

Paul Staines
Guido Fawkes
By email

8 January 2015

Dear Mr Staines,

I am writing to draw your attention to new rules on non-party campaigning in the Political Parties, Elections and Referendums Act 2000 (“PPERA”) which were recently amended by the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014.

As it is possible the new rules could be relevant to your activities, particularly in relation to your website, I am writing to give a brief overview so that you can consider whether or not you may need to register with the Electoral Commission as a non-party campaigner ahead of the upcoming UK Parliamentary General Election.

Brief overview of non-party campaigning rules

Non-party campaigners are individuals or organisations that campaign in the run-up to elections, but are not standing as political parties or candidates. The rules cover spending on certain activities that can reasonably be seen as intended to influence voters to vote for or against political parties or categories of candidates, including political parties or candidates who support or do not support particular policies or issues (we call this the “purpose test”). These activities are:

- producing or publishing election material (such as leaflets, adverts and websites) to the public
- canvassing and market research (which can include polling) members of the public

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- public rallies and public events
- press conferences or other media events that you organise
- transport in connection with publicising your campaign (including battles buses)

As well as meeting the purpose test, spending on these 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').

All costs (including staff costs) that relate to regulated campaign activity will count towards your spending limit. An organisation may incur spending on both regulated campaign activities and other activities that are not regulated. Part of your consideration to determine whether you need to register as a non-party campaigner may, for example, need to involve making an assessment of the proportion of a website dedicated to content that passes the purpose test and the cost of that part of the website.

If an individual or organisation spends over £20,000 in England, or £10,000 in any of Scotland, Wales or Northern Ireland on these activities between 19 September 2014 and polling day for the UK Parliamentary general election, expected to be on 7 May 2015, they must register with us before their spending exceeds these amounts. There are special rules when non-party campaigners work together as part of a joint campaign. Spending money as part of a joint campaign may count towards the limits for each campaigner involved and should form part of your decision as to whether or not you need to register.

Targeted spending – spending in support of one particular political party

During a UK Parliamentary general election regulated period, targeted spending is spending by a registered non-party campaigner that can reasonably be regarded as intended to influence voters to vote for only one particular registered political party or any of its candidates. If you register as a non-party campaigner, and the political party which you want to support does not authorise you to incur an amount of targeted campaign spending, you may only spend up to the targeted spending limits on regulated campaign activity targeting a particular party. The targeted spending limits are £31,980 in England;

£3,540 in Scotland; £2,400 in Wales and £1,080 in Northern Ireland. You can find more information in our guidance on [Targeted spending in support of a political party](#).

Election material

Our guidance explains that website content, including blogs, will be considered election material if it meets 'the public test' and 'the purpose test'.

Website content, including blogs, will meet the public test. It will also 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 your campaign

The production or publication of any content – other than an advertisement – in a newspaper or periodical is not regulated campaign activity.

We have further information on these rules in our guidance for non-party campaigners.

This can be found on our website in the following location

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

You may find our [Introduction to non-party campaigning](#) and our [Overview of regulated non-party campaigning](#) particularly useful.

Next steps

We are keen to ensure that we support everyone that we regulate, including those who are considering whether they need to register, by providing advice on the rules in relation to planned campaign activities. You may need to register with us now in which case we would be pleased to hear from you. Also, do let us know if you reach the view that you do not currently need to register with us. You may need to register in the future and we would advise you keep your activities under regular review.

After you have had the opportunity to consider how the rules apply to your organisation, please feel free to contact the guidance team for further advice or information at pef@electoralcommission.org.uk or 0207 271 0616.

Yours sincerely,



Vicky Fox
Head of Guidance
Party and Election Finance