting or procuring the success or failure of a recall petition.
- (8) For the purposes of determining whether any electronic material can reasonably be regarded as intended to achieve the purpose mentioned in subsection (7), it is immaterial that it does not expressly mention the name of the member of the House of Commons to whom the petition relates.
- (9) In this section “relevant election” means—
- (a) a parliamentary election,
 - (b) an election to the Scottish Parliament,
 - (c) an election to Senedd Cymru,
 - (d) an election to the Northern Ireland Assembly,
 - (e) a local government election within the meaning of section 191, 203 or 204 of the Representation of the People Act 1983,
 - (f) an election under Part 1A or 2 of the Local Government Act 2000 for the return of an elected mayor,
 - (g) an election for the return of a mayor for the area of a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009,
 - (h) a local election within the meaning of the Electoral Law Act (Northern Ireland) 1962 (see section 130(1) of that Act), or
 - (i) an election of a police and crime commissioner.

Commencement Information

II S. 45 not in force at Royal Assent, see [s. 67\(1\)](#)

Status:

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