From:	FOI
To:	[redacted]
Subject:	FOI 147/18 - response
Date:	23 October 2018 07:59:37
Attachments:	email 1 redacted. including re-redaction.pdf email 2 redacted. including re-redaction.pdf email 3 redacted. including re-redaction.pdf email 4 redacted. including re-rededaction.pdf email 5 redacted.pdf email 6 redacted. including re-redactions.pdf email 7 redacted.pdf email 8 redacted.pdf email 9 redacted.pdf email 10 redacted. including re-redactions.pdf email 11 redacted.pdf SoamesN-to-BassettC-2018-01-30 -redacted. including re-redaction.pdf Briefing-2017-12-20-IPSA-meeting - redacted (re-redacted) - IPSA contact removed.pdf PosnerB-to-SoamesN-2018-02-15-ERG-funding - redacted - posted copy.pdf

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Dear [redacted]

Our Ref: FOI 147/18

Thank you for your email to the Electoral Commission dated **11 September 2018.**

The Commission aims to respond to requests for information promptly and regrets that on this occasion we have not done so.

Your request is in bold below followed by our response.

1) All internal correspondence and communications that mentions, or refers to, the European Research Group.

2) All external correspondence and communications that mentions, or refers to, the European Research Group. I would expect this to include correspondence and communications between the Electoral Commission and the ERG.

By "correspondence and communications," I define this as including, but not limited to, the following:

- Communications about the ERG's status and who regulates them
- Complaints received by the Electoral Commission about the ERG (and their outcomes)
- Press inquiries about the ERG
- Letters (and their attachments)
- Research briefings

Our response is as follows:

We hold the information you have requested.

Please see enclosed copies of relevant documents and correspondence relating to the European Research Group (ERG). The Commission has previously responded to a similar request for information relating to the ERG which covers your request until 13 December 2017 (see here). The enclosed documents are therefore from this date onwards.

Exemptions under Section 40

You will notice that certain personal details have been redacted from the documents we are releasing. This redaction is necessary because section 40(2) and (3)(a) of the Freedom of Information Act 2000 (FOI) Act provides that personal data, where its disclosure would breach one of the data protection principles, is exempt from disclosure. The first data protection principle states that personal data must be processed fairly and lawfully. The Commission considers that it would be unfair to release the names and personal contact details of junior officials, who were not employed in public facing roles and did not act as spokespersons for their employer, as those individuals would have a reasonable expectation that this personal data would not be disclosed to the general public. Some information which is not within the scope of your request has also been redacted.

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.**

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,

[redacted]

[redacted]
Access to Information Officer (FOI and DPA)

The Electoral Commission
FOI@electoralcommission.org.uk
electoralcommission.org.uk

[redacted]

Briefing for IPSA introductory meeting with Chair Ruth Evans and CX Marcial Boo

---

Details: **Wednesday 20 December**
IPSA offices, 30 Millbank

EC attendance: John Holmes
Claire Bassett

Contact: [redacted] Chief of Staff, IPSA
Tel: [redacted]

Contents

[redacted] [redacted]
5. European Research Group donations page 9

[redacted]

E) European Research Group

Media reports in September 2017 raised questions about the European Research Group (ERG), their support for certain Conservative MPs and whether rules governed by IPSA and / or the Electoral Commission may have been breached.

Background (article from OpenDemocracy)

Despite expenses rules stating that MPs cannot claim for research or work "done for, or on behalf of, a political party", the European Research Group has received over a quarter of a million pounds from MPs who claimed the public cash through their official expenses.

The ERG, according to its current chair, MP Suella Fernandes, exists to ensure that Brexit will not be rendered "meaningless". The group, regarded as an 80-strong private Tory caucus, wants Britain out of the EU single market and customs union. Its previous head, Steve Baker, now a minister in the Department for Exiting the European Union, said his group aimed to end EU's "despotism" and give Britain back its borders.

Forty MPs have paid money to the ERG and claimed it back as 'research' over the period covering the David Cameron and Theresa May governments. These include current ministers and members of May's cabinet.

But the true number could be higher. Other MPs regarded as ERG members have claimed expenses for "research services" on European issues without specifying the ERG.

Anna Soubry, who served as a minister under David Cameron, and who has been critical of Theresa May's approach to Brexit, told openDemocracy that while MPs legally used collective research services: "The ERG operates like a party within a party". She added she was "surprised that it's [ERG] being funded by taxpayers especially as it is a single issue organisation and would be of little use to a Conservative MP who doesn't support their views."

Ms Soubry said the Independent Parliamentary Standards Authority (IPSA) should investigate the ERG payments to ensure taxpayers money "was being spent responsibly."

Electoral Commission position

- The European Research Group (ERG) is a members association and therefore regulated under the PPERA framework.
- All donations over £7,500 have to be reported to the Commission and donations must be from a permissible source.
- IPSA is not a permissible under PPERA however IPSA have found that the services provided to MPs by the ERG was "compliant" because the ERG supports MPs in their duties and therefore should not be classed as a donation.
- The Commission has no assessments or investigations open into this issue.

[redacted]

From: [redacted]
Sent: 23 May 2017 15:46
To: 'Chris Thornton'
Subject: RE: Your enquiry - donation limits

Yes, the threshold is also £7,500

Thanks,
[redacted]

From: Chris Thornton [redacted]
Sent: 23 May 2017 15:07
To: [redacted]
Subject: RE: Your enquiry - donation limits

Thanks [redacted] I wasn't asking about candidates. I'm interested in members' associations – a group of MPs that club together on some shared interest. The particular one I'm looking at is the European Research Group. But I suppose it's the same bar - £7,500 before a donation has to be reported?

Chris

Chris Thornton
Producer · Spotlight
BBC Northern Ireland · Ormeau Avenue · Belfast BT2 8HQ
Tel: [redacted]

From: [redacted]
Sent: 23 May 2017 11:13
To: Chris Thornton
Subject: RE: Your enquiry - donation limits

Hi Chris

I'll also include our guidelines for party donations, which sets out that only permissible donations over £7,500 need be reported –

https://www.electoralcommission.org.uk/__data/assets/pdf_file/0014/102263/to-donations-rp.pdf

Kind regards,

[redacted]

From: [redacted]
Sent: 23 May 2017 10:54
To: [redacted]
Subject: Your enquiry - donation limits

Dear Chris

Thanks for your call, I've lifted the following out of our media handbook -

5.8 Is there a limit on donations a candidate can accept in the UKPGE?

No. However, candidates can only accept donations of money, items or services worth more than £50 towards their campaign spending from a permissible source (see section 5.9).

All donations worth more than £50 must be published in the candidate's spending return. They do not need to declare donations with a value of £50 or less.

5.9 Who can make donations to candidates?

Anyone can make a donation worth less than £50 to candidates.

Candidates must ensure they only accept donations of more than £50 from a permissible source. Donations that are not from a permissible source must be returned to the donor within 30 days. After that, the donation may be forfeited.

Permissible donors in the UK are defined as:

- an individual on a UK electoral register
- a GB registered political party
- a UK registered company which is incorporated within 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
- a UK registered friendly society
- a UK based unincorporated association

Also our Guidance for candidates and agents on spending and donations may be of interest to you, particularly pp. 19 – 29.

Kind regards,

[redacted]

[redacted]
Communications Officer (Public Affairs)
The Electoral Commission
3 Bunhill Row
London EC1Y 8YZ
[redacted]
electoralcommission.org.uk
yourvotematters.co.uk

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Further communication will signify your consent to this.

[redacted]

From: [redacted]
Sent: 12 September 2018 13:42
To: James Cusick; Press
Subject: Re: summary of what I asked .

Hi James,

Thanks for getting in touch.

The Political Parties, Elections and Referendums Act 2000 (PPERA) is the legislation the Commission is responsible for regulating. It includes rules that certain organisations must follow in relation to donations and loans they receive in connection with their political activities. Political activities can include promoting or developing policies for adoption by a political party, or promoting the candidacy of an individual for internal party office.

Groups that are wholly or mainly made up of members of a registered political party but exist outside that party's constitution, such as the ERG, are subject to these rules. Under PPERA, members associations fall under 'regulated donee' rules. Under these rules, a members association are only required to report all donations and loans over £7,500 to the Commission and these must be from a permissible, mainly UK based sources. This does not include any income a supplier (who is a regulated entity under PPERA) receives from IPSA.

You can see reported donations to ERG on our website: search.electoralcommission.org.uk

Thanks and best wishes,
[redacted]

From: James Cusick
Sent: 12 September 2018 12:41:11
To: Press
Subject: summary of what I asked .
[redacted]

this is my email :

questions were:

:: ERG hold two bank accounts. One for IPSA money, the other for other issues...

:: IPSA are looking at the separation of funds - and what money has been used for what.

So - have the ERG notified the Electoral Commission about this other stream of income? And - should they have done ?

thanks

James Cusick
[redacted]

[redacted]

From: David Pegg [redacted]
Sent: 14 August 2018 15:51
To: [redacted]
Subject: Re: Media Enquiry - The Guardian - Pooled Staffing Services

Victoria thanks for this. We don't at this stage know the size of the donations, so they may not have exceeded £7,500, but will come back to you when we have more information.

Many thanks again,

David

David Pegg
Reporter
Guardian News & Media

Tel: [redacted]
Email: [redacted]

PGP: 9207 1E70 9996 7CCC 14B3 DA4F 134F A36A 86A4 0580
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London N1 9GU
theguardian.com

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On 14 August 2018 at 15:47, [redacted] wrote:

> Hi David,
>
> Thanks again for getting in touch.
>
> MP's use of Parliamentary expenses is overseen by the Independent Parliamentary Standards Authority (IPSA) and not the Electoral Commission. The Commission has no remit in respect to expenses which fall under IPSA's Scheme.
>
> The Political Parties, Elections and Referendums Act 2000 (PPERA) is the legislation the Commission is responsible for regulating. It includes rules that certain organisations must follow in relation to donations and loans they receive in connection with their political activities. Political activities can include promoting or developing policies for adoption by a political party, or promoting the candidacy of an individual for internal party office.

Groups that are wholly or mainly made up of members of a registered political party but exist outside that party's constitution, such as the ERG, are subject to these rules. Under PPERA, members associations fall under 'regulated donee' rules. Under these rules, a members association is required to report all donations and loans over £7,500 to the Commission and these must be from a permissible, mainly UK based sources. This does not include any income a supplier (who is a regulated entity under PPERA) receives from IPSA.

You make reference to being aware of donations being received by the ERG which do not appear on our registers. If you have any evidence of other incorrectly unreported donations by the ERG to the Commission, we ask that you supply us with this information and any evidence you have in order for us to consider under our Enforcement Policy.

Best wishes,

[redacted]

From: David Pegg [redacted]
Sent: 14 August 2018 11:24
To: Press <press@electoralcommission.org.uk>
Subject: Media Enquiry - The Guardian - Pooled Staffing Services

Hello,

I'm hoping you can help me with a question about donations to parliamentary pooled staffing services: specifically the European Research Group of MPs.

1. The ERG is one of several pooled staffing services that provide research and briefings for MPs. Its ordinary activities are funded by subscriptions of £2,000, claimed by MPs from as expenses from IPSA, and paid directly to fund the services.

2. Less clear are the rules around supplementary private donations. The ERG have previously declared a donation to the Electoral Commission: http://search.electoralcommission.org.uk/English/Donations/C0320002.

3. However we have always found accounts of other donations that are not declared; for instance an ERG researcher's salary financed by a donation from a private company and from an individual. These don't appear to be on the EC searchable database of donations.

Can you advise me on what rules would apply to donations to pooled staffing services like the ERG? Would they constitute Members Associations for EC purposes?

Best wishes,

David Pegg
Reporter
Guardian News & Media

Tel: [redacted]

Email: [redacted]
PGP: 9207 1E70 9996 7CCC 14B3 DA4F 134F A36A 86A4 0580
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London N1 9GU
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[redacted]

From: Louise Edwards
Sent: 14 August 2018 15:44
To: [redacted]
Subject: RE: Media Enquiry - The Guardian - Pooled Staffing Services

Looks good.

Thanks

From: [redacted]
Sent: 14 August 2018 15:40
To: Louise Edwards ; [redacted]
Cc: [redacted]
Subject: RE: Media Enquiry - The Guardian - Pooled Staffing Services

Thanks Louise – I've made these changes, and will send over the final text below.

MP's use of Parliamentary expenses is overseen by the Independent Parliamentary Standards Authority (IPSA) and not the Electoral Commission. The Commission has no remit in respect expenses which fall under IPSA's Scheme.

The Political Parties, Elections and Referendums Act 2000 (PPERA) is the legislation the Commission is responsible for regulating. It includes rules that certain organisations must follow in relation to donations and loans they receive in connection with their political activities. Political activities can include promoting or developing policies for adoption by a political party, or promoting the candidacy of an individual for internal party office.

Groups that are wholly or mainly made up of members of a registered political party but exist outside that party's constitution, such as the ERG, are subject to these rules. Under PPERA, members associations fall under 'regulated donee' rules. Under these rules, a members association is required to report all donations and loans over £7,500 to the Commission and these must be from a permissible, mainly UK based sources. This does not include any income a supplier (who is a regulated entity under PPERA) receives from IPSA.

You make reference to being aware of donations being received by the ERG which do not appear on our registers. If you have any evidence of other incorrectly unreported donations by the ERG to the Commission, we ask that you supply us with this information and any evidence you have in order for us to consider under our Enforcement Policy.

From: Louise Edwards
Sent: 14 August 2018 15:21
To: [redacted]>; [redacted]
[redacted]>

Cc: [redacted]
Subject: RE: Media Enquiry - The Guardian - Pooled Staffing Services

Hi

Personally I'd take the line in yellow out. I think that's for IPSA to say if its asked. My only other thought is to change "evidence of other unreported donations" in the last paragraph to "evidence of other incorrectly unreported donations".

Thanks to all.

Louise

From: [redacted]
Sent: 14 August 2018 14:00
To: [redacted] Louise Edwards
[redacted]
Cc: [redacted]
Subject: RE: Media Enquiry - The Guardian - Pooled Staffing Services

Thank you [redacted]
This looks goof to me and a I think fine to send the link to the IPSA report.
[redacted]

From: [redacted]
Sent: 14 August 2018 12:25
To: Louise Edwards [redacted]
Cc: [redacted]
Subject: FW: Media Enquiry - The Guardian - Pooled Staffing Services

Hi Louise,

We're had the query below from David Pegg, and we just wanted to run past our reply (which [redacted] has kindly drafted) by you before we respond – can you take a look please? We could take out the line in yellow?

MP's use of Parliamentary expenses is overseen by the Independent Parliamentary Standards Authority (IPSA) and not the Electoral Commission. In its yearly assurance report, IPSA commented that services provided to MPs by the ERG were "compliant" with their Scheme because the ERG supports MPs in their parliamentary duties (page 21). The Commission has no remit in respect expenses which fall under IPSA's Scheme.

The Political Parties, Elections and Referendums Act 2000 (PPERA) is the legislation the Commission is responsible for regulating. It includes rules that certain organisations must follow in relation to donations and loans they receive in connection with their political activities. Political activities can include promoting or developing policies for adoption by a political party, or promoting the candidacy of an individual for internal party office.

Groups that are wholly or mainly made up of members of a registered political party but exist outside that party's constitution, such as the ERG, are subject to these rules. Under PPERA, members associations fall under 'regulated donee' rules. Under these rules, a members association is required to report all donations and loans over £7,500 to the Commission and these must be from a permissible, mainly UK based sources. This does not include any income a supplier (who is a regulated entity under PPERA) receives from IPSA.

You make reference to being aware of donations being received by the ERG which do not appear on our registers. If you have any evidence of any unreported donations by the ERG to the Commission, we ask that you supply us with this information and any evidence you have in order for us to consider under our Enforcement Policy.

From: David Pegg [redacted]
Sent: 14 August 2018 11:24
To: Press <press@electoralcommission.org.uk>
Subject: Media Enquiry - The Guardian - Pooled Staffing Services

Hello,

I'm hoping you can help me with a question about donations to parliamentary pooled staffing services: specifically the European Research Group of MPs.

1. The ERG is one of several pooled staffing services that provide research and briefings for MPs. Its ordinary activities are funded by subscriptions of £2,000, claimed by MPs from as expenses from IPSA, and paid directly to fund the services.

2. Less clear are the rules around supplementary private donations. The ERG have previously declared a donation to the Electoral Commission: http://search.electoralcommission.org.uk/English/Donations/C0320002.

3. However we have always found accounts of other donations that are not declared; for instance an ERG researcher's salary financed by a donation from a private company and from an individual. These don't appear to be on the EC searchable database of donations.

Can you advise me on what rules would apply to donations to pooled staffing services like the ERG? Would they constitute Members Associations for EC purposes?

Best wishes,

David Pegg
Reporter
Guardian News & Media

Tel: [redacted]
Email: [redacted]
PGP: 9207 1E70 9996 7CCC 14B3 DA4F 134F A36A 86A4 0580
Share information with The Guardian securely

[redacted]

From: [redacted]
Sent: 20 December 2017 10:01
To: [redacted]
Subject: RE: urgent briefing for meeting with IPSA

There is no investigation as far as I am aware. The ERG provide pooled research services to a number of Conservative MPs, which is funded through IPSA for MPs. The key point for us is, as the ERG is a members association, it is regulated under PPERA (as are MPs as holders of elective office). IPSA in its annual assurance review concluded that overall, the ERG was compliant with its Scheme and supported those MPs that had contracted into in their Parliamentary duties. It also carried out similar reviews of other pooled research service providers (PRU and PRS etc). See report here: http://skynet/dm/Functions/ta/Chief%20Executive/Chair/EvansR-to-HolmesJ-2017-11-15-IPSA%20Annual%20Review%20of%20Assurance%20Report.PDF

The key point here is: members associations and MPs (like any other entity we regulate) must ensure they only accept donations from a permissible source. IPSA is not a permissible donor under PPERA or the RPA.

I think that covers it.
[redacted]

From: [redacted]
Sent: 20 December 2017 09:35
To: [redacted]
Subject: RE: urgent briefing for meeting with IPSA

Hi [redacted] I I know this is unfair to pounce on you as soon as you get in, but really need some brief details of the European Research Group asap. Happy for you to just ping me an email and I'll add content to the briefing.

Thank you [redacted]

[redacted]

From: [redacted]
Sent: 19 December 2017 17:13
To: [redacted]
Cc: [redacted]
Subject: urgent briefing for meeting with IPSA
Importance: High

Hi [redacted]

Please could you add in something to this briefing about the ERG investigation and anything else you think would be relevant for the meeting.

[redacted] says must be done by 10:30am tomorrow!

http://skynet/dm/Functions/CommsPublicAffairs/Public Affairs/Briefing-2017-12-20-IPSA-meeting.docx

Thanks,

[redacted]

[redacted]
The Electoral Commission
3 Bunhill Row
London EC1Y 8YZ
020 7271 [redacted]
Advice and guidance line: 0333 103 1928
Advice and guidance email: infoengland@electoralcommission.org.uk
electoralcommission.org.uk
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[redacted]

From: [redacted]
Sent: 05 February 2018 18:20
To: [redacted]
Subject: RE: Members Association CCM:0324266

I'll review this on Thursday for you when I'm back from leave. For info, I will probably go over one page. I suspect this won't be the last time we get a similar question given public interest and I think it'll be good to get some words down on paper which will be handy at a later date when we need to do lines and background etc.

[redacted]

From: [redacted]
Sent: 05 February 2018 18:12
To: [redacted]
Subject: RE: Members Association CCM:0324266

Thanks for this, I've just chucked together the below based on the briefing for the IPSA meeting. I'm trying to keep it to 1 page and I don't think it really needs loads of detail.
Incoming: http://skynet/dm/Functions/CommsPublicAffairs/Public Affairs/SoamesN-to-BassettC-2018-01-30.pdf
Draft: http://skynet/dm/Functions/CommsPublicAffairs/Public Affairs/PosnerB-to-SoamesN-2018-02-ERC-funding.docx
Let me know your thoughts.
Thanks!

[redacted]

From: [redacted]
Sent: 05 February 2018 18:03
To: [redacted]
Subject: FW: Members Association CCM:0324266

Rules for Members Associations below. This is the email I sent to the ERG's deputy treasurer who is also an MP in February.
As for which companies MPs can use and claim for, this is a matter for IPSA, not the Commission.
Happy to see a draft before it goes to Louise. Given the topic, Bob might come back on something.

[redacted]

From: [redacted]
Sent: 21 February 2017 12:54
To: 'TOMLINSON, Michael'
Subject: RE: Members Association CCM:0324266

Dear Mr Tomlinson,
Thank you for your email requesting advice on Members Associations.
Groups that are wholly or mainly made up of members of a registered political party but exist outside that party's constitution are called Members Associations.
Under the Political Parties, Elections and Referendums Act 2000 (PPERA), there are rules that Members Associations must follow in relation to donations and loans that they receive in connection with their political activities, which include such activities as promoting or developing policies for adoption by a political party, or promoting the candidacy of an individual for internal party office.
Under these rules, Members Associations must make sure that any donations or loans with a value of more than £500 that they receive in connection with their political activities are from permissible, mainly UK-based sources. Donations must be checked for permissibility within 30 days of receiving them, and loans before they are entered into. Any donations or loans with a value of more than £7,500 must be reported to the Electoral Commission within 30 days of being accepted. This includes

individual donations or loans of that size and donations and loans with a value of more than £500 that aggregate with others from the same donor in the same calendar year to over £7,500. These rules also apply to non-monetary donations given in connection with political activities, which could include the provision of free or discounted office space, facilities and other services.
Regarding the Register of Members Financial Interest (RMFI), the Commission only takes information on donations and loans that are reported by individual MPs to the RMFI for publication on our databases. Members Associations must report all donations and loans they receive in connection with the political activities above £7,500 directly to the Electoral Commission and not to the RMFI. MPs on the other hand must report all donations and loans above £1,500 in connection with their political activities to the RMFI.
The only time a MP needs to notify the Commission is when they do not accept a political donation during the 30 day permissibility checking window. In this case, the MP must either return the donations to the donor within 30 days or forward the funds the Commission and inform us in both instances.
Finally, I wish to clarify that a Members Association, unless they are also a Unincorporated Association which has made political contributions over £25,000 in a calendar year, do not need to register as an entity with the Electoral Commission. Members Associations are only required to report donations and loans to us as I have outlined above.
For further information, please see our guidance for regulated organisations on our website here.
I hope you find this email comprehensive but do let me know if you have any further questions.
Regards,

[redacted]
Senior Financial Reporting Adviser
Political Finance and Regulation
The Electoral Commission
3 Bunhill Row
London
EC1Y 8YZ
Tel: [redacted]
Fax: 020 7271 0665
www.electoralcommission.org.uk
www.aboutmyvote.co.uk
Putting voters first
Please consider the environment before printing this email.

From: TOMLINSON, Michael [redacted]
Sent: 21 February 2017 10:53
To: PEF Inbox
Subject: Members Association

Dear Sir / Madam,
I spoke to someone in your office about advice on Members Associations.
I would be very grateful if you could email me details of what constitutes a Members Association, the necessary thresholds for registration, and under what circumstances donations of £7,500 and over need to be registered. For example and further to that last point, if the Members Association does not need to be registered, for example because its income level is below the relevant annual threshold, but a donation in excess of £7,500 is received, does the Electoral Commission simply pick up the details of the donation from the individual Member's Register, or does a separate declaration need to be made to the EC as well?
Many thanks and kind regards,
Michael

Michael Tomlinson MP
Member of Parliament for Mid Dorset and North Poole
House of Commons | London | SW1A 0AA

T: 01202 624216 | E:michael.tomlinson.mp@parliament.uk
Website: www.michaeltomlinson.org.uk
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[redacted]

From: [redacted]
Sent: 30 January 2018 12:10
To: [redacted]
Subject: RE: In the news - Tuesday 30th January 2018

It is a members association. I have previously spoken to the deputy treasurer Michael Tomlinson MP who confirmed their membership was predominantly made up of Conservative MPs. It has also reported a donation as a members association:
http://search.electoralcommission.org.uk/?currentPage=1&rows=10&query=european%20research%20group&sort=AcceptedDate&order=desc&tab=1&et=pp&et=ppm&et=tp&et=perpar&et=rd&prePoll=false&postPoll=true&optCols=CampaigningName&optCols=AccountingUnitsAsCentralParty&optCols=IsSponsorship&optCols=RegulatedDoneeType&optCols=CompanyRegistrationNumber&optCols=Postcode&optCols=NatureOfDonation&optCols=PurposeOfVisit&optCols=DonationAction&optCols=ReportedDate&optCols=IsReportedPrePoll&optCols=ReportingPeriodName&optCols=IsBequest&optCols=IsAggregation

They also took money from the CRC but this was below the threshold. See Steve Baker MP (the then Chair of ERG) reported this donation under his miscellaneous category on the RMFI:
https://publications.parliament.uk/pa/cm/cmregmem/180122/baker_steve.htm

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From: [redacted]
Sent: 30 January 2018 11:54
To: [redacted]
Subject: RE: In the news - Tuesday 30th January 2018

Any thoughts as to whether the European Research Group is a Members' Association or not? It does appear to be made up of lots of Tory MPs.

From: [redacted]
Sent: 30 January 2018 10:53
To: All EC Staff - All Sites; Commissioners Protected
Subject: In the news - Tuesday 30th January 2018



…

Campaigning

openDemocracy reports that a number of Cabinet members appear to have breached the rules of government through their membership of a secretive hard-Brexit lobby group, now chaired by the

outspoken government critic Jacob-Rees Mogg, openDemocracy can reveal today. The article notes that the European Research Group (ERG) took money from the secretive Constitutional Research Council, which has been fined (in secret) by the Electoral Commission for failing to fully disclose where it gets its cash from.

[redacted]

From: [redacted]
Sent: 30 January 2018 10:53
To: All EC Staff - All Sites; Commissioners Protected
Subject: In the news - Tuesday 30th January 2018

IN THE NEWS



Today's front pages

Party registration

Yesterday's 'In the news' spoke of the newly registered Democrats and Veterans Party whose Chairman Gavin Felton recently spoke with BBC Radio Essex. Despite being in its infancy, the new political party has already provoked hilarity with its Twitter handle @DandVParty, with many claiming the abbreviation is more commonly associated with diarrhoea and vomiting. **BBC News** reports that the party said it was deliberate as politics was "making them that sick". Felton said: "It's all tongue in cheek, we're ex-squaddies so we know what it means and knew it was going to come up…We have a sense of humour. Politics is a serious business but there's a severe lack of humour."

The party is yet to be approved by the Electoral Commission, but already has a pro-Brexit stance, and is due to be launched on 9 February reports **Forces TV.**

Referenda

The **BBC** reports that the Irish government has agreed to hold a referendum at the end of May on whether to reform the country's near-total ban on abortion. The vote will decide whether to repeal a constitutional amendment that effectively bans terminations.

Currently abortion is only allowed when a woman's life is at risk, but not in cases of rape, incest or fatal foetal abnormality. Taoiseach Leo Varadkar has said that he will campaign for reform.



The ballot will not be on specific terms of any new law, but on whether to retain or repeal article 40.3.3 of the constitution, known as the Eighth Amendment. The amendment, which was approved by a 1983 referendum, "acknowledges the right to life of the unborn" - meaning the life of the woman and her unborn child are seen as equal.

Foreign interference

The CIA has warned that Russia is set to continue its campaign of meddling in foreign elections by targeting the congressional midterm races in America, the **Guardian** reports.

Mike Pompeo, the director of the agency, told the BBC he had not seen a “significant decrease” in Russian activity and his concerns extend to the House and Senate polls in November. “I have every expectation that they will continue to try and do that but I’m confident that America will be able to have a free and fair election [and] that we will push back in a way that is sufficiently robust that the impact they have on our election won’t be great,” Pompeo said.

The CIA concluded that Moscow interfered in the 2016 presidential election – leaking hacked Democratic communications and flooding social media with misinformation – but Donald Trump has repeatedly dismissed special counsel Robert Mueller’s investigation as a “hoax” and “witch hunt”. The White House has been accused of not taking the Russian threat seriously and failing to adopt counter-measures.

Campaigning

openDemocracy reports that a number of Cabinet members appear to have breached the rules of government through their membership of a secretive hard-Brexit lobby group, now chaired by the outspoken government critic Jacob-Rees Mogg, openDemocracy can reveal today. The article notes that the European Research Group (ERG) took money from the secretive Constitutional Research Council, which has been fined (in secret) by the Electoral Commission for failing to fully disclose where it gets its cash from.

Wales

WiredGov has published the Wales Office’s press release: with less than two weeks to go until the

National Assembly for Wales by-election in the Alyn and Deeside constituency, voters are being reminded that the election is taking place on Tuesday 6 February, rather than the usual Thursday polling day. The article quotes Rhydian Thomas, Head of the Electoral Commission in Wales.

For interest

The **NL Times** reports that the DDoS attacks that hit ABN Amro, ING and Rabobank over the weekend and on Monday, came from servers in Russia, according to security company ESET. The company adds that this does not automatically mean that the perpetrators are also in Russia, the Telegraaf reports.

The perpetrators used a so-called botnet - an army of hijacked computers and smart devices - to commit the DDoS attacks. Using the program Zbot, they remotely ordered these devices to visit a certain site en masse, thereby overloading the site's server and crashing the site. The command and control servers are mainly in Russia, ESET determined.

The motive for these attacks is still unknown. The security company points out that the perpetrators can be anyone ranging from bored teenagers to state hackers - DDoS attacks are easy to buy online. The Tax Authority's site was also hit by a DDoS attack on Monday morning, leaving the site unavailable for a short period. ESET can't yet say whether this attack is linked to the attacks on the banks.

On this day

1661: Oliver Cromwell, Lord Protector of the Commonwealth of England is ritually executed after having been dead for two years

1933: President Paul von Hindenburg appoints Adolf Hitler as Reich Chancellor of Germany who forms a government with Franz von Papen

1947: Mahatma Gandhi was assassinated by Nathuram Godse

1965: State funeral of Winston Churchill at St Paul's Cathedral in London. Then world's largest ever state funeral.

1981: Everyone's favourite 6 ft 7" striker, Peter Crouch, was born

[redacted]
Communications Officer
The Electoral Commission
3 Bunhill Row
London EC1Y 8YZ
[redacted]
electoralcommission.org.uk
yourvotematters.co.uk

Twitter | **Facebook** | **Blog**

From: [redacted]
Sent: 14 September 2018 10:58
To: All EC Staff - All Sites; Commissioners Protected
Subject: In the News - Friday 14 September



Today's front pages

Good Law Project

This morning the High Court has reached a decision on the judicial review of the Commission's interpretation of the law regarding Vote Leave, brought by the Good Law Project. Our statement on this is below:

"The Commission welcomes the Court's consideration of this aspect of electoral law.

The Court arrived at the same conclusion as the Commission did in its investigation – that Vote Leave should have accounted for the expenditure on the digital services firm, Aggregate IQ – although it found an additional reason for reaching that conclusion. The Commission imposed sanctions on Vote Leave for this offence and others found during the investigation."

The press team will continue to monitor coverage of this today.

Northern Ireland

Second council accused over Ian Paisley dinner – BBC News

A second council has been accused of using ratepayers money to sponsor a table at an MP's constituency dinner. Causeway Coast and Glens Council paid £1,500 for the table at last September's event hosted by the DUP's Ian Paisley. A decision by Mid and East Antrim to sponsor another table at the dinner for the same amount is being treated as a "donation" to the North Antrim MP by the Electoral Commission.

Also reported on BBC Radio Ulster, BBC Radio Foyle, and Belfast Newsletter.

New Pro-EU unionist party plans Paisley challenge (print only, page 1) - **Irish News**

A new pro-EU unionist party is planning to run against shamed DUP MP Ian Paisley in an expected forthcoming North Antrim by-election, The Irish News says. The party, which was registered with the Electoral Commission earlier this week, is led by Dirk Hazell.

Voter ID

Revealing the full facts about voter ID (print only, page 6) - **Swindon Advertiser**

Voters turned away from polling stations in ID trials last year massively outnumber complaints of voter fraud in person, according to charity Full Fact. There were a total of 1,037 voters turned away the right ID, 64 of those at Swindon polling stations, according to Electoral Commission data.

Donations

Parliament watchdog probes Rees Mogg's hard Brexit lobby group over other sources of funding? (Web) - **openDemocracy**

Emails released by UK parliamentary standards watchdog reveal a 'second' bank account held by the powerful ERG group. It notes the Electoral Commission is legally entitled to be informed of donations above £7,500 to the ERG. One donation of £10,000 was lodged with the commission in March last year.

Parliamentary debate

Brexit: Boris Johnson and other Vote Leave MPs fail to turn up to debate on their illegal campaigning (Web) – **Descrier**

Article reports Boris Johnson, Michael Gove, and other leading Vote Leave figures failed to turn up to a debate in Parliament on Article 50. It notes Vote Leave, BeLeave, and Leave.EU have all been fined by the Electoral Commission, with various issues also referred to the police for possible criminal prosecution.

On this day

1752 Britain adopts the Gregorian calendar

[redacted]

From: [redacted]
Sent: 23 May 2017 15:16
To: [redacted]
Subject: FW: Your enquiry - donation limits

Help me wise [redacted] Are Member's Associations NPC orrr? Should I send this over to the NI office?

From: Chris Thornton [redacted]
Sent: 23 May 2017 15:07
To: [redacted]
Subject: RE: Your enquiry - donation limits

Thanks [redacted] I wasn't asking about candidates. I'm interested in members' associations – a group of MPs that club together on some shared interest. The particular one I'm looking at is the European Research Group. But I suppose it's the same bar - £7,500 before a donation has to be reported?

Chris

Chris Thornton
Producer ▪ Spotlight
BBC Northern Ireland ▪ Ormeau Avenue ▪ Belfast BT2 8HQ
Tel: [redacted]

From: [redacted]
Sent: 23 May 2017 11:13
To: Chris Thornton
Subject: RE: Your enquiry - donation limits

Hi Chris

I'll also include our guidelines for party donations, which sets out that only permissible donations over £7,500 need be reported –

https://www.electoralcommission.org.uk/__data/assets/pdf_file/0014/102263/to-donations-rp.pdf

Kind regards,

[redacted]

From: [redacted]
Sent: 23 May 2017 10:54
To: [redacted]
Subject: Your enquiry - donation limits

Dear Chris

Thanks for your call, I've lifted the following out of our media handbook -

5.8 Is there a limit on donations a candidate can accept in the UKPGE?

No. However, candidates can only accept donations of money, items or services worth more than £50 towards their campaign spending from a permissible source (see section 5.9).

All donations worth more than £50 must be published in the candidate's spending return. They do not need to declare donations with a value of £50 or less.

5.9 Who can make donations to candidates?

Anyone can make a donation worth less than £50 to candidates.

Candidates must ensure they only accept donations of more than £50 from a permissible source. Donations that are not from a permissible source must be returned to the donor within 30 days. After that, the donation may be forfeited.

Permissible donors in the UK are defined as:

- an individual on a UK electoral register
- a GB registered political party
- a UK registered company which is incorporated within 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
- a UK registered friendly society
- a UK based unincorporated association

Also our Guidance for candidates and agents on spending and donations may be of interest to you, particularly pp. 19 – 29.

Kind regards,

Abi

[redacted]
Communications Officer (Public Affairs)
The Electoral Commission
3 Bunhill Row
London EC1Y 8YZ
[redacted]
electoralcommission.org.uk
yourvotematters.co.uk

Twitter | **Facebook** | **Blog**



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Further communication will signify your consent to this.

[redacted]

From: [redacted]
Sent: 30 January 2018 09:19
To: [redacted]
Cc: Louise Edwards
Subject: FW: Press Data Summary: Electoral Commission - 30 January 2018

Hi [redacted]

Could you please add an update to the assessment note to include the coverage about this party. Please consider whether or not it changes your view re: the statutory tests.

Ta,
[redacted]

From: Louise Edwards
Sent: 30 January 2018 07:19
To: [redacted]
Subject: FW: Press Data Summary: Electoral Commission - 30 January 2018

See the highlighted story below - I admit I missed this!

From: editorial@pressdata.co.uk [mailto:editorial@pressdata.co.uk]
Sent: 30 January 2018 06:30
Subject: Press Data Summary: Electoral Commission - 30 January 2018

The Electoral Commission

Media Coverage for 30 January 2018

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UK-wide

Political party's diarrhoea reference 'deliberate' (Web)
BBC News - 30/01/2018
A new political party that based its name on initials more commonly associated with diarrhoea and vomiting has provoked hilarity on social media. The Democrats and Veterans Party was set up by ex-serviceman and said it had already had 321 candidates ready to fight local and national elections. The party, which is pro-Brexit and has said it is for everyone, is yet to be approved by the Electoral Commission.

England

BBC Sussex 29 January 2018 17:39:15
BBC Sussex - 29/01/2018 17:39:15
The widely held belief that youth turn-out was a major part in Labour's strong performance in the General Election has been torpedoed by the British Election Study team. Dr Jon Mellon of University of Manchester is interviewed, and refers to how the study's findings were generated which includes the use of information that is held by the Electoral Commission.

BBC Radio Essex 29 January 2018 10:04:05
BBC Radio Essex - 29/01/2018 10:04:05
A newly formed political party has said it is targeting Essex for new voters and councillors. The Democrats and Veterans party chairman, Gavin Felton, said "I have emails from Green Party sitting councillors, Lib Dems sitting councillors, the Tories and UKIP that will come on board the moment we are approved by the Electoral Commission."

BBC Radio Essex 29 January 2018 09:04:08
BBC Radio Essex - 29/01/2018 09:04:08
A newly formed political party has said it is targeting Essex for new voters and councillors. The Democrats and Veterans party chairman, Gavin Felton, said "I have emails from Green Party sitting councillors, Lib Dems sitting councillors, the Tories and UKIP that will come on board the moment we are approved by the Electoral Commission".

BBC Radio Essex 29 January 2018 08:08:30
BBC Radio Essex - 29/01/2018 08:08:30
The newly-formed Democrats and Veterans Party says it already has 321 candidates ready to fight local and national elections. Gavin Felton, the party chairman, says I've got emails from Green Party sitting councillors ,Lib Dems sitting councillors, the Tories and UKIP all saying that they will come on board the moment we get approval from the Electoral Commission.

Trade Press

MPs demand 'urgent investigation' into Cabinet ministers' support for hard-Brexit lobby group (Web)
openDemocracy - 29/01/2018
A number of Cabinet members appear to have breached the rules of government through their membership of a secretive hard-Brexit lobby group, now chaired by the outspoken government critic Jacob-Rees Mogg, openDemocracy can reveal today. The article notes that the European Research Group (ERG) took money from the secretive Constitutional Research Council, which has been fined (in secret) by the Electoral Commission for failing to fully disclose where it gets its cash from.

Veterans Set Up Tongue In Cheek Political Party (Web)
Forces TV - 30/01/2018
A new political party that based its name on a pun involving vomiting and diarrhoea, has sparked hilarity on social media. The Democrats and Veterans Party, or D and V party, was set up by ex-servicemen. They have said that they already have 321 candidates ready to run for office in local elections. The party is yet to be approved by the Electoral Commission, but already has a pro-Brexit stance, and is due to be launched on 9 February.

Sell-By Dates (Web)
Action 4 Equality Scotland - 29/01/2018
Politics Home reports that Westminster MPS have blocked Sir Ian Kennedy from being appointed to another parliamentary watchdog role at the Electoral Commission.

Tuesday 6 February is polling day for Alyn and Deeside (Web)
WiredGov - 30/01/2018
With less than two weeks to go until the National Assembly for Wales by-election in the Alyn and Deeside constituency, voters are being reminded that the election is taking place on Tuesday 6 February, rather than the usual Thursday polling day. The article quotes Rhydian Thomas, Head of the Electoral Commission in Wales.

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The Electoral Commission

The Rt Hon Sir Nicholas Soames MP
House of Commons
London
SW1A 0AA

15 February 2018

Dear Sir Nicholas,

[redacted]

Thank you for your letter to Claire Bassett raising your constituent's concerns. I assume the reference to 'ERC' is about the funding of the European Research Group (ERG) in Parliament. Ms Bassett has asked me to respond on her behalf.

MP's use of Parliamentary expenses is overseen by the Independent Parliamentary Standards Authority (IPSA) and not the Electoral Commission. In its yearly assurance report, IPSA commented that services provided to MPs by the ERG were "compliant" with their Scheme because the ERG supports MPs in their parliamentary duties (page 21). You or your constituent may wish to contact ISPA directly with your concerns on 020 7811 6400 or at info@theipsa.org.uk.

The Political Parties, Elections and Referendums Act 2000 (PPERA) is the legislation the Commission is responsible for regulating. It includes rules that certain organisations must follow in relation to donations and loans they receive in connection with their political activities. Political activities can include promoting or developing policies for adoption by a political party, or promoting the candidacy of an individual for internal party office.

Groups that are wholly or mainly made up of members of a registered political party but exist outside that party's constitution, such as the ERG, are subject to these rules. Under PPERA, members associations fall under 'regulated donee' rules.

The Electoral Commission
3 Bunhill Row
London EC1Y 8YZ

Tel: 020 7271 0500
info@electoralcommission.org.uk
electoralcommission.org.uk

The Electoral Commission

Under these rules, a members association is required to report all donations and loans over £7,500 to the Commission and these must be from a permissible, mainly UK based sources. You can see donations reported by the ERG on our online database here.

Should we become aware that any entities we regulate, including MPs and members associations, have accepted an impermissible donation, we will consider this in line with our published enforcement policy which you can see on our website here. The Commission currently has no assessments or investigations open into this issue.

If you would like any additional information, please contact [redacted] in our Public Affairs team on 020 7271 [redacted] or [redacted]

Yours sincerely

[redacted]

Bob Posner
Director of Political Finance & Regulation and Legal Counsel

THE RT. HON. SIR NICHOLAS SOAMES MP
MEMBER OF PARLIAMENT FOR MID SUSSEX
HOUSE OF COMMONS
LONDON
SW1A 0AA



30th January, 2018

Dear Claire Bassett,

I enclose a copy of correspondence from my constituent, [redacted] regarding the funding of the ERC anti-EU pressure group.

I would be most grateful if you could look into the matter raised by my constituent and let me have a full and detailed response that I can pass onto him.

With best wishes,

[redacted]

Claire Bassett,
Chief Executive,
The Electoral Commission,
3 Bunhill Row,
London. EC1Y 8YZ.

TEL: 020 7219 4143 FAX: 020 7219 2998
EMAIL: NICHOLAS.SOAMES.MP@PARLIAMENT.UK WEBSITE: WWW.NICHOLASSOAMES.ORG.UK

SOAMES, Nicholas

From: [redacted]
Sent: 29 January 2018 21:04
To: SOAMES, Nicholas
Subject: Letter from your constituent [redacted]

[redacted]

Phone: [redacted]

Email:

[redacted]

Monday 29 January 2018

Dear Nicholas Soames,

I object to the ERC anti-EU pressure group being funded using taxpayers money. Members subscriptions are being charged to their expenses.

What is your position on this important issue?

Yours sincerely,

[redacted]

2c0ca74a27a208f96fdc/067aa9083effe5a17c03

(Signed with an electronic signature in accordance with section 7(3) of the Electronic Communications Act 2000.)

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