



Department for Levelling Up, Housing & Communities

Councillor Shaun Davies
Local Government Association
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Westminster
London
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Baroness Scott of Bybrook OBE
*Parliamentary Under Secretary of State
for Communities*

**Department for Levelling Up, Housing and
Communities**
2 Marsham Street
London
SW1P 4DF

www.gov.uk/dluhc

13 July 2023

Dear Councillor Davies,

Digital Imprint Regime

I am writing to you and the Local Government Association regarding the new digital imprint regime, as introduced in Part 6 of the Elections Act 2022 (“the Act”), which is planned to come into force later this year. The new rules will increase transparency in campaigning by requiring those promoting certain digital campaigning material aimed at the UK public to state who they are.

Section 54 of the Act provides for statutory guidance on the new regime to be prepared by the Electoral Commission and approved by Parliament. Pursuant to the Act, the Government has considered the [draft guidance](#) provided by the Commission and is today laying the guidance before Parliament for approval. The Secretary of State did not make any modifications to the draft submitted by the Commission. The Government considers this draft offers comprehensive guidance for campaigners, candidates and political parties in understanding and complying with the new rules.

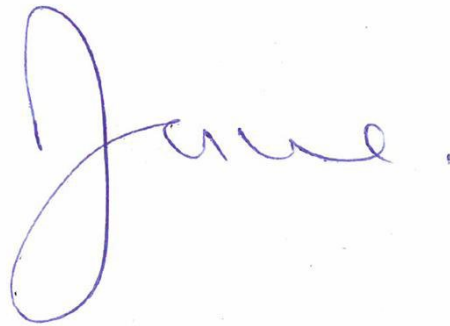
As you will know, once the regime is in force, certain digital campaigning material where a payment has been made to publish the material as an advertisement will be required to include an imprint, regardless of who has promoted it. The regime will also apply to organic material where no payment to publish as an advertisement has been made, where it is promoted by specific political entities such as candidates, future candidates (those who have declared they are running for an election but are not yet formally a candidate under electoral law), political parties, recognised third-party campaigners and elected representatives (including local government representatives).

I wanted to draw your attention to the fact that under the new regime, those promoting material in scope of the rules must include the name and address of the promoter, and any person on behalf of whom the material is being published (and who is not the promoter). As outlined in the draft statutory guidance, the address must be a postal address where the promoter can be contacted. It can be an office or business address, or a home address. Promoters can also use a PO Box address, or other mailbox service.

The provisions in the Act were drafted to allow sufficient flexibility for promoters if they wish to avoid the use of a personal address. Given this, it is the Government's view that Part 6 of the Elections Act 2022 does not prevent a councillor using their relevant council address (rather than home address) for imprints in respect of the digital imprint regime should they wish to do so. Councillors using their relevant council address in an imprint, for the purpose of promoting political material in scope of the new digital imprint regime, would not be a breach of the council's duty to have regard to the Code of Recommended Practice on Local Authority Publicity (assuming that the material is not posted using a council's social media account, blog or website). Councillors should not, however, state the council as the promoter in the imprint.

I hope this is useful in helping you and your members prepare for the new rules to come into force later this year. I am placing a copy of this letter on GOV.UK.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Jane", is centered on the page. The signature is written in a cursive style with a large initial 'J'.

BARONESS SCOTT OF BYBROOK