

## EU referendum: Campaigner update No. 3

November 2015

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The UK Government has introduced legislation to hold a referendum on the UK's membership of the EU by the end of 2017. The exact date of the referendum is not yet known.

The Bill which sets out how the referendum will be run and the rules campaigners must follow is currently being considered by the UK Parliament.

We are the regulator of political funding and spending. Our objective is

to ensure integrity and transparency of campaign funding and spending for voters.

We register campaigners and regulate their spending and donations at referendums.

Once the Bill becomes law we will publish guidance for campaigners.

Until then, we will publish a series of updates to keep you informed.

## About this update

This update is based on the European Union Referendum Bill ('the Bill'). The UK Parliament has agreed the principles of the Bill and is considering amendments and therefore some of the information provided in this update may change. We will highlight changes to the Bill in future updates.

This third update covers:

- designated lead campaign groups
- the Commission's role in designation
- the designation application period
- how the designation decision is made
- where you can find more information

## Designated lead campaign groups

One designated lead campaign group (also called a designated organisation) will represent each side of the referendum debate. They will act as the lead campaign group on behalf of those campaigning for that outcome.

The benefits for designated lead campaign groups are:

- increased spending limit
- free distribution of their information to voters
- referendum campaign broadcasts
- free use of certain public rooms
- publicly funded grant

## The Commission's role in designation

Under the Political Parties, Elections and Referendums Act 2000 (PPERA), we will have the responsibility for designating lead campaigners for each outcome at a referendum. PERA sets out a statutory test we must apply when assessing applications to be a lead campaigner.

The EU Referendum Bill provides that the Commission can designate lead campaigners under the approach set out in PERA. However, the Bill is progressing through Parliament and the House of Lords and may, as with all Bills, change substantially before it is finalised at Royal Assent.

## The designation application period

The Bill currently applies the designation timetable as specified in PERA. A registered campaigner seeking to be designated will be required to submit an application within 28 days of the start of the referendum period.

We will be able to give further information about the timetable for designation applications after the Government announces the date and regulated period for the referendum.

The dates will be confirmed in Regulations that will follow the Bill receiving Royal Assent. We will publish this information on our website and in future updates.

## How is the designation decision made?

Registered campaigners can apply to the Commission to be appointed as the designated lead campaigners. There is a statutory test in PPERA that the Commission must apply when assessing applications for designation.

The statutory test in PPERA has two parts:

- if there is only one applicant for an outcome, the Commission shall designate an applicant unless it is not satisfied that it adequately represents those campaigning for that outcome, and
- if there is more than one applicant for an outcome, the Commission shall designate whichever of the applicants appears to it to represent to the greatest extent those campaigning for that outcome unless it is not satisfied that any of the applicants adequately represents those campaigning for that outcome.

PPERA provides that we must designate lead campaigners for both outcomes or we cannot designate at all. We will consider all applications on their merit against the statutory test.

When we assessed applications for the Referendum on Independence for Scotland, we used a decision making process to apply the test, based on the criteria set out below. Based on the legislation for the referendum on the UK's membership of the European Union as it is currently drafted, we expect the Commission to take similar

considerations into account during the designation process for the EU referendum:

- how the applicant's objectives fit with the referendum outcome it supports
- the level and type of support for the application
- how the applicant intends to engage with other campaigners
- the applicant's organisational capacity to represent those campaigning for the outcome, and
- the applicant's capacity to deliver their campaign (including its financial probity)

## Where you can find more information

We are always happy to give prospective campaigners advice on how to comply with the rules. Please contact us on 0333 103 1928 [pef@electoralcommission.org.uk](mailto:pef@electoralcommission.org.uk)

Alternatively use the email addresses below.

- England: [pef@electoralcommission.org.uk](mailto:pef@electoralcommission.org.uk)
- Scotland: [infoscotland@electoralcommission.org.uk](mailto:infoscotland@electoralcommission.org.uk)
- Wales: [infowales@electoralcommission.org.uk](mailto:infowales@electoralcommission.org.uk)
- Northern Ireland: [infonorthernireland@electoralcommission.org.uk](mailto:infonorthernireland@electoralcommission.org.uk)

## For other information about the referendum

On our website, [www.electoralcommission.org.uk](http://www.electoralcommission.org.uk), you can find:

- more information about our role in referendums
- our key principles for running referendums
- our approach to assessing referendum questions
- our findings on the referendum question
- briefings on the Bill explaining our position on provisions where appropriate