

Situations and procedures

Attribution rules for non-party campaigners: May 2021 elections

This document is for non-party campaigners who are spending money on general campaigning in more than one part of the UK during the May 2021 elections

Forms you might need:

Campaign Expenditure report
Return of donations

Contents:

[When you need to attribute spending](#)

[How to attribute spending](#)

[Practical examples](#)

Translations and other formats

For information on obtaining this publication in another language or in a large-print or Braille version please contact the Electoral Commission:

Tel: 020 7271 0500

Email: publications@electoralcommission.org.uk

You can find this document in the Welsh language [here](#)

Terms and expressions we use

You will normally be doing enough to comply with the law if you follow this guidance.

We use **‘must’** when we refer to a specific legal requirement. We use **‘should’** for items we consider to be minimum good practice, but which are not legal or regulatory requirements.

Our approach to enforcement

The Commission regulates political funding and spending in a way that is effective, proportionate and fair. We are committed to providing those we regulate with a clear understanding of their regulatory obligations through our guidance documents and advice service. If you are unsure of how any of the rules apply to you, please call us for advice. We are happy to help, so please get in touch.

We use advice and guidance proactively in order to secure compliance. And we take enforcement action, using our investigatory powers and sanctions, where it is necessary and proportionate to do so in order to meet our enforcement aims and objectives.

If you do not comply with legal or regulatory requirements you or your organisation may be subject to civil or criminal sanctions. You can find more information about the Commission’s approach to enforcement at www.electoralcommission.org.uk/who-we-are-and-what-we-do/our-enforcement-work

Attribution of campaign spending

This document explains:

The rules for non-party campaigners spending money on general campaigning in more than one part of the UK during the May 2021 elections being held in Scotland and Wales.

Non-party campaigners who will be spending money on local campaigning during elections should read our [factsheets](#).

The document covers:

- when you need to attribute spending
- how to attribute spending
- practical examples

Related documents:

- [Scottish Parliamentary elections May 2021: Non-party campaigners](#)
 - [Senedd elections May 2021: Non-party campaigners](#)
 - [Managing campaign spending](#)
-

Summary

Political parties, candidates and non-party campaigners are vital to a healthy democracy and we encourage active participation by campaigners. Where there is significant spending on campaigning, there are rules that must be followed to ensure that there is transparency in the system.

Under the Political Parties Elections and Referendum Act 2000 (PPERA) there are rules on how much you can spend on regulated campaign activity and how to report your spending.

If you are a registered non-party campaigner and you are spending money on regulated campaign activity in more than one part of the UK in the May 2021 elections, there are rules you must follow about how to attribute and report your spending after the elections.

Introduction

Under PPERA, there are rules on:

- how much non-party campaigners can spend on regulated campaign activity in the run-up to certain elections, and
- reporting of donations and spending after the election.

If you are a registered non-party campaigner spending on general campaigning in more than one part of the UK during the regulated period, you must attribute your spending.

Understanding these rules means that you will:

- know when you need to register
 - ensure you don't breach any spending limit
 - can record and report the money spent on your campaign correctly.
-

How to use this guidance

You should have a good understanding of the principles of spending on regulated campaign activity before reading this guidance. You can read our guidance on general campaign spending on [our website](#). We have published election specific guidance for the following elections:

- [Scottish Parliamentary election May 2021: non-party campaigners](#)
- [Senedd elections May 2021: non-party campaigners](#)

This guidance document will tell you when and how to attribute spending, and give you some examples of how it works.

If you are unsure about a particular situation, please call or email us for advice.

What is the “regulated period”?

In the run up to certain elections, there is a set time when the rules on spending and donations apply. We call this the ‘regulated period’.

The regulated periods for the following elections starts on 6 January 2021 and ends on polling day, 6 May 2021:

- the Scottish Parliament
- the Senedd

Elections taking place in **England** on 6 May 2021 are covered by the local campaign rules only. The general campaign rules on non-party campaigning do not apply to the elections taking place in England and non-party campaigners do not need to register with us if they are spending money on general campaigning in England only. Spending in England may be relevant however for the application of the attribution rules.

Spending on regulated campaign activity for the Wales Police and Crime Commissioner elections will count towards the spending limit for the Senedd election.

There are no elections in Northern Ireland in May 2021.

The local campaign rules will apply in all elections in 2021.

You can read more about those rules in our [factsheets](#).

What is regulated campaign spending?

General campaigns are non-party campaigns for or against a political party, or particular categories of candidate, including campaigns on policies or issues closely associated with a particular party or category of candidates (for example, candidates in a certain age group).

General campaigns are regulated by the Electoral Commission.

Campaign activity will be considered regulated if it passes both of the following tests.

Purpose test

Campaign activity will be considered regulated campaign activity if it can reasonably be regarded as intended to influence voters to vote for or against political parties or categories of candidates, including political parties or categories of candidates who support or do not support particular policies or issues.

Public test

As well as meeting the purpose test, spending is only regulated if the activities are also aimed at, seen or heard by, or involve the public.

You can read more about what counts as regulated campaign activity in our guidance:

[Overview of regulated non-party campaigning](#)

Spending limits

Your spending limit will depend on whether you register with the Electoral Commission as a registered non-party campaigner. Only certain types of individuals and organisations can register with us.

If you do not register, or are not eligible to register, you cannot spend more than **£10,000 in either Scotland or Wales** during the regulated period in 2021 on regulated campaign activity. If you register with us, you will have a higher spending limit.

Each part of the UK has a different spending limit during the regulated period. You must stay within the spending limit for each part.

The general campaign rules do not apply to non-party campaigning in England for the elections being held in May 2021. Elections taking place in England on 6 May 2021 are covered by the local campaign rules only.



More information on applying to register as a non-party campaigner is available in our guidance:

[Registering as a non-party campaigner](#)

Part of the UK	Spending limit
Scotland	£75,800
Wales	£30,000

When do you need to attribute spending?

If you are a registered non-party campaigner **and** you are campaigning in more than one part of the UK, you must follow the “attribution rules”.

The attribution rules are rules in PPERA that set out how you must allocate and report your spending on regulated campaign activity across the different parts of the UK.

If you do not follow the attribution rules carefully, you may breach the spending limits.

You must ensure that you stay within the spending limits which apply for each part of the UK. When planning your campaign, you should be aware of all of the spending limits that apply and when you need to attribute spending across Scotland and Wales.

You should plan your spending in advance and calculate the proportion of spending that will need to be attributed to different parts of the UK **before** spending is incurred.

The attribution rules do not apply to unregistered non-party campaigners. However you must register with us if you plan to spend more than **£10,000 in either Scotland or Wales**.

Recording and reporting

You must record all of your campaign spending. If you have registered with the Electoral Commission as a non-party campaigner, you must report your donations and spending to us after the election if you spend more than £10,000 in Scotland or Wales. You will need to use the attribution rules to report your spending in each part of the UK.

For more details on your reporting requirements after the election, please see our guidance: [Managing non-party campaign spending](#) and our election specific guidance:

- [Scottish Parliamentary election May 2021: non-party campaigners](#)
- [Senedd elections May 2021: non-party campaigners](#)

For more information on donations to non-party campaigners, please see our guidance:

[Donations to non-party campaigners](#)

How to attribute your spending

If you are spending on regulated campaign activity in more than one part of the UK and the spending is clearly confined to a particular part of the UK, such as leafleting in Scotland or an event in Wales, you can attribute the spending to each part based on how much you have spent in each part of the UK on the particular activity.

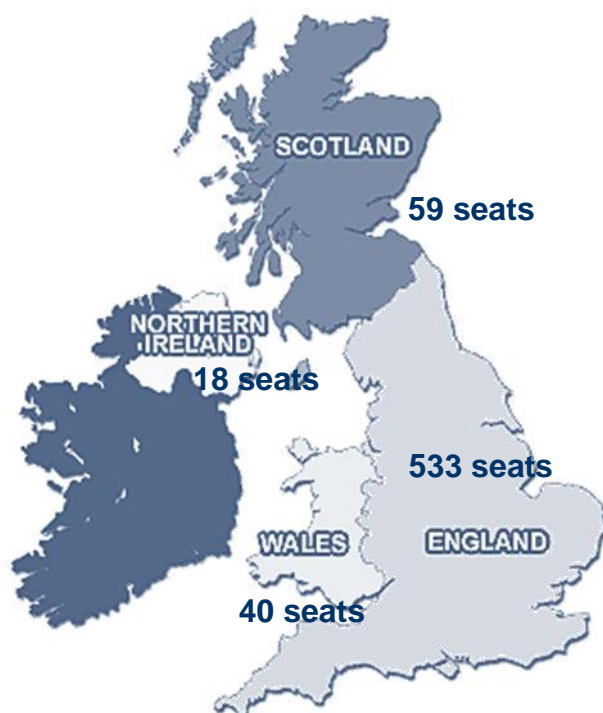
If you are spending on a regulated campaign activity across more than one part of the UK, you must attribute the total spending between the different parts of the UK, on the basis of the number of Westminster constituencies in each part of the UK, where the campaign is being run.

To attribute your spending, you will therefore need to know the total number of UK Parliamentary constituencies and how these are distributed between the parts of the UK.



Important

These are shown on the map below:



These are also set out in the table below:

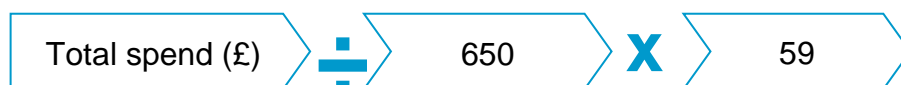
Part of the UK	No. of constituencies
England	533
Scotland	59
Wales	40
Northern Ireland	18
Total	650

To calculate the amount that should be attributed to each part of the UK, you must divide your spending by the total number of constituencies in those parts where you have spent the money and then multiply it by the number of constituencies in the particular part.

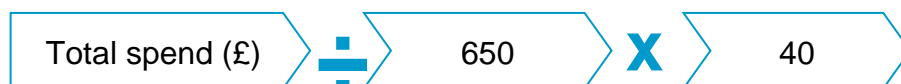
For example, where a campaign is run across the whole of the United Kingdom, the calculations are set out in the table below:

Part of UK	Calculation
Scotland	Total spend (£) ÷ 650 x 59
Wales	Total spend (£) ÷ 650 x 40
Northern Ireland	Total spend (£) ÷ 650 x 18
England	Total spend (£) ÷ 650 x 533

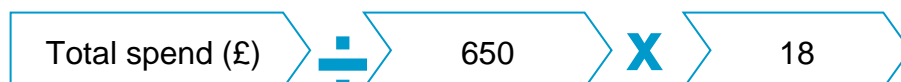
Scotland



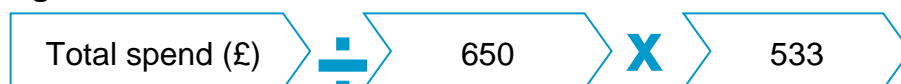
Wales



Northern Ireland



England



Minor overlaps

In some cases your spending in one part of the United Kingdom may have a minor effect in another part. You should allocate spending to the part of the United Kingdom that your spending was aimed at. This is the case even where the spending has a minor effect in England where there is no regulated period.

The guiding principle

In all cases you should make an honest assessment, based on the facts, of the proportion of the cost that can be fairly attributed to the different parts of the UK.

You should apply the guiding principle to all situations where you need to attribute campaign spending.

Examples

The examples in this section will help you understand how to attribute spending across the different parts of the UK.

Example 1:

Campaigner A prints 10,000 leaflets for distribution in Wales at a cost of £3,000. They also campaign in Scotland and print 10,000 leaflets for distribution in Scotland at a cost of £3,000.

The spending will count towards the spending limit in each part as follows:

Part of the UK	Amount
Scotland	£3,000
Wales	£3,000

Example 2:

Campaigner B spends £20,000 in Scotland and Wales on an advertisement in a newspaper that is distributed in Scotland and Wales only. There are 99 Westminster constituencies in Scotland and Wales combined.

The campaigner must attribute and report the spending as follows:

Part of the UK	Calculation	Amount attributable
Scotland	$£20,000 \div 99 \times 59$	£11,919.19
Wales	$£20,000 \div 99 \times 40$	£8,080.81

The amount attributable to spending in Scotland is £11,919.19.

The amount attributable to spending in Wales is £8,080.81.

Example 3:

Campaigner C spends £40,000 on an advertisement in a newspaper that is distributed across Scotland, Wales and England. There are 632 constituencies in England, Scotland and Wales combined.

The campaigner must attribute and report the spending as follows:

Part of the UK	Calculation	Amount attributable
Scotland	$£40,000 \div 632 \times 59$	£3,734.18
Wales	$£40,000 \div 632 \times 40$	£2,531.65
England	$£40,000 \div 632 \times 533$	£33,734.18

The amount attributable to spending in Scotland is £3,734.17.

The amount attributable to spending in Wales is £2,531.65.

The amount attributable to spending in England is £33,734.17 and **is not reportable at the end of the regulated period.**

How we can help

You can find more information in the guidance documents we have suggested in this document, or you can view our full range of guidance and up-to-date resources on our website.

If it's easier, you can also call us using our phone numbers below or email us. We are here to help, so please get in touch.

Visit us at: www.electoralcommission.org.uk

England:

Call us on 0333 103 1928

Email us at: pef@electoralcommission.org.uk

Scotland:

Call us on 0333 103 1928

Email us at: infoscotland@electoralcommission.org.uk

Wales:

Call us on 0333 103 1929

Email us at: infowales@electoralcommission.org.uk

We welcome feedback on our guidance – just email us at pef@electoralcommission.org.uk
