

# Return of candidate spending for Police and Crime Commissioner elections: Explanatory notes

## Who this form is for:

This form is for candidates and their agents contesting the Police and Crime Commissioner elections in May 2016. It must be completed by the candidate's agent, or the candidate if you are acting as your own agent.

This form is for recording the details of campaign spending on items or services used during the regulated period, and the donations you have received towards that spending.

The regulated period for the 2016 Police and Crime Commissioner elections in England and Wales begins on the **day after the date** you officially become a candidate and ends on polling day, **5 May 2016**.

The earliest date you can officially become a candidate is the last date for publication of the notice of election, which will be **Thursday 30 March 2016**.

You will become a candidate on this date if you or others have already announced your intention to stand. If your intention to stand has not been announced the 30 March 2016, you will officially become a candidate on the earlier of the date you or another person announce your intention to stand, or the date when you are nominated.

Before completing the form, you should read our guidance for candidates and agents which is available on our website:

<http://www.electoralcommission.org.uk/i-am-a/candidate-or-agent/police-and-crime-commissioner-elections>

More information about when you officially become a candidate is available in our [guidance for candidates and agents](#)

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## Explanatory notes

### Candidate identification mark (all forms)

As there are a number of forms that must be completed, it is important that the full set of documents in your return can be identified as yours.

In order to do this, please add an identification mark to the spending return form, the candidate's declaration and the agent's declaration.

You can choose anything as your identification mark. Many candidates use their initials with a combination of numbers or letters that reference the election or electoral area.

Whatever you choose, it is important to remember to use the **same** identification mark on all of the forms in your return.

### Main form: Section 1 – Details of candidate and election

Please provide the details requested in this section. You must specify the police area you contested at the election and the name of the candidate.

The spending limit for the regulated period is a maximum amount based on the particular police area in which you are standing for election.

You can find the spending limits for all the police areas on pages 8-9 of our guidance for candidates and agents contesting the Police and Crime Commissioner Elections:

[http://www.electoralcommission.org.uk/\\_data/assets/pdf\\_file/0006/148740/PCC-Part-3-Spending-and-donations.pdf](http://www.electoralcommission.org.uk/_data/assets/pdf_file/0006/148740/PCC-Part-3-Spending-and-donations.pdf)

## Main form: Section 2 – Details of election agent

If you have appointed an election agent, you must provide the election agent's name in this section. You should also indicate the date on which the agent was appointed. If you are a candidate acting as your own agent, please place a mark in the relevant box.

## Main form: Section 3a and 3b – Summary of spending and the worksheets for spending categories

There are separate worksheets for each category of spending. More detailed information about the spending categories is available in our [guidance for candidates and agents](#).

You must provide a statement of each item of campaign spending on the relevant worksheets for each spending category.

If you have no spending to report for a particular category, you do not need to complete the worksheet, but you should enter 0 (zero) for the relevant category of spending in the summary table in Section 3b of the main form.

If you are completing the Microsoft Excel version of this form, you can insert as many rows as you require on each worksheet to record each item of campaign spending.

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## How to complete the spending category worksheets

For every item of spending on every worksheet you complete, you must provide the following information:

- Details of the item or service used, which should include the name and address of the supplier where this not on an invoice submitted with the return
- The value of the item of campaign spending, including items of notional spending of over £50
- The date on which the invoice was paid
- Invoices or receipts for all items of £20 or more except for notional spending. You should include the relevant item number on each invoice or receipt.

You can find out more about notional spending in our [guidance for candidates and agents](#)

We also recommend that you should:

- Use the column on each worksheet to provide an item number for each payment. The first payment reported should be '1' and the items should be numbered consecutively. Item numbers should be unique because they are used to cross-reference with other sections of the form and supporting invoices/receipts.
- Indicate whether an invoice or receipt has been submitted. You should include the relevant item number on each invoice or receipt.
- State the amount paid, if this is different from the value of the item.
- Indicate whether the item is an unpaid or disputed claim. You will need to provide additional information about items that are unpaid or disputed.

## Other Authorised Spending Worksheet

Under Article 34 of the Police and Crime Commissioner Elections Order 2012, individuals and organisations may incur spending up to a permitted sum to promote your candidacy (or criticise other candidates) in your police area. The permitted sum varies depending on the police area you are standing for election in. We have published a [factsheet](#) which sets out the permitted sums for each police area.

The election agent must authorise any spending above this amount in writing and report the details using this worksheet. Any spending above these amounts which is authorised by the election agent will count towards the candidate spending limit.

Each item of campaign spending that you have authorised and reported in this section of the form must also be reported on the relevant spending category worksheet, and included in the summary of spending tables in sections 3a and 3b.

### Unpaid claims

Use the unpaid claims worksheet to report the details of claims that remain unpaid on the day you submit your return. Please ensure that you use the same item number to cross-reference the two entries in the different worksheets. You must include the details of the court to which you have applied, or will apply to make a late payment.

### Disputed claims

Use the disputed claims worksheet to report the details of any claims that are disputed. Please ensure you use the same item number to cross-reference the two entries in the different worksheets. You should provide information about the nature of the dispute and any action that you are taking.

When you have completed all the relevant worksheets, complete the tables in Section 3a and 3b on the main form.

The totals for election spending in section 3a 'Types of payment' and 3b 'Categories of spending' should be the same. If your totals are not the same, you have made a mistake in your calculations. You should check the information you have entered and your calculations.

Unpaid claims are invoices that are not received by the agent within 21 days of the result of the election.

Disputed claims are invoices that are not paid by the agent within 28 days of the election result

More information about dealing with unpaid claims is available in our [guidance for candidates and agents](#)

If you are granted a court order to pay an unpaid or disputed claim, you must report the details to the Returning Officer within 7 days of the claim being paid. You must include a copy of the court order with your return.

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## Main form: Section 4 – Personal expenses

Personal expenses are the reasonable travel and living expenses of the candidate for the purpose of campaigning in the election. Personal expenses do not count against the candidate's spending limit and they should not duplicate anything already declared as election spending under section 3.

Use the personal expenses worksheet to provide the requested details about the candidate's personal expenses. When you have completed the worksheet, enter the total amount of personal expenses in Section 4 of the main form.

## Main form: Section 5 – Donations and the worksheets for accepted and rejected donations

### **Completing the Accepted Donations worksheet:**

Use the 'Accepted Donations' worksheet to report the details of any donations with a value of more than £50 from permissible sources you have accepted towards campaign spending. For each donation accepted by or on behalf of the candidate, you must provide the following details:

- the full name of the donor
- the address of the donor
- the company registration number for donations from companies
- the date that you accepted the donation
- the amount (for a cash donation) or value (for a non-cash donation)
- the nature of the donation (e.g. cash, non-cash or services)

You should also give the type of permissible source you have accepted the donation from (for example a company, trade union or political party).

You can also accept donations from types of trusts, bequests and Gibraltar sources. The rules on these donations are complex, so please get in touch with us if you need more information about how to deal with these donations

### Completing the Impermissible Donations worksheet:

Use the Impermissible Donations worksheet to report the details of any donations towards campaign spending on items and services used during the regulated period that you have not accepted. For each unidentifiable or impermissible donation received by or on behalf of the candidate, you must provide the following details:

- the name of the donor, unless this is not known, in which case please enter 'unknown'
- the donor's address, but if you do not know this then enter 'unknown'
- the date the donation was received
- if the donation was given anonymously, the manner in which the donation was made
- the amount or value of the donation
- the nature of the donation (e.g. cash, non-cash or services)
- the date and manner in which you dealt with the donation

## Submitting your return

Print each worksheet that you have completed and the main form. The return must be submitted to the relevant Police Area Returning Officer by the election agent within 70 calendar days after the election result is declared. If the result in your police area is declared on 5 May 2016, the return must be submitted no later **14 July 2016**, and for results declared on 6 May 2016, the **15 July 2016**.

The forms must be accompanied by a [declaration](#) signed by the agent to verify the return.

Within seven working days of submitting the spending return, a [declaration](#) signed by the candidate must also be submitted to the relevant Police Area Returning Officer.

If the candidate is outside the UK when the declaration is due, the deadline is extended to 14 days after they come back.

If you are acting as your own agent, you must complete the candidate's [declaration](#) and submit it within 7 working days of submitting your return.

### Important

If the 70 day period ends on a weekend or bank holiday, the deadline is extended until the next working day.

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## Where can I get further advice?

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.

England:

Call us on 0333 103 1928

Email us at: [pef@electoralcommission.org.uk](mailto:pef@electoralcommission.org.uk)

Wales:

Call us on 0333 103 1929

Email us at: [infowales@electoralcommission.org.uk](mailto:infowales@electoralcommission.org.uk)

Or you can 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)