

Overview

# Northern Ireland Assembly election May 2016: Non- party campaigners

---

This document is for non-party  
campaigners campaigning at the  
Northern Ireland Assembly election in  
2016

Forms you might need:

Campaign Expenditure report  
Return of donations

Contents:

The regulated period

---

Spending limits

---

Reporting requirements

---

Key dates and events

---

## 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](mailto:publications@electoralcommission.org.uk)

## Terms and expressions we use

We use '**must**' when we refer to a specific requirement. We use '**should**' for items we consider to be minimum good practice, but which are not legal or regulatory 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. If you are unsure of how any of the rules apply to you, please call us for advice. We are happy to help, so please get in touch.

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](http://www.electoralcommission.org.uk/party-finance/enforcement)

# 1

## Northern Ireland Assembly election May 2016: Non-party campaigners

### This document explains:

The rules on campaign spending, donations and reporting requirements for non-party campaigners in the run-up to the Northern Ireland Assembly election in May 2016.

There will also be the following elections on 5 May 2016:

- the Scottish Parliament
- the National Assembly for Wales
- local government in England
- Police and Crime Commissioners in England and Wales
- Greater London Authority

For information about campaigning in these elections please see our website [here](#).

If you are undertaking campaigning in more than one part of the UK, in 2016 you should read our guidance: [Attribution rules for non-party campaigners](#). The attribution rules explain how you must split and report your spending between the elections in Northern Ireland, Scotland and Wales.



### This document covers:

- the regulated period
- spending limits
- donations
- when you must register with us

# 2

- reporting requirements
- key dates and events

## Related documents:

This guidance gives an overview of the rules in relation to the Northern Ireland Assembly election. You should refer to the guidance documents below for more detailed explanations of the rules.

- [Overview of non-party campaigns](#)
- [Registering as a non-party campaigner](#)
- [Managing non-party campaign spending](#)
- [Overview of regulated non-party campaigning](#)
- [Joint campaigning for non-party campaigners](#)
- [Overview :Scottish Parliament election May 2016 Non-party campaigners](#)
- [Overview: National Assembly of Wales and Police and crime Commissioner elections May 2016: Non-party campaigners](#)
- [Situations and Procedures: Attributing spending for non-party campaigners](#)

## Forms you may need:

- [Campaign Expenditure report by a non-party campaigner](#)
- [Return of donations by a non-party campaigner](#)

# 3

## Summary

Political parties, candidates and non-party campaigners are vital to a healthy democracy and we encourage active participation by campaigners. Where there is significant spending on campaigning, there are rules that must be followed to ensure that there is transparency in the system.

Under the Political Parties Elections and Referendums Act 2000 (PPERA), there are rules on how much non-party campaigners can spend on regulated campaign activity in the run-up to certain elections and reporting of donations and spending after the election.

This document sets out the PERA rules on the regulated periods, spending limits and reporting requirements in the run-up to the Northern Ireland Assembly election.

# 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’.

Before elections, we publish specific guidance for non-party campaigners which sets out the spending limits, regulated period and reporting deadlines for the particular election being held. This guidance covers the rules in the run up to the Northern Ireland Assembly election.

We have specific guidance for non-party campaigners who are campaigning in more than one part of the UK: [Situations and Procedures: Attribution rules for non-party campaigners](#).



We also have guidance for non-party campaigners campaigning in the following elections:

- [the Scottish Parliament](#)
- [the National Assembly for Wales and Police and Crime Commissioner elections in Wales](#)

and factsheets for non-party campaigners campaigning locally in the following elections:

- [local authority and PCC elections in England](#)
- [Greater London Authority elections](#)

# 5

## The types of non-party campaigns

There are two types of non-party campaigns. These are:

- **local campaigns:** non-party campaigns for or against one or more candidates in a particular constituency, ward or other electoral area.
- **general campaigns:** non-party campaigns for or against a political party, or particular categories of candidate, including campaigns on policies or issues closely associated with a particular party or category of candidates (for example, candidates in a certain age group).

Different rules apply to these two types of campaigns.

The rules on general campaigns apply to the following elections in 2016:

- the Northern Ireland Assembly
- the Scottish Parliament
- the National Assembly for Wales

The rules on local campaigns also apply to **all** elections being held in the UK on 5 May 2016.

You can find more information on the two types of campaigns in our guidance

[Overview of non-party campaigns](#)

# 6

## Who regulates campaigns?

### Local campaigns

Campaigning for or against one or more candidates in a particular ward or constituency is covered by Article 3 and Schedule 1 of the Northern Ireland Assembly (Elections) Order 2001 as amended. This Order may change for the 2016 election and any change is subject to Parliamentary approval. We will issue an update on our website if there is a change.

Complaints about breaches of the rules that apply to local campaigns should be made to the police. The Electoral Commission does not regulate local campaigning and this guidance does not cover the local campaigning rules in detail. However, you will find a brief overview of local campaigning rules in our guidance: [Overview of Non-party campaigns](#)

The rules on local campaigns apply to **all** elections being held in the UK on 5 May 2016.

### General campaigns

General campaigns are regulated by the Electoral Commission. If you are campaigning for or against political parties or categories of candidates, or policies or issues closely associated with a particular party or category of candidates (for example, candidates in a certain age group) you may need to register with us and follow the rules on campaign spending, donations and reporting.

This guidance covers the rules on general campaigning at the Northern Ireland Assembly election in 2016.



# The regulated period

In the run up to certain elections, there is a set time when the rules on spending and donations apply. We call this time the 'regulated period'. The rules will differ, depending on which election is being held.

Spending on regulated campaign activity is regulated in the run-up to the Northern Ireland Assembly election. The regulated period for the Northern Ireland Assembly election starts on the **5 January 2016** and ends on **5 May 2016**.

The referendum on the United Kingdom's membership of the European Union is scheduled to take place by the end of 2017 but a date has not been confirmed. There will be a time in the run up to the referendum when rules on campaign spending and donations and loans will apply to campaigners campaigning on the referendum. We call this the referendum period.

Depending on the date of the referendum, it is possible that the referendum period may overlap with the regulated period for the Northern Ireland Assembly election and other elections being held on 5 May 2016. If this happens, we will issue further guidance to explain the impact of the overlapping periods for parties and campaigners who are campaigning at both the referendum and the May 2016 elections.

# 8

## What counts as regulated campaign spending?

During the regulated period there are rules about how much non-party campaigners can spend on 'regulated campaign activity'.

The following will be regulated campaign activity if they can reasonably be regarded as intended to influence voters to vote for or against political parties or categories of candidates, including political parties or categories of candidates who support or do not support particular policies or issues (we call this the '**purpose test**')

- press conferences or other media events that you organise
- transport in connection with publicising your campaign

As well as meeting the purpose test, spending on the following activities is only regulated if the activities are **also** aimed at, seen or heard by, or involve the public (we call this the '**public test**'): This applies to:

- the production or publication of election material
- canvassing and market research (including the use of phone banks)
- public rallies and public events

Spending on any of these activities will be regulated if the activity can reasonably be regarded as intended to influence voters to vote for or against a political party, or categories of candidates, including campaigns on policies or issues closely associated with a particular party or category of candidates. We call this 'regulated campaign spending'.

### Important

Regulated campaign activity does not include public processions or protest meetings in Northern Ireland where notice has been given under the Public Processions (Northern Ireland) Act 1998

# 9

You can find out more information on what counts as regulated campaign activity in our guidance: [Overview of regulated non-party campaigning](#)

# Spending Limits

Your 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 **£10,000 in Northern Ireland** during the regulated period on regulated campaign activity.

If you register with us, you will have a spending limit of **£15,300 in Northern Ireland** during the regulated period.

## Campaigning at other elections in 2016

During the regulated period, there are spending limits for the different parts of the United Kingdom. Each part of the UK with a regulated period has a spending limit. You must stay within the spending limit for each part.

Part of the UK	Spending limit
Scotland	£75,800
Wales	£30,000
Northern Ireland	£15,300

## Attributing your spending

If you are a registered non-party campaigner, there are rules on how your spending must be attributed across the different parts of the United Kingdom **if** you are campaigning in more than one part of the UK. We call these the 'attribution rules'. You must ensure that you stay within the spending limits which apply for each part of the UK.

When planning your campaign, you should be aware of all the spending limits that apply and when you need to attribute spending across Northern Ireland, Scotland and Wales.

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

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

There are no elections in England in 2016 that are covered by the general campaign rules.

# 11

If you do not follow the attribution rules carefully, you may breach the spending limits.

You should plan your spending in advance and calculate the proportion of spending that will need to be attributed to different parts of the UK **before** spending is incurred.

The attribution rules do not apply to unregistered non-party campaigners. However, you must register with us if you plan to spend more than **£10,000 in Northern Ireland, Scotland or Wales**.

For information on attributing your spending please read our guidance: [Situations and Procedures: Attribution rules for non-party campaigners](#).



Important

# Registering with us

## Who can register

Only the following types of individuals or organisations can register and become a registered non-party campaigner:

- an individual registered on a UK electoral register or resident in the UK
- a UK-registered political party (including ‘minor parties’)
- a UK-registered company which is incorporated in the EU and carries on business in the UK
- a UK-registered trade union
- a UK-registered building society
- a UK-registered Limited Liability partnership which carries on business in the UK
- a UK-registered friendly, industrial, provident or building society
- a UK-based unincorporated association that carries on the majority of its business or other activities in the UK
- a body incorporated by Royal Charter
- a UK charitable incorporated organisation
- a Scottish partnership which carries on business in the UK

If you register with us, you will have a higher spending limit. Once you are registered, there are rules you must follow on donations, spending and reporting.

For further information about registering as a non-party campaigner see:

[Situations and procedures: registering as a non-party campaigner](#)

## When you must register with us

If you are:

- spending on regulated campaign activity **and**
- you plan to spend more than **£10,000 in Northern Ireland** during the regulated period,

you must register with us as a non-party campaigner. You can find more information about registering with us in our guidance: [Registering as a non-party campaigner.](#)

You can register with us at any time before or during the regulated period, but you **must** register with us **before** you spend more than £10,000 in Northern Ireland on regulated campaign activity during a regulated period.

If you do not register, or you are not eligible to register, you cannot spend more than **£10,000 in Northern Ireland** on regulated campaign activity during a regulated period.

If you think you may spend more than **£10,000 in Northern Ireland**, you should keep records of your spending and donations in case you register later in the regulated period.

You do not need to register with us if you:

- are not spending money on regulated campaign activity, or;
- spend less than £10,000 in Northern Ireland during the regulated period, or;
- are campaigning outside a regulated period

Although this guidance explains the rules for Northern Ireland, you must register with us if you plan to spend more than £10,000 in any of Northern Ireland, Scotland or Wales.

## If you registered for the UKPGE

Your registration lasts for 15 months from the date on which you are registered, but if it is due to expire during a regulated period it will be automatically extended until the end of that regulated period.

The regulated period for 2016 is 5 January until 5 May 2016 and you don't need to re-register if the anniversary of your registration falls during that regulated period and you spend over **£10,000 in Scotland, Wales or Northern Ireland** on regulated campaign activity at the Scottish Parliamentary, National Assembly of Wales or Northern Ireland election in 2016. If you spent over **£10,000 in Scotland, Wales or Northern Ireland**, you will need to report your spending after these elections

Your registration will lapse on polling day unless you renew your registration.

If you want to renew your registration, you can use [PEF online](#) or send us a [Form TP3](#) no sooner than one month prior to the 12 month anniversary of your original notification and no later than three months after that date. Your registration will expire if you do not submit your renewal to us during this time.

## How to apply to become a registered non-party campaigner

If you want to register, you can make an online application by visiting [PEF Online](#). Alternatively, you can register with us by filling in [Form TP1](#) and posting it to us. We can also accept a scanned copy of the form by email.

When we receive your application, we will consider the information you have provided and confirm in writing when your notification is in force.

Your registration lasts for 15 months from the date on which you are registered.



## What do you need to do after you have registered?

Once you have registered with us, you must comply with spending and donations controls and reporting requirements.

As an overview, you must:

- have a system in place for authorising spending on regulated campaign activity
- keep invoices or receipts for payments over £200 made as part of your spending on regulated campaign activity
- report to us after the election your spending on regulated campaign activity if you have spent more than £10,000 in Northern Ireland
- check that you can accept any donations you receive that are over £500 and record them
- comply with the reporting requirements for donations you receive for spending on regulated campaign activity

For more information on how to register, please see our guidance: [Registering as a non-party campaigner](#)

You can find out more information on donations and the reporting requirements in the following guidance documents:

- [Managing non-party campaign spending](#)
- [Overview of donations for non-party campaigners](#)

## Joint campaigns

If you work together with other non-party campaigners, this may affect the amount you have to spend towards the spending limit and whether you need to register as a non-party campaigner.

You may decide to work together with other non-party campaigners on regulated campaigning as part of a coordinated plan or arrangement that is intended to achieve a common purpose. We call these campaigns 'joint campaigns'.

There are a number of different ways you can work together with other campaigners as part of a joint campaign:

- you can be a non-party campaigner working with other campaigners
- you can be involved in a 'lead campaign' as either a 'lead campaigner' or a 'minor campaigner'
- you can be a non-party campaigner working with other campaigners where there is at least one lead campaigner and minor campaigner

If non-party campaigners work together as part of a joint campaign, their combined regulated campaign spending will count towards the spending limit of each non-party campaigner involved.

Different rules will apply depending on how you work with other non-party campaigners in your joint campaign. For more information on joint campaigns see our guidance: [Joint campaigning for non-party campaigners](#)

# Donations

As part of the application to become a registered non-party campaigner, you must appoint a responsible person. The responsible person is responsible for compliance with the rules under PPERA and must ensure that the rules on donations are followed.

This includes maintaining suitable systems to ensure that donations are dealt with correctly. You must ensure that you have systems to check whether you can accept the donations and to record details of donations so that you can report them in the spending return after the election.

## What is a donation?

A donation is money, goods, property, or services which is given:

- towards your regulated campaign spending
- without charge or on non-commercial terms

and has a value of over £500.

Some examples of donations include:

- a gift of money or other property
- sponsorship of an event or publication
- subscription or affiliation payments
- free or specially discounted use of property, or facilities, for example the free use of an office

**Under PPERA, anything with a value of £500 or less is not a donation.**

## **What type of donations do the rules cover?**

The rules cover all donations that are given towards your spending on regulated campaign activity even if you receive them before the start of the regulated period.

The rules on donations cover donations you receive towards regulated campaign spending:

- whether or not they are received before or during the regulated period
- whether or not you receive them before you register with us as a registered non-party campaigner

You must check that you can accept these donations. If you use these donations on spending on regulated campaign activity you must report them in your campaign spending return after the election. For this reason, you must keep records of donations that you receive.

The rules do not cover:

- money that you receive towards spending that is not regulated. For example, leaflets you produce and use before the regulated period begins
- money given for unregulated campaign activity

You can find out more about donations in our guidance:

[Overview of donations for non-party campaigners](#)

## Who can you accept donations from?

You must only accept donations from a permissible source.

A permissible source is:

- an individual registered on a UK electoral register, including overseas electors and those leaving bequests
- a UK-registered company which is incorporated within the European Union and carries on business within the UK
- a UK-registered trade union
- a UK-registered building society
- a UK-registered limited liability partnership (LLP) that carries on business in the UK
- a UK-registered friendly society
- a UK unincorporated association that is based and carries on business or other activities in the UK

You must not accept donations from an impermissible source, this includes a political party.

For more information on donations, please see our guidance:

- [Overview of donations to non-party campaigners](#)
- [Situations and Procedures: Permissibility for non-party campaigners](#)

# Reporting regulated campaign spending and donations

If you spend or plan to spend more than £10,000 in Northern Ireland, Scotland or Wales you must register with us as a non-party campaigner and report all your regulated campaign spending to us.

In your records, you should include which category of spending each item falls into. You must send us this information in your spending return after the election. You must also keep invoices or receipts for any payments over £200.

## Reporting requirements for spending

For each item of spending, you must report the following information in your spending return:

- what the spending was for, for example, leaflets or advertising
- the name and address of the supplier
- the amount or value
- the date that you spent the money

### Items given free of charge

If you receive items free of charge you must report the full market value of the item (the notional spending).

You can find out how to do this in our guidance: [Managing non party campaign spending](#)

More information on reporting your spending to us after the election is available in our guidance on:

[Managing non-party campaign spending](#)

## Items given at a non-commercial discount

Similarly if you receive items at a non-commercial discount of more than 10% and it is valued at more than £200, you must report the full market value of the item (the notional spending).

## Reporting requirements for donations

Certain donations must be reported to us as part of your spending return. We publish these reports on our website. We don't publish the addresses of individuals who donate.

After the election you must report:

- details of all impermissible donations
- all accepted donations over £7,500
- all accepted donations that add up to over £7,500 from the same donor
- the total of all other accepted donations that were worth more than £500 and less than or equal to £7,500. You do not need to provide any more information about these donations.

## Reporting requirements and deadlines after the election

If you have registered with the Electoral Commission as a non-party campaigner, you must report your donations and spending to us after the election if you spend more than **£10,000 in Northern Ireland, Scotland or Wales**.

Notional spending with a value of more than £500 will also be a donation. You can find more information on donations in this document

[Overview of donations to non-party campaigners](#)

## Time limits for receiving and paying invoices

There are time limits by which the responsible person:

- you, if you are an individual campaigner; or
- the individual nominated in your application to register, if you are an organisation

**must** receive and pay all invoices for your campaign spending.

You must receive all invoices on or before **6 June 2016**.

You must pay all invoices on or before **4 July 2016**.

## Reporting spending and donations

You must report your regulated campaign spending and donations after the election.

The deadline for reporting your campaign spending and donations is **Friday 5 August 2016**.

If you are posting your return, we recommend that you post it in time to arrive no later than the last working day before the deadline.

More information about reporting your spending and donations after the election is available in our guidance: [Managing non-party campaign spending](#)

You can report your spending and donations via PEF Online. Visit: <https://pefonline.electoralcommission.org.uk/Default.aspx>

You can also use these forms to report your spending and donations to us after the election:

- [Campaign Expenditure report by a non-party campaigner](#)
- [Return of donations by a non-party campaigner](#)



## Key dates and events

The table shows the key dates and events for non-party campaigners at the Northern Ireland Assembly election in May 2016

Event	Date	Action
Regulated period begins	5 January 2016	Ensure you have systems in place to record all your spending
Polling day and end of Regulated Period	5 May 2016	
Deadline to receive invoices	6 June 2016	Make sure you have received all your invoices on or before this date
Deadline to pay invoices	4 July 2016	Make sure you have paid all your invoices on or before this date
Deadline for submitting your spending return,	5 August 2016	You must submit your spending return to us by this date

## 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 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:

- Northern Ireland: 0333 103 1928  
[infonorthernireland@electoralcommission.org.uk](mailto:infonorthernireland@electoralcommission.org.uk)
- General: 0333 103 1928  
[pef@electoralcommission.org.uk](mailto:pef@electoralcommission.org.uk)

Visit us at [www.electoralcommission.org.uk](http://www.electoralcommission.org.uk)

We welcome feedback on our guidance – just email us at:  
[pef@electoralcommission.org.uk](mailto:pef@electoralcommission.org.uk)