

Overview

Overview of non-party campaigns

This document is for individuals and organisations who want an overview of what a non-party campaign is and the rules they may need to follow

Contents:

[Introduction for non-party campaigners](#)

[Types of non-party campaigns](#)

[Who regulates campaigns](#)

[What's covered by the rules](#)

[The regulated period and spending limits](#)

[When you must register with us](#)

Translations and other formats

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

Tel: 020 7271 0500

Email: publications@electoralcommission.org.uk

Terms and expressions we use

You will normally be doing enough to comply with the law if you follow this guidance.

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.

Our approach to enforcement

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

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

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

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

Overview of non-party campaigns

Who this document is for:

Individuals and organisations who are campaigning in the run-up to an election and want an overview of the rules that they may need to follow

This document covers:

- Introduction for non-party campaigners
- types of non-party campaigns
- who regulates campaigns
- what's covered by the rules
- the regulated period, spending limits and reporting requirements
- when you must register with us

Related documents:

- [Introduction for non-party campaigners](#)
- [Overview of regulated non-party activities](#)
- [Registering as a non-party campaigner](#)
- [Situations and Procedures: Hustings Events](#)
- [Overview: UK Parliamentary general election: Targeting your campaigning in support of a political party](#)
- [Joint campaigning for non-party campaigners](#)
- [Overview: UK Parliamentary general election: Constituency campaigning](#)

Forms:

- [TP1: Application to register as a non-party campaigner](#)
 - [TP3: Renewal of notification for a non-party campaigner](#)
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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.

As a non-party campaigner, you may need to comply with the rules on campaigning in the Political Parties Elections and Referendums Act 2000 (PPERA).

This introduction gives you a basic outline of what a non-party campaign is, when you must comply with the rules in PERA and where you can find more information.

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'.

You may want to campaign on particular issues or for or against particular parties or candidates.

The two 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 candidates, 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 non-party campaigns.

4

Who regulates campaigns?

Local campaigns

Campaigning for or against one or more candidates in a particular ward or constituency is covered by section 75 of the Representation of the People Act 1983 (RPA), or the equivalent legislation in Scotland, Wales and Northern Ireland.

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 the next section.

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.

What's covered by the rules?

Local campaigns

There are limits on how much you can spend on campaigning for or against particular candidates in a ward, constituency or local electoral area. These limits are different, depending on the type of election.

These spending limits cover most campaign activities, including leaflets, meetings and websites.

For a UK Parliamentary general election

For a UK Parliamentary general election, the spending limit for your campaign is £700. This limit applies from the date Parliament is dissolved. This date is available on [Parliament's website](#). For the UK Parliamentary general election, we expect Parliament to be dissolved on 30 March 2015.

For a local government election

For a local government election, the spending limit for your campaign is £50, plus 0.5p per elector on the ward electoral register. You should ask the Electoral Registration Officer how many electors are on the ward electoral register.

For example:

If there are 1,000 people on the ward electoral register, you can spend £55. This is how it is worked out:

1. £50 per ward	£50
2. Work out the number of electors x 0.5p	1,000 x 0.5p = £5
3. Add together to get the spending total	£50 + £5 = £55

This limit applies from the date on which the person you are campaigning for or against becomes a candidate.

You can find more information about when people become candidates in our guidance for [candidates and agents](#).

Important

Local campaigns fall outside the scope of our guidance.

Any complaints about local campaigns should be made to the police.

If you are undertaking a general campaign that is aimed at a particular constituency or constituencies, then special rules apply. See:

- [Constituency campaigning](#)

6

General campaigns

The non-party campaigning rules apply to spending on what we call '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

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.

Campaigns are regulated in the run-up to elections to:

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

The rules for specific elections

UK Parliamentary general elections usually have a regulated period of 365 days, ending on the day of the election.

However, the regulated period for the 2015 UK Parliamentary general election will be slightly shorter than normal and starts on **19 September 2014** and ends on polling day, **7 May 2015**.

All other elections have a regulated period of four months, ending on the day of the election.

We publish specific guidance for each election which sets out the spending limits, regulated period and reporting deadlines which you can find on our [website](#).

Limit on spending in a particular constituency

During the regulated period for the UK Parliamentary general election, the maximum amount a registered or unregistered non-party campaigner can spend on regulated campaign activity in a particular parliamentary constituency is £9,750. For more information please see the [Overview of focused constituency campaigning](#).

We call regulated campaign activity whose effects are wholly or substantially confined to a particular constituency or constituencies ‘focused constituency campaigning’. You can undertake focused constituency campaigning in more than one constituency but it does not include a national campaign across the whole of a part of the UK (England, Scotland, Wales or Northern Ireland).

Registered non-party campaigners

As a registered non-party campaigner, you must also attribute your spending on regulated campaign activity. You must attribute spending on a UK-wide campaign equally to each of the UK's 650 constituencies. If you are campaigning in only one part of the UK, you must attribute equally to each constituency in that part. The spending attributed to each constituency counts towards the £9,750 limit for each constituency.

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

If you spend the whole £9,750 on focused constituency campaigning in a particular constituency, you will breach the constituency spending limit in that constituency if you then spend anything on any other regulated campaign activity that must be attributed to that constituency. For more information, please see [Managing non-party campaign spending](#).

When you must register as a non-party campaigner

If you are:

- running a ‘general’ campaign (see page 5) **and**
- you spend, or plan to spend, more than £20,000 in England or £10,000 in any of Scotland, Wales or Northern Ireland on ‘regulated campaign activity’ during a regulated period,

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

If you do not register, or you are not eligible to register, you cannot spend more than £20,000 in England or £10,000 in any

of Scotland, Wales or Northern Ireland on regulated campaign activity during a regulated period.

If you think you may spend more than £20,000 in England or £10,000 in any of Scotland, Wales or Northern Ireland, you should keep records of your spending and donations in case you register later in the regulated period.

Only certain types of individuals or organisations can register as a non-party campaigner.

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. The spending limits will depend on which election you are campaigning in. Once you are registered, there are rules you must follow on donations, spending and reporting.

Individuals registered to vote or who are resident in Gibraltar and some types of organisations based in Gibraltar can also register with us as registered non-party campaigners.

If you are an individual or organisation in Gibraltar and wish to register with us, please contact us for further advice.

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

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

Joint campaigns

If you work together with other non-party campaigners, this may affect your spending limits 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:

- [Joint campaigning for non-party campaigners](#)
- [Overview of donations to non-party campaigners](#)
- [Registering as a non-party campaigner](#)

Working with a party or candidate

You may also be working with a political party or a candidate. If you are, this may affect your campaign spending.

You should read [Overview of non-party regulated campaign activities](#) for more information.

Targeting your spending in support of a particular political party

You may want to target your regulated campaign activity to benefit or promote only one political party, or its candidates.

In relation to UK Parliamentary general elections **only**, there are rules on targeted spending, which cover how much registered non-party campaigners can spend on promoting a single political party without authorisation from the party, and how to obtain that authorisation from the party.

If you plan to target your regulated campaign activity to benefit or promote only one party, you should read [Overview – Targeting your campaigning in support of a particular party](#) for more information.

Registering as a non-party campaigner

How to apply to become a registered non-party campaigner

Applying to become a registered non-party campaigner is a straightforward process and should not take long. 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, but if it is due to expire during a regulated period it will be automatically extended until the end of that regulated period.

If you want to renew your registration, you must send us [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 notification will expire if you do not submit your renewal to us during this time.

If your notification expires and you want to re-register, you will need to make a new application.

You can also renew using [PEF Online](#).

For more information see these documents:

- [Managing non-party campaign spending](#)
- [Overview of donations for non-party campaigners](#)
- [UK Parliamentary general election: Pre-poll reporting for non-party campaigners](#)
- [Statement of accounts](#)
- [Constituency campaigning](#)
- [PEF Online: Getting started](#)

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:

- England: 020 7271 0616
pef@electoralcommission.org.uk
- Scotland: 0131 225 0200
infoscotland@electoralcommission.org.uk
- Wales: 029 2034 6800
infowales@electoralcommission.org.uk
- Northern Ireland: 028 9089 4020
infonorthernireland@electoralcommission.org.uk

Visit us at www.electoralcommission.org.uk

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