

EXPLANATORY MEMORANDUM TO
THE ELECTIONS (POLICY DEVELOPMENT GRANTS SCHEME)
(AMENDMENT) (NO.2) ORDER 2020

2020 No. 385

1. Introduction

- 1.1 This explanatory memorandum has been prepared by the Cabinet Office and is laid before Parliament by Command of Her Majesty.
- 1.2 This memorandum contains information for the Joint Committee on Statutory Instruments.

2. Purpose of the instrument

- 2.1 The instrument amends the Policy Development Grants Scheme as set out in the Schedule to the Elections (Policy Development Grants Scheme) Order 2006 (S.I. 2006/602) (“the 2006 Order”). It adds words omitted in error from the Elections (Policy Development Grants Scheme) (Amendment) Order 2020 (S.I. 2020/139) (“the 2020 Order”), which amended the Schedule to the 2006 Order.

3. Matters of special interest to Parliament

Matters of special interest to the Joint Committee on Statutory Instruments

- 3.1 The Cabinet Office was advised of a minor error in the 2020 Order on 16th March 2020 by the Joint Committee on Statutory Instruments. Three words were omitted – (“for that party”) from the definition of ‘A’ in the formula contained in paragraph 5(b) of the Schedule to the 2020 Order, which substituted a new paragraph 7(3)(b) in the Schedule to the 2006 Order. This Order seeks to correct this error by inserting “for that party” into paragraph 7(3)(b) of the Schedule to the 2006 Order (as amended by the 2020 Order).
- 3.2 The 21 day rule, between the laying of an instrument and the making of an instrument, does not need to be upheld with this instrument. The instrument is being made only to correct a minor error in the 2020 Order, for which the 21 day rule was followed.
- 3.3 This instrument comes into force on 1st April 2020. That commencement will ensure that it can immediately correct the formula for Policy Development Grants, contained in the 2006 Order, before the scheme is administered by the Electoral Commission. The Electoral Commission can administer grants from the Policy Development Grants Scheme on or after 1st April 2020.

Matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business (English Votes for English Laws)

- 3.4 As the instrument is subject to negative resolution procedure there are no matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business at this stage.

4. Extent and Territorial Application

- 4.1 The territorial extent of this instrument is the United Kingdom.

4.2 The territorial application of this instrument is the United Kingdom.

5. European Convention on Human Rights

5.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

6. Legislative Context

6.1 The instrument amends the Policy Development Grants Scheme as set out in the Schedule to the Elections (Policy Development Grants Scheme) Order 2006 (S.I. 2006/602) (“the 2006 Order”). It adds words omitted by error from the Elections (Policy Development Grants Scheme) (Amendment) Order 2020 (S.I. 2020/139) (“the 2020 Order”).

7. Policy background

What is being done and why?

7.1 This instrument follows the coming into force of the 2020 Order on 6th March 2020. The 2020 Order amended the Elections (Policy Development Grants Scheme) Order 2006 following recommendations received from the Electoral Commission. The amendments add a political party which is eligible to receive the Policy Development Grant and removes vote share from elections to the European Parliament from the formula used to calculate each recipient’s allocation.

7.2 The Cabinet Office was advised of a minor error in the 2020 Order on 16th March 2020 by the Joint Committee on Statutory Instruments. Three words were omitted (“for that party”) from the definition of ‘A’ in the formula contained in paragraph 5(b) of the Schedule to the 2020 Order (which substituted a new paragraph 7(3)(b) for the Schedule to the 2006 Order). This Order seeks to correct this error by inserting “for that party” into paragraph 7(3)(b) of the Schedule to the 2006 Order (as amended by the 2020 Order).

8. European Union (Withdrawal) Act/Withdrawal of the United Kingdom from the European Union

8.1 This instrument does not relate to withdrawal from the European Union.

9. Consolidation

9.1 This instrument does not consolidate any existing legislation.

10. Consultation outcome

10.1 The Electoral Commission have been informed of this change being brought forward by the instrument and have no comments on the proposals. The change is essential to ensure that the formula that underpins the Policy Development Grants scheme is accurate.

11. Guidance

11.1 The Electoral Commission issues guidance to eligible political parties on the Policy Development Grants scheme.

12. Impact

- 12.1 There is no, or no significant, impact on business, charities or voluntary bodies.
- 12.2 There is no, or no significant, impact on the public sector.
- 12.3 An Impact Assessment has not been prepared for this instrument because there is no, or no significant impact on businesses, charities, voluntary bodies or the public sector.

13. Regulating small business

- 13.1 The legislation does not apply to activities that are undertaken by small businesses.

14. Monitoring & review

- 14.1 Section 12 of the Political Parties, Elections and Referendums Act 2000 requires the Electoral Commission to keep the terms of the Policy Development Grant under review and to make recommendations to the Secretary of State or Minister for the Cabinet Office for any variations to the scheme which they consider appropriate.

15. Contact

- 15.1 Christopher Neate at the Cabinet Office, Telephone: 0207 271 8922 or email: christopher.neate@cabinetoffice.gov.uk can be contacted with any queries regarding the instrument.
- 15.2 Natalie Bodek, Deputy Director for Elections Division, at the Cabinet Office can confirm that this Explanatory Memorandum meets the required standard.
- 15.3 Chloe Smith, Minister of State for the Constitution and Devolution, at the Cabinet Office can confirm that this Explanatory Memorandum meets the required standard.