

The Electoral Commission criticises government plan to ...

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I spent [some time yesterday blogging](#) about the government's [new Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Bill](#).

It is therefore [good to note the Guardian picking up on the theme](#) this morning, saying:

The [Electoral Commission](#), Britain's elections watchdog, has concluded that government plans to curb political campaigning by charities before a general election are flawed and in part unworkable.

In a private briefing sent to interested parties, the commission says that it has "significant concerns" about the coalition's lobbying bill, that some parts of it may be unenforceable and that it is not at all clear how the new restrictions affecting charities will work.

In its letter, the commission says the proposed rules about spending at constituency level "may be unenforceable", partly because "it will often be hard for campaigners to identify with a reasonable level of confidence when an activity has 'no significant effects' in a given constituency".

More broadly, it says the proposed rules about what constitutes election-related activity are not sufficiently clear.

The briefing says: "In our view, it is not at all clear how that test will apply in practice to the activities of the many third parties that have other purposes beyond political campaigning. For instance, it seems arguable that the new test could apply to many of the activities of charities, voluntary organisations, blogs, thinktanks and other organisations that engage in debate on public policy.

"In contrast, the current definition of third party campaigning sets out quite clearly both the type of activity that may be covered (material directed at the public that promotes electoral success), and the fact that such activity is controlled whatever the intentions of those carrying it out."

I am pleased to note that the concerns I have raised are considered valid by the body tasked with enforcing the new law if it is enacted.

What is worrying is that I suspect it will be enacted, nonetheless.

Please do protest by writing to Chloe Smith MP
at pscopycorrespondence@cabinet-office.gsi.gov.uk.