

Overview

UK Parliamentary general election 2015: Focused constituency campaigning

This document is for non-party campaigners who want to know about focused campaigning in a particular constituency or constituencies in the run-up to the UK Parliamentary general election

Contents:

[Focused constituency campaigning](#)

[Spending limits](#)

[Reporting after the election](#)

Forms you might need:

[TP1; TP4\(i\)](#)

Translations and other formats

For information on obtaining this publication in another language or in a large-print or Braille version please contact the Electoral Commission:

Tel: 020 7271 0500

Email: publications@electoralcommission.org.uk

Terms and expressions we use

We use '**must**' when we refer to a specific legal or regulatory requirement. We use '**should**' for items we consider to be minimum good practice, but which are not legal requirements.

You do not have to follow this guidance, but if you do, you will normally be doing enough to comply with the law.

Our approach to enforcement

The Commission regulates political funding and spending. We are committed to providing those we regulate with a clear understanding of their regulatory obligations through our guidance documents and advice service.

Wherever possible, we use advice and guidance proactively in order to secure compliance. And we regulate in a way that is effective, proportionate and fair.

If you do not comply with legal or regulatory requirements you or your organisation may be subject to civil or criminal sanctions. You can find more information about the Commission's approach to enforcement

at www.electoralcommission.org.uk/party-finance/enforcement

Focused constituency campaigning

Who this document is for:

Non-party campaigners who may undertake regulated campaign activity that only affects or is substantially confined to a particular constituency or constituencies in the run-up to a UK Parliamentary general election.

The document covers:

- focused constituency campaigning
- focused constituency campaigning and spending limits
- reporting after the election

Related documents:

- [Overview of non-party campaigns](#)
- [Registering as a non-party campaigner](#)
- [Managing non-party campaign spending](#)
- [UK Parliamentary general election 2015: Non-party campaigners](#)
- [Joint campaigning for non-party campaigners](#)

2

Summary

Under the Political Parties Elections and Referendums Act 2000 (PPERA), there are limits on how much non-party campaigners can spend in each parliamentary constituency in the run-up to a UK Parliamentary general election.

We call spending on regulated campaign activity whose effects are wholly or substantially confined to a particular constituency or constituencies ‘focused constituency campaigning’.

This document explains how the rules on focused constituency campaigning apply.

Introduction

Non-party campaigners are individuals or organisations that campaign in the run-up to elections, but are not standing as political parties or candidates. In electoral law, these individuals or organisations are called ‘third parties’. Where non-party campaigners have registered with the Electoral Commission they are called ‘recognised third parties’. In our guidance we call recognised third parties ‘registered non-party campaigners’.

In the run-up to a UK Parliamentary general election, there is a set time when the rules on spending and donations apply. We call this time the ‘regulated period’.

During the regulated period for the UK Parliamentary general election, the maximum amount a registered or unregistered non-party campaigner can spend on regulated campaign activity in a particular parliamentary constituency is £9,750.

We call regulated campaign activity whose effects are wholly or substantially confined to a particular constituency or constituencies ‘focused constituency campaigning’. You can undertake focused constituency campaigning in more than one constituency.

This document explains:

- what focused constituency campaigning is
- how the spending limits apply for registered and unregistered non-party campaigners
- the requirements for reporting focused constituency campaigning to us after the election.

4

Focused constituency campaigning

The guiding principle

To determine whether you are undertaking focused constituency campaigning, you should make an honest and reasonable assessment based on the facts as to whether the effects of the spending on the regulated campaign activity will be wholly or substantially confined to a particular constituency or constituencies. You should consider:

- whether you intend to influence people who vote in a particular constituency or constituencies and;
- whether, regardless of your intentions, the spending might affect only a particular constituency or constituencies

In many cases, making this assessment will be straightforward. Your activity is very likely to be focused constituency campaigning if you incur regulated campaign spending to influence the voting choice of people in a particular constituency or constituencies by:

- sending election material by direct mail where voters have been selected by postcode
- canvassing using phone banks where you have selected voters by postcode
- door to door canvassing where you have selected households in a particular constituency or constituencies but not others

'Regulated campaign activity' is activity that can reasonably be regarded as intended to influence voters to vote for or against political parties or categories of candidates

More information is available in our guidance:

[Overview of regulated non-party campaigning](#)

In other cases, you should consider whether your spending would have the effect of:

- influencing who people vote for in a particular constituency or constituencies and;
- attracting the attention of voters in a particular constituency or constituencies, rather than the electorate at large.

In particular, you should consider:

- whether the content of your campaign message is limited to issues relevant to a particular constituency or constituencies, and
- whether your campaign activity will mainly be seen or heard by voters in a particular constituency or constituencies

The principle in practice

The examples below set out how the guiding principle applies in practice.

They are intended to help you consider how to apply the principle to your campaign activity. In each case, you should always make an honest and reasonable assessment - based on the particular facts - as to whether the activity you are undertaking is focused constituency campaigning.

6

Example 1

You hold a public rally in a park about an election issue that is relevant to voters all over the UK. The rally is regulated campaign activity as it can reasonably be regarded as intended to influence voters to vote for or against political parties or categories of candidates.

You have advertised the rally on your website, in newspaper adverts, on social media and through leaflets distributed all over the UK.

In deciding whether your rally is focused constituency campaigning, you should consider the following factors:

Does the rally seek to influence people who vote only in a particular constituency or constituencies?

- You have advertised your rally across the UK with the intention of reaching the widest possible audience, even though the public rally is held in a particular constituency. There is nothing to indicate that the rally is likely to affect people who only vote in a particular constituency or constituencies.

Is the subject of the rally especially relevant to a particular constituency or constituencies?

- The rally is about an issue that is relevant to voters across the UK, rather than the particular constituency the rally is being held in.

Taking into account all of these factors, the rally would **not** be focused constituency campaigning.

Example 2:

You hold a public rally in a park in support of a local issue that only affects voters in two nearby constituencies. The rally is regulated campaign activity as it can reasonably be regarded as intended to influence voters to vote for or against political parties or categories of candidates.

The rally has only been advertised through leaflets that are delivered to voters in those two constituencies.

In deciding whether your rally is focused constituency campaigning, you should consider the following factors:

Does the rally seek to influence people who vote only in a particular constituency or constituencies?

- The rally is about a local issue, and you have advertised it only in the two constituencies affected. The aim of the event is to influence people who vote in these constituencies and not others.

Is the subject of the rally especially relevant to a particular constituency or constituencies?

- The rally is about a local issue that only affects voters in two constituencies

Taking into account all of these factors, the rally **would be** focused constituency campaigning.

8

Example 3

You decide to distribute leaflets promoting your campaign on an election issue that is relevant to voters all over the UK. The leaflets count as regulated campaign activity as they can reasonably be regarded as intended to influence voters to vote for or against political parties or categories of candidates. You have chosen to distribute the leaflets at a major national railway terminal in London with the intention of reaching a wide audience for your campaign.

In deciding whether the leaflets are focused constituency campaigning, you should consider the following factors:

Does the distribution of the leaflets seek to influence people who vote only in a particular constituency or constituencies?

- Although the railway terminal you are distributing the leaflets in is in a particular parliamentary constituency, there is nothing to indicate that the leaflets are likely to affect only people who vote in that constituency. In distributing your leaflets here, you are seeking to attract the attention of the electorate at large, rather than people who vote only in that constituency. This is because it is likely that the people in the terminal will vote in many different constituencies across the UK.

Is the content and message of the leaflet especially relevant to a particular constituency or constituencies?

- The content of the leaflets relates to an issue that is relevant to voters across the UK, rather than the particular constituency in which they are being distributed.

Taking into account these factors, the leaflets **would not be** considered focused constituency campaigning.

Example 4

You decide to distribute leaflets promoting your campaign on a local issue in a particular constituency. The leaflets count as regulated campaign activity as they can reasonably be regarded as intended to influence voters to vote for or against political parties or categories of candidates. You have chosen to distribute the leaflets at in a local shopping centre in the constituency where the issue is relevant to voters.

In deciding whether the leaflets are focused constituency campaigning, you should consider the following factors:

Does the distribution of the leaflets seek to influence people who vote only in a particular constituency or constituencies?

- You have chosen to distribute the leaflets in a shopping centre in the constituency where the issue you are campaigning on is relevant to voters.

Is the content and message of the leaflet especially relevant to a particular constituency or constituencies?

- The content of the leaflets relates to an issue that is relevant to voters in the constituency in which they are being distributed.

Taking into account these factors, the leaflets **would be** considered focused constituency campaigning.

10

Focused Constituency campaigning and spending limits

During the UK Parliamentary general election regulated period, non-party campaigners are subject to limits on their spending on regulated campaign activity.

The maximum amount a registered or unregistered non-party campaigner can spend on regulated campaign activity in a particular parliamentary constituency during the regulated period is £9,750.

Your overall spending limit will depend on whether you register with the Electoral Commission as a 'registered non-party campaigner'. Only certain types of individuals and organisations can register with us.

If you do not register, or are not eligible to register, you cannot spend more than £20,000 in England or £10,000 in any of Scotland, Wales or Northern Ireland during a regulated period on regulated activity.

If you register with us, you will have higher overall spending limits for the different parts of the UK (England, Scotland, Wales and Northern Ireland) during the regulated period.

Once you have registered with us, you must comply with the rules on spending and donations and reporting requirements.



Important

More information on applying to register as a non-party campaigner is available in our guidance:

[Registering as a non-party campaigner](#)

Registered non-party campaigners

If you are a registered non-party campaigner, there are rules on how your spending must be attributed across the different parts of the UK and to parliamentary constituencies. We refer to these as the 'attribution rules'

The attribution rules apply in the following ways:

- spending on focused constituency campaigning must be attributed to the constituency or constituencies affected
- spending on a UK-wide campaign must be attributed equally to each of the UK's 650 parliamentary constituencies.
- spending in only one part of the UK (England, Scotland, Wales or Northern Ireland) that does not affect a **particular** constituency or constituencies must be attributed equally to each constituency in that part.

The spending attributed to each constituency counts against the £9,750 limit for each constituency.

This means that you must make sure that you do not spend more than £9,750 in any one constituency on any, or a combination of:

- focused constituency campaigning in a particular constituency or constituencies
- UK-wide campaigning where spending is attributed equally to all 650 parliamentary constituencies
- a campaign in a part or parts of the UK, where spending is attributed equally to the constituencies in that part, or those parts

Because you must not spend more than £9,750 in any particular parliamentary constituency it is important that you keep a running total of how much regulated campaign spending must be allocated to each constituency.

We have developed a spending calculator to help you do this, which you can download [here](#).

More information on how to attribute regulated campaign spending is available in the [Overview of Managing non-party campaign spending](#).

There are 533 parliamentary constituencies in England, 59 in Scotland, 40 Wales and 18 in Northern Ireland.

 Important

 Important

12

Focused constituency campaigning in more than one constituency

If you undertake campaigning in more than one constituency, you must apportion the spending equally across the number of constituencies where the campaigning is taking place.

You must make sure that you do not spend more than the maximum limit of £9,750 in any one constituency.



Example

You spend £15,000 placing advertisements promoting a political party in a local newspaper. The advertisements are about local issues that are relevant only to three parliamentary constituencies. The newspaper is distributed only in those three parliamentary constituencies and is unlikely to have a readership outside the three constituencies.

As the advertisements are:

- only likely to be seen by people voting in these constituencies
- about local issues that are relevant only to those constituencies

they are considered focused constituency campaigning.

To work out how much you must allocate to each constituency you must divide the total cost of the advertisements and apportion the spending equally to each constituency affected.

Total cost of the constituency campaign: £15,000

Number of constituencies targeted: 3

Total amount allocated to each constituency:

$£15,000 / 3 = £5,000$

Focused constituency campaigns and joint campaigning

You may choose to work with one or more campaigners on a joint campaign, perhaps in order to make the overall campaign more effective.

To be part of a joint campaign, you must be working together with one or more other non-party campaigners.

Working together means spending money on regulated campaign activities as a result of a common plan or arrangement between one or more non-party campaigners during a regulated period.

More information about joint campaigns is available in our guidance:

[Joint campaigning for non-party campaigners](#)

There are different ways that you can structure your joint campaign:

- you can be working with other campaigners as an 'ordinary joint campaigner'
- you can be involved in a joint campaign as either a 'lead campaigner' or a 'minor campaigner'. We call a campaign that has a lead campaigner a 'lead campaign'
- you can be involved in a complex joint campaign made up of ordinary joint campaigners, lead campaigners, and minor campaigners

The way the rules on focused constituency campaigning apply to a joint campaign will depend on how you structure your joint campaign.

Working with other campaigners as an ordinary joint campaigner

If non-party campaigners work together as part of a joint campaign without a lead campaigner, the combined regulated joint campaign spending will count towards the spending limits for each non-party campaigner involved. We call non-party campaigners involved in such a joint campaign 'ordinary joint campaigners'.

If you are working together in a joint campaign with other ordinary joint campaigners, the combined spending on focused constituency campaigning and any other regulated spending attributed to a particular constituency must not breach the £9,750 constituency limit.

As the combined regulated joint campaign spending counts against the spending limit for each non-party campaigner, it is important that all campaigners involved in the joint campaign are aware of the total amount of regulated spending.



Lead campaigners working with minor campaigners

Where there is a joint campaign, a registered non-party campaigner who is part of that campaign can agree to report the joint campaign spending on behalf of themselves and other non-party campaigners involved in the joint campaign.

A registered non-party campaigner who agrees to report the joint campaign spending of other campaigners is known as a lead campaigner. A campaigner whose joint campaign spending is reported to us by a lead campaigner is known as a minor campaigner.

As a lead campaigner, you must report the campaign spending of your minor campaigners involved in your joint campaign in your spending return after the election.

This means you should ask all your minor campaigners to let you know how much they have spent on the joint campaign.

If you are a lead campaigner, the combined spending of you and your minor campaigners on focused constituency campaigning, and any other regulated spending attributed to a particular constituency must not breach the £9,750 constituency limit.



Reporting after the election

If you are a registered non-party campaigner, you must provide certain information about your regulated spending in particular parliamentary constituencies in your spending return after the election. You must report:

- a list of the constituencies where you spent more than £7,800 (after you became registered) and;
- an itemised list of payments in those constituencies

All regulated campaign spending that is attributed to a particular parliamentary constituency counts towards the £7,800 reporting threshold for that constituency including spending on:

- focused constituency campaigning in a particular constituency or constituencies
- a UK-wide campaign where spending is attributed equally to all 650 parliamentary constituencies
- a campaign in a part of the UK, where spending is attributed equally to the constituencies in that part

More information about the reporting requirements for registered non-party campaigners campaigning in the UK Parliamentary general election regulated period is available in our guidance documents:

- [Managing non-party campaign spending](#)
- [UK Parliamentary general election 2015: Non-party campaigners](#)

For more information on the reporting requirements for registered non-party campaigners, see

[Managing non-party campaign spending](#)

 Important

How we can help

You can find more information in the guidance documents we have suggested in this document, or you can view our full range of guidance and up-to-date resources on our website.

You can also contact us on one of the phone numbers or email addresses below. We are here to help, so please get in touch.

Call us on:

- England: 020 7271 0616
pef@electoralcommission.org.uk
- Scotland: 0131 225 0200
infoscotland@electoralcommission.org.uk
- Wales: 029 2034 6800
infowales@electoralcommission.org.uk
- Northern Ireland: 0289 089 4020
infonorthernireland@electoralcommission.org.uk

Visit us at www.electoralcommission.org.uk

We welcome feedback on our guidance – just email us at: pef@electoralcommission.org.uk