

2005 No. 269

REPRESENTATION OF THE PEOPLE

**The Representation of the People (Variation of Limits of
Candidates' Election Expenses) Order 2005**

<i>Made</i> - - - -	<i>7th February 2005</i>
<i>Laid before Parliament</i>	<i>10th February 2005</i>
<i>Coming into force</i> - -	<i>4th March 2005</i>

The Secretary of State, in order to give effect to a recommendation of the Electoral Commission and in exercise of the powers conferred upon him by section 76A(1)(b) of the Representation of the People Act 1983(a), hereby makes the following Order:

Citation, commencement and effect

- 1.—(1) This Order may be cited as the Representation of the People (Variation of Limits of Candidates' Election Expenses) Order 2005 and shall come into force on the 4th March 2005
- (2) Article 4 does not extend to Scotland or Northern Ireland.

Interpretation

2. In this Order “the 1983 Act” means the Representation of the People Act 1983.

Variation of expenses limits at a parliamentary general election

3.—(1) In section 76(2)(a)(i) of the 1983 Act(b), the maximum amount of a candidate's election expenses at a parliamentary general election, being an election in a county constituency, shall be varied by substituting for the words “£5,483” and “6.2p” the words “£7,150” and “7p”, respectively.

(2) In section 76(2)(a)(ii) of the 1983 Act, the maximum amount of a candidate's election expenses at a parliamentary general election, being an election in a borough constituency, shall be varied by substituting for the words “£5,483” and “4.6p” the words “£7,150” and “5p”, respectively.

Variation of expenses limits at a local government election

4. In section 76(2)(b)(ii) of the 1983 Act(c), the maximum amount of a candidate's election expenses at a local government election (other than an election under the Greater London

(a) 1983 c.2; section 76A was substituted by section 133(1) of the Political Parties, Elections and Referendums Act (c.41)

(b) Section 76(2)(a) was amended by section 6(1)(a) of the Representation of the People Act 1989 (c. 28) and the sums in section 76(2)(a) are as substituted by S.I. 2001/535. The reference in section 76(2) to a borough constituency has effect, in its application to Scotland, as a reference to a burgh constituency by virtue of section 204(2) of the 1983 Act.

(c) Section 76(2)(b) was amended by Schedule 3 to the Greater London Authority Act 1999 (c.29) and the sums in that provision are as substituted by S.I. 2001/535.

Authority Act 1999(a)) shall be varied by substituting for the words “£242” and “4.7p” the words “£600” and “5p”, respectively.

Revocation

5. The Representation of the People (Variation of Limits of Candidates’ Election Expenses) Order 2001(b) is hereby revoked.

Date 7th February 2005

Christopher Leslie
Parliamentary Under-Secretary of State
Department for Constitutional Affairs

EXPLANATORY NOTE

(This note is not part of the Order)

This Order increases the maximum amounts of candidates’ election expenses at a parliamentary general election in the United Kingdom (Article 3) and at local government elections in England and Wales, except elections under the Greater London Authority Act 1999 (Article 4).

These amounts were last increased by the Representation of the People (Variation of Limits of Candidates’ Election Expenses) Order 2001 (“the 2001 Order”), which is revoked by this Order (Article 5).

The increases were recommended by the Electoral Commission in their recommendation report, *Variation of election expenses at UK Parliamentary and local government elections* (the report). The increases have regard to the increase in the value of money since expense limits were last varied by the 2001 Order, and the impact of the effect of sections 90A to 90C of the 1983 Act (amended by section 134 of the Political Parties, Elections and Referendums Act 2000) on the definition of election expenses. The value of property, goods, services or facilities provided free of charge or at a discount to the candidate or his election agent must now be included in the total of election expenses subject to maximum limits.

The maximum amount of a candidates’ election expenses is made up of a fixed amount (expressed in pounds) plus a sum (expressed in pence) for each entry in the register of electors.

Copies of the report may be obtained from the Electoral Commission, Trevelyan House, Great Peter Street, London SW1P 2HW. Telephone: 020 7271 0500. Fax: 020 7271 0505. Website: www.electoralcommission.org.uk.

(a) 1999 c.29.
(b) S.I. 2001/535.

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