

These notes refer to the Lords Amendments to the Political Parties and Elections Bill as brought from the House of Lords on 9 July 2009 [Bill 136]

POLITICAL PARTIES AND ELECTIONS BILL

EXPLANATORY NOTES ON LORDS AMENDMENTS

INTRODUCTION

1. These explanatory notes relate to the Lords Amendments to the Political Parties and Elections Bill, as brought from the House of Lords on 9 July 2009. They have been prepared by the Ministry of Justice in order to assist the reader of the Bill and the Lords Amendments and to help inform debate on the Lords Amendments. They do not form part of the Bill and have not been endorsed by Parliament.
2. These notes, like the Lords Amendments themselves, refer to HL Bill 26, the Bill as first printed for the Lords.
3. These notes need to be read in conjunction with the Lords Amendments and the text of the Bill. They are not, and are not meant to be, a comprehensive description of the effect of the Lords Amendments.
4. All the Lords Amendments were in the name of the Minister except for Lords Amendments 11 and 12, which were opposed by the Government. (In the following Commentary, an asterisk appears in the heading of the paragraph dealing with the non-Government amendments.)

COMMENTARY ON LORDS AMENDMENTS

Lords Amendment 1

5. Lords Amendment 1 would amend new section 156(4A) of the Political Parties Elections and Referendums Act 2000 (“the 2000 Act”) as inserted by clause 3(4) of the Bill. That section deals with the parliamentary procedure to be adopted in respect of a supplementary Order made under paragraph 16 of Schedule 19C to the 2000 Act (as inserted by Schedule 2 to the Bill). Where such an order prescribes the amount of a fixed monetary penalty for the purposes of paragraph 1(5) of Schedule 19C the Order would be subject to the affirmative resolution procedure. This amendment was made following a recommendation of like effect made by the House of Lords Delegated Powers and Regulatory Reform Committee in its Report on the Bill of 2nd April 2009.

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Lords Amendments 2, 3 and 4

6. Lords Amendments 2, 3 and 4 would amend clause 5 of the Bill on the selection process for nominated Commissioners. Lords Amendment 2 would provide that, in order to become a nominating party, the leaders of the three largest qualifying parties would each need to nominate three candidates for consideration for appointment as nominated Commissioner, instead of one or more persons as the Bill currently requires. This would increase the numbers of candidates to be put forward by the three largest parties as potential nominated Commissioners. Once these have been put forward, the Speaker's Committee would select from the best candidates.
7. Lords Amendments 3 and 4 are consequential amendments.

Lords Amendments 5, 6 and 7

8. Schedule 1 to the 2000 Act currently imposes a restriction which prevents the appointment by the Electoral Commission of a member of staff who has engaged in specified types of previous political activity within ten years of their proposed appointment. Clause 7 reduces the restriction period from ten to five years for the Commission's Chief Executive, and to one year for all other staff.
9. In respect of the latter category, Lords Amendment 6 would insert a new paragraph 11B into Schedule 1 which would provide the Chief Executive with the power to designate certain other Commission posts as being subject to a longer restriction period of between two and five years, if he reasonably believes that it is necessary to do so in order to maintain public confidence in the effectiveness of the Commission in carrying out its functions. In determining the length of the period to be specified by the designation the Chief Executive would be required to take into account the seniority of the post to be designated and the likelihood of the post-holder being required to deal with politically sensitive matters. The Chief Executive would be required to consult the Speaker's Committee on the posts that he intended to designate and take heed of their views. A designation would take effect from the day it was received by the Speaker's Committee and expire at the end of three years (unless the Chief Executive gives a cancellation notice in the interim).
10. Lords Amendment 5 makes a consequential amendment to paragraph 11 of Schedule 1 in order to make clear that a person employed in a post subject to a designation under new paragraph 11A must not have engaged in a specified political activity within the time period specified in the relevant designation.
11. Lords Amendment 7 would exclude all Commission staff dealing with electoral boundary work from the reduced restrictions (from ten years to one) in clause 7 of the Bill, as the Government envisages that they will eventually transfer to the independent Local Government Boundary Committee to be established by the Local Democracy, Economic Development and Construction Bill. Under these arrangements staff

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employed by the new Committee will be subject to a ten year restriction that mirrors that currently in the 2000 Act. The intention underlying Lords Amendment 7 is to ensure that the level of political restriction on the appointment of boundary staff remains consistent in the intervening period between the commencement of clause 7 and the creation of the new Committee.

Lords Amendment 8

12. Lords Amendment 8 would omit paragraphs (b) and (c) from section 13 of the 2000 Act. The effect would be to remove the obligation imposed on the Electoral Commission to promote public awareness of current and pending systems of local and national government and the institutions of the European Union.

Lords Amendments 9, 10 and 13

13. Lords Amendment 13 would remove the requirement for a donor to provide a local accounting unit with a declaration under clause 8 where he makes a donation to such a unit of more than £1,500. Lords Amendments 9 and 10 are consequential. The effect of the amendments would be that a donation to a local accounting unit would only be subject to the same requirement as would a donation to a party's central organisation. The additional requirement initially included in clause 8 for a local accounting unit to report donations exceeding £1500 would be removed. Accordingly, the effect of the amendment would be that if the donation is of more than £7,500, irrespective of the unit of the party that receives it, a declaration must be made as to the source of the money or other benefit used to make it. If no such declaration is provided the donation cannot be accepted.

**** Lords Amendments 11 and 12***

14. Lords Amendment 11 would amend section 54(2) of the 2000 Act such that an individual would be regarded as a permissible donor under that section only if that person were: (i) resident in the United Kingdom for the purposes of part 14 of the Income Tax Act 2007; and (ii) not a non-domiciled United Kingdom resident. The recipient of a donation would not be able to accept a donation above the relevant threshold from any individual who did not satisfy these requirements. That threshold is currently £200 but would be raised to £500 by clause 13 of the Bill.
15. Lords Amendment 12 would provide that a declaration by an individual, P, as to the source of a donation, as required under the provisions in clause 8 of the Bill, would have to include a statement that P is: (i) resident in the United Kingdom for the purposes of part 14 of the Income Tax Act 2007; and (ii) not a non-domiciled United Kingdom resident.

Lords Amendment 14

16. Lords Amendment 14 would add a new clause to the Bill relating to certain offences contained in the 2000 Act and listed in the new clause. The new clause would insert the phrase “without reasonable excuse” into those offences, and therefore ensure that whether or not there is an reasonable excuse for the act or omission in question is considered in determining whether or not an offence has been committed. In making this provision, the new clause would also remove the existing separate defence to each offence of having taken all reasonable steps or having exercised all due diligence to ensure that the relevant act or omission did not take place.

Lords Amendments 15 and 23

17. Lords Amendments 15 and 23 would add clauses to the Bill that amend Schedules 7 and 7A to the 2000 Act (which deal with the reporting of donations or regulated transactions respectively by regulated donees). These clauses would require the appointment of a “responsible person” for members associations that do not already have a treasurer, where the association is in receipt of a reportable permissible donation or loan (that is a donation or transaction with a value of more than £7,500), or an impermissible recordable donation or loan (that is, above £500). The provision would require such a person to be appointed within 30 days of receipt of the donation or of entering into the regulated transaction if there is not already an appointment in place. In addition, a members association may appoint a responsible person under this provision even if it has not become subject to the requirement to do so.
18. Lords Amendment 15 also sets out the procedure to be followed by a members association when appointing a responsible person. Provision is made for notice to be given to the Electoral Commission, the form and content of the notice, the duration of the notice (a minimum of 12 months) and how and when it might be renewed, altered or terminated.
19. New paragraph 1B, also inserted by Lords Amendment 15, would provide that it is an offence to fail to appoint, without reasonable excuse, a responsible person as required under paragraph 1A. This offence could attract a fine to level 5 on the standard scale in the event of summary conviction. Provision is also made to ensure that where an offence is committed under paragraph 12 of Schedule 7 (failure to deliver a donation report) in respect of a members association, both the members association and the responsible person may be liable.
20. Lords Amendment 23 would replicate the above provision for the purposes of the reporting of regulated transactions entered into by members associations. In particular the same provision about the offence of failure to appoint a responsible person as required and which deal with liability for failure to report would apply as outlined above.

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Lords Amendments 16, 17, 18, 19, 20, 21 and 22

21. Lords Amendments 16, 17, 18, 19, 20, 21, and 22 would clarify the procedure relating to the appointment of a compliance officer. In particular, Amendment 18 would make clear that a renewal notice will extend the validity of the original notice for a further year, beginning with the time at which the original notice to the Commission elapses. Amendment 20 would make clear that a notice of alteration takes effect on the day it is received by the Commission or as specified in the notice. Amendment 21 states that a notice of alteration must be signed by the office-holder and the compliance officer or his replacement. The other Lords Amendments would tidy up the provisions, seeking to ensure that the meaning of clause 10 as originally drafted is clear.

Lords Amendment 24

22. Lords Amendment 24 would insert a new clause into the Bill which would insert a new paragraph 18 into Schedule 7A to the 2000 Act. The effect would be to enable a compliance officer to be appointed for the purpose of dealing with the reporting of regulated transactions as well as donations. This means that the duties and liabilities that can be assumed by a compliance officer appointed under clause 10 in respect of donations would be capable of being assumed by such an officer appointed also in respect of regulated transactions.

Lords Amendment 25, 26 and 27

23. Clause 17 and Schedule 19A to the 2000 Act (as inserted by Schedule 4 to the Bill) put in place a new regime for unincorporated associations making political donations of over £25,000 in a calendar year to provide to the Electoral Commission details of all gifts to them of over £7,500 that they have received over a three year period. A “political donation” in this sense means a donation made by an unincorporated association to a political party, a regulated donee, a recognised third party or a permitted participant.
24. This group of amendments would extend the scope of those provisions so that the new transparency regime provided in the Bill would also be activated by loans made by unincorporated associations to any of the entities mentioned above. The term “loans” in this context also includes other regulated transactions such as credit facilities and securities as defined in section 71F of the 2000 Act.
25. Lords Amendments 25 and 26 would replace the word “donation” with “contribution” in new section 140A of the 2000 Act (inserted by clause 12). This would reflect the effect of Amendment 77, as described below, which would replace the existing

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reference to “political donations” in Schedule 19A to the 2000 Act with a reference to political contributions.

26. The effect of this would be that instead of “political donations” of over £25,000 triggering the additional reporting requirements on unincorporated associations, the requirements will be triggered by “political contributions”. This definition would broaden the scope of the provisions, so that the additional requirement on unincorporated associations would be triggered when donations, loans, or a combination of both exceed £25,000.
27. Lords Amendment 27 specifies that the regulations under subsection (3)(e) of section 62 of the Electoral Administration Act 2006 (“the 2006 Act”) may make provision amending paragraph 1 of Schedule 19A so that loans from unincorporated associations to third parties and permitted participants will count as “political contributions” for the purposes of Schedule 19A. This would mean that such loans would have to be taken into account by an unincorporated association in determining whether it has triggered the Schedule 19A reporting requirements. Until such regulations are made under the 2006 Act, loans made to recognised third parties and permitted participants are not regulated (unless, for example, they are interest-free in which case they may qualify as “donations” for the purposes of the 2000 Act).

Lords Amendment 28

28. Lords Amendment 28 would oblige the Secretary of State, at least once in the life of a Parliament lasting more than two years, to consider varying certain recordable and reportable thresholds in the 2000 Act to take account of changes in the value of money. If the Secretary of State decided not to make any such change he would instead be required to make a statement to Parliament explaining his or her reasons. This new obligation would not apply during the current Parliament.

Lords Amendments 29 and 30

29. Lords Amendment 29 would make provision for replacing an MEP in Northern Ireland who stood for election in the name of two or more registered parties. Under subsection (4)(a) (as inserted by clause 19(1)) of section 5 of the European Parliamentary Elections Act 2002, an MEP who stood in the name of one party and whose seat becomes vacant may be replaced by a person nominated by the nominating officer of that party. Under paragraph (aa), which would be inserted by this amendment, an MEP who stood in the name of two or more parties and whose seat becomes vacant would be replaced by a person nominated jointly by the nominating officers of both (or all) of those parties. Lords Amendment 30 is consequential.

Lords Amendments 31 and 32

30. Lords Amendment 31 would insert new provisions into clause 20 of the Bill. It would amend section 6(2) of the European Parliamentary Elections Act 2002 to provide for the proper officer of the Greater London Authority to be eligible to be designated by the Secretary of State as a returning officer for European Parliamentary elections in a region in England and Wales. The proper officer of the Greater London Authority is the Greater London Returning Officer, who is responsible for running elections for the London Mayor and London Assembly. The effect of the provision would be to widen the category of persons who are eligible to be designated as a returning officer in a region for European Parliamentary elections, because returning officers for the European Parliamentary elections in regions in England and Wales must currently be persons who are acting returning officers for UK Parliamentary elections in England and Wales.
31. Lords Amendment 32 is a consequential amendment and would provide that where the proper officer of the Greater London Authority is designated as returning officer for the London electoral region, the Greater London Authority must place the services of its employees at his disposal for the purpose of assisting him in the discharge of his functions as returning officer.

Lords Amendment 33

32. Part 1 of the Electoral Administration Act 2006 (“the 2006 Act”) contains provisions for the establishment, by order made by the Secretary of State, of one or more Co-ordinated On-line Record of Electors (“CORE”) schemes. A CORE scheme will be run by a CORE keeper designated by the Secretary of State and will consolidate into a centralised record electoral registers and related information maintained by the electoral registration officers (“EROs”) in the area covered by the scheme. Lords Amendment 33 would insert a new clause, which in turn inserts a new section into the 2006 Act, enabling the Secretary of State to establish a new corporation sole to be the CORE keeper. It would also provide the Secretary of State with the power to establish, by order, a panel for the purpose of advising the corporation on such matters as the corporation may refer to it or which the panel chooses to consider of its own motion.
33. Subsection (4) of the new clause would amend section 6(1) of the 2006 Act to provide that the power to establish the new corporation sole is exercisable by statutory instrument. The order would be subject to the affirmative resolution procedure, thus requiring approval by both Houses of Parliament. Subsection (4) would also insert new section 6(6) into the 2006 Act, requiring the Secretary of State to consult the Information Commissioner and the Electoral Commission before making the order.

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34. Section 1(10) of the 2006 Act provides that the person designated as the CORE keeper must be a “public authority”. The amendment in subsection (2) would widen this to also include a new corporation sole established for the purpose.

Lords Amendment 34

35. Section 2(2) of the 2006 Act provides that the CORE keeper will be bound by the same regulations governing the supply of and access to electoral registers and other documents that apply to EROs. Under section 2(3) of the 2006 Act, the Secretary of State may make such modifications to the regulations in their application to the CORE keeper as he or she thinks appropriate. Lords Amendment 34 would supplement this power so that modifications can provide for the supply of material by a CORE keeper to be subject to conditions or restrictions which do not apply in the case of an ERO or which differ from those that apply in the case of an ERO.

Lords Amendment 35

36. Section 3 of the Juries Act 1974 provides that every ERO must, on publication, supply copies of the electoral register to the body responsible for summoning jurors. Lords Amendment 35 would create a power for a CORE scheme to amend this section so as to instead require the CORE keeper to supply copies of the electoral register for jury summoning purposes at such times as are specified in the CORE scheme. The power would also enable the section to require EROs to continue to supply the register for this purpose, but only in response to a request from the relevant body.

Lords Amendment 36

37. Lords Amendment 36 would enable a CORE scheme to authorise the CORE keeper to supply information to the Electoral Commission. The intention is to ensure that the CORE keeper can furnish the Electoral Commission with information relevant to the performance of the Commission’s functions. This may include, for example, statistical reports regarding registration patterns or regarding potential anomalies identified in the registers. The power could also be used to enable the CORE keeper to advise the Commission where a particular ERO has not complied with a requirement in a CORE scheme to notify the CORE keeper of the steps taken in response to information received from the CORE keeper about, for example, suspected absent voter fraud or other improprieties.

Lords Amendments 37, 38, 39, 40, and 41

38. Lords Amendment 37 would insert a new clause containing provisions requiring registration officers, after 1 July 2010, to collect identifying information from electors for the purpose of improving the accuracy of the electoral register. The identifying information in question would be a person's signature, date and birth and his or her national insurance number. During this period ("the voluntary phase"), although registration officers would be obliged to take steps to obtain the information in question, it would not be compulsory for electors to provide personal identifiers, and registration officers would have to make this clear when requesting such information.
39. Lords Amendment 38 would add a new clause which allows for the Secretary of State, after consulting the Electoral Commission, to make regulations by statutory instrument either to amend or to supplement the provisions in relation to the collection of identifiers set out in the clause which would be inserted by Lords Amendment 37, so as to secure the registration objectives. Such regulations would be able to alter the identifying information that may be collected under the provision that would be made by Lords Amendment 37 and make consequential or supplementary provision arising from such a change. In addition, amongst other matters, the regulations would be able to make provision about the forms in which identifying information is to be provided and kept, and could authorise the disclosure of information by the authority responsible for national insurance numbers to registration officers and the CORE Keeper for specified purposes and allow a fee to be charged for such disclosure. This amendment would also create a criminal offence where a registration officer discloses information other than for a purpose specified in the new clause. Such an offence would be punishable by up to two years imprisonment and/or a fine on indictment or up to 12 months imprisonment (or 6 months in Northern Ireland) and/or a fine up to level 5 on the standard scale on summary conviction.
40. Lords Amendment 39 would introduce a new clause requiring the Electoral Commission to keep under review the operation of the voluntary phase put in place by Lords Amendment 37. In doing so the Commission would be required to produce an annual report assessing the adequacy of the electoral system and what changes to that system might be necessary if steps were taken to make the collection of identifying information compulsory. The provision would require the Commission's annual report for 2014 to contain a recommendation as to whether or not the provision of identifying information by electors should become compulsory in order for a person to remain on the register. That report would have to be laid before Parliament and if the report contained a recommendation in favour of a move towards compulsory collection which Parliament approves, the Secretary of State would have to make an order to bring into force the provision that would be made by the clause inserted by Lords Amendment 40. If the recommendation were to be negative, or positive but rejected by Parliament, the Secretary of State would within 12 months have to make a request that a further report be submitted containing the Commission's recommendations about moving to the compulsory phase. The date on which that

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report would have to be submitted could be no more than two years after the date on which the request for a further report was made.

41. Lords Amendment 40 would introduce a new clause which makes detailed legislative provision should the conditions laid out by Lords Amendment 37 be met, and a decision taken to make obligatory the provision of identifiers by electors in the United Kingdom. The broad effect of this clause would be to extend those provisions currently having effect in Northern Ireland (by section 1 of the Electoral Fraud (Northern Ireland) Act 2002) to the whole of the UK in order to render the compulsory collection of identifying information a pre-condition of registration on the electoral register.
42. Lords Amendment 41 would introduce a new clause which would provide a power to make supplementary provision in regulations to that which would be made by the new clause inserted by Lords Amendment 40. It gives the Secretary of State powers to amend or repeal specified sections of the Representation of the People Act 1983 (“the 1983 Act”) relating to the collection of identifiers and would, for example, enable different identifiers to be specified in place of those currently envisaged by the provisions. It would also allow consequential or supplemental provision to be made if the need to do so arose from any such changes. It sets out the procedure for making supplementary provisions or amendments, including consulting the Electoral Commission to seek their views, and laying the statutory instrument before Parliament for affirmative resolution by both Houses.

Lords Amendment 42 and 43

43. Lords Amendments 42 and 43 would amend Clause 22 which relates to data matching pilots that have been set up to enable the matching of data held by registration officers and public authorities for the purpose of improving the accuracy and completeness of the electoral register. Lords Amendment 42 follows changes to the definitions in the part of the Bill concerning electoral registration. Lords Amendment 43 increases the penalties for the criminal offence of making an unauthorised disclosure of information collected for the purposes of clause 22. The relevant penalties now include a term of imprisonment of up to 12 months (or 6 months in Northern Ireland) on summary conviction and/or a fine not exceeding level 5 on the standard scale and up to two years imprisonment and/or a fine on conviction on indictment.

Lords Amendments 44, 45, 46 and 47

44. Lords Amendments 44, 45, 46, and 47 would put in one place definitions of terms that recur throughout the part of the Bill concerning electoral registration.

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Lords Amendments 48 and 49

45. Lords Amendments 48 and 49 would ensure that the transitional provision made by clause 26 works both for offences created in the Bill itself and by amendments made by the Bill to offences inserted or already included in other Acts (for example, the 2000 Act).

Lords Amendment 50

46. Lords Amendment 50 would amend the commencement provisions contained in clause 29(3) of the Bill with the effect that the provision requiring the Secretary of State to bring into force the new provision about compulsory provision of identifying information if a recommendation to that effect by the Electoral Commission is approved by Parliament would come into force on the date on which the Act is passed.

Lords Amendments 51 and 52

47. Paragraph 1(2) of new Schedule 19B to the 2000 Act (contained in Schedule 1 to the Bill) sets out the Electoral Commission's power to require, for its supervisory purposes, disclosure of information from named organisations and individuals it regulates. Lords Amendments 51 and 52 would enable the Commission to issue a disclosure notice under paragraph 1(2) to a former treasurer or another officer of an organisation supervised by the Commission only if it did so within five years of the relevant person having held the office in question.

Lords Amendment 53

48. Lords Amendment 53 would delete what is currently paragraph 2(1)(e) of Schedule 19B, which would enable the Commission to enter the premises of any individual or organisation formerly falling within the categories named in the preceding subparagraphs (a) to (d). The result would be that the power of entry will not be available in relation to former members of those categories.

Lords Amendment 54, 55, 61, 62 and 64

49. Lords Amendment 54 would amend paragraph 2(2) of new Schedule 19B to the 2000 Act to place a requirement on the Electoral Commission to obtain prior approval from a magistrate before their staff could enter the premises of a supervised individual or organisation listed in paragraph 2(1) to inspect documents relating to income and expenditure for non-investigatory purposes.

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50. The amendment would enable a magistrate to issue an inspection warrant in relation to premises occupied by any organisation or individual listed in paragraph 2(1) if satisfied, on information provided on oath by the Commission, that there are reasonable grounds for believing that on those premises there are documents relating to the finance and expenditure of the individual, that entry is required for the purposes of the Commission carrying out its supervisory functions, and that permission to inspect documents on the premises has been requested, but unreasonably refused. An inspection warrant is valid for a month from the date of issue.
51. The amendment would also put in place a number of additional safeguards. An inspection warrant issued under the new power could authorise entry only at a reasonable time and could not be used for investigatory functions. Further, a person executing an inspection warrant could be required to produce both the warrant and documentary evidence that he or she is a member of the Commission's staff.
52. Lords Amendments 55, 61, 62, and 64 are consequential amendments. Lords Amendments 55 and 61 would delete references in other parts of the Schedule to the fact that the power of entry cannot be used for investigatory purposes, given that this information would now be included in paragraph 2(7) through Lords Amendment 54. Lords Amendments 62 and 64 would, by amending paragraph 14 of Schedule 1, oblige the Commission to prepare and publish guidance on circumstances in which they are likely to seek a warrant to enter premises under paragraph 2(2), and provide information about circumstances in which a warrant to enter premises was executed.

Lords Amendment 56

53. Lords Amendment 56 would amend paragraph 4 of new Schedule 19B to provide that a High Court (or the Court of Session in Scotland), rather than a county court (or a sheriff) may make an order on application by the Electoral Commission enforcing an earlier notice given by the Commission under paragraph 3(2) of Schedule 19B requiring a person to produce documents for inspection for the purpose of an investigation.

Lords Amendments 57, 58, 59, 60, 63 and 65

54. Lords Amendment 60 would insert a new paragraph in new Schedule 19B, which would enable the Commission to apply to a High Court (or Court of Session in Scotland) to issue an order to require a person to provide any information or explanation in relation to which the Commission has given a notice under paragraph 3(2) requiring such provision for the purposes of an investigation. This would add to the existing paragraph 4 which enables the Commission to seek such an order in respect of documents it had previously requested. Failure to comply with the court order would be contempt of court or a criminal offence (but could not be both).

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55. Lords Amendments 57 to 59 would make changes arising from the fact that the Bill would, as a consequence of the provision made by Lords Amendment 60, distinguish between a “document disclosure order” and an “information disclosure order”. Lords Amendments 63 and 65 would amend paragraph 14 of new Schedule 19B to require the Commission to publish guidance and report on the use of the court order powers.

Lords Amendments 66, 67 and 68

56. Lords Amendments 66, 67 and 68 would replicate the effect of Lords Amendments 9 and 13 by removing references to £1,500 from the declaration requirements imposed by new paragraph 6A of Schedule 7 to the 2000 Act (as inserted by paragraph 1(2) of Schedule 3 to the Bill). The result is that, with respect to donations made to regulated donees, the declaration requirement would apply only where a donation was made of more than £7,500.

Lords Amendments 69 to 92

57. Lords Amendments 69 to 75 inclusive follow on from Lords Amendments 25, 26 and 27 and would replace the word “donations” with the word “contributions” (in the title and throughout the provisions to be inserted by the Bill in the 2000 Act). This would have the effect of broadening the scope of the requirement for unincorporated associations to notify the Commission when they make political contributions (that is, donations and/or loans) that exceed the threshold of £25,000 in a calendar year.
58. Lords Amendment 79 would remove the existing definition of “donation”. Lords Amendment 76 would replace this with a new definition of “political contribution” which would include (in addition to what is covered by the existing definition):
- Regulated transactions (including loans, credit facilities or securities) within the meaning of Part 4A of the 2000 Act; and
 - Controlled transactions to regulated donees (including loans of money, credit facilities or securities) within the scope of Schedule 7A to the 2000 Act.

Lords Amendments 77, 78, and 80 to 91 are consequential.

59. The effect of Lords Amendment 92 would be to clarify that the term “gift” (which may be set out in regulations) may be defined so as to include loans and securities received on non-commercial terms by an unincorporated association.

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Lords Amendments 93, 94, and 95

60. Lords Amendment 93 would make a consequential change resulting from clause 17 of the Bill, updating the requirements under rules 9 and 14 of the Parliamentary Election Rules, found in Schedule 1 to the 1983 Act, to reflect the introduction of the “home address form” by clause 17(2)(b) (which amends rule 6) .
61. Lords Amendment 95 would amend the Parliamentary Election Rules so that the form of the ballot paper can accommodate the inclusion of a candidate’s home constituency rather than his or her full home address, should the candidate so wish (which is the substantive effect of clause 17). Lords Amendment 94 is consequential.

Lords Amendments 96, 97, 98, 105, and 106

62. Lords Amendments 96, 97, 98, 105 and 106 would make changes to the Repeals Schedule to the Bill, in consequence of Lords Amendment 40.

Lords Amendment 99

63. Lords Amendment 99 would make an addition to the Repeals Schedule to the Bill, in consequence of Lords Amendment 8.

Lords Amendments 100, 101, 102, 103 and 104

64. Lords Amendments 100, 101, 102, 103 and 104 would make changes to the Repeals Schedule to the Bill, in consequence of Lords Amendment 14.

Lords Amendment 107

65. Lords Amendment 107 amends the long title of the Bill to reflect the Lords Amendments relating to loans and regulated transactions.

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