
EXPLANATORY NOTE

(This note is not part of the Order)

Under section 13(1) of the Political Parties, Elections and Referendums Act 2000 (c. 41) (“the Act”), the Electoral Commission (the “Commission”) are required to promote public awareness of current electoral systems in the United Kingdom. Section 13(6) of the Act, subject to subsections (8) and (12), gives a power to the Secretary of State to set a limit on the amount which the Commission may spend on that function in any financial year.

This Order increases the limit set out in the Electoral Commission (Limit on Public Awareness Expenditure) Order 2014 (S.I. 2014/510) (the “2014 Order”). The new limit set by Article 2(a) and (b) of this Order is £17,000,000 for the financial years 2023/24 and 2024/25. Article 2(c) provides that the annual limit thereafter will be £12,000,000.

Article 1(3) of this Order provides that the limit will not apply to the Commission’s spending where this relates to devolved Scottish functions or, in relation to Wales, where the expenditure is met or to be met under paragraph 16A of Schedule 1 to the Act or paragraph 6 of Schedule 2 to the Government of Wales Act 2006. The Commission’s expenditure in those matters is met by the Scottish Parliament and the Senedd Cymru respectively.

Article 3 revokes the 2014 Order save to the extent that it applies to expenditure incurred by the Commission in performing their devolved Scottish functions. Revocation of the expenditure limit in relation to those functions is a matter for the Scottish Ministers. The 2014 Order extended to the United Kingdom and Gibraltar due to the functions of the Commission in relation to European Parliament elections in Gibraltar. As the functions of the Commission under section 13 of the Act in relation to Gibraltar have been removed with the repeal of section 13(1A) of the Act by S.I. 2018/1310, the 2014 Order has already lapsed insofar as it relates to Gibraltar.

A full impact assessment has not been prepared for this instrument as no impact on the private, voluntary or public sector is foreseen.