

2023 No. 1301

ELECTORAL COMMISSION

NATIONAL ELECTION EXPENDITURE

REPRESENTATION OF THE PEOPLE

**The Political Parties, Elections and Referendums Act 2000
(Non-Party Campaigner Code of Practice) (Appointed Day) Order
2023**

Made - - - - *30th November 2023*

The Secretary of State makes this Order in exercise of the power conferred by section 100B(8)(c) of the Political Parties, Elections and Referendums Act 2000(a) (“the Act”).

The Electoral Commission have prepared a draft code of practice entitled “Non-party campaigner code of practice” in accordance with section 100A(1) of the Act, and have consulted the Speaker’s Committee, the Levelling Up, Housing and Communities Committee and such other persons as the Commission consider appropriate, in accordance with section 100B(1) of the Act.

Following such consultation, the Commission have modified the draft code and submitted it to the Secretary of State in accordance with section 100B(2) of the Act.

The Secretary of State has approved the draft code with modifications in accordance with section 100B(3) of the Act, and laid the modified draft and a statement of the reasons for the modifications before both Houses of Parliament on 13th September 2023, in accordance with section 100B(4) and (5) of the Act.

No resolution of the kind mentioned in section 100B(6) of the Act was made within the 40-day period(b).

Citation, interpretation and extent

1.—(1) This Order may be cited as the Political Parties, Elections and Referendums Act 2000 (Non-Party Campaigner Code of Practice) (Appointed Day) Order 2023.

(a) 2000 c. 41. Sections 100A and 100B were inserted by section 29 of the Elections Act 2022 (c. 37).
(b) For the meaning of “the 40-day period” see section 100B(10) of the Act.

(2) In this Order “the Code of Practice” means the code of practice entitled “Non-party campaigner code of practice”, a draft of which was laid before each House of Parliament on 13th September 2023.

(3) This Order extends to the United Kingdom.

Appointed day

2. The day appointed for the Code of Practice to come into force is 1st December 2023^(a).

Signed by authority of the Secretary of State for Levelling Up, Housing and Communities

30th November 2023

Simon Hoare
Parliamentary Under Secretary of State
Department for Levelling Up, Housing and Communities

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is made under the Political Parties, Elections and Referendums Act 2000 (c. 41) (“the Act”).

The Order brings into force on 1st December 2023 a Code of Practice relating to controls on campaign expenditure by third parties, prepared by the Electoral Commission under section 100A of the Act (“the Code of Practice”). The Electoral Commission will be required to have regard to the Code of Practice in exercising their functions under Part 6 of the Act.

The Code of Practice applies to reserved regulated periods, defined in the Act as periods in relation to which spending limits are imposed. It applies to general elections to the United Kingdom Parliament and elections to the Northern Ireland Assembly, and not to elections to the Welsh Senedd or Scottish Parliament unless the regulated period for either of those elections overlaps with the regulated period for a UK parliamentary general election. The Code provides guidance on matters such as what a non-party campaigner is, what constitutes non-party campaigning, and how different forms of expenditure will be regarded.

The Code of Practice is available at <https://www.electoralcommission.org.uk/non-party-campaigner-code-practice>, and may be obtained from 3 Bunhill Row, London, EC1 8YZ.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector or community bodies is foreseen.

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(a) The code is available at <https://www.electoralcommission.org.uk/non-party-campaigner-code-practice>. A copy may be obtained from 3 Bunhill Row, London, EC1 8YZ.

£5.78

<http://www.legislation.gov.uk/id/uksi/2023/1301>

ISBN 978-0-34-825456-3



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