



Political Parties, Elections and Referendums Act 2000

2000 CHAPTER 41

PART IV

CONTROL OF DONATIONS TO REGISTERED PARTIES AND THEIR MEMBERS ETC.

[^{F1}CHAPTER 6

SPECIAL PROVISION IN CONNECTION WITH NORTHERN IRELAND

Textual Amendments

F1 Pt. 4 Ch. 6 inserted (1.11.2007) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\)](#), ss. 10(2)(b), 12, 31(2)

71A Introduction

- (1) The following provisions have effect for the interpretation of this Chapter.
- (2) “Northern Ireland recipient” means—
 - (a) a party registered in the Northern Ireland register, or
 - (b) a regulated donee who is—
 - (i) an individual ordinarily resident in Northern Ireland, or
 - (ii) a members association wholly or mainly consisting of members of a Northern Ireland party.
- (3) “Regulated donee” and “members association” have the same meaning as in Schedule 7.
- (4) “Prescribed” means prescribed by an order made by the Secretary of State after consulting the Commission.

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71B Extension of categories of permissible donors in relation to Northern Ireland recipients

- (1) In relation to a donation to a Northern Ireland recipient, section 54(2) has effect as if the following were also permissible donors—
 - (a) an Irish citizen in relation to whom any prescribed conditions are met;
 - (b) a body which is of a prescribed description or category and in relation to which any prescribed conditions are met.
- (2) A description or category of body must not be prescribed for the purposes of subsection (1)(b) unless the Secretary of State is satisfied that a body of that description or category would be entitled under Irish law to donate to an Irish political party.
- (3) In relation to a donation in the form of a bequest subsection (1)(a) is to be read as referring to an individual—
 - (a) who at any time within the period of five years ending with the date of his death was an Irish citizen, and
 - (b) in relation to whom, at the time of his death, any prescribed conditions were met.

71C Northern Ireland recipients not permissible donors in relation to Great Britain

- (1) In relation to a donation received by—
 - (a) a registered party which is registered in the Great Britain register, or
 - (b) a regulated donee resident or carrying on activities in Great Britain,
 section 54(2) has effect as if it did not include a party registered in the Northern Ireland register.
- (2) The reference in subsection (1)(b) to Great Britain includes the combined region.

^{F2}71D Duty to verify donation reports

- (1) The Commission must take such steps as are prescribed for the purpose of verifying the information given in Northern Ireland reports.
- (2) “Northern Ireland report” means a report to the Commission which—
 - (a) is prepared by a Northern Ireland recipient, and
 - (b) contains, or purports to contain, information required to be given by Schedule 6 or 7.

Textual Amendments

F2 Ss. 71D, 71E inserted (1.11.2007) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\)](#), ss. 10(2)(b), 14(1)(2), 31(2), [Sch. 1 para. 1](#) (as amended: (2.8.2010) by [S.I. 2010/2061](#), [arts. 1, 2](#); (1.3.2011) by [S.I. 2011/431](#), [arts. 1\(2\), 2](#); (28.2.2013) by [S.I. 2013/320](#), [arts. 1\(2\), 2](#); and (13.3.2014) by [2014 c. 13](#), [ss. 1\(1\), 28\(1\)\(a\)\(i\)](#))

71E Duty not to disclose contents of donation reports

[Subject to subsection (A2), this section applies only to a donation received by a ^{F3}(A1) Northern Ireland recipient before 1 July 2017.

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- (A2) This section does not apply to a donation received before 1 July 2017 which is required to be recorded in a report—
- (a) under section 62 in respect of a period beginning on or after 1 July 2017 because the donation is required by that section to be aggregated with a donation received or transaction entered into on or after that date, or
 - (b) under paragraph 10 of Schedule 7 delivered on or after 1 July 2017 because the donation is required by that paragraph to be aggregated with a donation received or a transaction entered into on or after that date.]
- (1) A person who is or has been a member or employee of the Commission must not disclose any information which—
- (a) relates to a donation [^{F4}to which this section applies] , and
 - (b) has been obtained by the Commission in the exercise of their functions under this Part,
- except in the following cases.
- (2) Such information may be disclosed, for the purpose of verifying information given in a Northern Ireland report,—
- (a) to a member or employee of the Commission, or
 - (b) to such bodies as may be prescribed.
- (3) Such information may be disclosed for the purposes of any criminal or civil proceedings.
- (4) Such information may be disclosed in accordance with any prescribed requirements if it relates to a donation which the Commission believe, on reasonable grounds, was a donation required to be dealt with in accordance with section 56(2) (donations from impermissible and unidentifiable donors).
- [Such information may be disclosed if the Commission believe, on reasonable grounds,
- ^{F5}(4A) that—
- (a) the relevant person has consented to the disclosure, and
 - (b) the consent was given in accordance with any prescribed requirements.
- (4B) “The relevant person” means the person who made the donation to which the information relates.]
- (5) A person who contravenes subsection (1) is guilty of an offence.
- [A person does not contravene subsection (1) if that person discloses information
- ^{F6}(6) relating to a donation to which this section applies where—
- (a) the donation was received on or after 1 January 2014 but before 1 July 2017,
 - (b) the Northern Ireland report recording the donation does not state that the donation was received before 1 July 2017, and
 - (c) when the disclosure is made, the person believes that the donation was received on or after 1 July 2017 and is reasonably entitled to hold that belief.
- (7) A person does not contravene subsection (1) merely because—
- (a) the person discloses information relating to a transaction within section 71Z4(A3) (duty not to disclose contents of transaction reports: change to a transaction), and
 - (b) that disclosure suggests that a donation was received before 1 July 2017 with which the transaction has been aggregated in accordance with—

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- (i) sections 62 (quarterly donation reports: aggregation) and 71M (quarterly reports of regulated transactions: aggregation), or
 - (ii) paragraph 10 of Schedule 7 (donation reports: aggregation) and paragraph 9 of Schedule 7A (transactions reports: aggregation).
- (8) A person does not contravene subsection (1) merely because—
- (a) the person discloses information relating to a donation or a transaction in accordance with this section or section 71Z4, and
 - (b) the disclosure suggests that a donation was received before 1 July 2017 as a result of which section 62(6) or 71M(6) applies in relation to the donation or transaction mentioned in paragraph (a).]]]

Textual Amendments

- F2** Ss. 71D, 71E inserted (1.11.2007) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 10(2)(b), 14(1)(2), 31(2), **Sch. 1 para. 1** (as amended: (2.8.2010) by S.I. 2010/2061, **arts. 1, 2**; (1.3.2011) by S.I. 2011/431, **arts. 1(2), 2**; (28.2.2013) by S.I. 2013/320, **arts. 1(2), 2**; and (13.3.2014) by 2014 c. 13, **ss. 1(1), 28(1)(a)(i)**)
- F3** S. 71E(A1)(A2) inserted (8.3.2018) by The Transparency of Donations and Loans etc. (Northern Ireland Political Parties) Order 2018 (S.I. 2018/328), arts. 1(2), **2(2)** (with art. 12)
- F4** Words in s. 71E(1)(a) substituted (8.3.2018) by The Transparency of Donations and Loans etc. (Northern Ireland Political Parties) Order 2018 (S.I. 2018/328), arts. 1(2), **2(3)** (with art. 12)
- F5** S. 71E(4A)(4B) inserted (13.3.2014 for specified purposes) by Northern Ireland (Miscellaneous Provisions) Act 2014 (c. 13), **ss. 1(3), 28(1)(a)(ii)**
- F6** S. 71E(6)-(8) inserted (8.3.2018) by The Transparency of Donations and Loans etc. (Northern Ireland Political Parties) Order 2018 (S.I. 2018/328), arts. 1(2), **2(4)** (with art. 12)

Changes to legislation:

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View outstanding changes

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 2(2A) inserted by 2022 c. 37 s. 18(1)
- s. 4A-4E and cross-heading inserted by 2022 c. 37 s. 16
- s. 8(3)(d) inserted by 2011 c. 13 Sch. 10 para. 12
- s. 13ZA and cross-heading inserted by 2022 c. 37 s. 17(1)
- s. 54(1)(aa) inserted by 2009 c. 12 s. 9(1)
- s. 54(1)(aa) substituted by 2009 c. 12 s. 10(1)
- s. 54(2ZA)-(2ZC) inserted by 2009 c. 12 s. 10(3)
- s. 56(1A) inserted by 2009 c. 12 s. 10(5)
- s. 56(2)(aa) inserted by 2009 c. 12 s. 9(3)(b)
- s. 56(3B) inserted by 2009 c. 12 s. 9(4)
- s. 71H(3ZA) inserted by 2009 c. 12 Sch. 6 para. 19
- s. 71L(9A) inserted by 2009 c. 12 s. 11(2)
- Sch. 1 para. 2(1) Sch. 1 para. 2 renumbered as Sch. 1 para. 2(1) by 2022 c. 37 s. 19(2)
- Sch. 1 para. 2(2) inserted by 2022 c. 37 s. 19(4)
- Sch. 1 para. 2(1) words inserted by 2022 c. 37 s. 19(3)(a)
- Sch. 1 para. 2(1) words omitted by 2022 c. 37 s. 19(3)(b)
- Sch. 2 para. 2(1A) inserted by 2022 c. 37 s. 18(2)
- Sch. 2 para. 4 and cross-heading inserted by 2022 c. 37 s. 17(2)
- Sch. 7 para. 6(1)(aa) inserted by 2009 c. 12 Sch. 3 para. 1(1)
- Sch. 7 para. 8(1A) inserted by 2009 c. 12 Sch. 4 para. 2
- Sch. 7 para. 10(5)(aa) inserted by 2009 c. 12 Sch. 3 para. 2(5)(b)
- Sch. 7 para. 6(1)(aa) substituted by 2009 c. 12 Sch. 4 para. 1(1)
- Sch. 7 para. 10(5)(aa) words inserted by 2009 c. 12 Sch. 4 para. 3(3)
- Sch. 7A para. 8(9A) inserted by 2009 c. 12 s. 11(5)
- Sch. 7A para. 9(10)(ba) inserted by 2009 c. 12 s. 11(6)(b)
- Sch. 11 para. 4(3) inserted by 2009 c. 12 Sch. 6 para. 29(2)
- Sch. 11 para. 6(1)(aa) inserted by 2009 c. 12 Sch. 3 para. 4(1)
- Sch. 11 para. 7(2)(aa) inserted by 2009 c. 12 Sch. 4 para. 5
- Sch. 11 para. 6(1)(aa) substituted by 2009 c. 12 Sch. 4 para. 4(1)
- Sch. 11 para. 4(3) words inserted by 2009 c. 12 Sch. 6 para. 29(3)
- Sch. 15 para. 4(3)(4) inserted by 2009 c. 12 Sch. 6 para. 30(2)(b)
- Sch. 15 para. 6(1)(aa) inserted by 2009 c. 12 Sch. 3 para. 7(1)
- Sch. 15 para. 7(2)(aa) inserted by 2009 c. 12 Sch. 4 para. 8
- Sch. 15 para. 6(1)(aa) substituted by 2009 c. 12 Sch. 4 para. 7(1)
- Sch. 15 para. 4(3) words inserted by 2009 c. 12 Sch. 6 para. 30(3)