**Evidence to the Public Bill Committee for the Representation of the People Bill**

*Professor Justin Fisher, Brunel University of London*

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Professor Justin Fisher is a renowned expert on political finance and has published extensively on the subject. He is a member of the Register of Specialists at the Ministry of Housing, Communities and Local Government, and provided invited advice to the Rycroft inquiry into foreign financial interference in UK politics in January 2026. He was an advisor to the Hayden Phillips Review of Party Funding in 2007 and the Committee on Standards in Public Life reviews of Political Finance in 1998 and 2011. He has worked extensively on matters of political finance with the Electoral Commission and has appeared before numerous committees in the House of Commons. House of Lords, and the Scottish Parliament. He has conducted detailed analyses of political finance regulations in Poland, the Czech Republic and Georgia on behalf of the Council of Europe and has also provided invited advice to electoral bodies from the Netherlands, Japan, Ethiopia, Albania, Ukraine, Kosovo and Tunisia.

## EXECUTIVE SUMMARY

The evidence below is structured in three parts: 1) suggested amendments to the Representation of the People Bill as it was laid; 2) a suggested additional measure for inclusion; and 3) recommendations arising from the Rycroft Review published on 25th March.

- The limitation on company donations should be relative to profits generated after tax in the UK, rather than revenue.
- The stipulations regarding the citizenship of registrable persons having significant control of a company should be removed.
- The value of party spending limits should be adjusted for inflation every five years.
- The recommendation of a moratorium on cryptocurrency donations is welcome.
- The recognition of the challenges posed by donations made by overseas voters is very welcome, but the government should recognise the precedent that the proposed caps on these donations establish.

## 1. PROPOSED AMENDMENTS

1.1. I welcome the proposed limitation of corporate donations relative to company activity (Subsection 3ZA) but am of the view that the criterion should be profit after tax in the UK, rather than revenue. Both measures are auditable (which is a sensible approach), but the profit criterion as recommended by the Committee of Standards in Public Life[1] is more defensible as it pertains to available funds from which a donation may be made, rather than from notional funds.

1.2. The proposals in respect of the citizenship of registrable persons having significant control of companies making donations are excessive (Section 54E). The donor is the company, where the key criteria for 'Britishness' are that the company operates in the UK and generates sufficient revenue (or profit) in the UK.

1.3. Stipulations about the citizenship of registrable persons having significant control of donating companies represent 'mission-creep' in respect of political finance legislation. So long as the company is operating in, and generating sufficient revenue/profit, in the UK, the nationality of registrable persons is irrelevant, since it is not those individuals who are making the donation. Moreover, it imposes conditions on companies which are unnecessarily restrictive, since a legitimately politically active company may not potentially appoint or recruit senior personnel who do not have British citizenship if the conditions laid out in the Bill are not met.

1.4. Relatedly, the conditions pertaining to registerable persons and shares are similarly excessive.

## 2. PROPOSED ADDITION

2.1. I recommend that regular reviews of expenditure limits be implemented properly to avoid the significant increase observed in advance of the 2024 election.

2.2. Until 2023, the formula determining the national spending limit introduced by the Political Parties, Elections and Referendums Act 2000 (£30,000 per constituency contested) had never been adjusted for inflation. By 2023, its real value had fallen by 45%.[2]

2.3. The previous failure to adjust party spending limits for inflation also presented a challenge to a principle PPERA laid out—namely that parties and candidates should be the principal actors in elections. The rising number of registered non-party campaigners and associated levels of expenditure put this principle under threat, where spending limits were not adjusted for inflation.

2.4. The increases implemented in 2023 (from £30,000 per contested constituency to £54,010) were justified but produced a significant step change in election expenditure limits, which had the potential to favour a party with the capacity to expand its fundraising.

2.5. To avoid any potential partisan advantage in the future, it would make good sense for spending limits to be routinely reviewed (say every five years) and adjusted for inflation accordingly.

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1 Committee on Standards in Public Life (2021) Regulating Election Finance

2 Fisher, Justin (2025) 'Party Finance. Not a Broken System, But Some Reforms Are Required' *Political Quarterly* **96** (3): 570-574; Fisher, Justin (2025) 'Party Finance: Labour Exploits its Advantage' *Parliamentary Affairs*: *Britain Votes 2024*. **78**, Issue Supplement_1: 182–204.

## 3. THE RYCROFT REVIEW

3.1. I welcome the recommendations of the Rycroft Review and the government's stated intention that the moratorium on cryptocurrency be introduced immediately.

3.2. I particularly welcome the recognition of the dangers of foreign money emanating from UK citizens resident abroad. This is a longstanding concern of mine, on which I have published.[3]

3.3. My recommendations in a recent paper were that, as a first step, information about donations made by UK citizens based abroad be collected by the Electoral Commission and published, provided the donations exceed the thresholds applied for UK donations (i.e. £11,180). I remain of the view that this should be the case for all such donations, so that the principle of transparency is applied to all overseas donations.

3.4. The proposal for a cap of £100,000 on donations made by UK citizens based abroad is a radical one, which has seemingly attracted widespread support. However, I would urge caution in the drafting of relevant legislation. This is for two reasons:

3.4.1. The first is that the differential treatment of UK citizens (where domestically based UK citizens' donations are not subject to a cap, while those of overseas UK citizens are capped) risks the accusation of a two-tier approach to citizenship.[4] This risk may be defensible, however, and if it is, then there is no reason why donations by UK citizens should not be banned altogether, thereby eliminating any risk arising from donations made by citizens based abroad. Regardless, if a cap is to remain, the relevant legislation should build in a regular review such that the value of the cap is not eroded by inflation over time.

3.4.2. The second is that by accepting a cap on these donations, the government is accepting the principle of a cap on any donation. In principle, I am supportive of caps on all donations (including individuals, companies and trade unions), provided that public financial support for eligible political parties is extended to ensure that political parties are not enfeebled financially. Equally, I acknowledge that such a change (as proposed by both the Hayden Phillips Review[5] and the 2011 Committee on Standards in Public Life Review[6]) is politically challenging, particularly in economically difficult times. For that reason, it is important to

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3 Fisher, Justin (2023) 'The regulation of political finance. Choppier waters ahead?' *Institute for Government / Bennett Institute for Public Policy Review of the UK Constitution*. Fisher, Justin (2025) 'Party Finance. Not a Broken System, But Some Reforms Are Required' *Political Quarterly* **96** (3): 570-574; Fisher, Justin (2025) 'Party Finance: Labour Exploits its Advantage' *Parliamentary Affairs*: *Britain Votes 2024*. **78**, Issue Supplement_1: 182–204.

4 Fisher, Justin (2023) 'The regulation of political finance. Choppier waters ahead?' *Institute for Government / Bennett Institute for Public Policy Review of the UK Constitution*. p.8.

5 Phillips, Sir Hayden, (2007) *Strengthening Democracy: Fair and Sustainable Funding of Political Parties*, London: HMSO

6 Committee on Standards in Public Life (2011) Political party finance. Ending the big donor culture, Cm 8208

recognise that the imposition of donation caps on overseas voters has wider implications.