

[REDACTED]

From: FOI
Sent: 10 June 2019 16:32
To: [REDACTED]
Subject: FOI 074-19 - Response

Categories: Transferred to Skynet

SharePointLocationUrl: [REDACTED]

SharePointAbsoluteFileUrl: [REDACTED]

Dear [REDACTED]

Our Ref: FOI-074-19

Thank you for your email to the Electoral Commission dated **15/04/2019**.

The Commission aims to respond to requests for information promptly and regrets that it has not done so within the statutory timeframe of twenty working days.

Your request is in bold below followed by our response.

May I please see correspondence including emails and telephone transcripts between the Commission and representatives of the group in Westminster known as the Independent Group, aka change UK or a variation on change. A pressure group Change.org already exists.

Has an application for registration of a party called 'Change UK' been made and at what stage is this ?

Our response is as follows:

We hold the information you have requested and have included the relevant documents.

To access your documents via Objective Connect:

You will receive an 'Invitation to Objective Connect Email Notification' (sent to the inbox of [REDACTED]). This notification will contain a link to enable you to start accessing your information. Please find below details on how to access the specific area we have set up for your documents.

1. Click on the link in the email.
2. You will be prompted to set up your username and password. Your username will be your email address, and your password can be whatever you like.
3. With your username and password, enter both details at the login screen and click 'login'.
4. You will now see your personal page, which will show the Share 'FOI 074-19'.
5. By clicking on the name of the share, you will find your documents.
6. You may view any of these documents

7. In addition you may download a copy to your personal computer by selecting the 'download' option and then 'save as'.

This service will be closed 1 month from our response date, this is the **10 July 2019**.

Some of the information you requested has already been released in a previous request and can be found on our website [here](#).

You may already be aware that Change UK – The Independent Group was registered as a political party on 15 April 2019. You can see their entry on the register [here](#).

I trust that this information satisfies your request. The Commission strives to be an open, transparent authority, but in some circumstances we cannot responsibly release requested information, and we ask for your understanding in this regard.

Exemptions under section 40(2)

You will notice that certain personal details have been redacted from the documents we are releasing. Section 40(2) provides exemption where the information requested constitutes personal data as defined by the Data Protection Act 1998 (DPA), and where release of the information requests would breach one of the data protection principles. Some of the information contained in the requested information falls within the description of personal data as defined by section 1 of the DPA because the information relates directly to an identifiable living individual. This includes names and contact details of individuals in some instances. The individuals in some cases are junior staff members and they would not reasonably expect their information to be released.

If you are not satisfied with this response, please note that the Commission operates a review procedure, details of which can be found on the Commission website at:

<http://www.electoralcommission.org.uk/about-us/freedom-of-information-requests/how-do-i-make-an-foi-request>

Please also note that if you have exhausted all internal Commission review procedures and you are still not satisfied you have the right to appeal to the Information Commissioner. Details of this procedure can be found on the ICO website: <https://ico.org.uk/>

Yours sincerely,



Access to Information Officer (FOI and DPA)

The Electoral Commission

FOI@electoralcommission.org.uk

electoralcommission.org.uk

Dear Sir/Madam,

I am making a submission on behalf of The Independent Group of MPs to support our application for the registration of 'Change UK - The Independent Group' as a political party. This submission specifically relates to our chosen name, 'Change UK – The Independent Group'.

When we chose 'Change UK - The Independent Group', we undertook the due diligence suggested by the Electoral Commission to ensure the name met the statutory requirements. This included undertaking research into the name to establish if there were any current, or indeed former political parties with the same or similar names, or any other organisation with the same or substantially similar names to avoid any confusion for voters. The results of this research included Change.org, an organisation we were familiar with. However, after consideration we believed that there is no danger of confusion for voters for the following reasons;

1. The Change.org platform is neutral and non party political. We also understand that Change.org is a for-profit business. By comparison we are seeking to establish a UK political party under the name 'Change UK - The Independent Group'. 'Change UK - The Independent Group' will be different in every way as we will be wholly political, we will not be a trading business and we will not operate a website for the sole purpose of setting up and promoting petitions. As a non party political organisation therefore, their name would never appear on a ballot paper alongside a 'Change UK - The Independent Group' candidate.
2. We did not find any evidence of Change.org using 'Change UK' or 'UK Change' in any of their communications.
3. The word "Change" is widely used in politics as well as in campaigning more generally (perhaps most famously by then presidential candidate Barack Obama during the 2008 presidential election campaign). Further, we will not be the only political movement in the UK which uses the word "Change" – one example you will be aware of is 'Change Britain' which campaigns for the UK to leave the EU. 'Change Britain' was incorporated (company number 10327343) in August 2016 and has operated a website and Twitter account since 2016/2017. To the best of our knowledge and belief Change.org has never sought to challenge 'Change Britain's' use of the prefix *Change*, even though the name was adopted after Change.org had begun trading in the UK.

We are also happy to undertake further commitments to provide additional assurances to Change.org that we will do all we can to avoid any confusion. These commitments include never using a domain name with .org as an ending and using branding (including colours) which are wholly different from the branding of Change.org.

We understand that one member of our group misspoke in the House of Commons last week and used 'Change.org' as opposed to 'Change UK - The Independent Group'. This was a mistake and there was no intention to deliberately mislead the public or imply an association between 'Change UK - The Independent Group' and Change.org.

We believe that 'Change UK - The Independent Group' is a legitimate and permissible name, and therefore hope our application for registration can be processed and approved by you without delay. Please do not hesitate to ask if there is any further information or additional assurances you require from us at this stage.

We look forward to hearing from you at your earliest convenience.

Best wishes,

Heidi

Heidi Allen
Interim Leader of The Independent Group of MPs

Subject: Change UK – The Independent Group – Application decision CCM0389199

----- Original Message -----

From: Partyreg

Received: 15/04/2019 14:57

To: Change UK - The Independent Group (GB); Heidi Allen; Neil Davidson; Neil Davidson; Nicola Murphy

Subject: Change UK – The Independent Group – Application decision CCM:0389199

Dear Neil Davidson,

Registration of Change UK – The Independent Group (RPP [REDACTED])

I write to inform you that we have approved your application to register **Change UK – The Independent Group**. The party is now on the Great Britain register of political parties as of 15 April 2019.

Your entry on the register is [here](#).
(please allow a day for the entry to appear on the register)

We have approved your party's proposed financial scheme and constitution. Our full decision on the remaining elements of your application is outlined in this message.

Contact us immediately if any of the details outlined below or in the party's entry on the register are incorrect or are not what the party intended.

Your party has been allocated the following unique reference RPP [REDACTED] which should be quoted on all communications and returns sent to us. The reference offers a safeguard so that we can be certain that any correspondence, returns etc. received in your party's name are genuine. It is therefore in your own interest to ensure that only those officers who need to communicate with us have access to the reference.

A registered political party must comply with the financial controls and responsibilities set out in the Political Parties, Elections and Referendums Act 2000 (PPERA). **We urge strongly that you familiarise yourself with our guidance which outlines [the responsibilities of a registered party treasurer](#), as well our guidance on [maintaining your party's details](#).**

Failure to comply with the obligations may be a criminal offence which can attract prosecution or civil sanctions, including a fine. You can find our enforcement policy [here](#).

Identity marks that have been approved

We have approved the following identity marks which will now be included in the party's entry on the register.

Identity mark	
Name	Change UK – The Independent Group
Description	1. The Change UK candidate


Candidates standing for the party may use these identity marks on ballot papers at relevant elections in the UK.

We understand that you are interested in contesting the forthcoming European Parliamentary elections. Please note that parties which submit nominations to stand in more than one electoral region for the European Parliamentary elections must declare the name and address of their national election agent in writing to the

Minister for the Cabinet Office by the latest date for the delivery of notices of withdrawal. For the election on 23 May this is 4pm on 25 April, or 4pm on 24 April if the party is standing in the South West electoral region. Please refer to pages 16-18 of our [guidance for candidates and agents for](#) further information about this.

Identity mark that has been refused

We have also refused the following proposed identity marks.

	Identity mark	Reason for refusal
Emblem		<p>In order to be registered, a proposed emblem must satisfy the requirements set out in PPERA.</p> <p>As explained in our guidance, we must determine whether an emblem meets the statutory tests. If it links to online material we are likely to refuse it as we are unable to assess material that has potential to change over time against the statutory tests. Your party's proposed emblem contains a reference to online material: "#Change".</p> <p>Further, we will not likely approve an emblem if it contains an acronym or abbreviation that is not well-known or widely-used in everyday language and is not spelt out. In our view, the expression "TIG" would not be well-known or widely-used by a voter.</p> <p>On the basis of both points, the emblem was refused.</p>

This means that this identity mark cannot appear on ballot papers. However, this does not prevent the party from nominating a candidate to stand under the party name.

It is open to your party to submit revised identity marks for consideration. As with all applications we will consider whether it meets the statutory requirements in PPERA.

You won't have to pay a further application fee if you submit an application to us within one calendar month of this message. You will only get one opportunity to submit a fresh application without a fee. Any further applications after that will require the non-refundable application fee.



Please be aware that we assess applications on a case by case basis against the statutory tests, taking into account relevant information and circumstances at the relevant time. We cannot guarantee presently any decisions, or initial views provided, on an application submitted in the future.

Whilst this message will no doubt be disappointing to you, I trust you will understand that we are obliged to maintain the register consistent with the statutory requirements.

Party contact details

We confirm the following contact details for your party.

The party headquarters address and officer names will appear on the register. Other details, including all email addresses and telephone numbers, will not appear on the register. Please note that an officer's home address will not appear on the register unless it is also the party's registered address.

	Post/Home address	Email	Telephone
Party Headquarters	521 Terminal House 52 Grosvenor Gardens		

	LONDON SW1W 0AU		
Leader: Heidi Allen	[REDACTED]	[REDACTED]	[REDACTED]
Treasurer: Neil Davidson	[REDACTED]	[REDACTED]	[REDACTED]
Nominating officer: Nicola Murphy	[REDACTED]	[REDACTED]	[REDACTED]

If your registered details change, you have a legal obligation to notify us within a statutory timeframe. It will also enable us to ensure that any reminders and information are sent to the correct person at the right address.

Annual confirmation of registered details for a political party

To remain a registered party, every year your party must:

- confirm your party's registered details are correct
- pay a £25 registration fee.

For your party, your first confirmation can be delivered between 01 January 2020 and 31 October 2020. **We urge strongly that you set yourself a reminder to do this each year.** The deadline may change if the party's financial year end changes or if the party's income or expenditure for the previous year exceeds £250,000.

You can confirm your party's registered details either [online](#) or by completing and returning an [RP8 form](#) to us along with a £25 payment.

Our duty to maintain the register

We have a duty under PPERA to maintain the registers of political parties as well as to monitor, and take all reasonable steps to secure, compliance with the rules for political parties set out in PPERA.

In accordance with that duty we may conduct reviews of the registers to determine whether identity marks still meet the statutory tests. This could mean that in future if we may consider that your identity marks no longer meet the statutory tests and so will remove them from the register.

We may also review the party's registered details should other circumstances change, such as details of the party's registered officers or the party's registered name. Additionally, should it come to our attention that the party is not operating in accordance with its constitution or financial scheme this may also give rise to such a review.

The party will normally be advised of any such review.

Please get in touch if you have any further queries about this message. You can find guidance in relation to registering and maintaining a party on our website [here](#).

Yours sincerely,

[REDACTED]

Mr Gavin Shuker MP
House of Commons
London
SW1A 0AA

8 March 2019

Dear Mr Shuker,

Thank you for meeting with us on 5 March 2019. We hope you found our discussion about the law in relation to party registration helpful. As promised, we are following up with some further guidance which may be of assistance.

To apply to register a party, you will need to:

- Set up a party with the structure, organisation and financial processes to comply with political finance law.
- Complete an application form setting out your proposed party name and any optional descriptions or emblems you wish to apply to register.
- Fulfil the officer roles of party leader, treasurer, and nominating officer and have at least 2 people as officers.
- Provide a financial scheme that has been adopted by the party.
- Provide a constitution that sets out the structure and organisation of the party.
- Pay the non-refundable £150 submission fee.

You might find it helpful to read our suite of guidance on [registering and maintaining a party](#) available on our website.

Purpose of registration

The main benefit of registering a political party is that the party name, description(s) and emblem(s) are eligible for use on ballot papers by the party's candidates. Registration of a political party brings an important obligation to comply with the financial controls and responsibilities set out in the Political Parties, Elections and Referendums Act 2000 (PPERA).

It is important to note that, in terms of party names, descriptions and emblems, we only regulate what can appear on ballot papers. We do not regulate how a party wishes to brand itself when that message does not appear on ballot papers. For example, if you wished to use a particular party name in campaign material, but did not intend for it to appear on ballot papers, it is not necessary to register a party with us.

Identity marks

An identity mark (a party name, description or emblem) can only be registered if we are satisfied that it meets the statutory criteria. In deciding on what party name, descriptions and emblems to apply to register, you should ensure that you read our [guidance on party names, descriptions and emblems](#).

To further inform your decision, you should also undertake a search of the registers to determine if there are any similar identity marks on the register. You can undertake that search for names and descriptions [here](#) as well as for emblems [here](#).

I have set out some guidance below on the topics raised at our meeting.

At our meeting we discussed two specific statutory tests. They are that an identity mark cannot be registered if, in our opinion:

It would be likely to result in electors confusing that party with a party which is already registered in respect of the relevant part of the United Kingdom ('the confuse test'); or

It would be likely, where it to appear on a ballot paper issued at an election to result in a voter being misled as to the effect of their vote ('the mislead test').

The confuse test is limited to what is registered in the relevant register, but the mislead test is not and is applied more widely. We consider these tests with regard to the particular context and circumstances of an application. You can find more information on how we apply these two statutory tests in our [guidance on names, descriptions and emblems](#).

If you want to apply to register descriptions for your party then please note that a party description is an optional identity mark that you can register in addition to the party name. A voter must be able to identify your party from the description. For example, a way to do that may be to include the party name in the description. A description cannot be exactly the same as the party name.

A description can, depending on the specific election, either act as an alternative to the party name or be used in addition to the party name on the ballot paper. Please note that descriptions are strictly optional: a party does not have to be registered with descriptions.

As we discussed, the law identifies some words that cannot be used on a ballot paper. In addition, some words cannot be used on ballot papers without being qualified by other words. The law applies to the plural or singular of the prohibited words, as well as the prohibited words written in another language.

'Independent' is a category 3 prohibited word and cannot be used in identity marks on its own. You can only use category 3 words, including 'Independent', if the word is used with another word or expression, but not:

- an existing registered name or description; or
- only with the word 'party'; or
- another category 3 word.

You can find more information on prohibited words in our [guidance on names, descriptions and emblems](#). Please note that 'MP' is not a prohibited word.

The Independent Group

Your group is currently known as "The Independent Group". I am providing you with the Registration Team's initial view on whether that name is likely to meet the statutory criteria for registration. Please note that the Registration Team cannot guarantee or provide a definitive view on whether or not a proposed application will be approved. That is because the decision maker is the Director of Regulation and not the team.

In the Registration Team's view "The Independent Group" is unlikely meet the statutory criteria for registration. That is because we think a voter is likely to confuse that name with an already registered party. Specifically, [Independent Union](#) and [Independent Network](#). There is not, in the Registration Team's view, a sufficient distinction between the word "group" and "union", or possibly "network".

There is also an existing registered description "The Moderate Independent Group" which is registered to [The Moderate Group](#). We think there is a possibility that we would conclude that voters are likely to confuse "The Independent Group" and "The Moderate Independent Group".

You should note that the word "Independent" is quite common on the register. There are multiple existing parties that use the phrase "Independent Group", such as as [Barnsley Independent Group](#), [East Lindsey Independent Group](#) and [Bath & Northeast Somerset Independent Group](#).

If you wished to apply to register an identity mark including the word "Independent" or the phrase "Independent Group", we suggest that you consider a way in which you could compose a name that uniquely identifies your group and distinguishes it from any other already registered party identity mark.

Financial scheme

To be registered a party must have adopted a financial scheme that demonstrates how the party will comply with the legal requirements of party and election finances under PPERA. We produce a [template scheme](#) that you can use to create the party's own financial scheme. Please note that this is a template only and the scheme must accurately reflect the practices and arrangements of the party.

As part of the assessment process, we may ask you to demonstrate how the party has adopted its scheme. For example, you may be asked about what procedures are in place to deliver the obligations set out in the scheme.

Constitution

A constitution should set out the arrangements for your party's governance and the rules for carrying out its business. How a party wishes to structure itself is a matter for the party to consider before it applies to register and will likely be different from other parties, which is why we do not provide a template constitution.

However, in order to adequately demonstrate the party's structure and organisation, we would expect a constitution to cover the below topics in sufficient detail.

The constitution should reflect which register the party are applying to register in. Where a party is applying to register in both the Great Britain and Northern Ireland registers, the party's financial scheme must show that the financial affairs of the party in Great Britain will be conducted separately from those of the party in Northern Ireland. The constitution should also reflect that.

- The party's aims and objectives.
- A reference to an intention to stand candidates and at which elections.
- The candidate selection process (or at least a statement that the party will have one).
- The structure of the party and who is responsible for managing the party, including the responsibility of the party officers, the terms of office and procedure for change of those officers.
- How the party will make and record decisions, as well as any other governance arrangements. For example the frequency, timing and type of meetings and the quorum for meetings.
- If the party has membership, and if so the process and rules governing that membership.
- That the party have adopted its financial scheme.
- How the constitution can be changed and the process for dissolution of the party.
- The constitution must also be consistent with a party's financial scheme.

If your constitution does not include sufficient information about the structure and organisation of your party your application will be refused.

Application

If you wish to apply to register online you can do so by using our website [PEF Online](#). Here you can find guidance about [using PEF Online](#). You can upload your constitution and financial scheme and you can pay the £150 when you submit your application.

If you wish to register a political party by post, you will need to complete an application form, constitution, financial scheme, and provide a £150 payment. You can pay the application fee by cheque or postal order (made payable to "The Electoral Commission") or by cash. You can find paper application forms on our website here:

[Form RP1GB: Application to register a political party in Great Britain \(XLS\)](#)

[Form RP1NI: Application to register a political party in Northern Ireland only \(XLS\)](#)

Any forms, documents or payments sent by post should be addressed to: **The Electoral Commission, 3 Bunhill Row, London, EC1Y 8YZ**

We assess all applications to register a political party on a case by case basis carefully in line with the requirements of PPERA.

When we receive an application to register a party, the Registration Team will assess whether or not it complies with the requirements of PPERA. Once the assessment is complete, it will be put to our internal Approvals Board. This Board is chaired by the Director of Regulation who takes the final decision on applications.

We aim to process an application within approximately six weeks of receiving a complete application. In some cases it can take less or more time than that.

Should you have any questions about party registration, please contact us.

Yours sincerely,

A large black rectangular redaction box covering the signature area.

Majella La Praik
Interim Head of Registration and Reporting

Two black rectangular redaction boxes covering contact information, likely an email address and a phone number.

Mr Gavin Shuker MP
House of Commons
London
SW1A 0AA

8 March 2019

Dear Mr Shuker,

Thank you for the information you provided on 1 March 2019 and for meeting with us on 5 March 2019.

The Independent Group

Having considered the information that you have provided to date, we are satisfied that The Independent Group is an unincorporated association as defined by the Political Parties, Elections and Referendums Act 2000 (PPERA). Its members are those MPs who join in accordance with the Standing Orders you have agreed.

Accordingly, The Independent Group is required to comply with the rules on unincorporated associations under electoral law.

As we discussed, an unincorporated association needs to register with us if they make political contributions of more than £25,000 in a calendar year. That would then engage financial reporting obligations on the unincorporated association to tell us about reportable gifts received by the association in:

- the calendar year before the association made the contribution
- the calendar year of the contribution and
- the calendar year following the contribution

You will note that the timescales refer to calendar years.

You can find more full guidance on our [website](#) regarding the rules set out in Schedule 19A of PERA for unincorporated associations. If you have any questions about your obligations, please contact us.

Gemini A Ltd (company number 11770529)

Thank you for the explanation you gave at our meeting of how the company works for and at the direction of The Independent Group. As discussed, our emerging view is that Gemini A Ltd is an agent of The Independent Group. It is important to clarify this, as the status of the company may affect the way The Independent Group meets its electoral law obligations.

We would like therefore to provide you an opportunity to consider and respond fully to some of the points we discussed.

1. Will Gemini A Ltd carry out any activities other than providing services to The Independent Group?
2. Will Gemini A Ltd carry out any activities not directed by The Independent Group?
3. Please outline the structural and governance relationship between Gemini A Ltd and The Independent Group. Please also provide a copy of the written arrangements that you discussed completing next week.
4. How in practice will services be provided by Gemini A Ltd to The Independent Group? Please could you give an example of how this is currently working?

Please provide us with this information as soon as possible, and no later than **22 March 2019**.

We understand and appreciate your desire to be transparent about your finances regardless of the rules under PPERA that apply to The Independent Group. We will consider the suggestion of our publishing your donations to give you an in principle position for further discussion.

Guidance regarding potential European Parliamentary Elections

For your information, we have now published guidance for [candidates and agents](#), [registered political parties](#) and [non-party campaigners](#) ahead of any potential European Parliamentary Elections.

Should you have any questions, please get in touch.

Yours sincerely,



Majella La Praik
Interim Head of Registration and Reporting



E-mail

FW: applying to register a...

Sent Date 26/03/2019 13:12

E-mail


From  Cc
To   Majella La Praik Bcc
Subject FW: applying to register a political party using the PEF Online services

Hi Both,
I've just spotted this in the inbox.




electoralcommission.org.uk

From: Chris Leslie 
Sent: 26 March 2019 12:09
To: PEF Inbox <pef@electoralcommission.org.uk>
Subject: applying to register a political party using the PEF Online services

I would like to register as an online user for the purposes of urgently progressing a political party registration application - could you facilitate this PEF Online arrangement for me as soon as possible, as I am aware of the time constraint issues?
I left a telephone message with this request when I called just now.
Thank you for your assistance.
Chris Leslie MP
Tel: 

Regarding  201-02-18- The Independent Group - correspondence regarding structure and status

Owner  Majella La Praik

Keywords

Duration Priority Normal


Due

Category Sub-Category

PEF Directorate Categories

PEF Parent Category PEF Category

Attachments

 E-Mail Attachments Activity Attachment Associated View	
<input type="checkbox"/>	<div><div>File Name</div><div>File Size (Bytes)</div></div>
No E-Mail Attachment records are available in this view.	
0 - 0 of 0 (0 selected) Page 1	

Status Reason	Received
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[REDACTED]

From: [REDACTED]
Sent: 09 April 2019 09:21
To: [REDACTED]
Subject: Re: Change UK - The Independent Group application CCM:0389190

Categories: Blue Category

Hi [REDACTED]

Thanks so much for getting back to me. That's really helpful.

Best wishes,

[REDACTED]

On Tue, 9 Apr 2019 at 09:08, [REDACTED] wrote:

Dear [REDACTED]

In response to your questions below:

1. Yes – my view is that, owing to the very short time frames ahead of the European Parliamentary elections, if you were to amend and resubmit your application now then we will be highly unlikely to have a decision on your application in time for the poll.
2. Yes - If a party is not registered with us then candidates may not use that party's name or identity marks on ballot papers. Individuals can use the word "Independent" to identify themselves on ballot papers, but will not be able to use the party's name.
3. Yes – I am responding on behalf of the Electoral Commission [REDACTED]
[REDACTED].

Yours sincerely,

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 08 April 2019 13:17
To: [REDACTED]
Subject: Change UK - The Independent Group application

Hi [REDACTED]

Good to talk to you earlier, I appreciate you taking the time to answer our questions. I'd be grateful if you could supply written answers to the following:

1. If we were to re-apply for party registration with the Electoral Commission with an amended name (or change the name on the current application if this is possible), would you say that we would be highly unlikely to be registered in time for close of nominations for the European elections?
2. If we aren't registered as a party by close of nominations, can you confirm that we would be unable to stand candidates in the European elections under the name Change UK - The Independent Group?
3. Finally, please could you confirm that the responses to the above are the views of the most senior appropriate officer at the Commission (if this is not yourself)?

Thanks very much for your help with this.

Best wishes,

[REDACTED]

[REDACTED]
[REDACTED]

--
[REDACTED]
[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 27 March 2019 13:48
To: [REDACTED]
Subject: Re: Party reg CCM:0389184

Categories: Blue Category

Hi [REDACTED]

Thanks for that, that's really helpful. Sorry about the frantic communications, we're just very keen to get everything done correctly quickly to make sure we give ourselves the best chance of getting registered.

Thanks again,

[REDACTED]

On Wed, 27 Mar 2019 at 13:31, [REDACTED] wrote:

Dear [REDACTED]

We note that you would like a decision on an application urgently.

It is possible to provide an initial view on your application documents. However, as mentioned before, we would not be able to provide a view without seeing copies of those documents. It will also take time to review and provide further advice on them.

Given this, if you would like an initial view then this will delay the submission of an application, and will therefore delay a final decision.

It is good to know that you have read our guidance thoroughly. We have also provided your party with substantial and comprehensive advice previously. It is up to you whether or not you require additional guidance above and beyond what we have already provided, noting that doing so may delay a decision on any application.

To respond to your two most recent questions:

1. We will ordinarily put the details of an application currently being assessed on [our website](#) once we consider that application "complete" i.e. that an applicant party has provided all the information required by law and so the application is in a position to be formally assessed. The list of current applications is updated regularly, usually about once a week.

2. Do you mean changing the emblem for an already-registered party? A registered party may apply to change any of its registered details (including any of its emblems) at any time providing that the details of the application, in our view, meet the requirements set out in law (i.e. Political Parties, Elections and Referendums Act 2000, or PPERA for short). We aim to reach a decision within six weeks of receipt of a complete application, though we try and reach decisions as quickly as possible. This is so that our decisions are fair and thorough. We stress that applications should be submitted as soon as possible so that a decision can be made well in advance of relevant election deadlines. We can provide you with further guidance on how to do this should you require it at a later time.

However, if you mean changing the emblem awaiting assessment, then you may also do this. However, any such changes must be authorised by all party officers and, again, would delay the assessment process.

I will stress again that if you wish to register a new political party in time to stand candidates in the EPEs, should they go ahead in the UK, then you should submit your application urgently.

Yours sincerely,

[REDACTED]

From: [REDACTED]

Sent: 27 March 2019 12:36

To: [REDACTED]

Subject: Re: Party reg CCM:0389184

Hi [REDACTED]

We now understand that you can't informally check the submission and we have to just submit which we'll do.

Before we do this though I really need to find out answers to the following:

- At what point does the submission be made public? I understand that there is a period of public consultation does this begin straight away?

- Can we change the emblem if we want to? If so, how long does this normally take?

Best wishes,

[REDACTED]

On Wed, 27 Mar 2019 at 10:20, [REDACTED] wrote:

Hi [REDACTED]

Thanks for the email. We have read everything and have considered all the guidance but wanted to pass it by you before a formal submission. We were told that it would be possible to have an informal check of the documents prior to submission. Is this not possible?

It would be really helpful if I could just talk this through on the phone if possible?

Best wishes,

[REDACTED]

On Wed, 27 Mar 2019 at 10:04, [REDACTED] wrote:

Dear [REDACTED],

Thank you for your email.

You have asked for advice and guidance in relation to a proposed application to register a party. In order for us to provide advice and guidance on the basis of specific documents, we would need to be in receipt of those and have enough time to consider them before providing

guidance. On that basis, we are not in a position to provide guidance to you today and for that reason we do not think it would be of assistance to you to meet today.

Before making any application you should satisfy yourself that you have considered our guidance in full and that your application meets those standards. That includes ensuring that your constitution is sufficiently detailed and covers the points set out in guidance, and that your financial scheme and constitution are consistent.

As you are already aware, if the party wish to apply with the intention of using its identity marks on ballot papers at any potential European Parliamentary Elections, it is important that you make an application urgently to give the party the best chance of receiving a decision to grant or refuse the application in time for those polls.

Yours sincerely,

[REDACTED]

From: [REDACTED]
Sent: 26 March 2019 17:10
To: Partyreg <Partyreg@electoralcommission.org.uk>
Subject: Party reg

Hi [REDACTED]

You emailed Chris Leslie earlier about potentially registering as a political party. I was wondering if you may be free for us to pop down tomorrow afternoon after 1pm for an initial informal check of our draft paperwork?

Please let me know if this would be possible.

Best wishes,

[REDACTED]

[REDACTED]

[REDACTED]

--

Best wishes,

[REDACTED]

[REDACTED]

[REDACTED]

--

Best wishes,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

E-mail

Re: Follow up- the Elector...

Sent Date 08/03/2019 17:35

E-mail

From  **Cc**  Louise Edwards;  Majella La Praik

To  **Bcc**

Subject Re: Follow up- the Electoral Commission

Receipt confirmed.

Best,

On Fri, 8 Mar 2019, 16:45  wrote:Dear 

On behalf of Majella La Praik, please find the attached correspondence for the attention of Mr Shuker.

Confirmation of receipt would be appreciated.

Best wishes,



electoralcommission.org.uk

Regarding  201-02-18- The Independent Group - correspondence regarding structure and status

Owner  Majella La Praik

Keywords

Duration

Priority

Normal

Due

Category


Sub-Category

PEF Directorate Categories

PEF Parent Category

PEF Category

Attachments

 E-Mail Attachments Activity Attachment Associated View	
<input type="checkbox"/> File Name	File Size (Bytes)
No E-Mail Attachment records are available in this view.	
0 - 0 of 0 (0 selected)	
Page 1	

Status Reason Received

E-mail

Using PEF Online to regis...

Sent Date

26/03/2019 15:58

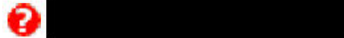
E-mail

From

 Partyreg

Cc

To



Bcc

Subject

Using PEF Online to register a political party CCM:0389183

Dear 

You contacted us about registering a political party.

You do not need to be registered as a PEF Online user before beginning the application process. You can go straight to the “Register now” section of the [PEF Online page](#) to begin your application, including setting up user accounts for you and the other party officers.

Once you have selected this option, complete the relevant details on the “User registration” screen. All information you enter must be accurate. Please also note that your “Primary address” must be your home address. Once you have entered all the relevant information, select the “Create user” option at the bottom of the screen.

You will then have the option to register a new political party or non-party campaigner. Select “Register new” from the side navigation bar to continue with a party application.

Please remember that to apply to register a party online, you will need to:

Complete the application form.

Upload a financial scheme that has been adopted by the party.

Upload a constitution.

Pay the non-refundable £150 submission fee.

Fulfil the officer roles of party leader, treasurer, and nominating officer and have at least 2 people as officers.

We have guidance available on our website outlining the [process for registering a political party](#). We also provide [guidance on using our PEF Online system](#).

If you have any further questions, or you are having trouble completing your application, then please get in touch – either by responding to this email or by calling the number below.

Yours sincerely,



electoralcommission.org.uk

Regarding  2019-03-26 -  at The Independent Group - Registering a party on PEF Online

Owner  

Keywords

Duration Priority Normal


Due

Category Sub-Category

PEF Directorate Categories

PEF Parent Category PEF Category

Attachments

 E-Mail Attachments Activity Attachment Associated View	
<input type="checkbox"/> File Name	File Size (Bytes)
No E-Mail Attachment records are available in this view.	
0 - 0 of 0 (0 selected) Page 1	

Status Reason Sent

[REDACTED]

From: Gavin Shuker <[REDACTED]>
Sent: 22 March 2019 09:31
To: [REDACTED]
Cc: Majella La Praik; Louise Edwards; [REDACTED]
Subject: Follow up - letter of 8 March

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Transferred to Skynet

Dear Majella,

Thank you for your correspondence of 8 March, and the associated guidance.

In it you sought answers to four specific questions. I have listed these below with responses, below:

1. Will Gemini A Ltd carry out any activities other than providing services to The Independent Group?

No.

2. Will Gemini A Ltd carry out any activities not directed by The Independent Group?

Senior staff exercise devolved responsibility, within the parameters set by The Independent Group. Those parameters are further outlined below. In practical terms, much of Gemini A's work will be directed by its senior staff on a day-to-day basis, and the senior staff will also, no doubt, provide strategic direction and input too, including to members of The Independent Group. However, their activity is ultimately accountable to the Operations Committee of The Independent Group.

3. Please outline the structural and governance relationship between Gemini A Ltd and The Independent Group. Please also provide a copy of the written arrangements that you discussed completing next week.

On 13 March, the Operations Committee met and adopted the following:

Relationship between The Independent Group and the Company

The Independent Group is an unincorporated association (not necessarily in the Electoral Commission sense, but in having no corporate structure); its members are those MPs who join in accordance with the Standing Orders.

At its AGM, The Independent Group appoints up to six members to the Operations Committee (OC). The OC directs the activity of the senior Gemini A staff team, including by: overseeing budget setting processes and financial monitoring; approving recruitment processes and appointment of senior team; and other duties agreed with the senior staff team.

The governance relationship is further underpinned by our intention to appoint the members of the OC to the posts of Director of Gemini A; and the founding members of The Independent Group as members of the company.

4. How in practice will services be provided by Gemini A Ltd to The Independent Group? Please could you give an example of how this is currently working?

Gemini A Ltd provides services to The Independent Group by employing contractors and staff to carry out joint functions for the Members of the Group. For example, it has paid for venues for meetings and events; rented an office; and coordinated press coverage and coordination for its members, collectively. Staff members cover areas such as governance and compliance; digital and press; policy coordination; and administration.

Thank you for your acknowledgment of our desire to be transparent about our finances, and indeed, to go beyond our current legal responsibilities. We look forward to discussing your in principle position on EC publication.

Finally, and to avoid any confusion, can I draw attention to the name change of *Gemini A Ltd* to *The Independent Group (TIG) Ltd* on 19 March.

Yours sincerely,
Gavin Shuker

Notes of phone call: Friday 14 February 2019

Between [REDACTED], Electoral Commission and [REDACTED]
[REDACTED], The Independent Group

- Gavin Shuker MP is keen to meet the Commission to discuss The Independent Group and its regulated status. They are keen to meet us as the political finance regulator to establish the Commission's view on TIG and to be transparent and abide by the rules.
- He is coming on behalf of the group in the first instance, and he is the sole director of Gemini A.
- Ideally Tuesday or Wednesday of next week for the meeting. Gavin will bring along [REDACTED].

Subject: RE Change UK - The Independent Group - Receipt of application CCM0288015

----- Original Message -----

From: Partyreg

Received: 03/04/2019 16:43

To: [REDACTED]

Subject: RE: Change UK - The Independent Group - Receipt of application CCM:0288015

Dear [REDACTED],

Thanks for confirming this with us. I'll confirm receipt once we receive your representations.

Kind regards,

The Electoral Commission

electoralcommission.org.uk

From: [REDACTED]

Sent: 03 April 2019 15:43

To: Partyreg <Partyreg@electoralcommission.org.uk>

Subject: Re: Change UK - The Independent Group - Receipt of application CCM:0288015

Dear [REDACTED],

Thanks very much for the email, it's really helpful. I can confirm that we will not be amending the application as we are of course very keen to give ourselves the best chance of being registered in time for the EU elections, were they to occur. Instead we will be making our own submission supporting our application.

Thanks again for all your help with this, and sorry that I bombard you with questions!

All the best,

On Tue, 2 Apr 2019 at 17:42, Partyreg <Partyreg@electoralcommission.org.uk> wrote:

Dear [REDACTED],

We spoke earlier about the progress of the application – I confirmed that it is currently being assessed.

You had some questions about our current views on your party name in light of some of the views being expressed publically. At this stage it would be for an assessment to recommend, based on the facts of the matter and the particular context of the case, whether or not the proposed name meets the statutory requirements. Given this, I cannot provide any further indication as to whether or not the proposed name is acceptable as we have not finalised the necessary assessment.

You have mentioned that the party may consider changing its name. That would be a matter for the party to consider and at this stage not one the Commission can advise you on. If you were to change your party name this would cause a significant delay in processing your application and would put it in a position that we would be unlikely to provide a decision before the close of nominations for the European Parliamentary Elections, were they to take place in May.

If the party wishes to amend its application then it should provide this to us as soon as possible. If we do not hear from you by close of business 4 April, we will assume that the party has no further amendments to make. We will in the meantime proceed with your application in its current form and we will contact you once a decision has been made.

In our phone call earlier I confirmed that we had received a number of comments from the public in relation to your party, through our website. As discussed, the party is welcome to provide its own representations in relation to its application if it wishes. This will be considered as part of our application.

Kind regards,

[REDACTED]
[REDACTED]

The Electoral Commission

[REDACTED]

electoralcommission.org.uk

From: [REDACTED]

Sent: 29 March 2019 11:08

To: [REDACTED]

Subject: FW: Change UK - The Independent Group - Receipt of application CCM:0288015

Dear [REDACTED],

As discussed earlier, this is now live our website, you can view it here
- <https://www.electoralcommission.org.uk/find-information-by-subject/political-parties-campaigning-and-donations/political-party-registration/pending-registration-applications/current-applications/> recache

Kind regards,

[REDACTED]
[REDACTED]

The Electoral Commission

[REDACTED]

electoralcommission.org.uk

From: Partyreg

Sent: 28 March 2019 12:27

To: [REDACTED]

[REDACTED]

Subject: Change UK - The Independent Group - Receipt of application CCM:0288015

Dear Neil Davidson,

We confirm receipt of your application to register Change UK – The Independent Group and your payment of £150 on 27 March 2019.

We have conducted an initial check of the application and have identified matters that require your attention. We will put your application on hold until 3 April so that you can, if you wish, address the matters that have been raised below.

Please note I have rejected your application in PEF Online system - this will allow you to make changes to your application.

Matters for consideration

It is your responsibility to determine the details of your application and to ensure that it complies with the requirements of the Political Parties, Elections and Referendums Act 2000 (PPERA).

The following matters were identified on an initial check of your application. You now have an opportunity to address them before the application is assessed in full.

Should the application proceed to a full assessment against the PPERA requirements, further matters may be identified. Until a final decision is taken on your application, we cannot confirm whether or not it will be successful.

Address of proposed registered officers

The law requires that each of the proposed registered officers provide their home address as part of the application.

The address provided for your nominating officer, Nicola Murphy, does not appear to be a residential address and therefore not her home address. Please review and amend the details for this officer.

Unless this issue is resolved, the application may be refused.

Financial scheme

Pursuant to section 26(1) of the Political Parties, Elections & Referendums Act (PPERA) a party may not be registered unless it has adopted a scheme which “sets out the arrangements for regulating the financial affairs of the party for the purposes of [PPERA].” A party’s financial scheme must do so accurately before we can approve it. A party cannot be registered unless we are satisfied that it has adopted its scheme. It must also be consistent with the party’s constitution.

You have applied to register a campaigns officer. At certain elections, a campaigns officer takes over the responsibility for campaign expenditure reporting from the treasurer. This is an optional officer role.

Your scheme must reflect that you have a campaigns officer, specifically at section 1.16, which you have not done. To rectify this, you can either amend your financial scheme or you can remove the role of campaigns officer from your application.

Unless this issue is resolved, the application may be refused.

Constitution

A party cannot be registered unless it has supplied a copy of its constitution to us. Section 26(9) of PERA defines a constitution as “the document or documents (of whatever name) by which the structure and organisation of the party is determined.” A constitution must accurately determine the party’s structure and organisation.

It must also be consistent with your financial scheme, which it currently is not. Part IV.8.b and j mention some of the responsibilities of the treasurer, which can be assigned to any member of the management council. This would be inconsistent with paragraph 1.6 of your scheme which states that Neil Davidson is responsible for the party’s compliance with PERA.

I suggest that you review these specific sections of your constitution to ensure that they are compliant and consistent with your scheme. Unless this issue is resolved, the application may be refused.

More generally, I have noted that your constitution does not include any provisions for replacing the leader were they to resign. You may wish to review this parts of your constitution to include any further detail you deem necessary.

Next steps

Should you wish to amend your application please do so as soon as possible and no later than 3 April. Please note I have rejected your application in PEF Online so that you can make amendments.

Any changes to the application must be authorised by all party officers. After that date, we will review your application and any further material provided by you. If your application is incomplete, it may be refused at this point.

If we are satisfied that the application is complete, we will publish the details of your application shortly on our '[Current Applications](#)' page of our website for public comment. Please note we our next scheduled publication is tomorrow morning, which your application will be included in.

Please note, that if requested, we will release the names of the officers of the party.

We will then proceed to assess your application and put it to our internal Approvals Board. This Board is chaired by the Director of Regulation who takes the final decision on an application. We aim to process an application within approximately six weeks of receiving a complete and compliant application. We do not currently consider your application to be complete and compliant.

Please get in touch if you have any further queries about this message. You can find guidance in relation to registering and maintaining a party on our website [here](#).

Yours sincerely,

[REDACTED]
[REDACTED]

The Electoral Commission

[REDACTED]

electoralcommission.org.uk

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Best wishes,

[REDACTED]

[REDACTED]
[REDACTED]

Subject: RE Change UK - The Independent Group - submission on the proposed applications CCM0288039

----- Original Message -----

From: Partyreg

Received: 05/04/2019 16:31

To: [REDACTED]

Subject: RE: Change UK - The Independent Group - submission on the proposed applications CCM:0288039

Hi [REDACTED],

Thank you for sending this across, we will consider it as part of our assessment.

Kind regards,

[REDACTED]
[REDACTED]

The Electoral Commission

[REDACTED]
electoralcommission.org.uk

From: [REDACTED]

Sent: 03 April 2019 17:18

To: Partyreg <Partyreg@electoralcommission.org.uk>

Subject: Change UK - The Independent Group - submission on the proposed applications

Dear All,

Please find attached a submission by Heidi Allen MP on behalf of the Independent Group of MPs regarding the application for 'Change UK - The Independent Group' to become a registered political party.

Best wishes,

[REDACTED]
[REDACTED]
[REDACTED]