Draft Order laid before Parliament under section 29(2) of the Regional Assemblies (Preparations) Act 2003 and section 156(4) of the Political Parties, Elections and Referendums Act 2000, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2004 No.

DEVOLUTION, ENGLAND
REFERENDUMS
REPRESENTATION OF THE PEOPLE

The Regional Assembly and Local Government Referendums (Expenses Limits for Permitted Participants) Order 2004

Made - - - -	*2004*
Coming into force - -	*2004*

Whereas the Secretary of State has consulted the Electoral Commission in accordance with section 12(4) of the Regional Assemblies (Preparations) Act 2003(**1**), and sought and had regard to the views of the Electoral Commission in accordance with paragraph 2 of Schedule 14 to the Political Parties, Elections and Referendums Act 2000(**2**);

Now therefore the Secretary of State, in exercise of the powers conferred upon him by section 2(9) of the Regional Assemblies (Preparations) Act 2003 and paragraph 2 of Schedule 14 to the Political Parties, Elections and Referendums Act 2000 (including that paragraph as applied to referendums held pursuant to section 2(2) of the Regional Assemblies (Preparations) Act 2003(**3**)), hereby makes the following Order, of which a draft has been laid before, and approved by resolution of, each House of Parliament:

Citation, commencement and application

1.—(1) This Order may be cited as the Regional Assembly and Local Government Referendums (Expenses Limits for Permitted Participants) Order 2004 and shall come into force on the day after that on which it is made.

(**1**) 2003 c. 10.
(**2**) 2000 c. 41.
(**3**) For the modification of paragraph 2 of Schedule 14 of the Political Parties, Elections and Referendums Act 2000 and its application to such referendums *see* the Regional Assembly and Local Government Referendums Order 2004 (S.I. 2004/ ****), article 7 and Part 2 of Schedule 3.

(2) This Order applies to Regional Assembly referendums and to local government referendums, at which the polls are taken together, in the regions specified in articles 3 to 5.

Interpretation

2. In this Order—

"the PPER Act" means the Political Parties, Elections and Referendums Act 2000(**4**) as modified by the Regional Assembly and Local Government Referendums Order 2004(**5**);

"local government referendums" means referendums held pursuant to an order made under section 2(2) of the Regional Assemblies (Preparations) Act 2003(**6**);

"North West region", "North East region" and "Yorkshire and the Humber region" have the same meaning as in Schedule 1 to the Regional Development Agencies Act 1998(**7**);

"Regional Assembly referendum" means a referendum held pursuant to an order made under section 1(1) of the Regional Assemblies (Preparations) Act 2003;

"relevant percentage" has the meaning given by article 6;

and other expressions have the same meaning in this Order as in the PPER Act(**8**).

Limits on referendum expenses by permitted participants in the North West region

3.—(1) This article applies in relation to a Regional Assembly referendum in the North West region, and all local government referendums in that region at which the polls are taken together with the poll at the Regional Assembly referendum.

(2) Where the referendum expenses are incurred by or on behalf of an individual or body, and that individual or body is a permitted participant—

(a) at the Regional Assembly referendum and the local government referendums; or

(b) at the local government referendums only,

the limit on referendum expenses so incurred during the referendum period for such referendums is the aggregate amount prescribed in paragraph (3).

(3) The amount is—

(a) £940,000 in the case of a person or body designated under section 108 of the PPER Act;

(b) in the case of a registered party falling within section 105(1)(a) or 105(1A)(a) of the PPER Act but not designated under section 108 of that Act—

(i) £940,000, if the party's relevant percentage exceeds 30 per cent,

(ii) £750,000, if the party's relevant percentage is more than 20 per cent but not more than 30 per cent,

(iii) £565,000, if the party's relevant percentage is more than 10 per cent but not more than 20 per cent,

(iv) £375,000, if the party's relevant percentage is more than 5 per cent but not more than 10 per cent,

(**4**) 2000 c. 41.
(**5**) S.I. 2004/****.
(**6**) 2003 c. 10.
(**7**) 1998 c. 45.
(**8**) *See* in particular, the definitions of "permitted participants" in section 105(1) and (1A), and of "referendum expenses" in section 111(2) of the Political Parties, Elections and Referendums Act 2000 (c. 41) as applied and modified by the Regional Assembly and Local Government Referendums Order 2004 (S.I. 20004/****), Schedule 3.