

**EXPLANATORY MEMORANDUM TO**  
**THE ELECTIONS (POLICY DEVELOPMENT GRANTS SCHEME) (AMENDMENT)**  
**(No. 2) ORDER 2015**

**2015 No. 302**

1. This explanatory memorandum has been prepared by the Cabinet Office and is laid before Parliament by Command of Her Majesty.

**2. Purpose of the instrument**

- 2.1 This Order amends the Elections (Policy Development Grants Scheme) Order 2006 (the “2006 Order”) to give effect to recommendations by the Electoral Commission. This Order supersedes the Elections (Policy Development Grants Scheme) (Amendment) Order 2015 (S.I. 2015/128) (“S.I 2015/128”), to correct errors in paragraphs 3 and 4 of the Schedule to that Order.”

**3. Matters of special interest to the Joint Committee on Statutory Instruments**

- 3.1 This Order is being laid in breach of the 21-day rule. Following the making and laying of S.I. 2015/128, which was laid in compliance with the 21-day rule, the Department became aware of two errors in that Order. The error in paragraph 3 of the Schedule to S.I. 2015/128 is minor; the error in paragraph 4 of the Schedule to that Order requires a more significant textual amendment. In view of this, the Department decided to revoke that Order and replace it with the present Order.
- 3.2 The coming into force provisions of this Order have the effect that the 2015 Order will be revoked before it comes into force. The remaining provisions of this Order come into force on the same day on which the provisions of S.I. 2015/128 would have come into force but for the revocation of that Order.
- 3.3 The Department sincerely regrets the breaches of the 21-day rule. No disrespect to Parliament is intended.
- 3.4 The procedure for the free issue of this Order has been applied.

**4. Legislative Context**

- 4.1 This Order amends the 2006 Order. Under section 12 of the Political Parties, Elections and Referendums Act 2000 (the “2000 Act”), the Electoral Commission is charged with administering the Scheme, as well as keeping the Scheme under review.
- 4.2 In keeping the Scheme under review, the Electoral Commission may make recommendations to the Secretary of State or the Lord President of the Council. The Electoral Commission has recommended that, as a consequence of the postponement of the 2014 annual canvass for Scotland, the relevant dates for calculation and publication of the number of electors on the register in Scotland should be revised for the year ending on 31 March 2016. The Electoral Commission has also recommended that the Scheme be varied to take account of the fact that the UK Independence Party is now an eligible party for the purposes of the Scheme. The Electoral Commission has recommended that the allocation of the UK Independence Party

should be determined on the same basis as the Conservatives, Liberal Democrats and Labour parties as each of these parties has a share of the vote in more than one part of the UK.

- 4.3 This Order supersedes S.I. 2015/128 in order to correct drafting errors in paragraphs 3 and 4 of the Schedule to that Order. The coming into force provisions of this Order have the effect that the 2015 Order will be revoked before it comes into force. The remaining provisions of this Order come into force on the same day on which the provisions of S.I. 2015/128 would have come into force but for the revocation of that Order.

## **5. Territorial Extent and Application**

- 5.1 This instrument extends to all of the United Kingdom.

## **6. European Convention on Human Rights**

- 6.1 As this Order is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

## **7. Policy background**

- 7.1 Policy development grants were established by the 2000 Act. They are awarded to help parties in developing policies to include in manifestos for elections. The total grant is £2m per year and is distributed via a formula based on representation and performance at European, national and devolved legislature elections.
- 7.2 The figures for the number of people on the electoral registers is used to determine the appropriate allocations of policy development grants. As a consequence of the referendum on the independence of Scotland on 18 September 2014 and the introduction of individual electoral registration, the annual canvass in Scotland, which would normally have concluded with the publication of revised electoral registers by 1 December 2014 was postponed and these figures will be published on 2 March 2015. The Electoral Commission recommended a variation to the Scheme accordingly.
- 7.3 To be eligible for the grant, a party must have at least two sitting Members of the House of Commons who have taken the oath of allegiance provided by the Parliamentary Oaths Act 1866 and who are not disqualified from sitting or voting. Following the by-election in Rochester and Strood held on 20 November 2014 the UK Independence Party has become eligible for a policy development grant. The Electoral Commission recommended a variation to the Scheme accordingly.

## **8. Consultation outcome**

- 8.1 The Order gives effect to a recommendation of the Electoral Commission dated 24 November 2014.

## **9. Guidance**

- 9.1 The Electoral Commission provides advice on how to it administers policy development grants via its website (<http://www.electoralcommission.org.uk>).

## **10. Impact**

- 10.1 A full regulatory impact assessment has not been prepared for this instrument because no, or no significant, impact on the private or voluntary sector is foreseen.

## **11. Regulating small business**

11.1 The legislation does not apply to small business.

## **12. Monitoring & review**

12.1 These are minor amendments and there are no plans to undertake a formal review of their impact.

## **13. Contact**

Tim Cork at the Cabinet Office, Tel: 0207 271 1435, email: [tim.cork@cabinetoffice.gov.uk](mailto:tim.cork@cabinetoffice.gov.uk) can answer any queries regarding the instrument.