

Situations and procedures

# EU Referendum: Paying invoices for campaign spending

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This document is for EU referendum campaigners and their suppliers who want information about deadlines for the payment of invoices for campaign spending, including the rules on late payment

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## Translations and other formats

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

Tel: 020 7271 0500

Email: [publications@electoralcommission.org.uk](mailto:publications@electoralcommission.org.uk)

## Terms and expressions we use

We use '**must**' when we refer to a specific legal or regulatory requirement. We use '**should**' for items we consider to be minimum good practice, but which are not legal requirements. You do not have to follow this guidance, but if you do, you will normally be doing enough to comply with the law.

## Our approach to enforcement

The Commission regulates political funding and spending in a way that is effective, proportionate and fair. We are committed to providing those we regulate with a clear understanding of their regulatory obligations through our guidance documents and advice service. If you are unsure of how any of the rules apply to you, please call us for advice. We are happy to help, so please get in touch.

We use advice and guidance proactively in order to secure compliance. And we take enforcement action, using our investigatory powers and sanctions, where it is necessary and proportionate to do so in order to meet our enforcement aims and objectives.

If you do not comply with legal or regulatory requirements you or your organisation may be subject to civil or criminal sanctions. You can find more information about the Commission's approach to enforcement at [www.electoralcommission.org.uk/party-finance/enforcement](http://www.electoralcommission.org.uk/party-finance/enforcement)

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## EU referendum: Paying invoices for campaign spending

### This document explains:

This document is for registered EU referendum campaigners and their suppliers who want information about deadlines for the receipt and payment of invoices for referendum campaign spending, including the rules on late payment

### The document covers:

- deadlines for receipt of invoices from suppliers
- deadlines for payment of invoices from suppliers
- applying to the courts for leave to pay
- reporting requirements

### Related documents:

- [Spending for EU referendum campaigners](#)
- [Timetable and reporting deadlines at the EU referendum](#)
- [EUR3b – Campaign spending form](#)

### Expert papers

- [Splitting spending](#)

# Summary

The Political Parties Elections and Referendums Act 2000 (PPERA), as amended by the European Union Referendum Act 2015 (EURA), sets out deadlines for the receipt and payment of invoices for referendum campaign spending for registered EU referendum campaigners.

This guidance explains the deadlines and what you need to do if the deadlines are not met.

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## Introduction

Under PPERA, as amended by EURA, we have certain statutory responsibilities in relation to the referendum on the UK's membership of the EU.

Our objectives for the referendum are:

- it should be well-run and produce results that are accepted
- there should be integrity in and transparency of campaign funding and spending

Before a referendum is held, there is a formal campaigning period called the 'referendum period'. The referendum period started on 15 April 2016 and ends on 23 June 2016. Individuals and organisations who want to spend more than £10,000 during the referendum period must register with us.

In this guidance, we use 'you' to refer to a registered referendum campaigner.

There are statutory deadlines for receiving and paying invoices for campaign spending. The last day for referendum campaigners to receive invoices is **Monday, 25 July 2016**. The last day for referendum campaigners to pay invoices received in time is **Monday, 22 August 2016**.

For more information see:

- [Spending for EU referendum campaigners](#)

For further information on the legislative provisions covering the statutory deadlines for receiving and paying invoices see section 115 and section 116 of PPERA and Schedule 1, paragraph 24 of EURA

# Paying invoices for campaign spending

## Receipt of invoices from suppliers

The last day for receiving invoices from your suppliers is **Monday, 25 July 2016**.

Invoices received after this deadline are called **unpaid claims** for the purposes of reporting. You must record unpaid claims in section 4 of your [spending return](#).

You must **not** pay unpaid claims unless there is a court order enabling you to do so. This is called **leave to pay** and may be obtained by you or the supplier applying to the relevant court in advance of payment.

## Paying of invoices

The last day for paying invoices received in time is **Monday, 22 August 2016**.

Invoices received in time but remaining unpaid after this deadline are called **disputed claims**. You must record disputed claims in section 4 of your [spending return](#).

You must **not** pay disputed claims unless there is a court judgment or order enabling you to do so. This is called **leave to pay** and may be obtained by you applying to the relevant court in advance of payment. Suppliers may also apply to the relevant court to obtain a court judgement or order for payment.



It is an offence to make a payment outside of these dates without a **reasonable excuse** unless you have applied for and received leave from a court. In order for us to consider a **reasonable excuse** we would expect to see supporting evidence.



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## Applying for leave to pay

You must **not** pay an invoice if:

- you receive it after 25 July 2016, or
- you receive it on or before 25 July 2016 but fail or refuse to pay it by the deadline of 22 August 2016

For unpaid claims, you can pay invoices received after the 25 July if an application to the court has been made and either you or the supplier has obtained the court's leave to pay.

For disputed claims, you can pay after the 22 August deadline if you have made an application to the court and obtained the court's leave to pay or if your supplier has obtained a court judgment or order for payment.

The following courts deal with applications for leave to pay:

- the High Court or a county court in England and Wales
- the High Court or a county court in Northern Ireland
- the Court of Session or a the Sheriff's Courts in Scotland
- the Supreme Court of Gibraltar

You should contact your nearest court for more information or visit [justice.gov.uk](http://justice.gov.uk).

## Reporting requirements

You must record details of any unpaid claims or disputed claims in section 4 of your [spending return](#). You must include the payments involved and:

- the name of the court and date of application for unpaid claims
- the nature of the dispute and the action you have taken for disputed claims

You should also include a copy of any court order. If leave to pay is granted after you submit your spending return, you must notify the Commission in writing within 7 days and include a copy of the Court Order.

[EU referendum: Paying invoices for campaign spending](#)

Action	Date	What
Asking for invoices	Ongoing	You should ask your suppliers to send in their invoices to you in order to meet the deadline to receive invoices.
EU Referendum	23 June 2016	
Receiving invoices	25 July 2016	This is the last day to receive an invoice. If you receive an invoice after this date, it is called an unpaid claim. You must not pay it without approval from a court.
Paying invoices	22 August 2016	This is the last day to pay invoices received on or before 23 June If you have not paid an invoice by this date, it is called a disputed claim. You must not pay it without approval from a court.
Submit spending returns	23 September 2016 if you have spent £250,000 or less 23 December 2016 if you have spent more than £250,000	You must record details of any unpaid claims or disputed claims in your spending return. If leave to pay is granted after this date, you must notify the Commission in writing within 7 days and include a copy of the Court Order.

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## 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: 0333 103 1928  
[pef@electoralcommission.org.uk](mailto:pef@electoralcommission.org.uk)
- Scotland: 0333 103 1928  
[infoscotland@electoralcommission.org.uk](mailto:infoscotland@electoralcommission.org.uk)
- Wales: 0333 103 1929  
[infowales@electoralcommission.org.uk](mailto:infowales@electoralcommission.org.uk)
- Northern Ireland: 0333 103 1928  
[infonorthernireland@electoralcommission.org.uk](mailto:infonorthernireland@electoralcommission.org.uk)

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

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