

## Factsheet for non-party campaigners: Common campaigning techniques: Pledge cards

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Under the Political Parties, Elections and Referendums Act (PPERA), there are rules on what non-party campaigners can spend on regulated campaign activity in the run-up to certain elections.

Our guidance explains what campaign activity is regulated and the rules [non-party campaigners may need to follow](#). You should read this guidance before you read this factsheet.

This factsheet explains how to apply the purpose and public tests to pledge cards.

## What is covered by these rules?

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 (such as leaflets, adverts and websites)
- canvassing and market research (including the use of phone banks)
- public rallies and public events

You can find more information on the purpose and public tests in [Overview of regulated non-party campaigning](#).

## Pledge cards

Pledge card campaigns are used by different organisations in many different ways. For example, they can be used to get individuals or organisations to commit to future

action on an issue, or identify particular political parties or categories of candidate who support a particular cause.

To decide whether spending on a pledge card campaign is likely to be regulated you will need to determine whether it meets the **purpose** and **public** tests.

## Example

An organisation launches a campaign to stop controversial changes to the education system that are proposed by the government. The campaign starts four months before polling day and will run throughout the rest of the regulated period.

There are clear dividing lines between political parties on this issue, and it becomes a key part of the parties' manifestos.

The organisation asks MPs and prospective candidates who support the campaign to sign a pledge card, which declares they will work to stop the changes to the education system. Photos of the MPs and candidates who sign the pledge card are published on the organisation's website. These photos are also used in articles published by various local newspaper outlets, and distributed by the organisation via social media to raise awareness about who has and hasn't signed the pledge.

A circular is also sent to the organisation's mailing list identifying who has signed the pledge in the recipient's constituency.

## What does this mean for the campaigner?

Spending on the pledge campaign will be regulated as election material if it meets the purpose and public tests.

The organisation's website has a section dedicated to the pledge card campaign. Material made available on a website will meet the **public** test.

It will meet the purpose test if it contains content that can reasonably be regarded as intended to influence voters and is advertised (or otherwise promoted) to the public in connection with a campaign.

Material that is included in a newspaper or periodical (other than paid-for advertisements) is exempt from the rules on non-party campaigning. The costs of the newspaper stories are not regulated.

### How to determine whether the pledge card meets the purpose test

You should consider:

#### Tone

In almost all cases, an activity will meet the purpose test if it identifies political parties or candidates who support or do not support the campaign's aims.

This campaign message focuses on those MPs and prospective candidates who advocate particular views on a set of proposed reforms.

Asking candidates to endorse a campaign is a strong factor that points towards meeting the purpose

test but you will also need to consider other factors.

#### Context and timing

The campaign does not have cross-party support, and it is an area where voters can clearly differentiate between political parties or categories of candidates. The circular also highlights how candidates stand on this issue in recipients' particular constituency.

Given this context, the circular and articles published via social media are likely to be seen as intended to promote candidates who oppose the proposed reforms, which points to the purpose test being met.

#### Call to action

Although the campaign does not explicitly ask voters to vote for particular candidates or political parties who make the pledge, the context and timing suggest this is what it is trying to do.

#### How a reasonable person would see the activity

Based on the tone, context, timing and implicit call to action, a reasonable person is likely to think the campaign is intended to influence voters to vote for a particular party or group of candidates at the election.

Even if the organisation intended the pledge card to achieve something else, such as raising awareness of an issue, it can still meet the purpose test.

In this example, the campaign would meet the purpose test.

If the campaign was on an issue where there was cross party support, or where voters could not clearly

differentiate between particular political parties or categories of candidates, the campaign would be less likely to meet the purpose test.

## Where you can find more information

We publish a suite of guidance for non-party campaigners which can be found at

<http://www.electoralcommission.org.uk/i-am-a/party-or-campaigner/non-party-campaigners>.

We also offer an advice service and you can contact us on one of the phone numbers or email addresses below. We are here to help, so please get in touch.

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