
STATUTORY INSTRUMENTS

2016 No. 295

The Recall of MPs Act 2015 (Recall Petition) Regulations 2016

PART 6

OFFENCES

False statements as to MP or accredited campaigner

129.—(1) A person who, or any director of any body corporate which—

- (a) during the period beginning with the giving of notice under section 5 of the Act (Speaker’s notice) and ending with the last day of the signing period, and
- (b) for the purpose of affecting the outcome of the petition,

makes or publishes any false statement of fact in relation to the personal character or conduct of a relevant person is guilty of an illegal practice, unless that person can show that they had reasonable grounds for believing, and did believe, the statement to be true.

(2) In paragraph (1), “relevant person” means—

- (a) the MP to whom the petition relates; or
- (b) a person who is an accredited campaigner in relation to that petition.

(3) A person making or publishing any false statement of fact as mentioned above may be restrained by interim or perpetual injunction by the High Court or the county court from any repetition of that false statement or of a false statement of a similar character in relation to the Member of Parliament and, for the purpose of granting an interim injunction, prima facie proof of the falsity of the statement shall be sufficient.

(4) Article 60 of the County Courts (Northern Ireland) Order 1980 (ordinary appeals from the county court in civil cases)⁽¹⁾ shall apply in relation to any order of a county court in Northern Ireland made by virtue of subsection (3) above as it applies in relation to any such decree of a county court as is mentioned in paragraph (1) of that Article.

(5) In the application of this regulation to Scotland, a reference to the county court is to be read as a reference to the sheriff.

Commencement Information

II Reg. 129 in force at 4.3.2016, see [reg. 1](#)

⁽¹⁾ N.I.S.I 1980/397 (N.I. 3).

Status:

Point in time view as at 04/03/2016.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Recall of MPs Act 2015 (Recall Petition) Regulations 2016. Any changes that have already been made by the team appear in the content and are referenced with annotations.