

Situations and procedures

# European Parliamentary elections 2019: Political parties (GB)

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This document is for political parties in Great Britain campaigning at the European Parliamentary elections to be held on 23 May 2019.

Forms you might need:

RP11

Contents:

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Reporting requirements and deadlines

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## Translations and other formats

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Email: [publications@electoralcommission.org.uk](mailto: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 legal or regulatory requirement. We use **‘should’** for items we consider to be minimum good practice, but which are not legal requirements.

## 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.

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# European Parliamentary elections 2019 (GB)

## This document explains:

The rules on spending for political parties contesting the European Parliamentary elections in 2019.

## The document covers:

- the regulated period
- spending limits
- campaign spending
- reporting deadlines
- key dates and events

## Related documents:

- [Overview of party campaign spending](#)
- [Introduction to being a party treasurer](#)
- [Splitting campaign spending](#)

## Forms and explanations:

- [RP11\(GB\): Campaign spending return for parties in Great Britain](#)
- [Explanatory notes to form RP11 \(GB\)](#)

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## Summary

Under the Political Parties, Elections and Referendums Act 2000 (PPERA) there are rules on campaign spending that political parties must follow in the run-up to elections.

This document explains the main rules for the European Parliamentary elections on 23 May 2019.

It covers the regulated period, campaign spending limit, and the reporting deadlines.

## Introduction



Under PPERA, there are rules on fundraising and spending that political parties must follow in the run-up to certain elections.

This guidance provides information on the regulated period, spending limits, campaign spending, reporting requirements and deadlines for the European Parliamentary elections to be held on 23 May 2019.

The rules are different for individual candidates, not representing a party and standing at the European Parliamentary elections. If you are an individual candidate, see our [separate guidance](#).

This guidance covers Great Britain only. If you are campaigning in Northern Ireland see our [separate guidance](#).

In this guidance, we use 'you' or 'the responsible person', to refer to the person who is responsible for campaign spending.

You should read this guidance alongside the related documents we refer to. They provide important information which will help you to follow the rules.

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## The regulated period

Campaign spending is what your party spends on activities to promote the party or criticise other parties during a particular period in the run-up to the election.

This period is called the 'regulated period'. Where we use the term 'regulated period' we mean the time when the spending limits and rules apply.

For the European Parliamentary elections in 2019, it began on **23 January 2019** and ends on **23 May 2019**.

## Elections in 2019

### European Parliamentary elections 2019

On 23 May 2019 voters in the United Kingdom will cast their ballot to elect 73 Members of the European Parliament.

There are limits on party campaign spending on elections to the European Parliament.

Campaign spending in the regulated period will count towards these limits.

## Local government elections in England

Local government elections are also taking place in May in some parts of England.

These elections are being held during the regulated period for the European Parliamentary elections.

**This means that all party spending on local government elections during the regulated period for the European Parliamentary elections will be counted against the spending limit for the European Parliamentary elections.**

## Spending limits

Your spending limit is the maximum your party can spend, or anyone else can spend on behalf of your party. All spending on behalf of party list candidates in Great Britain is party campaign expenditure.

It is the responsibility of the party treasurer or campaigns officer (if the party has appointed one) to keep the party's spending within the relevant limit.

There are separate limits for each of England Scotland, Wales and Northern Ireland.

	Spending limit
England	£45,000 x number of MEPs in regions being contested
Scotland	270,000
Wales	180,000
Northern Ireland	135,000

The spending limit in England is based on how many regions of England your party contests.

Your spending limit for England is calculated using:

- the number of regions your party contests, and
- the number of MEPs to be returned per region contested.

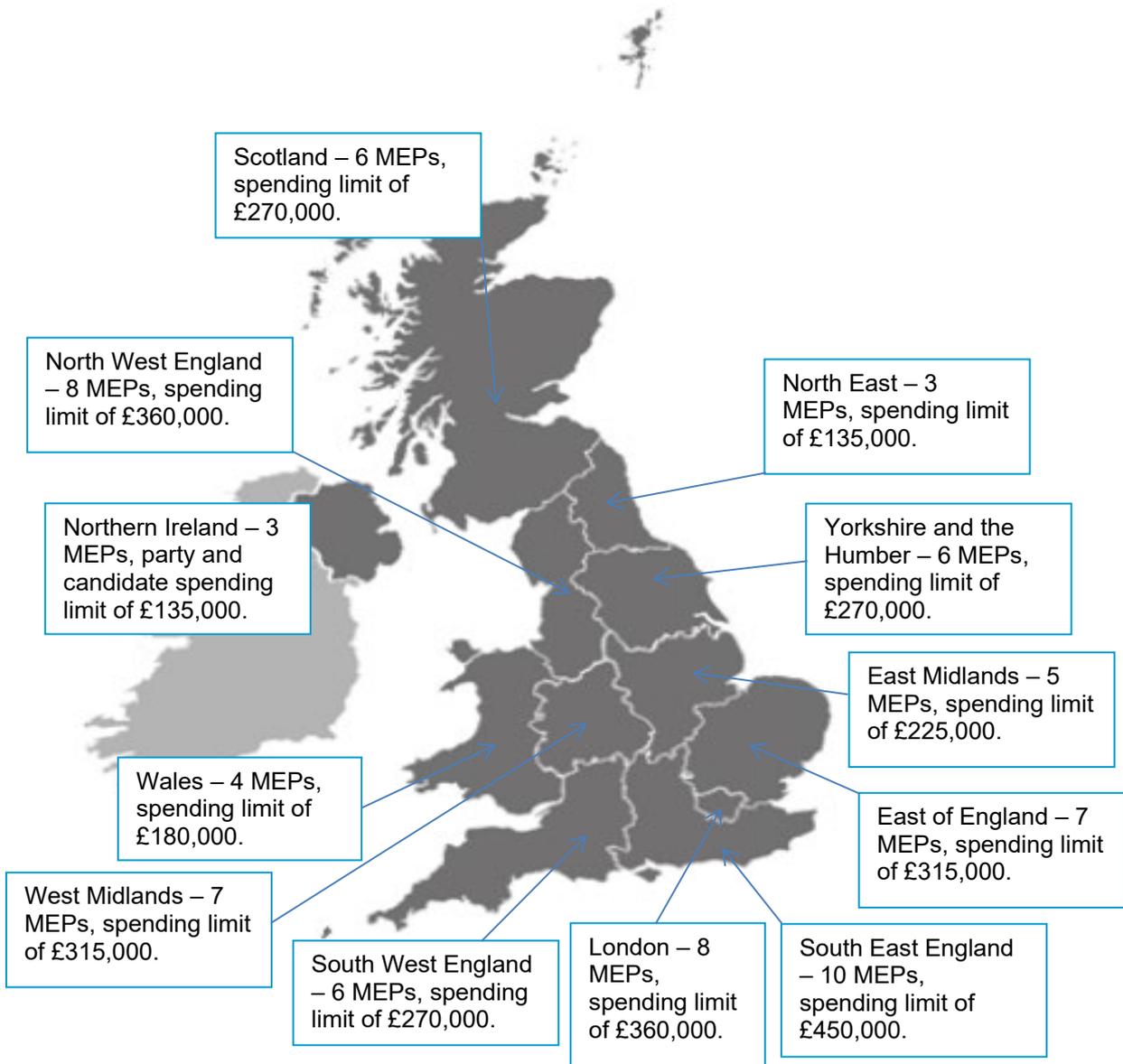
 Important

The spending limit is £45,000 multiplied by the number of MEPs that represent the region. Where your party is contesting two or more regions in England, you can choose how much you spend in each of those regions as long as you do not exceed the spending limit for those regions taken together – see example 1 on page 10.

The map on page 9 shows the regions and numbers of MEPs for each region in England, and for Scotland, Wales, and Northern Ireland.

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## UK regions – Spending limits



## Examples of how to calculate your party's spending limit

### Example 1:

Your party is contesting only the South East England and the South West England regions. Your spending limit will be:

<b>South East (10 MEP's)</b>	x £45,000	= £450,000
<b>South West (6 MEP's)</b>	x £45,000	= £270,000
<b>Total spending limit</b>		= £720,000

### Example 2

Your party is contesting all 9 regions of England but not Scotland, Wales, or Northern Ireland. Your spending limit will be:

<b>9 Regions (60 MEP's)</b>	x £45,000	= £2,700,000
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### Example 3

Your party is contesting only the South West England region, and Wales.

<b>South West (6 MEP's)</b>	x £45,000	= £270,000
<b>Wales (4 MEP's)</b>	x£45,000	=£180,000
<b>Total spending limit</b>		= £450,000

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## Splitting campaign spending

Where you have spent money on campaigning in more than one part of Great Britain, you must allocate your spending between England, Scotland and Wales on the expenditure return. This means that you must split spending between the parts of Great Britain, and make sure that you stay within the spending limit for each part.

Where the spending relates wholly to one part of the UK, you should allocate it to that part. Where spending relates substantially to one part, you should allocate it entirely to that part, even if there is a minor overlap into another part.

If your spending relates to more than one part of the GB, you will need to divide it between them in proportion to the number of Westminster Parliamentary seats in each of England (533), Scotland (59), Wales (40).

### Example 4

You distribute a newspaper mainly in Wales, with a small percentage distributed in adjoining English counties. The cost of this newspaper should be allocated entirely to Wales.

## Northern Ireland

If your party is registered in both Great Britain and Northern Ireland and you decide to field candidates in both, some of your spending may need to be allocated across the whole of the UK rather than just Great Britain.

The relevant proportion must be reported on the party's return for Northern Ireland, which is separate to the one for Great Britain.

For more information on campaigning in these elections in Northern Ireland, see our [guidance](#).

# Campaign spending

Campaign spending is what the party spends on certain activities to promote itself, or criticise other parties, during the regulated period.

Campaign spending includes:

- items or services bought before the regulated period begins, but used during it
- items or services given to the party free of charge or at a non-commercial discount of more than 10% (see Notional spending on page 14)
- spending incurred in the regulated period but before it became certain that the European Parliamentary elections would go ahead

All spending on behalf of party list candidates in Great Britain is party campaign expenditure. All party spending must be reported to the Electoral Commission after the election.

## Managing campaign spending

### **Who is responsible for party campaign spending?**

A party's registered treasurer is usually responsible for making sure that the party follows the rules on campaign spending. However, if a party has registered a campaigns officer, this person is responsible for campaign spending instead.

In this guidance, we use 'you' or the term 'responsible person' to refer to the person who is responsible for campaign spending. This will be the campaigns officer if one has been appointed, or the registered treasurer if not.

You can appoint deputies to help with some of your responsibilities. You can do this using [Form RP5](#).

### **Authorising and paying campaign expenses**

Only the 'responsible person' registered with us and people authorised in writing by the responsible person can incur party campaign spending.

For example, someone may be authorised to spend money on particular items, or up to a particular amount.

These rules are in place to make sure that spending can be controlled and accurately recorded and reported.

You should make sure that your volunteers and campaigners know who can and cannot incur costs.

For more information about party treasurers, see this document:

[Introduction to being a party treasurer](#)

By 'incur' we mean make a legal commitment to spend money, such as confirming an order.

## What activities count as spending?

Activities included in campaign spending are:

- party or party list advertising of any kind. For example, street banners, websites or YouTube videos
- unsolicited material sent to voters about the party or party list candidates. For example, letters or leaflets you send that are not in response to specific queries
- the manifesto and other documents setting out your party's policies
- market research or other methods of finding out which party people intend to vote for
- Party or party list press conferences or other dealings with the media
- Party or party list rallies and events, including the cost of people's attendance, and any goods, services or facilities provided
- transport in connection with promoting or publicising your party or party list candidates

Spending on local newsletters about elected representatives or prospective candidates distributed during the regulated period counts towards the spending limit at European elections.

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## Which costs are included?

You must include all the costs associated with each activity. For example, if you are producing leaflets or advertising, you must include the design and distribution costs.

You must also include overheads or administrative costs which are associated with each activity. For example, this could include increased telephone bills for your office.

You must make an honest assessment on the facts of the amount you need to record.

### **Downloadable material**

If you put material on a website for people to print off for their personal use, such as window posters or petition forms, the design and website costs count as campaign spending.

If the material could be printed and distributed to voters – for instance a leaflet – you will need to make it clear how you expect people to use it. If you authorise wider use of the material, the production costs may count as campaign spending whoever does the printing.

### **Party election broadcasts**

If you are entitled to party election broadcasts, you must include the production costs as campaign spending. You do not need to include the value of the airtime.

### Important

All costs should include VAT even if you can recover VAT payments.

## What doesn't count as spending?

Activities **not** included in campaign spending are:

- permanent, fixed term or temporary staff costs where the staff member has a direct employment contract with the party
- volunteer time
- office running costs, except costs that are higher than usual because of campaigning, such as telephone bills
- people's travel, food and accommodation costs while they campaign, unless you reimburse them
- expenses met out of public funds. For example, security costs for VIP visits
- material sent only to your members
- party conferences

### **Volunteer time**

Sometimes you may not be sure if someone is a volunteer or if their time should be treated as notional spending. For example, they may offer similar services professionally to the ones they are performing for you.

They will be a volunteer if:

- their employer is not paying them for the time they spend on your campaign, or
- they are using their annual leave, or
- where they are self-employed, you won't benefit from any professional insurances they hold

If they use specialist equipment or materials, you should consider whether their use is notional spending, using the principles in the next section.

## Notional spending

Sometimes you may receive items or services free or at a non-commercial discount. This may occur if another person or organisation supports your campaign.

**Notional spending** is the difference in value between the commercial rate for an item or service and the price you pay.

If you use any items or services that are given to you free, or at a non-commercial discount of more than 10%, in undertaking your regulated campaign activities, the value of the notional spending may count towards your spending limit and be reportable in your spending return.

You must record the full commercial value of these items or activities if:

- you receive the item free of charge or at a non-commercial discount of more than 10%, **and**
- the difference in value between the commercial rate and what you pay is over £200

**If you receive a discount of 10% or less, or the difference in value is £200 or less, you only need to record the amount you paid.**

### Valuing notional spending

If the supplier is a commercial provider, you should use the rates they charge other customers. If this information is not available, you should find out what similar providers charge for the same goods or services and use this as the commercial value.

Notional spending with a value of more than £500 is also treated as a donation. For more information see our guidance on [donations](#).

You should keep a record of how you reached your valuation and keep copies of any quotes you receive.

The value you declare in your spending return must be an honest and reasonable assessment of the commercial value.



Important

**Commercial discounts** are those available to other similar customers, such as discounts for bulk orders or seasonal reductions.

**Non-commercial discounts** are special discounts that you, specifically, are given by suppliers.

**For example:**

You are provided office accommodation from which to run your campaign free of charge, which you use for four months of the regulated period.

You would calculate and report the notional spending as set out below:

<b>Commercial rate for monthly rent:</b>	<b>Commercial value of four month's rent:</b>	<b>Notional spending to be reported:</b>
£1,200	£1,200 x 4 = £4,800	£4,800

**Seconded staff**

If an employer secondes a member of staff to your campaign, you must record their gross salary and any additional allowances as the notional value.

You do not need to include the employer's national insurance or pension contributions.

# Splitting spending

## Why you may need to split spending

You may need to split your costs between activities and materials that count as campaign spending and those that don't.

Here are two common examples of where you need to split spending:

- if you use your office as a base for telephone canvassing, you will need to split the phone bill between canvassing calls, and calls made for non-campaign purposes
- if you use design work for campaigning before the regulated period begins, and continue to use it after it has begun, you will need to split the design costs between the two periods

## For example:

You commission design work for a campaign logo for your party that you use on your website, other social media and on all your campaign material for a month before the regulated period starts and during the 4 month regulated period.

You should split the cost of the design equally across the entire time that you use it in this way.

The design work cost £19,500, and you used it over a 5 month period, the cost per month is  $£19,500 \div 5 = £3,900$  a month.

The regulated period covered the final 4 months, so the cost of spending during the regulated period is:

$$4 \times £ 3,900 = £15,600$$

**£15,600** must be recorded as party campaign spending

## The honest assessment principle

In all cases you should make an honest assessment, based on the facts, of the proportion of spending that can fairly be attributed to your campaign.



For more information on splitting spending, see this document:

- [Expert paper: Splitting spending](#)

You must sign to declare the return is complete and correct to the best of your knowledge and belief.

It is an offence to make a false declaration knowingly or recklessly.

Sometimes, it may be difficult to make an exact split. For example, your telephone bill may only provide a breakdown of the cost of calls over a certain value.

In these cases, you should consider the best way of making an honest assessment on the information you have. For example, you could compare the bill with one that does not cover a regulated period.

If you are still not sure, call or [email](#) us for advice.

## After the election

After the election the responsible person must report the campaign spending by or on behalf of your party in relation to the regulated period to us. The responsible person must make a separate report for Northern Ireland.

Party list candidates must submit a return of personal expenses to the Returning Officer within 50 days of the result being declared.

Personal expenses include the reasonable travel and living expenses (such as hotel costs) of the party list candidate.

This requirement is set out in the European parliamentary Elections Regulations 2004. A return can be found [here](#).

## Time limits for receiving and paying invoices

There are time limits by which the party treasurer or campaigns officer (if the party has appointed one) must receive all invoices for your party's campaign spending.

You must receive all invoices **on or before 24 June 2019**.

You must pay all invoices for your campaign spending which have been sent in time **not later than 22 July 2019**.

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## Reporting deadlines

You must report your campaign spending to us after the election.

Your spending return must include the following:

- details of your spending
- invoices and receipts for any payment over £200
- a declaration from the 'responsible person' to say that the return is complete and correct

It is a criminal offence to make a false declaration knowingly or recklessly.

You can report your campaign spending via [PEF Online](#).

We also produce [forms](#) and [explanatory notes](#) you can use for this. They cover all the information you must include.

If you are a Northern Ireland party please use this [form](#).

The deadline for reporting your campaign spending will depend on how much you have spent.

### If you have spent £250,000 or under

The deadline for reporting if you have spent £250,000 or under is **23 August 2019**.

 Important

### If you have spent over £250,000

The deadline for reporting spending **over** £250,000 is **23 November 2019**. You will need to include a report from an independent auditor with your completed form, if you have spent over £250k.

## Key Dates and Events

Event	Date	Process
Regulated period begins	Wednesday 23 January	Start recording your spending
Polling day (regulated period ends)	Thursday 23 May 2019	
Deadline to receive invoices	Monday, 24 June 2019	Make sure you've received all your invoices from your suppliers by this date
Deadline to pay invoices	Monday, 22 July 2019	Make sure you've paid all your invoices by this date. You'll need a court order if you haven't
Deadline to submit campaign expenditure return (250k or under)	Friday 23 August 2019	You have until this date to submit your spending return, if spending is £250k or less
Deadline to submit campaign expenditure return (over 250k)	Saturday 23 November 2019	You have until this date to submit your spending return, if you spend <b>more</b> than £250k

## 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.

If it's easier, 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.

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  
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