

Changes to legislation: Political Parties, Elections and Referendums Act 2000, Part 1 is up to date with all changes known to be in force on or before 25 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

[^{F1}SCHEDULE 19C

CIVIL SANCTIONS

Textual Amendments

- F1** Sch. 19C inserted (1.12.2010) by [Political Parties and Elections Act 2009 \(c. 12\)](#), ss. 3(2), 43(1), [Sch. 2](#); S.I. 2010/2866, art. 3(c)(f) (with art. 6)

Modifications etc. (not altering text)

- C1** Sch. 19C modified by 2000 c. 41, Pt. 7 Ch. 2 (as modified (1.2.2016) by [European Union Referendum Act 2015 \(c. 36\)](#), s. 13(2), [Sch. 1 para. 37\(1\)](#) (with Sch. 1 para. 37(2)); S.I. 2016/69, reg. 2)
- C1** Sch. 19C modified (16.2.2011) by [Parliamentary Voting System and Constituencies Act 2011 \(c. 1\)](#), ss. 6(6)(7), 19(1), [Sch. 9](#)
- C1** Sch. 19C modified (1.2.2016) by [European Union Referendum Act 2015 \(c. 36\)](#), s. 13(2), [Sch. 2 para. 9\(5\)](#) (with Sch. 9 para. 9(6)); S.I. 2016/69, reg. 2
- C1** Sch. 19C modified (1.2.2016) by [European Union Referendum Act 2015 \(c. 36\)](#), s. 13(2), [Sch. 2 para. 2\(7\)](#) (with Sch. 2 para. 2(8)); S.I. 2016/69, reg. 2
- C1** Sch. 19C modified (1.2.2016) by [European Union Referendum Act 2015 \(c. 36\)](#), s. 13(2), [Sch. 1 para. 44\(4\)](#) (with Sch. 1 para. 44(6)); S.I. 2016/69, reg. 2

PART 1

FIXED MONETARY PENALTIES

Modifications etc. (not altering text)

- C1** Sch. 19C Pts. 1-4 applied (1.11.2023) by [Elections Act 2022 \(c. 37\)](#), ss. 50, 67(1); S.I. 2023/1145, reg. 3(f) (with Sch. para. 10)

Imposition of fixed monetary penalties

- 1 (1) The Commission may by notice impose a fixed monetary penalty on a person if satisfied beyond reasonable doubt that the person—
- (a) has committed a prescribed offence under this Act, or
 - (b) has (otherwise than by committing an offence under this Act) contravened a prescribed restriction or requirement imposed by or by virtue of this Act.
- (2) The Commission may by notice impose a fixed monetary penalty on a registered party if satisfied beyond reasonable doubt that a person holding an office within that party—
- (a) has committed a prescribed offence under this Act, or

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- (b) has (otherwise than by committing an offence under this Act) contravened a prescribed restriction or requirement imposed by or by virtue of this Act.
- (3) The Commission may by notice impose a fixed monetary penalty on a recognised third party if satisfied beyond reasonable doubt that the responsible person—
 - (a) has committed a prescribed offence under this Act, or
 - (b) has (otherwise than by committing an offence under this Act) contravened a prescribed restriction or requirement imposed by or by virtue of this Act.
- (4) The Commission may by notice impose a fixed monetary penalty on a permitted participant if satisfied beyond reasonable doubt that the responsible person—
 - (a) has committed a prescribed offence under this Act, or
 - (b) has (otherwise than by committing an offence under this Act) contravened a prescribed restriction or requirement imposed by or by virtue of this Act.
- (5) For the purposes of this Schedule a “fixed monetary penalty” is a requirement to pay to the Commission a penalty of a prescribed amount.
- (6) In the case of a fixed monetary penalty imposed under sub-paragraph (1)(a), (2)(a), (3)(a) or (4)(a), where the offence in question is—
 - (a) triable summarily (whether or not it is also triable on indictment), and
 - (b) punishable on summary conviction by a fine (whether or not it is also punishable by a term of imprisonment),

the amount of the penalty may not exceed the maximum amount [^{F2}(if any)] of that fine.

Textual Amendments

- F2** Words in Sch. 19C para. 1(6) inserted (E.W.) (12.3.2015) by [The Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(Fines on Summary Conviction\) Regulations 2015 \(S.I. 2015/664\)](#), reg. 1(1), [Sch. 5 para. 9](#) (with reg. 5(1))

Representations and appeals etc

- 2 (1) Where the Commission propose to impose a fixed monetary penalty on a person, they shall serve on the person a notice of what is proposed.
- (2) A notice under sub-paragraph (1) must offer the person the opportunity to discharge the person's liability for the fixed monetary penalty by payment of a prescribed sum (which must be less than or equal to the amount of the penalty).
 The following provisions of this paragraph apply if the person does not do so.
- (3) The person may make written representations and objections to the Commission in relation to the proposed imposition of the fixed monetary penalty.
- (4) After the end of the period for making such representations and objections (see paragraph 3(2)) the Commission shall decide whether to impose the fixed monetary penalty.
 If they decide to do so they shall serve on the person a notice imposing the penalty.
- (5) The Commission may not impose a fixed monetary penalty on a person—

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- (a) if, taking into account (in particular) any matter raised by the person, the Commission are no longer satisfied as mentioned in paragraph 1(1), (2), (3) or (4) (as applicable);
 - (b) in such other circumstances as may be prescribed.
- (6) A person on whom a fixed monetary penalty is imposed may appeal against the decision to impose the penalty on the ground that—
- (a) it was based on an error of fact,
 - (b) it was wrong in law, or
 - (c) it was unreasonable,
- or on such other grounds as may be prescribed.
- (7) An appeal under sub-paragraph (6) is to [^{F3}(in England and Wales) the county court or (in Northern Ireland)] a county court or (in Scotland) the sheriff.

Textual Amendments

F3 Words in Sch. 19C para. 2(7) inserted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 9 para. 121\(d\)](#); [S.I. 2014/954](#), art. 2(c) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)

Information to be included in notices under paragraph 2

- 3 (1) A notice under paragraph 2(1) must include information as to—
- (a) the grounds for the proposal to impose the fixed monetary penalty;
 - (b) the effect of payment of the sum referred to in paragraph 2(2);
 - (c) the right to make representations and objections;
 - (d) the circumstances in which the Commission may not impose the fixed monetary penalty.
- (2) Such a notice must also specify—
- (a) the period within which liability for the fixed monetary penalty may be discharged, and
 - (b) the period within which representations and objections may be made.
- Neither period may be more than 28 days beginning with the day on which the notice is received.
- (3) A notice under paragraph 2(4) must include information as to—
- (a) the grounds for imposing the fixed monetary penalty;
 - (b) how payment may be made;
 - (c) the period within which payment may be made;
 - (d) any early payment discounts or late payment penalties;
 - (e) rights of appeal;
 - (f) the consequences of non-payment.

Fixed monetary penalties: criminal proceedings and conviction

- 4 (1) Where a notice under paragraph 2(1) is served on a person—

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- (a) no criminal proceedings for an offence under this Act may be instituted against the person in respect of the act or omission to which the notice relates before the end of the period within which the person's liability may be discharged as mentioned in paragraph 2(2) (see paragraph 3(2));
 - (b) if the liability is so discharged, the person may not at any time be convicted of an offence under this Act in relation to that act or omission.
- (2) A person on whom a fixed monetary penalty is imposed may not at any time be convicted of an offence under this Act in respect of the act or omission giving rise to the penalty.]

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 2(2A) inserted by [2022 c. 37 s. 18\(1\)](#)
- s. 4A-4E and cross-heading inserted by [2022 c. 37 s. 16](#)
- s. 8(3)(d) inserted by [2011 c. 13 Sch. 10 para. 12](#)
- s. 13ZA and cross-heading inserted by [2022 c. 37 s. 17\(1\)](#)
- s. 54(1)(aa) inserted by [2009 c. 12 s. 9\(1\)](#)
- s. 54(1)(aa) substituted by [2009 c. 12 s. 10\(1\)](#)
- s. 54(2ZA)-(2ZC) inserted by [2009 c. 12 s. 10\(3\)](#)
- s. 56(1A) inserted by [2009 c. 12 s. 10\(5\)](#)
- s. 56(2)(aa) inserted by [2009 c. 12 s. 9\(3\)\(b\)](#)
- s. 56(3B) inserted by [2009 c. 12 s. 9\(4\)](#)
- s. 71H(3ZA) inserted by [2009 c. 12 Sch. 6 para. 19](#)
- s. 71L(9A) inserted by [2009 c. 12 s. 11\(2\)](#)
- Sch. 1 para. 2(1) Sch. 1 para. 2 renumbered as Sch. 1 para. 2(1) by [2022 c. 37 s. 19\(2\)](#)
- Sch. 1 para. 2(2) inserted by [2022 c. 37 s. 19\(4\)](#)
- Sch. 1 para. 2(1) words inserted by [2022 c. 37 s. 19\(3\)\(a\)](#)
- Sch. 1 para. 2(1) words omitted by [2022 c. 37 s. 19\(3\)\(b\)](#)
- Sch. 2 para. 2(1A) inserted by [2022 c. 37 s. 18\(2\)](#)
- Sch. 2 para. 4 and cross-heading inserted by [2022 c. 37 s. 17\(2\)](#)
- Sch. 7 para. 6(1)(aa) inserted by [2009 c. 12 Sch. 3 para. 1\(1\)](#)
- Sch. 7 para. 8(1A) inserted by [2009 c. 12 Sch. 4 para. 2](#)
- Sch. 7 para. 10(5)(aa) inserted by [2009 c. 12 Sch. 3 para. 2\(5\)\(b\)](#)
- Sch. 7 para. 6(1)(aa) substituted by [2009 c. 12 Sch. 4 para. 1\(1\)](#)
- Sch. 7 para. 10(5)(aa) words inserted by [2009 c. 12 Sch. 4 para. 3\(3\)](#)
- Sch. 7A para. 8(9A) inserted by [2009 c. 12 s. 11\(5\)](#)
- Sch. 7A para. 9(10)(ba) inserted by [2009 c. 12 s. 11\(6\)\(b\)](#)
- Sch. 11 para. 4(3) inserted by [2009 c. 12 Sch. 6 para. 29\(2\)](#)
- Sch. 11 para. 6(1)(aa) inserted by [2009 c. 12 Sch. 3 para. 4\(1\)](#)
- Sch. 11 para. 7(2)(aa) inserted by [2009 c. 12 Sch. 4 para. 5](#)
- Sch. 11 para. 6(1)(aa) substituted by [2009 c. 12 Sch. 4 para. 4\(1\)](#)
- Sch. 11 para. 4(3) words inserted by [2009 c. 12 Sch. 6 para. 29\(3\)](#)
- Sch. 15 para. 4(3)(4) inserted by [2009 c. 12 Sch. 6 para. 30\(2\)\(b\)](#)
- Sch. 15 para. 6(1)(aa) inserted by [2009 c. 12 Sch. 3 para. 7\(1\)](#)
- Sch. 15 para. 7(2)(aa) inserted by [2009 c. 12 Sch. 4 para. 8](#)
- Sch. 15 para. 6(1)(aa) substituted by [2009 c. 12 Sch. 4 para. 7\(1\)](#)
- Sch. 15 para. 4(3) words inserted by [2009 c. 12 Sch. 6 para. 30\(3\)](#)