



# Political Parties, Elections and Referendums Act 2000

## 2000 CHAPTER 41

### PART VI

#### CONTROLS RELATING TO THIRD PARTY NATIONAL ELECTION CAMPAIGNS

#### CHAPTER II

#### FINANCIAL CONTROLS

#### *Financial limits [F<sup>1</sup> on controlled expenditure]*

#### **94 Limits on controlled expenditure by third parties.**

- (1) Schedule 10 has effect for imposing limits on controlled expenditure incurred by or on behalf of recognised third parties in England, Scotland, Wales or Northern Ireland [F<sup>1</sup>, or in particular parliamentary constituencies,] during the periods specified in that Schedule.
- (2) Where during a regulated period any controlled expenditure is incurred in a relevant part of the United Kingdom [F<sup>2</sup> or a parliamentary constituency] by or on behalf of a recognised third party in excess of the limit imposed by Schedule 10 in relation to that period and part of the United Kingdom [F<sup>3</sup> or parliamentary constituency], then—
  - (a) if the third party is not an individual—
    - (i) the responsible person is guilty of an offence if he authorised the expenditure to be incurred by or on behalf of the third party and he knew or ought reasonably to have known that the expenditure would be incurred in excess of that limit, and
    - (ii) the third party is also guilty of an offence;

---

*Changes to legislation:* *Political Parties, Elections and Referendums Act 2000, Section 94 is up to date with all changes known to be in force on or before 19 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*

---

- (b) if the third party is an individual, he is guilty of an offence if he knew or ought reasonably to have known that the expenditure would be incurred in excess of that limit.
- (3) Subsection (4) applies where—
- [<sup>F4</sup>(a) [<sup>F5</sup>any of the following sub-paragraphs applies—
- (ai) during a regulated period in relation to which any limit is imposed by paragraph 3, 7, 9, 10 or 11 of Schedule 10 (periods involving parliamentary general elections or general elections to the Northern Ireland Assembly), any controlled expenditure is incurred by or on behalf of a third party in excess of £10,000;]
- (i) during a regulated period, any controlled expenditure is incurred in a part of the United Kingdom by or on behalf of a third party in excess of the limit for that part of the United Kingdom mentioned in subsection (5) [<sup>F6</sup>;
- (ii) during a regulated period in relation to which any limit is imposed by paragraph 3, 9, 10 or 11 of Schedule 10 (periods involving parliamentary general elections), any controlled expenditure is incurred in a particular parliamentary constituency by or on behalf of a third party in excess of the limit mentioned in subsection (5ZA),]
- and
- [<sup>F7</sup>(b) the third party—
- (i) in a case within paragraph (a)(ai) or (ii), is not a recognised third party;
- (ii) in a case within paragraph (a)(i), is not a recognised third party or, where the regulated period is one in relation to which any limit is imposed by paragraph 3, 7, 9, 10 or 11 of Schedule 10, is a recognised third party but is subject to the lower-tier expenditure limits.]
- [<sup>F8</sup>(3A) For provision requiring certain controlled expenditure to be disregarded in determining for the purposes of subsection (3)(a) whether a limit is exceeded, see section 94B(3) (arrangements between third parties notified to the Commission).]
- (4) In [<sup>F9</sup>the case mentioned in subsection (3)]—
- (a) if the third party is not an individual—
- (i) any person who authorised the expenditure to be incurred by or on behalf of the third party is guilty of an offence if he knew or ought reasonably to have known that the expenditure would be incurred in excess of that limit, and
- (ii) the third party is also guilty of an offence;
- (b) if the third party is an individual, he is guilty of an offence if he knew or ought reasonably to have known that the expenditure would be incurred in excess of that limit.
- [<sup>F10</sup>(4ZA) In its application to a case within subsection (3)(a)(i) where the third party is a recognised third party that is subject to the lower-tier expenditure limits, the reference in subsection (4)(a)(i) to any person who authorised the expenditure to be incurred is to be read as a reference to the responsible person.]
- [<sup>F11</sup>(4A) It is a defence for any person or third party charged with an offence under subsection (2) or (4) to show—

---

*Changes to legislation:* Political Parties, Elections and Referendums Act 2000, Section 94 is up to date with all changes known to be in force on or before 19 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

---

- (a) that any code of practice for the time being issued under paragraph 3 of Schedule 8A was complied with in determining whether any expenditure is controlled expenditure for the purposes of this Part, and
- (b) that the offence would not have been committed on the basis of the controlled expenditure as determined in accordance with the code.]

(5) The limits referred to in subsection [F12(3)(a)(i)] are as follows—

- (a) [F13£20,000 ] for England; and
- (b) [F14£10,000 ] for each of Scotland, Wales and Northern Ireland.

[F15(5ZA) The limit referred to in subsection (3)(a)(ii) is 0.05% of the total of the maximum campaign expenditure limits in England, Scotland, Wales and Northern Ireland.]

[F16(5A) . . . . .

(6) Where—

- (a) during a regulated period any controlled expenditure is incurred in a particular part of the United Kingdom [F17or a particular parliamentary constituency] by or on behalf of a third party, and
- (b) the expenditure is so incurred in pursuance of a plan or other arrangement whereby controlled expenditure is to be incurred by or on behalf of—
  - (i) that third party, and
  - (ii) one or more other third parties,respectively [F18and the expenditure] can reasonably be regarded as intended to achieve a common purpose falling within section [F1985(2)(b)],

the expenditure mentioned in paragraph (a) shall be treated for the purposes of this section [F20, sections 94D to 94H] and Schedule 10 as having also been incurred, during the period and in the part of the United Kingdom [F21or parliamentary constituency] concerned, by or on behalf of the other third party (or, as the case may be, each of the other third parties) mentioned in paragraph (b)(ii).

(7) Subsection (6) applies whether or not any of the third parties in question is a recognised third party.

(8) Where—

- (a) at any time before the beginning of any regulated period any expenses within section 85(2) are incurred by or on behalf of a third party in respect of any property, services or facilities, but
- (b) the property, services or facilities is or are made use of by or on behalf of the third party during the regulated period in circumstances such that, had any expenses been incurred in respect of that use during that period, they would by virtue of section 85(2) have constituted controlled expenditure incurred by or on behalf of the third party during that period,

the appropriate proportion of the expenses mentioned in paragraph (a) shall be treated for the purposes of this section [F22, sections 94A and 94B][F23, sections 94D to 94H], sections 96 to [F2499A] and Schedule 10 as controlled expenditure incurred by or on behalf of the third party during that period.

[F25(8A) Where the period is one in relation to which any limit is imposed by paragraph 3, 7, 9, 10 or 11 of Schedule 10 (periods involving parliamentary general elections or general elections to the Northern Ireland Assembly), property, services or facilities are made use of on behalf of a third party for the purposes of subsection (8)(b) only if their use

---

*Changes to legislation:* Political Parties, Elections and Referendums Act 2000, Section 94 is up to date with all changes known to be in force on or before 19 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

---

on behalf of the third party is directed, authorised or encouraged by the third party or (where the third party is a recognised third party and is not an individual) by the third party or the responsible person.]

- (9) For the purposes of subsection (8) the appropriate proportion of the expenses mentioned in paragraph (a) of that subsection is such proportion of those expenses as is reasonably attributable to the use made of the property, services or facilities as mentioned in paragraph (b).
- (10) For the purposes of this section [F26, sections 94A and 94B][F27, sections 94D to 94H], sections 96 to [F28 99A] and Schedule 10—
- (a) a “regulated period” is F29... a period in relation to which any limit is imposed by Schedule 10;
  - (b) any reference to controlled expenditure incurred by or on behalf of a recognised third party during a regulated period includes any controlled expenditure so incurred during that period at any time before the third party became a recognised third party;
  - (c) a part of the United Kingdom is a “relevant part” if any limit imposed by Schedule 10 applies to controlled expenditure which is incurred in that part; F30  
...
  - (d) any reference to controlled expenditure being incurred in a part of the United Kingdom shall be construed in accordance with paragraph 2 of that Schedule.
  - [F31](e) the “maximum campaign expenditure limit” in a part of the United Kingdom is the limit imposed by paragraph 3 of Schedule 9 in relation to campaign expenditure incurred in the relevant period (within the meaning of that paragraph) by or on behalf of a registered party which contests all the constituencies in that part (and to which sub-paragraph (6) of that paragraph does not apply).]
  - [F32](f) any reference to controlled expenditure being incurred in a parliamentary constituency shall be construed in accordance with paragraph 2A of Schedule 10.]
- [F33](10A) Where an offence under subsection (4) is committed in the case of a recognised third party that is subject to the lower-tier expenditure limits—
- (a) the third party ceases to be subject to those limits at the time the offence is committed, and
  - (b) this Part then applies to the third party as if the notification under section 88(1) which is for the time being in force in relation to the third party did not contain a statement under section 88(3D).]
- F34(11) .....

#### Textual Amendments

- F1** Words in s. 94(1) inserted (30.1.2014) by [Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 \(c. 4\), ss. 29\(2\)\(a\), 45\(3\)\(b\)](#) (with s. 46(1)(2))
- F2** Words in s. 94(2) inserted (30.1.2014) by [Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 \(c. 4\), ss. 29\(2\)\(b\)\(i\), 45\(3\)\(b\)](#) (with s. 46(1)(2))
- F3** Words in s. 94(2) inserted (30.1.2014) by [Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 \(c. 4\), ss. 29\(2\)\(b\)\(ii\), 45\(3\)\(b\)](#) (with s. 46(1)(2))
- F4** S. 94(3)(a) substituted (30.1.2014) by [Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 \(c. 4\), ss. 28\(2\), 45\(3\)\(b\)](#) (with s. 46(1)(2))

---

*Changes to legislation: Political Parties, Elections and Referendums Act 2000, Section 94 is up to date with all changes known to be in force on or before 19 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*

---

- F5 Words in s. 94(3)(a) substituted (24.11.2022) by Elections Act 2022 (c. 37), **ss. 28(8)(a)**, 67(1) (with s. 28(13)(14)); S.I. 2022/1226, reg. 2(c)
- F6 Word in s. 94(3)(a)(i) substituted (24.11.2022) by Elections Act 2022 (c. 37), **ss. 28(8)(b)**, 67(1) (with s. 28(13)(14)); S.I. 2022/1226, reg. 2(c)
- F7 S. 94(3)(b) substituted (24.11.2022) by Elections Act 2022 (c. 37), **ss. 28(8)(c)**, 67(1) (with s. 28(13)(14)); S.I. 2022/1226, reg. 2(c)
- F8 S. 94(3A) inserted (30.1.2014) by Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (c. 4), **ss. 27(2)(a)**, 45(3)(b) (with s. 46(1)(2))
- F9 Words in s. 94(4) substituted (30.1.2014) by Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (c. 4), **ss. 27(2)(b)**, 45(3)(b) (with s. 46(1)(2))
- F10 S. 94(4ZA) inserted (24.11.2022) by Elections Act 2022 (c. 37), **ss. 28(9)**, 67(1) (with s. 28(13)(14)); S.I. 2022/1226, reg. 2(c)
- F11 S. 94(4A) inserted (30.1.2014) by Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (c. 4), **ss. 26(9)**, 45(3)(b) (with s. 46(1)(2))
- F12 Word in s. 94(5) substituted (30.1.2014) by Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (c. 4), **ss. 28(3)(a)**, 45(3)(b) (with s. 46(1)(2))
- F13 Word in s. 94(5)(a) substituted (30.1.2014) by Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (c. 4), **ss. 28(3)(b)**, 45(3)(b) (with s. 46(1)(2))
- F14 Word in s. 94(5)(b) substituted (30.1.2014) by Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (c. 4), **ss. 28(3)(c)**, 45(3)(b) (with s. 46(1)(2))
- F15 S. 94(5ZA) inserted (30.1.2014) by Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (c. 4), **ss. 28(4)**, 45(3)(b) (with s. 46(1)(2))
- F16 S. 94(5A) repealed (31.12.2020) by The European Parliamentary Elections Etc. (Repeal, Revocation, Amendment and Saving Provisions) (United Kingdom and Gibraltar) (EU Exit) Regulations 2018 (S.I. 2018/1310), reg. 1, **Sch. 1 Pt. 1** (as amended by S.I. 2019/1389, regs. 1, 2(2))
- F17 Words in s. 94(6)(a) inserted (30.1.2014) by Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (c. 4), **ss. 29(2)(c)(i)**, 45(3)(b) (with s. 46(1)(2))
- F18 Words in s. 94(6)(b) substituted (30.1.2014) by Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (c. 4), **ss. 26(10)(a)**, 45(3)(b) (with s. 46(1)(2))
- F19 Word in s. 94(6)(b) substituted (30.1.2014) by Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (c. 4), **ss. 26(10)(b)**, 45(3)(b) (with s. 46(1)(2))
- F20 Words in s. 94(6) inserted (30.1.2014) by Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (c. 4), **ss. 30(7)(a)**, 45(3)(b) (with s. 46(1)(2))
- F21 Words in s. 94(6) inserted (30.1.2014) by Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (c. 4), **ss. 29(2)(c)(ii)**, 45(3)(b) (with s. 46(1)(2))
- F22 Words in s. 94(8) inserted (30.1.2014) by Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (c. 4), **ss. 27(2)(d)**, 45(3)(b) (with s. 46(1)(2))
- F23 Words in s. 94(8) inserted (30.1.2014) by Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (c. 4), **ss. 30(7)(b)**, 45(3)(b) (with s. 46(1)(2))
- F24 Word in s. 94(8) substituted (30.1.2014) by Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (c. 4), **ss. 35(2)**, 45(3)(b) (with s. 46(1)(2))
- F25 S. 94(8A) inserted (24.11.2022) by Elections Act 2022 (c. 37), **ss. 20(4)**, 67(1); S.I. 2022/1226, reg. 2(c) (with reg. 3(1))
- F26 Words in s. 94(10) inserted (30.1.2014) by Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (c. 4), **ss. 27(2)(d)**, 45(3)(b) (with s. 46(1)(2))
- F27 Words in s. 94(10) inserted (30.1.2014) by Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (c. 4), **ss. 30(7)(b)**, 45(3)(b) (with s. 46(1)(2))
- F28 Word in s. 94(10) substituted (30.1.2014) by Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (c. 4), **ss. 35(2)**, 45(3)(b) (with s. 46(1)(2))
- F29 Words in s. 94(10)(a) repealed (31.12.2020) by The European Parliamentary Elections Etc. (Repeal, Revocation, Amendment and Saving Provisions) (United Kingdom and Gibraltar) (EU Exit) Regulations 2018 (S.I. 2018/1310), reg. 1, **Sch. 1 Pt. 1** (as amended by S.I. 2019/1389, regs. 1, 2(2))

---

**Changes to legislation:** *Political Parties, Elections and Referendums Act 2000, Section 94 is up to date with all changes known to be in force on or before 19 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*

---

- F30** Word in s. 94(10)(c) omitted (30.1.2014) by virtue of [Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 \(c. 4\)](#), **ss. 28(6)**, 45(3)(b) (with s. 46(1)(2))
- F31** S. 94(10)(e) inserted (30.1.2014) by [Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 \(c. 4\)](#), **ss. 28(6)**, 45(3)(b) (with s. 46(1)(2))
- F32** S. 94(10)(f) inserted (30.1.2014) by [Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 \(c. 4\)](#), **ss. 29(2)(d)**, 45(3)(b) (with s. 46(1)(2))
- F33** S. 94(10A) inserted (24.11.2022) by [Elections Act 2022 \(c. 37\)](#), **ss. 28(10)**, 67(1) (with s. 28(13)(14)); S.I. 2022/1226, reg. 2(c)
- F34** S. 94(11) repealed (31.12.2020) by [The European Parliamentary Elections Etc. \(Repeal, Revocation, Amendment and Saving Provisions\) \(United Kingdom and Gibraltar\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1310\)](#), reg. 1, **Sch. 1 Pt. 1** (as amended by S.I. 2019/1389, regs. 1, 2(2))

---

**Commencement Information**

- II** S. 94 wholly in force at 16.2.2001; s. 94 not in force at Royal Assent, see s. 163(2); s. 94 in force at 16.2.2001 by [S.I. 2001/222](#), art. 2, **Sch. 1 Pt. I** (subject to transitional provisions in [Sch. 1 Pt. II](#))

**Changes to legislation:**

Political Parties, Elections and Referendums Act 2000, Section 94 is up to date with all changes known to be in force on or before 19 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.

View outstanding changes

**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)