

## **ADVICE NOTE 6: General Election Rules**

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This Advice Note sets out the rules on APPG activities

- during the Regulated Period before an election;
- during the Dissolution period; and
- in the first months of a new Parliament.

Officers of APPGs are advised to familiarise themselves with these rules as soon as an election is called.

### **1. DURING THE REGULATED PERIOD**

- 1.1. For each UK General Election there is a regulated period. If a Parliament runs its five-year term, the period begins 12 months before an Election. If an Election takes place at other times, the date when the period started will be found on the Electoral Commission website: [https://www.electoralcommission.org.uk/data/assets/pdf\\_file/0019/214516/UKPGE-Part-3-Spending-and-donations.pdf](https://www.electoralcommission.org.uk/data/assets/pdf_file/0019/214516/UKPGE-Part-3-Spending-and-donations.pdf).

#### ***Campaigning***

- 1.2. During the regulated period there are legal restrictions on campaigning by APPGs. These limit what APPGs can spend on campaigning activities which could influence voting. And if your group campaigns on a policy particularly associated with one or more political parties, it may need to register as a Non-Party Campaigner. Further information is available in Appendix 3 of the Guide to the Rules for APPGs and from the Electoral Commission: <https://www.electoralcommission.org.uk/i-am-a/party-or-campaigner/non-party-campaigners>.

#### ***Contractual matters***

- 1.3. Some groups employ staff and some arrange for freelancers or external organisations to provide secretariat and other services. Once the Dissolution has been announced, if your group has employed or contracted with others, it should
- 1.3.1. Identify the individual(s) who signed those contracts. Ask them to review the position of those staff and contractors, and take action if needed. You may need to take legal advice to ensure that your actions comply with employment and contract law.
- 1.3.2. (For example, some contracts will provide for a period of non-payment, or for other changes to terms and conditions, while the House is dissolved and the APPG is inactive. If a group ceases to exist, it may be necessary to make staff redundant.)

### **2. ONCE THE HOUSE HAS DISSOLVED**

- 2.1. During the Dissolution period there are no MPs. Even *prospective* APPGs cannot exist until after a new Parliament first meets. But the Chairs of former APPGs still have the following responsibilities:

#### ***Communications***

- 2.2. The Chair must make sure that while Parliament is dissolved:
- 2.2.1. Any secretariat understands that the APPG does not exist during Dissolution;

- 2.2.2. The APPG - and any secretariat acting on its behalf - ceases all activity, including online and via social media accounts. Websites and social media accounts should bear a notice explaining that the APPG does not exist while Parliament is dissolved.
- 2.2.3. No reports or other communications are issued.

### ***Finance***

- 2.3. The Chair must make sure that if the group has assets or liabilities at the time of Dissolution, the following actions are taken before two months have elapsed after the General Election. This is to ensure that money and other resources do not go astray. It is the Chair's responsibility to oversee these actions even if he or she is standing down from the Group or from the House, and to ensure that the records are kept in accordance with paragraph 2.4.1 below.
- 2.3.1. The Chair must ensure that, if required, an income and expenditure statement is prepared in respect of its current reporting year, which is likely to be incomplete. A statement is required if the group received more than £12,500 during that reporting year, or during its latest complete reporting year.<sup>1</sup>
- 2.3.2. The Chair must ensure that a list of the group's assets and/or liabilities is prepared. If the group folds, it must arrange to meet its liabilities<sup>2</sup> and to dispose of any assets in accordance with the donors' wishes.

### ***Record keeping and personal information***

- 2.4. The Chair must ensure that records are kept, in accordance with the House's requirements, even after he or she stands down.
- 2.4.1. If your group prepared financial records (income and expenditure statements, and any lists of assets and liabilities), these must be kept for at least five years from the end of the period to which they refer. But the Chair does not have to keep these personally. For example, if your group has a successor in the new Parliament, the Chair can arrange for that group to keep your group's income and expenditure statements and list of assets and liabilities for the required five years.
- 2.4.2. If a group employs staff the Chair must also arrange for employment records and other information needed by HMRC to be kept for up to six years, or as required by the relevant authorities. Again, the Chair does not have to keep these personally; they can sometimes be held by a successor group.
- 2.4.3. If any outside person or organisation held personal information (such as mailing lists, minutes etc) on behalf of a group, the Chair must ensure that this is returned to him/her during Dissolution. If the Group folds the Chair must destroy any personal information which it held, or which was held by others on its behalf. If the Group passes information to a successor, it must do so in accordance with data protection requirements.

## **3. IN THE NEW PARLIAMENT**

- 3.1. Before Parliament dissolves, the Registrar will write to everyone who is a Chair or Public Enquiry Point of an APPG, to remind them of these rules. The letter will advise them of the timetable for registering in the new Parliament.

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<sup>1</sup> A group can find the dates of its reporting year by consulting its latest entry in the Register of All-Party Parliamentary Groups.

<sup>2</sup> If there is any difficulty about this please notify the Registrar on 020 7 219 3277.

- 3.2. Once the new Parliament has met, prospective APPGs can begin activity. Each group will need to hold an inaugural meeting and to elect officers, and to complete and submit the [Registration Form for APPGs](#) within 28 days of that inaugural meeting. The group will be able to call itself an APPG once the Registry has approved it for inclusion in the Register. All APPGs will be new bodies.

**Groups existing in the previous Parliament:**

- 3.3. Once the new Parliament has been established, and new APPGs have been approved, your group may arrange to pass assets and/or liabilities to a new APPG. Your group must sign a written agreement with the successor group.
- 3.4. If your group has assets which do not pass to a successor in the new Parliament, it must dispose of these in accordance with the donors' wishes. And it must meet any outstanding liabilities.<sup>3</sup>

**Groups which exist in the new Parliament:**

- 3.5. Any new group which inherits assets and/or liabilities from a group which existed in the previous Parliament must take reasonable steps to satisfy itself that the list of assets and liabilities is accurate. It must then sign an agreement with the group which existed in the last Parliament.
- 3.6. A new group must not inherit assets from a group which existed in the previous Parliament without also inheriting that group's liabilities (if any), and vice versa. Groups which inherit assets must also inherit financial records.

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<b>For advice contact:</b> <a href="mailto:groupsregister@parliament.uk">groupsregister@parliament.uk</a> or call Philippa Wainwright on 020 7219 0401 or Heather Wood on 0207 219 3277

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<sup>3</sup> If there is any difficulty about this please notify the Registrar on 020 7 219 3277.

