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*Changes to legislation: Political Parties, Elections and Referendums Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 16 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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## SCHEDULES

### SCHEDULE 7

Section 71.

#### CONTROL OF DONATIONS TO INDIVIDUALS AND MEMBERS ASSOCIATIONS

#### PART I

##### INTRODUCTORY

##### *Operation and interpretation of Schedule*

- 1 (1) This Schedule has effect for controlling donations to—
- (a) members of registered parties;
  - (b) members associations; and
  - (c) holders of relevant elective offices.
- (2) The following provisions have effect for the purposes of this Schedule.
- (3) “Controlled donation”—
- (a) in relation to a member of a registered party, means a donation received by that person which is—
    - (i) offered to him, or
    - (ii) where it has been accepted, retained by him,for his use or benefit in connection with any of his political activities as a member of the party;
  - (b) in relation to a members association, means a donation received by the association which is—
    - (i) offered to the association, or
    - (ii) where it has been accepted, retained by the association,for its use or benefit in connection with any of its political activities;
  - (c) in relation to a holder of a relevant elective office, means a donation received by that person which is—
    - (i) offered to him, or
    - (ii) where it has been accepted, retained by him,for his use or benefit (as the holder of such an office) in connection with any of his political activities.
- (4) For the purposes of this Schedule the political activities of a party member or (as the case may be) of a members association include, in particular—
- (a) promoting or procuring the election of any person to any position in, or to any committee of, the party in question;
  - (b) promoting or procuring the selection of any person as the party’s candidate for election to a relevant elective office; and
  - (c) promoting or developing policies with a view to their adoption by the party;

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and in the application of paragraph (a) or (b) to a party member the reference to any person includes that member.

- (5) “Donation” shall be construed in accordance with paragraphs 2 to 4; and (in the absence of any express indication) a donation shall be taken to have been offered to, or retained by, a person or organisation as mentioned in sub-paragraph (1)(a), (b) or (c) if, having regard to all the circumstances, it must reasonably be assumed to have been so offered or retained.
- (6) “Members association” means any organisation whose membership consists wholly or mainly of members of a registered party, other than—
  - (a) a registered party falling within section 26(2)(a); or
  - (b) an organisation falling within section 26(2)(b) (that is, the central organisation of a registered party or an accounting unit of such a party).
- (7) “Regulated donee” means—
  - (a) a member of a registered party;
  - (b) a members association; or
  - (c) the holder of a relevant elective office, whether or not he is a member of a registered party.
- (8) “Relevant elective office” means the office of—
  - (a) member of the House of Commons;
  - <sup>F1</sup>(b) .....
  - (c) member of the Scottish Parliament;
  - (d) member of the National Assembly for Wales;
  - (e) member of the Northern Ireland Assembly;
  - <sup>F2</sup>(ea) police and crime commissioner;]
  - (f) member of—
    - (i) any local authority in any part of the United Kingdom, including the Common Council of the City of London but excluding a parish or community council, or
    - (ii) the Greater London Assembly; or
  - (g) Mayor of London or elected mayor within the meaning of Part II of the Local Government Act 2000.
- (9) “The responsible person”, in relation to a members association, means—
  - (a) the treasurer, if there is one, and
  - <sup>F3</sup>(b) otherwise, the person who is the responsible person by virtue of a notice in force under paragraph 1A.]
- (10) <sup>F4</sup> .....
- (11) <sup>F4</sup> .....

**Textual Amendments**

**F1** Sch. 7 para. 1(8)(b) repealed (31.12.2020) by [The European Parliamentary Elections Etc. \(Repeal, Revocation, Amendment and Saving Provisions\) \(United Kingdom and Gibraltar\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1310\)](#), reg. 1, **Sch. 1 Pt. 1** (as amended by [S.I. 2019/1389](#), regs. 1, 2(2))

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- F2** Sch. 7 para. 1(8)(ea) inserted (25.7.2012) by [The Police and Crime Commissioner Elections Order 2012 \(S.I. 2012/1917\)](#), arts. 1(2), **24(4)(a)**
- F3** Sch. 7 para. 1(9)(b) substituted (1.1.2010) by [Political Parties and Elections Act 2009 \(c. 12\)](#), ss. **14(2)**, **43**; S.I. 2009/3084, **art. 4(c)** (with art. 6)
- F4** Sch. 7 para. 1(10)(11) repealed (25.9.2006) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\)](#), ss. 10(2)(a), 11(8)(a)(iv), 30(2), 31(2)(4), **Sch. 5**

#### Commencement Information

- I1** Sch. 7 wholly in force at 16.2.2001; Sch. 7 partly in force at Royal Assent, see s. 163(3); Sch. 7 in force in so far as not already in force at 16.2.2001 by [S.I. 2001/222](#), art. 2, **Sch. 1 Pt. I** (subject to transitional provisions in [Sch. 1 Pt. II](#))

#### *[F5 Appointment of responsible person by members association with no treasurer*

#### Textual Amendments

- F5** Sch. 7 paras. 1A, 1B and cross-headings inserted (1.1.2010) by [Political Parties and Elections Act 2009 \(c. 12\)](#), ss. **14(3)**, **43**; S.I. 2009/3084, **art. 4(c)** (with art. 6)

- 1A (1) A members association which does not have a treasurer—
- (a) may appoint an individual to be the responsible person in relation to the association by giving notice to the Commission;
  - (b) shall do so within the period of 30 days beginning with the date on which the association—
    - (i) accepts a controlled donation which is a recordable donation for the purposes of paragraph 10, or
    - (ii) receives a controlled donation falling within paragraph 6(1)(a) or (b),if a notice under this sub-paragraph is not in force on that date.
- (2) A notice under sub-paragraph (1)—
- (a) must be signed on behalf of the members association;
  - (b) must contain a statement signed by the individual to be appointed as the responsible person confirming that the individual is willing to be appointed.
- (3) A notice under sub-paragraph (1) must state—
- (a) the name and address of the members association;
  - (b) the full name of the individual to be appointed as the responsible person;
  - (c) the individual's home address in the United Kingdom, or (if there is no such home address) the individual's home address elsewhere.
- (4) Subject to the following provisions of this paragraph, a notice under sub-paragraph (1) (“the original notice”)—
- (a) shall be in force as from the date on which it is received by the Commission, but
  - (b) shall lapse at the end of the period of 12 months beginning with that date unless the members association or the responsible person gives the Commission a notice (a “renewal notice”) that they both wish the original notice to remain in force.

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- (5) A renewal notice—
- (a) has the effect of extending the validity of the original notice for a further 12 months beginning with the time when it would otherwise have lapsed (whether under sub-paragraph (4)(b) or on the expiry of a previous extension under this sub-paragraph);
  - (b) must be received by the Commission during the period of one month ending at that time.
- (6) A renewal notice must either—
- (a) confirm that all the statements contained in the original notice, as it has effect for the time being, are accurate; or
  - (b) indicate that any statement contained in that notice, as it so has effect, is replaced by some other statement conforming with the relevant provision of sub-paragraph (3).
- A renewal notice must be signed on behalf of the members association and by the responsible person.
- (7) The members association or the responsible person may, at any time after giving the original notice, give the Commission a notice (a “notice of alteration”) indicating that any statement contained in the original notice, as it has effect for the time being, is replaced by some other statement—
- (a) contained in the notice of alteration, and
  - (b) conforming with the relevant provision of sub-paragraph (3).
- A notice of alteration takes effect on the day on which it is received by the Commission or (if later) on such date as may be specified in the notice.
- (8) A notice of alteration must be signed—
- (a) on behalf of the members association, and
  - (b) by the responsible person or, in the case of a notice substituting a different individual as the responsible person, by that individual.
- (9) A notice under sub-paragraph (1) that has been in force for at least 12 months ceases to have effect on receipt by the Commission of a notice terminating it (a “notice of termination”)—
- (a) given by and signed on behalf of the members association, or
  - (b) given and signed by the responsible person.
- (10) On receipt of a notice of termination given by the members association or by the responsible person, the Commission must inform the other party as soon as is reasonably practicable (unless the notice was signed both on behalf of the members association and by the responsible person).
- (11) A reference in this paragraph to a notice being signed on behalf of a members association is to the notice being signed by the secretary of the association or by a person who acts in a similar capacity in relation to the association.
- (12) A notice under the Schedule 7A version of this paragraph also has effect as a notice under this paragraph.

The “Schedule 7A version” of this paragraph means this paragraph as it applies, in relation to controlled transactions, by virtue of paragraph 1(7A) of Schedule 7A.

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*Offence of failing to comply with paragraph 1A*

- 1B A members association commits an offence if—
- (a) it is subject to the requirement in paragraph 1A(1)(b), and
  - (b) without reasonable excuse it fails to comply with the requirement.]

*Donations: general rules*

- 2 (1) “Donation”, in relation to a regulated donee, means (subject to paragraph 4)—
- (a) any gift to the donee of money or other property;
  - (b) any sponsorship provided in relation to the donee (as defined by paragraph 3);
  - (c) any money spent (otherwise than by or on behalf of the donee) in paying any expenses incurred directly or indirectly by the donee;
  - (d) <sup>F6</sup> .....
  - (e) the provision otherwise than on commercial terms of any property, services or facilities for the use or benefit of the donee (including the services of any person);
  - (f) (where the donee is a members association) any subscription or other fee paid for affiliation to, or membership of, the donee.
- (2) Where—
- (a) any money or other property is transferred to a regulated donee pursuant to any transaction or arrangement involving the provision by or on behalf of the donee of any property, services or facilities or other consideration of monetary value, and
  - (b) the total value in monetary terms of the consideration so provided by or on behalf of the donee is less than the value of the money or (as the case may be) the market value of the property transferred,
- the transfer of the money or property shall (subject to sub-paragraph (4)) constitute a gift to the donee for the purposes of sub-paragraph (1)(a).
- (3) In determining—
- (a) <sup>F7</sup> .....
  - (b) for the purposes of sub-paragraph (1)(e) whether any property, services or facilities provided for the use or benefit of a regulated donee is or are so provided otherwise than on such terms,
- regard shall be had to the total value in monetary terms of the consideration provided by or on behalf of the donee in respect of <sup>F8</sup> . . . the provision of the property, services or facilities.
- (4) Where (apart from this sub-paragraph) anything would be a donation both by virtue of sub-paragraph (1)(b) and by virtue of any other provision of this paragraph, sub-paragraph (1)(b) (together with paragraph 3) shall apply in relation to it to the exclusion of the other provision of this paragraph.
- (5) Anything given or transferred to any officer, member, trustee or agent of a members association in his capacity as such (and not for his own use or benefit) is to be regarded as given or transferred to the association (and references to donations received by a regulated donee accordingly include, in the case of a members association, donations so given or transferred).

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(6) In this paragraph—

- (a) any reference to anything being given or transferred to a regulated donee or any other person is a reference to its being so given or transferred either directly or indirectly through any third person;
- (b) “gift” includes bequest.

#### Textual Amendments

- F6** Sch. 7 para. 2(1)(d) repealed (11.9.2006 for E.W.S. for certain purposes, 1.7.2008 for N.I. and otherwise prosp.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 74, 77(2), Sch. 1 para. 154(2)(a), [Sch. 2](#); [S.I. 2006/1972](#), [art. 3](#), Sch. 1 paras. 24, 25(m)(ii), 26(3)(d)(ii) (subject to [art. 4](#), Sch. 2) (as amended by [S.I. 2006/2268](#), [art. 4](#)); [S.I. 2008/1656](#), [art. 2](#) (subject to [art. 3](#), Sch. 1)
- F7** Sch. 7 para. 2(3)(a) repealed (11.9.2006 for E.W.S. for certain purposes, 1.7.2008 for N.I. and otherwise prosp.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 74, 77(2), Sch. 1 para. 154(2)(b), [Sch. 2](#); [S.I. 2006/1972](#), [art. 3](#), Sch. 1 paras. 24, 25(m)(ii), 26(3)(d)(ii) (subject to [art. 4](#), Sch. 2) (as amended by [S.I. 2006/2268](#), [art. 4](#)); [S.I. 2008/1656](#), [art. 2](#) (subject to [art. 3](#), Sch. 1)
- F8** Words in Sch. 7 para. 2(3) repealed (11.9.2006 for E.W.S. for certain purposes, 1.7.2008 for N.I. and otherwise prosp.) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 74, 77(2), Sch. 1 para. 154(2)(c), [Sch. 2](#); [S.I. 2006/1972](#), [art. 3](#), Sch. 1 paras. 25(m)(ii), 26(3)(d)(ii) (subject to [art. 4](#), Sch. 2) (as amended by [S.I. 2006/2268](#), [art. 4](#)); [S.I. 2008/1656](#), [art. 2](#) (subject to [art. 3](#), Sch. 1)

#### Modifications etc. (not altering text)

- C1** Sch. 7 paras. 2-15 excluded (temp. from 16.2.2001) by [S.I. 2001/446](#), [art. 3](#)
- C2** Sch. 7 paras. 2-15 disappplied in part (temp. from 16.2.2005) by [The Political Parties, Elections and Referendums Act 2000 \(Disapplication of Part IV for Northern Ireland Parties, etc\) Order 2005 \(S.I. 2005/299\)](#), arts. 1(2), 3
- C3** Sch. 7 paras. 2-15 excluded (temp. from 25.9.2006 until 31.10.2007) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\)](#), ss. 10(2)(a), [11\(2\)\(3\)](#), 31(2)

#### Commencement Information

- I2** Sch. 7 wholly in force at 16.2.2001; Sch. 7 partly in force at Royal Assent, see s. 163(3); Sch. 7 in force in so far as not already in force at 16.2.2001 by [S.I. 2001/222](#), [art. 2](#), [Sch. 1 Pt. I](#) (subject to transitional provisions in [Sch. 1 Pt. II](#))

### *Sponsorship*

- 3 (1) For the purposes of this Schedule sponsorship is provided in relation to a regulated donee if—
- (a) any money or other property is transferred to the donee or to any person for the benefit of the donee, and
  - (b) the purpose (or one of the purposes) of the transfer is (or must, having regard to all the circumstances, reasonably be assumed to be)—
    - (i) to help the donee with meeting, or to meet, to any extent any defined expenses incurred or to be incurred by or on behalf of the donee, or
    - (ii) to secure that to any extent any such expenses are not so incurred.
- (2) In sub-paragraph (1) “defined expenses” means expenses in connection with—
- (a) any conference, meeting or other event organised by or on behalf of the donee,

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- (b) the preparation, production or dissemination of any publication by or on behalf of the donee, or
  - (c) any study or research organised by or on behalf of the donee.
- (3) The following do not, however, constitute sponsorship by virtue of sub-paragraph (1)
- (a) the making of any payment in respect of—
    - (i) any charge for admission to any conference, meeting or other event, or
    - (ii) the purchase price of, or any other charge for access to, any publication;
  - (b) the making of any payment in respect of the inclusion of an advertisement in any publication where the payment is made at the commercial rate payable for the inclusion of such an advertisement in any such publication.
- (4) The Secretary of State may by order made on the recommendation of the Commission amend sub-paragraph (2) or (3).
- (5) In this paragraph “publication” means a publication made available in whatever form and by whatever means (whether or not to the public at large or any section of the public).

#### **Modifications etc. (not altering text)**

- C4** Sch. 7 paras. 2-15 excluded (temp. from 16.2.2001) by [S.I. 2001/446, art. 3](#)
- C5** Sch. 7 paras. 2-15 disappplied in part (temp. from 16.2.2005) by [The Political Parties, Elections and Referendums Act 2000 \(Disapplication of Part IV for Northern Ireland Parties, etc\) Order 2005 \(S.I. 2005/299\)](#), arts. 1(2), 3
- C6** Sch. 7 paras. 2-15 excluded (temp. from 25.9.2006 until 31.10.2007) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\)](#), ss. 10(2)(a), **11(2)(3)**, 31(2)

#### **Commencement Information**

- I3** Sch. 7 wholly in force at 16.2.2001; Sch. 7 partly in force at Royal Assent, see s. 163(3); Sch. 7 in force in so far as not already in force at 16.2.2001 by [S.I. 2001/222, art. 2](#), **Sch. 1 Pt. I** (subject to transitional provisions in [Sch. 1 Pt. II](#))

#### *Payments etc. not to be regarded as donations*

- 4 (1) None of the following shall be regarded as a donation—
- (a) any facility provided in pursuance of any right conferred on candidates at an election by any enactment;
  - [<sup>F9</sup>(aa) remuneration allowed to an employee by his employer if the employee is a member of a local authority and the remuneration is in respect of time the employer permits the employee to take off during the employee’s working hours for qualifying business—
    - (i) of the authority,
    - (ii) of any other body to which the employee is appointed by, or is appointed following nomination by, the authority or a group of bodies that includes the authority, or
    - (iii) of any other body if it is a public body;]

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- [<sup>F10</sup>(aa) remuneration allowed to an employee by his employer if the employee is a member of a local authority and the remuneration is in respect of time the employer permits the employee to take off during the employee’s working hours for qualifying business—
- (i) of the authority,
  - (ii) of any body to which the employee is appointed by, or is appointed following nomination by, the authority or a group of bodies that includes the authority, or
  - (iii) of any other body if it is a public body;]
- (b) the provision of assistance by a person appointed under section 9 of the <sup>M1</sup>Local Government and Housing Act 1989;
- (c) the provision by any individual of his own services which he provides voluntarily and in his own time;
- (d) any interest accruing to a regulated donee in respect of any donation which is dealt with by the donee in accordance with section 56(2)(a) or (b) (as applied by paragraph 8);
- (e) any money or other property, or any services or facilities, provided out of public funds for the personal security of a regulated donee who is an individual.

(2) For the avoidance of doubt no remuneration or allowances paid to the holder of a relevant elective office in his capacity as such shall be regarded as a donation.

(3) There shall also be disregarded—

- (a) any donation which (in accordance with any enactment) falls to be included in a return as to election expenses in respect of a candidate or candidates at a particular election; and
- (b) <sup>F11</sup> . . . any donation whose value (as determined in accordance with paragraph 5) is not more than [<sup>F12</sup>£500].

[<sup>F13</sup>(4) In sub-paragraph (1)(aa)—

“employee” and “employer” have the same meaning as in the Employment Rights Act 1996 (c. 18);

“local authority” means a local authority in any part of the United Kingdom, including the Common Council of the City of London but excluding a parish or community council;

“working hours” of an employee has the same meaning as in section 50 of the Employment Rights Act 1996; and

“qualifying business”, in relation to a body, means—

- (a) the doing of anything for the discharge of the functions of the body or of any of its committees or sub-committees, and
- (b) where the body is a local authority operating executive arrangements within the meaning of Part 2 of the Local Government Act 2000 (c. 22) and arrangements exist for functions of any other body to be discharged by the authority’s executive or any committee or member of the executive, the doing of any other thing for the purpose of the discharge of the functions.]

[<sup>F14</sup>(4) In sub-paragraph (1)(aa)—

“employee” and “employer”—



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- (a) in relation to England and Wales, and Scotland, have the same meaning as in the Employment Rights Act 1996, and
  - (b) in relation to Northern Ireland, have the same meaning as in the Employment Rights (Northern Ireland) Order 1996;
- “local authority” means a local authority in any part of the United Kingdom, including the Common Council of the City of London but excluding a parish or community council;
- “working hours” of an employee—
- (a) in relation to England and Wales, and Scotland, has the same meaning as in section 50 of the Employment Rights Act 1996, and
  - (b) in relation to Northern Ireland, has the same meaning as in Article 78 of the Employment Rights (Northern Ireland) Order 1996;
- “qualifying business”, in relation to a body, means—
- (a) the doing of anything for the purpose of the discharge of the functions of the body or of any of its committees or sub-committees, and
  - (b) where the body is a local authority operating executive arrangements within the meaning of Part 2 of the Local Government Act 2000 and arrangements exist for functions of any other body to be discharged by the authority’s executive or any committee or member of the executive, the doing of anything for the purpose of the discharge of those functions.]

#### Textual Amendments

- F9** Sch. 7 para. 4(1)(aa) inserted (S.) (retrosp. to 16.2.2001) by Local Government in [Scotland Act 2003 \(asp 1\)](#), **ss. 42(1)(a)(2)(3)**, 62(2)
- F10** Sch. 7 para. 4(1)(aa) inserted (E.W.N.I. and S. only so far as mentioned in s. 129(5)(a) of the amending Act) (retrosp. to 16.2.2001) by [Local Government Act 2003 \(c. 26\)](#), **ss. 114(1)(3)(4)**, 128(1)(a), 129(2)(5)(7)(8)
- F11** Words in Sch. 7 para. 4(3)(b) repealed (11.9.2006) by [Electoral Administration Act 2006 \(c. 22\)](#), **ss. 74, 77(2)**, Sch. 1 para. 154(3), **Sch. 2**; S.I. 2006/1972, **art. 3**, Sch. 1 paras. 24, 25(k), 26(3)(b) (subject to art. 4, Sch. 2)
- F12** Sum in Sch. 7 para. 4(3)(b) substituted (1.1.2010) by [Political Parties and Elections Act 2009 \(c. 12\)](#), **ss. 20(1)**, 43; S.I. 2009/3084, **art. 4(h)**
- F13** Sch. 7 para. 4(4) inserted (S.) (retrosp. to 16.2.2001) by Local Government in [Scotland Act 2003 \(asp 1\)](#), **ss. 42(1)(b)(2)(3)**, 62(2)
- F14** Sch. 7 para. 4(4) inserted (E.W.N.I. and S. only so far as mentioned in s. 129(5)(a) of the amending Act) (retrosp. to 16.2.2001) by [Local Government Act 2003 \(c. 26\)](#), **ss. 114(2)-(4)**, 128(1)(a), 129(2)(5)(7)(8)

#### Modifications etc. (not altering text)

- C7** Sch. 7 paras. 2-15 excluded (temp. from 16.2.2001) by S.I. 2001/446, **art. 3**
- C8** Sch. 7 paras. 2-15 disappled in part (temp. from 16.2.2005) by [The Political Parties, Elections and Referendums Act 2000 \(Disapplication of Part IV for Northern Ireland Parties, etc\) Order 2005 \(S.I. 2005/299\)](#), arts. 1(2), **3**
- C9** Sch. 7 paras. 2-15 excluded (temp. from 25.9.2006 until 31.10.2007) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\)](#), **ss. 10(2)(a)**, **11(2)(3)**, 31(2)
- C10** Sch. 7 para. 4(3)(a) modified (E.) (22.9.2020) by [The Postponed Elections and Referendums \(Coronavirus\) and Policy Development Grants \(Amendment\) Regulations 2020 \(S.I. 2020/926\)](#), regs. 1(2), **8(4)(5)** (with reg. 8(9)(10))
- C11** Sch. 7 para. 4(3)(a) modified (W.) (4.12.2020) by [The Local Government \(Coronavirus\) \(Postponement of Elections\) \(Wales\) \(No. 2\) Regulations 2020 \(S.I. 2020/1399\)](#), regs. 2, **7(4)** (with reg. 7(8))

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### Commencement Information

- I4** Sch. 7 wholly in force at 16.2.2001; Sch. 7 partly in force at Royal Assent, see s. 163(3); Sch. 7 in force in so far as not already in force at 16.2.2001 by [S.I. 2001/222](#), [art. 2](#), [Sch. 1 Pt. I](#) (subject to transitional provisions in [Sch. 1 Pt. II](#))

### Marginal Citations

- M1** 1989 c. 42.

### *Value of donations*

- 5 (1) The value of any donation falling within paragraph 2(1)(a) (other than money) shall be taken to be the market value of the property in question.
- (2) Where, however, paragraph 2(1)(a) applies by virtue of paragraph 2(2) the value of the donation shall be taken to be the difference between—
- (a) the value of the money, or the market value of the property, in question, and
  - (b) the total value in monetary terms of the consideration provided by or on behalf of the donee.
- (3) The value of any donation falling within paragraph 2(1)(b) shall be taken to be the value of the money, or (as the case may be) the market value of the property, transferred as mentioned in paragraph 3(1); and accordingly any value in monetary terms of any benefit conferred on the person providing the sponsorship in question shall be disregarded.
- (4) The value of any donation falling within paragraph <sup>F15</sup>2(1)(e)] shall be taken to be the amount representing the difference between—
- (a) the total value in monetary terms of the consideration that would have had to be provided by or on behalf of the donee in respect of <sup>F16</sup> . . . the provision of the property, services or facilities if—
    - (i) <sup>F17</sup> . . . . .
    - (ii) the property, services or facilities had been provided, on commercial terms, and
  - (b) the total value in monetary terms of the consideration (if any) actually so provided by or on behalf of the donee
- (5) Where a donation such as is mentioned in sub-paragraph (4) confers an enduring benefit on the donee over a particular period, the value of the donation—
- (a) shall be determined at the time when it is made, but
  - (b) shall be so determined by reference to the total benefit accruing to the donee over that period.

### Textual Amendments

- F15** Words in Sch. 7 para. 5(4) substituted (11.9.2006 for E.W.S. for certain purposes, 1.7.2008 for N.I. and otherwise prosp.) by [Electoral Administration Act 2006 \(c. 22\)](#), [ss. 74\(1\), 77\(2\)](#), [Sch. 1 para. 154\(4\)\(a\)](#); [S.I. 2006/1972](#), [art. 3](#), [Sch. 1 paras. 24, 25\(m\)\(ii\)](#) (subject to [art. 4](#), [Sch. 2](#)) (as amended by [S.I. 2006/2268](#), [art. 4](#)); [S.I. 2008/1656](#), [arts. 2](#) (subject to [art. 3](#), [Sch. 1](#))
- F16** Words in Sch. 7 para. 5(4)(a) repealed (11.9.2006 for E.W.S. for certain purposes, 1.7.2008 for N.I. and otherwise prosp.) by [Electoral Administration Act 2006 \(c. 22\)](#), [ss. 74, 77\(2\)](#), [Sch. 1 para. 154\(4\)\(b\)](#), [Sch.](#)

*Status:* This version of this schedule contains provisions that are prospective.

*Changes to legislation:* Political Parties, Elections and Referendums Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 16 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

2; S.I. 2006/1972, **art. 3**, Sch. 1 paras. 24, 25(m)(ii), 26(3)(d)(ii) (subject to art. 4, Sch. 2) (as amended by S.I. 2006/2268, art. 4); S.I. 2008/1656, **art. 2** (subject to art. 3, Sch. 1)

- F17** Sch. 7 para. 5(4)(a)(i) and following word repealed (11.9.2006 for E.W.S. for certain purposes, 1.7.2008 for N.I. and otherwise prosp.) by Electoral Administration Act 2006 (c. 22), ss. 74, 77(2), Sch. 1 para. 154(4)(c), **Sch. 2**; S.I. 2006/1972, **art. 3**, Sch. 1 paras. 24, 25(m)(ii), 26(3)(d)(ii) (subject to art. 4, Sch. 2) (as amended by S.I. 2006/2268, art. 4); S.I. 2008/1656, **art. 2** (subject to art. 3, Sch. 1)

#### **Modifications etc. (not altering text)**

- C12** Sch. 7 paras. 2-15 excluded (temp. from 16.2.2001) by S.I. 2001/446, **art. 3**
- C13** Sch. 7 paras. 2-15 disapplied in part (temp. from 16.2.2005) by The Political Parties, Elections and Referendums Act 2000 (Disapplication of Part IV for Northern Ireland Parties, etc) Order 2005 (S.I. 2005/299), arts. 1(2), 3
- C14** Sch. 7 paras. 2-15 excluded (temp. from 25.9.2006 until 31.10.2007) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 10(2)(a), **11(2)(3)**, 31(2)

#### **Commencement Information**

- I5** Sch. 7 wholly in force at 16.2.2001; Sch. 7 partly in force at Royal Assent, see s. 163(3); Sch. 7 in force in so far as not already in force at 16.2.2001 by S.I. 2001/222, **art. 2**, **Sch. 1 Pt. I** (subject to transitional provisions in **Sch. 1 Pt. II**)

## **PART II**

### **CONTROLS ON DONATIONS**

#### *Prohibition on accepting donations from impermissible donors*

- 6 (1) A controlled donation received by a regulated donee must not be accepted by the donee if—
- the person by whom the donation would be made is not, at the time of its receipt by the donee, a permissible donor, or
  - the donee is (whether because the donation is given anonymously or by reason of any deception or concealment or otherwise) unable to ascertain the identity of that person.
- (2) Where any person (“the principal donor”) causes an amount (“the principal donation”) to be received by a regulated donee by way of a donation—
- on behalf of himself and one or more other persons, or
  - on behalf of two or more other persons,
- then for the purposes of this Schedule each individual contribution by a person falling within paragraph (a) or (b) of more than [<sup>F18</sup>£500] shall be treated as if it were a separate donation received from that person.
- (3) In relation to each such separate donation, the principal donor must ensure that, at the time when the principal donation is received by the regulated donee, the responsible person is given—
- (except in the case of a donation which the principal donor is treated as making) all such details in respect of the person treated as making the donation as are required by virtue of paragraph 2 [<sup>F19</sup> or 2A] of Schedule 6 to be given in respect of the donor of a recordable donation to a registered party; and

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- (b) (in any case) all such details in respect of the donation as are required by virtue of paragraph 4 of Schedule 6 to be given in respect of a recordable donation to a registered party.
- (4) Where—
- (a) any person (“the agent”) causes an amount to be received by a regulated donee by way of a donation on behalf of another person (“the donor”), and
- (b) the amount of the donation is more than [<sup>F18</sup>£500] ,
- the agent must ensure that, at the time when the donation is received by the regulated donee, the responsible person is given all such details in respect of the donor as are required by virtue of paragraph 2 [<sup>F20</sup>or 2A] of Schedule 6 to be given in respect of the donor of a recordable donation to a registered party.
- (5) A person commits an offence if, without reasonable excuse, he fails to comply with sub-paragraph (3) or (4).

#### Textual Amendments

- F18** Sums in Sch. 7 para. 6(2)(4)(b) substituted (1.1.2010) by [Political Parties and Elections Act 2009 \(c. 12\), ss. 20\(1\), 43; S.I. 2009/3084, art. 4\(h\)](#)
- F19** Words in Sch. 7 para. 6(3)(a) inserted (1.11.2007) by [The Political Parties, Elections and Referendums Act 2000 \(Northern Ireland Political Parties\) Order 2007 \(S.I. 2007/2501\), art. 6, Sch. 2 para. 2](#)
- F20** Words in Sch. 7 para. 6(4) inserted (1.11.2007) by [The Political Parties, Elections and Referendums Act 2000 \(Northern Ireland Political Parties\) Order 2007 \(S.I. 2007/2501\), art. 6, Sch. 2 para. 2](#)

#### Modifications etc. (not altering text)

- C15** Sch. 7 paras. 2-15 excluded (temp. from 16.2.2001) by [S.I. 2001/446, art. 3](#)
- C16** Sch. 7 paras. 2-15 disappplied in part (temp. from 16.2.2005) by [The Political Parties, Elections and Referendums Act 2000 \(Disapplication of Part IV for Northern Ireland Parties, etc\) Order 2005 \(S.I. 2005/299\), arts. 1\(2\), 3](#)
- C17** Sch. 7 paras. 2-15 excluded (temp. from 25.9.2006 until 31.10.2007) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\), ss. 10\(2\)\(a\), 11\(2\)\(3\), 31\(2\)](#)

#### Commencement Information

- I6** Sch. 7 wholly in force at 16.2.2001; Sch. 7 partly in force at Royal Assent, see s. 163(3); Sch. 7 in force in so far as not already in force at 16.2.2001 by [S.I. 2001/222, art. 2, Sch. 1 Pt. I](#) (subject to transitional provisions in [Sch. 1 Pt. II](#))

PROSPECTIVE

### *[<sup>F21</sup>Declaration as to source of donation*

#### Textual Amendments

- F21** Sch. 7 para. 6A and preceding cross-heading inserted (prosp.) by [Political Parties and Elections Act 2009 \(c. 12\) ss. 9\(8\), 43, {Sch. 3 para. 1\(2\)}](#)

- 6A (1) Where a person (P) causes an amount exceeding £7,500 to be received by a regulated donee by way of a donation, a written declaration must be given to the donee—

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- (a) by P, if P is an individual, or
  - (b) if not, by an individual authorised by P to make the declaration, stating, to the best of the individual's knowledge and belief, whether or not sub-paragraph (2) applies to the donation.
- (2) This sub-paragraph applies to the donation if—
- (a) a person other than P has provided, or is expected to provide, money or any other benefit to P with a view to, or otherwise in connection with, the making of the donation, and
  - (b) the money, or the value of the benefit, is more than £7,500.
- (3) Where a declaration under this paragraph contains a statement to the effect that sub-paragraph (2) applies to the donation, it must also—
- (a) state whether or not, in the opinion of the person making the declaration—
    - (i) sub-paragraph (2) of paragraph 6 applies to the donation;
    - (ii) sub-paragraph (4) of that paragraph applies to it;
  - (b) if the person's opinion is that neither of those sub-paragraphs applies to the donation, give the person's reasons for that opinion.
- (4) The declaration must also state the full name and address of the person by whom it is made and, where sub-paragraph (1)(b) applies—
- (a) state that the person is authorised by P to make the declaration;
  - (b) describe the person's role or position in relation to P.
- (5) A person who knowingly or recklessly makes a false declaration under this paragraph commits an offence.
- (6) Regulations made by the Secretary of State may make provision as to how the value of a benefit is to be calculated for the purposes of sub-paragraph (2).]

PROSPECTIVE

*[<sup>F22</sup>Declaration as to whether residence etc condition satisfied*

**Textual Amendments**

**F22** Sch. 7 para. 6B and preceding cross-heading inserted (prosp.) by [Political Parties and Elections Act 2009 \(c. 12\)](#), ss. 10(8), 43, [Sch. 4 para. 1\(2\)](#)

- 6B
- (1) An individual making to a regulated donee a donation in relation to which the condition set out in section 54(2ZA) applies must give to the donee a written declaration stating whether or not the individual satisfies that condition.
  - (2) A declaration under this paragraph must also state the individual's full name and address.
  - (3) A person who knowingly or recklessly makes a false declaration under this paragraph commits an offence.
  - (4) The Secretary of State may by regulations make provision requiring a declaration under this paragraph to be retained for a specified period.

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(5) The requirement in sub-paragraph (1) does not apply where, by reason of section 71B(1)(a), the individual by whom the donation would be made is a permissible donor in relation to the donation at the time of its receipt by the donee.]

*Payments etc. which are (or are not) to be treated as donations by permissible donors*

7 (1) The following provisions have effect for the purposes of this Schedule.

<sup>F23</sup>(1A) . . . . .

- (2) Any payment out of public funds received by a regulated donee which is a members association, for its use and benefit in connection with any of its political activities, shall be regarded as a controlled donation received by the association from a permissible donor.
- (3) Any donation received by a regulated donee shall (if it would not otherwise fall to be so regarded) be regarded as a controlled donation received by the donee from a permissible donor if and to the extent that—
  - (a) the purpose of the donation is to meet qualifying costs incurred or to be incurred in connection with any visit—
    - (i) by the donee in connection with any of the donee’s political activities, or
    - (ii) in the case of a members association, by any member or officer of the association in connection with any of its political activities, to a country or territory outside the United Kingdom, and
  - (b) the amount of the donation does not exceed a reasonable amount in respect of such costs.
- (4) In sub-paragraph (3) “qualifying costs”, in relation to the donee or (as the case may be) any member or officer of the donee, means costs relating to that person in respect of—
  - (a) travelling between the United Kingdom and the country or territory in question; or
  - (b) travelling, accommodation or subsistence while within that country or territory.
- (5) Any controlled donation received by a regulated donee which is an exempt trust donation shall be regarded as a controlled donation received by the donee from a permissible donor.

<sup>F24</sup>(5A) . . . . .

- (6) But any controlled donation received by a regulated donee from a trustee of any property (in his capacity as such) which is not—
  - (a) an exempt trust donation, or
  - <sup>F25</sup>(aa) . . . . .
  - (b) a controlled donation transmitted by the trustee to the donee on behalf of beneficiaries under the trust who are—
    - (i) persons who at the time of its receipt by the donee are permissible donors falling within section 54(2) <sup>F26</sup> . . . . ., or

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(ii) the members of an unincorporated association which at that time is a permissible donor,  
shall be regarded as a controlled donation received by the donee from a person who is not a permissible donor.

#### Textual Amendments

- F23** Sch. 7 para. 7(1A) repealed (31.12.2020) by The European Parliamentary Elections Etc. (Repeal, Revocation, Amendment and Saving Provisions) (United Kingdom and Gibraltar) (EU Exit) Regulations 2018 (S.I. 2018/1310), reg. 1, **Sch. 1 Pt. 1** (as amended by S.I. 2019/1389, regs. 1, 2(2))
- F24** Sch. 7 para. 7(5A) repealed (31.12.2020) by The European Parliamentary Elections Etc. (Repeal, Revocation, Amendment and Saving Provisions) (United Kingdom and Gibraltar) (EU Exit) Regulations 2018 (S.I. 2018/1310), reg. 1, **Sch. 1 Pt. 1** (as amended by S.I. 2019/1389, regs. 1, 2(2))
- F25** Sch. 7 para. 7(6)(aa) repealed (31.12.2020) by The European Parliamentary Elections Etc. (Repeal, Revocation, Amendment and Saving Provisions) (United Kingdom and Gibraltar) (EU Exit) Regulations 2018 (S.I. 2018/1310), reg. 1, **Sch. 1 Pt. 1** (as amended by S.I. 2019/1389, regs. 1, 2(2))
- F26** Words in Sch. 7 para. 7(6)(b)(i) repealed (31.12.2020) by The European Parliamentary Elections Etc. (Repeal, Revocation, Amendment and Saving Provisions) (United Kingdom and Gibraltar) (EU Exit) Regulations 2018 (S.I. 2018/1310), reg. 1, **Sch. 1 Pt. 1** (as amended by S.I. 2019/1389, regs. 1, 2(2))

#### Modifications etc. (not altering text)

- C18** Sch. 7 paras. 2-15 excluded (temp. from 16.2.2001) by S.I. 2001/446, **art. 3**
- C19** Sch. 7 paras. 2-15 disappplied in part (temp. from 16.2.2005) by The Political Parties, Elections and Referendums Act 2000 (Disapplication of Part IV for Northern Ireland Parties, etc) Order 2005 (S.I. 2005/299), arts. 1(2), **3**
- C20** Sch. 7 paras. 2-15 excluded (temp. from 25.9.2006 until 31.10.2007) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 10(2)(a), **11(2)(3)**, 31(2)

#### Commencement Information

- I7** Sch. 7 wholly in force in 16.2.2001; Sch. 7 partly in force at Royal Assent, see s. 163(3); Sch. 7 in force in so far as not already in force at 16.2.2001 by S.I. 2001/222, **art. 2**, **Sch. 1 Pt. I** (subject to transitional provisions in **Sch. 1 Pt. II**)

#### *Acceptance or return of donations*

- 8 (1) Sections 56 to 60 shall apply for the purposes of this Schedule in relation to a regulated donee and any controlled donation received by a regulated donee as they apply for the purposes of this Part in relation to a registered party and any donation received by a registered party.
- (2) In its application in accordance with sub-paragraph (1), section 56(3) and (4) shall each have effect as if the reference to the treasurer of the party were construed—
- in relation to a regulated donee other than a members association, as a reference to the donee; and
  - in relation to a members association, as a reference to the responsible person.

#### Modifications etc. (not altering text)

- C21** Sch. 7 paras. 2-15 excluded (temp. from 16.2.2001) by S.I. 2001/446, **art. 3**

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- C22** Sch. 7 paras. 2-15 disappplied in part (temp. from 16.2.2005) by [The Political Parties, Elections and Referendums Act 2000 \(Disapplication of Part IV for Northern Ireland Parties, etc\) Order 2005 \(S.I. 2005/299\)](#), arts. 1(2), 3
- C23** Sch. 7 paras. 2-15 excluded (temp. from 25.9.2006 until 31.10.2007) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\)](#), ss. 10(2)(a), **11(2)(3)**, 31(2)
- C24** Sch. 7 para. 8 modified (W.) (4.12.2020) by [The Local Government \(Coronavirus\) \(Postponement of Elections\) \(Wales\) \(No. 2\) Regulations 2020 \(S.I. 2020/1399\)](#), regs. 2, **7(5)** (with reg. 7(7)(8))

#### Commencement Information

- I8** Sch. 7 wholly in force at 16.2.2001; Sch. 7 partly in force at Royal Assent, see s. 163(3); Sch. 7 in force in so far as not already in force at 16.2.2001 by [S.I. 2001/222](#), art. 2, **Sch. 1 Pt. I** (subject to transitional provisions in [Sch. 1 Pt. II](#))

#### *Evasion of restrictions on donations*

- 9 Section 61 shall apply for the purposes of this Schedule as if—
- (a) any reference to donations were to controlled donations;
  - (b) any reference to a registered party were to a regulated donee; and
  - (c) any reference to the treasurer of such a party were construed as mentioned in paragraph 8(2)(a) or (b).

#### Modifications etc. (not altering text)

- C25** Sch. 7 paras. 2-15 excluded (temp. from 16.2.2001) by [S.I. 2001/446](#), art. 3
- C26** Sch. 7 paras. 2-15 disappplied in part (temp. from 16.2.2005) by [The Political Parties, Elections and Referendums Act 2000 \(Disapplication of Part IV for Northern Ireland Parties, etc\) Order 2005 \(S.I. 2005/299\)](#), arts. 1(2), 3
- C27** Sch. 7 paras. 2-15 excluded (temp. from 25.9.2006 until 31.10.2007) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\)](#), ss. 10(2)(a), **11(2)(3)**, 31(2)

#### Commencement Information

- I9** Sch. 7 wholly in force at 16.2.2001; Sch. 7 partly in force at Royal Assent, see s. 163(3); Sch. 7 in force in so far as not already in force at 16.2.2001 by [S.I. 2001/222](#), art. 2, **Sch. 1 Pt. I** (subject to transitional provisions in [Sch. 1 Pt. II](#))

## PART III

### REPORTING OF DONATIONS BY REGULATED DONEES

#### *Donation reports: donations from permissible donors*

- 10 <sup>F27</sup>(1) A regulated donee must prepare a report under this paragraph in respect of each controlled donation accepted by the donee which is a recordable donation.
- (1A) For the purposes of this paragraph a controlled donation is a recordable donation—
- (a) if it is a donation of more than <sup>F28</sup>£11,180] where the donee is a members association) or <sup>F29</sup>£2,230] (in any other case);
  - (b) if, when it is added to any other controlled benefit or benefits accruing to the donee—



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- (i) from the same person and in the same calendar year, and
- (ii) in respect of which no report has been previously made under this paragraph,

the aggregate amount of the benefits is more than [<sup>F30</sup>£11,180] where the donee is a members association) or [<sup>F31</sup>£2,230] (in any other case).

(1B) A controlled benefit is—

- (a) a controlled donation;
- (b) a controlled transaction within the meaning of paragraph 2 of Schedule 7A.

(1C) A controlled benefit which is a controlled donation accrues—

- (a) from the permissible donor who made it, and
- (b) when it is accepted by the donee.

(1D) A controlled benefit which is a controlled transaction accrues—

- (a) from any authorised participant (within the meaning of paragraph 4(3) of Schedule 7A) who is a party to it, and
- (b) when it is entered into;

and paragraph 9(6) of Schedule 7A applies for the purposes of paragraph (b) above.

(2) A regulated donee must deliver the report prepared by virtue of sub-paragraph (1) to the Commission within the period of 30 days beginning with—

- (a) if sub-paragraph (1A)(a) applies, the date of acceptance of the donation;
- (b) if sub-paragraph (1A)(b) applies, the date on which the benefit which causes the aggregate amount to exceed [<sup>F32</sup>£11,180] or (as the case may be) [<sup>F33</sup>£2,230] accrues.]

(3) Each report prepared by virtue of sub-paragraph (1) must—

- (a) give the name and address of the donee; and
- (b) if he is the holder of a relevant elective office, specify the office in question.

(4) Each such report must also give—

- (a) such information as is required to be given, in the case of a report prepared by virtue of section 62 by virtue of paragraphs 2 [<sup>F34</sup>, 2A] and 4 of Schedule 6;
- (b) the date when the donation was accepted by the donee, and
- (c) such other information as is required by regulations made by the Commission.

[<sup>F35</sup>(4ZA) Where such a report is one to which this sub-paragraph applies and includes a donation which was received by a Northern Ireland recipient before 1 July 2017, the report must give the date when the donation was received by the donee.

(4ZB) Sub-paragraph (4ZA) applies to a report which is delivered to the Commission on or after the date on which Article 8 of the Transparency of Donations and Loans etc. (Northern Ireland Political Parties) Order 2018 comes into force.]

[<sup>F36</sup>(4A) In the case of a donation made by an individual who has an anonymous entry in an electoral register (within the meaning of the Representation of the People Act 1983), if the report states that the donee has seen evidence of such description as is prescribed by the Secretary of State in regulations that the individual has such an anonymous entry, the report must be accompanied by a copy of the evidence.]

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- (5) In the application of paragraphs 2 [F34, 2A] and 4 of Schedule 6 in accordance with sub-paragraph (4) above—
- (a) any reference to a recordable donation within the meaning of that Schedule shall be construed as a reference to a recordable donation within the meaning of this paragraph;
  - (b) any reference to section 55(2) or to section 55(3) shall be construed as a reference to paragraph 7(2) above or to paragraph 7(3) above respectively; and
  - (c) any reference to section 53 shall be construed as a reference to paragraph 5 above.
- (6) In the case of [F37 a controlled benefit which is] a donation to which paragraph 7(2) applies, [F38 sub-paragraph (1A)(b)] above shall have effect as if for [F39 “from the same person”] there were substituted “ in circumstances falling within paragraph 7(2) ”.
- (7) In the case of [F37 a controlled benefit which is] a donation to which paragraph 7(3) applies—
- (a) [F38 sub-paragraph (1A)(b)] above shall have effect as if for [F39 “ from the same person”] there were substituted “ in circumstances falling within paragraph 7(3) by the same donor ”; and
  - (b) any report prepared by virtue of sub-paragraph (1) above in respect of the donation must give—
    - (i) the date or dates on or between which the visit to which the donation relates took place, and
    - (ii) the destination and purpose of the visit.
- [F40(8) This paragraph does not apply to a donation received by a holder of a relevant elective office unless he is not a member of a registered party and is F41... a member of a local authority in Scotland.
- (9) For the purposes of sub-paragraph (8), it is immaterial whether the donation is made to the holder of the relevant elective office in that capacity or in his capacity as a member of a registered party.]
- [F42(10) In this paragraph, “Northern Ireland recipient” means a regulated donee who is—
- (a) an individual ordinarily resident in Northern Ireland, or
  - (b) a members association wholly or mainly consisting of members of a party registered in the Northern Ireland register.]

#### Textual Amendments

- F27** Sch. 7 para. 10(1)(1A)-(1D)(2) substituted (11.9.2006 for E.W.S. for certain purposes, 1.7.2008 for N.I. and otherwise prosp.) for Sch. 7 para. 10(1)(2) by [Electoral Administration Act 2006 \(c. 22\), ss. 74\(1\), 77\(2\), Sch. 1 para. 154\(5\)](#); S.I. 2006/1972, [art. 3](#), Sch. 1 paras. 24, 25(m)(ii) (subject to art. 4, Sch. 2) (as amended by S.I. 2006/2268, art. 4); S.I. 2008/1656, [art. 2](#) (subject to art. 3, Sch. 1)
- F28** Sum in Sch. 7 para. 10(1A)(a) substituted (1.1.2024) by [The Representation of the People \(Variation of Election Expenses, Expenditure Limits and Donation etc. Thresholds\) Order 2023 \(S.I. 2023/1235\)](#), arts. 1(3), [4\(3\)\(e\)](#)

*Status:* This version of this schedule contains provisions that are prospective.

*Changes to legislation:* Political Parties, Elections and Referendums Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 16 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- F29** Sum in Sch. 7 para. 10(1A)(a) substituted (1.1.2024) by The Representation of the People (Variation of Election Expenses, Expenditure Limits and Donation etc. Thresholds) Order 2023 (S.I. 2023/1235), arts. 1(3), **4(2)(c)**
- F30** Sum in Sch. 7 para. 10(1A)(b) substituted (1.1.2024) by The Representation of the People (Variation of Election Expenses, Expenditure Limits and Donation etc. Thresholds) Order 2023 (S.I. 2023/1235), arts. 1(3), **4(3)(e)**
- F31** Sum in Sch. 7 para. 10(1A)(b) substituted (1.1.2024) by The Representation of the People (Variation of Election Expenses, Expenditure Limits and Donation etc. Thresholds) Order 2023 (S.I. 2023/1235), arts. 1(3), **4(2)(c)**
- F32** Sum in Sch. 7 para. 10(2)(b) substituted (1.1.2024) by The Representation of the People (Variation of Election Expenses, Expenditure Limits and Donation etc. Thresholds) Order 2023 (S.I. 2023/1235), arts. 1(3), **4(3)(e)**
- F33** Sum in Sch. 7 para. 10(2)(b) substituted (1.1.2024) by The Representation of the People (Variation of Election Expenses, Expenditure Limits and Donation etc. Thresholds) Order 2023 (S.I. 2023/1235), arts. 1(3), **4(2)(c)**
- F34** Words in Sch. 7 para. 10(4)(a)(5) inserted (1.11.2007) by The Political Parties, Elections and Referendums Act 2000 (Northern Ireland Political Parties) Order 2007 (S.I. 2007/2501), art. 6, **Sch. 2 para. 4**
- F35** Sch. 7 para. 10(4ZA)(4ZB) inserted (28.3.2018) by The Transparency of Donations and Loans etc. (Northern Ireland Political Parties) Order 2018 (S.I. 2018/328), arts. 1(3), **8(2)**
- F36** Sch 7 para. 10(4A) inserted (E.W.S.) (1.1.2007) by Electoral Administration Act 2006 (c. 22), ss. 10(2), 77(2), **Sch. 1 para. 28**; S.I. 2006/3412, **art. 3**, Sch. 1 para. 12(a) (subject to art. 6, Sch. 2)
- F37** Words in Sch. 7 para. 10(6)(7) inserted (11.9.2006 for E.W.S. for certain purposes, 1.7.2008 for N.I. and otherwise prosp.) by Electoral Administration Act 2006 (c. 22), ss. 74(1), 77(2), **Sch. 1 para. 154(6)(a)**; S.I. 2006/1972, **art. 3**, Sch. 1 paras. 24, 25(m)(ii) (subject to art. 4, Sch. 2) (as amended by S.I. 2006/2268, art. 4); S.I. 2008/1656, **art. 2** (subject to art. 3, Sch. 1)
- F38** Words in Sch. 7 para. 10(6)(7) substituted (11.9.2006 for E.W.S. for certain purposes, 1.7.2008 for N.I. and otherwise prosp.) by Electoral Administration Act 2006 (c. 22), ss. 74(1), 77(2), **Sch. 1 para. 154(6)(b)**; S.I. 2006/1972, **art. 3**, Sch. 1 paras. 24, 25(m)(ii) (subject to art. 4, Sch. 2) (as amended by S.I. 2006/2268, art. 4); S.I. 2008/1656, **art. 2** (subject to art. 3, Sch. 1)
- F39** Words in Sch. 7 para. 10(6)(7) substituted (11.9.2006 for E.W.S. for certain purposes, 1.7.2008 for N.I. and otherwise prosp.) by Electoral Administration Act 2006 (c. 22), ss. 74(1), 77(2), **Sch. 1 para. 154(6)(c)**; S.I. 2006/1972, **art. 3**, Sch. 1 paras. 24, 25(m)(ii) (subject to art. 4, Sch. 2) (as amended by S.I. 2006/2268, art. 4); S.I. 2008/1656, **art. 2** (subject to art. 3, Sch. 1)
- F40** Sch. 7 para. 10(8)(9) inserted (1.7.2009 for certain purposes, 4.5.2016 for specified purposes) by Electoral Administration Act 2006 (c. 22), ss. **59(2)**, 77(2); S.I. 2009/1509, **art. 2** (with art. 3); S.I. 2016/551, art. 2(a) (with art. 3)
- F41** Words in Sch. 7 para. 10(8) repealed (S.) (22.1.2016) by Interests of Members of the Scottish Parliament (Amendment) Act 2016 (asp 4), ss. **15(a)**, 16(4)
- F42** Sch. 7 para. 10(10) inserted (28.3.2018) by The Transparency of Donations and Loans etc. (Northern Ireland Political Parties) Order 2018 (S.I. 2018/328), arts. 1(3), **8(3)**

#### **Modifications etc. (not altering text)**

- C28** Sch. 7 paras. 2-15 excluded (temp. from 16.2.2001) by S.I. 2001/446, **art. 3**
- C29** Sch. 7 paras. 2-15 disappplied in part (temp. from 16.2.2005) by The Political Parties, Elections and Referendums Act 2000 (Disapplication of Part IV for Northern Ireland Parties, etc) Order 2005 (S.I. 2005/299), arts. 1(2), **3**
- C30** Sch. 7 paras. 2-15 excluded (temp. from 25.9.2006 until 31.10.2007) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 10(2)(a), **11(2)(3)**, 31(2)
- C31** Sch. 7 para. 10(2) modified (E.) (22.9.2020) by The Postponed Elections and Referendums (Coronavirus) and Policy Development Grants (Amendment) Regulations 2020 (S.I. 2020/926), regs. 1(2), **8(4)(7)** (with reg. 8(8)-(10))

*Status: This version of this schedule contains provisions that are prospective.*

*Changes to legislation: Political Parties, Elections and Referendums Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 16 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- C32** Sch. 7 para. 10(2) modified (W.) (4.12.2020) by [The Local Government \(Coronavirus\) \(Postponement of Elections\) \(Wales\) \(No. 2\) Regulations 2020 \(S.I. 2020/1399\)](#), regs. 2, **7(6)** (with reg. 7(7)(8))
- C33** Sch. 7 para. 10(4A) amendment by 2006 c. 22, Sch. 1 para. 28 extended to N.I. (15.9.2014) by [The Anonymous Registration \(Northern Ireland\) Order 2014 \(S.I. 2014/1116\)](#), arts. 1(1), **2(2)**

#### **Commencement Information**

- I10** Sch. 7 wholly in force at 16.2.2001; Sch. 7 partly in force at Royal Assent, see s. 163(3); Sch. 7 in force in so far as not already in force at 16.2.2001 by [S.I. 2001/222](#), art. 2, **Sch. 1 Pt. I** (subject to transitional provisions in [Sch. 1 Pt. II](#))

#### *Donation reports: donations from impermissible or unidentifiable donors*

- 11 (1) A regulated donee shall—
- (a) prepare a report under this paragraph in respect of each controlled donation received by the donee and falling within paragraph 6(1)(a) or (b); and
  - (b) deliver the report to the Commission within the period of 30 days beginning with the date when the donation was dealt with in accordance with section 56(2)(a) or (b).
- (2) Each such report must—
- (a) give the name and address of the donee; and
  - (b) if he is the holder of a relevant elective office, specify the office in question.
- (3) Each such report in respect of a donation falling within paragraph 6(1)(a) must also give—
- (a) the name and address of the donor;
  - (b) the amount of the donation (if a donation of money, in cash or otherwise) or (in any other case) the nature of the donation and its value as determined in accordance with paragraph 5;
  - (c) the date when the donation was received and the date when, and the manner in which, it was dealt with in accordance with section 56(2)(a); and
  - (d) such other information as is required by regulations made by the Commission.
- (4) Each such report in respect of a donation falling within paragraph 6(1)(b) must also give—
- (a) details of the manner in which it was made;
  - (b) the amount of the donation (if a donation of money, in cash or otherwise) or (in any other case) the nature of the donation and its value as determined in accordance with paragraph 5;
  - (c) the date when the donation was received, and the date when, and the manner in which, it was dealt with in accordance with section 56(2)(b); and
  - (d) such other information as is required by regulations made by the Commission.
- (5) In this paragraph any reference to any provision of section 56 is a reference to that provision as applied by paragraph 8.

#### **Modifications etc. (not altering text)**

- C34** Sch. 7 paras. 2-15 excluded (temp. from 16.2.2001) by [S.I. 2001/446](#), art. 3

*Status: This version of this schedule contains provisions that are prospective.*

*Changes to legislation: Political Parties, Elections and Referendums Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 16 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- C35** Sch. 7 paras. 2-15 disapplied in part (temp. from 16.2.2005) by [The Political Parties, Elections and Referendums Act 2000 \(Disapplication of Part IV for Northern Ireland Parties, etc\) Order 2005 \(S.I. 2005/299\)](#), arts. 1(2), 3
- C36** Sch. 7 paras. 2-15 excluded (temp. from 25.9.2006 until 31.10.2007) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\)](#), ss. 10(2)(a), 11(2)(3), 31(2)
- C37** Sch. 7 para. 11(1)(b) modified (E.) (22.9.2020) by [The Postponed Elections and Referendums \(Coronavirus\) and Policy Development Grants \(Amendment\) Regulations 2020 \(S.I. 2020/926\)](#), regs. 1(2), 8(4)(7) (with reg. 8(8)-(10))
- C38** Sch. 7 para. 11(1)(b) modified (W.) (4.12.2020) by [The Local Government \(Coronavirus\) \(Postponement of Elections\) \(Wales\) \(No. 2\) Regulations 2020 \(S.I. 2020/1399\)](#), regs. 2, 7(6) (with reg. 7(7)(8))

#### Commencement Information

- I11** Sch. 7 wholly in force at 16.2.2001; Sch. 7 partly in force at Royal Assent, see s. 163(3); Sch. 7 in force in so far as not already in force at 16.2.2001 by [S.I. 2001/222](#), art. 2, [Sch. 1 Pt. I](#) (subject to transitional provisions in [Sch. 1 Pt. II](#))

#### *Offence of failing to deliver donation report*

- 12 (1) Where a report required to be delivered to the Commission under paragraph 10(1) or 11(1) is [<sup>F43</sup>, without reasonable excuse] not delivered by the end of the period of 30 days mentioned in [<sup>F44</sup>paragraph 10(2) or 11(1)]—
- [<sup>F45</sup>(a) in the case of a regulated donee other than a members association, the regulated donee is guilty of an offence;
  - (b) in the case of a members association, the association and the responsible person are guilty of an offence.]
- (2) If such a report is delivered to the Commission which [<sup>F46</sup>, without reasonable excuse,] does not comply with any requirements of paragraph 10 or 11 as regards the information to be given in such a report—
- [<sup>F45</sup>(a) in the case of a regulated donee other than a members association, the regulated donee is guilty of an offence;
  - (b) in the case of a members association, the association and the responsible person are guilty of an offence.]
- (3) <sup>F47</sup> .....
- (4) Where the court is satisfied, on an application made by the Commission, that any failure to comply with any such requirements in relation to any donation to the regulated donee was attributable to an intention on the part of any person to conceal the existence or true amount of the donation, the court may order the forfeiture by the donee of an amount equal to the value of the donation.
- (5) The following provisions, namely—
- (a) subsections (3) to (5) of section 58, and
  - (b) sections 59 and 60,
- shall apply for the purposes, or in connection with the operation, of sub-paragraph (4) in relation to a regulated donee as they apply for the purposes, or in connection with the operation, of section 58 in relation to a registered party.

*Status: This version of this schedule contains provisions that are prospective.*

*Changes to legislation: Political Parties, Elections and Referendums Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 16 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

### Textual Amendments

- F43** Words in Sch. 7 para. 12(1) inserted (1.1.2010) by [Political Parties and Elections Act 2009 \(c. 12\)](#), [ss. 13\(5\)\(a\)](#), 43; [S.I. 2009/3084](#), [art. 4\(b\)](#) (with [art. 5](#))
- F44** Words in Sch. 7 para. 12(1) substituted (11.9.2006 for E.W.S. for certain purposes, 1.7.2008 for N.I. and otherwise prosp.) by [Electoral Administration Act 2006 \(c. 22\)](#), [ss. 74\(1\)](#), [77\(2\)](#), [Sch. 1 para. 154\(7\)](#); [S.I. 2006/1972](#), [art. 3](#), [Sch. 1 paras. 24](#), [25\(m\)\(ii\)](#) (subject to [art. 4](#), [Sch. 2](#)) (as amended by [S.I. 2006/2268](#), [art. 4](#); [S.I. 2008/1656](#), [art. 2](#) (subject to [art. 3](#), [Sch. 1](#)))
- F45** Sch. 7 para. 12(1)(a)(b)(2)(a)(b) substituted (1.1.2010) for Sch. 7 para. 12(1)(a)(b)(2)(a)(b) and words by [Political Parties and Elections Act 2009 \(c. 12\)](#), [ss. 14\(4\)](#), 43; [S.I. 2009/3084](#), [art. 4\(c\)](#) (with [art. 6](#))
- F46** Words in Sch. 7 para. 12(2) inserted (1.1.2010) by [Political Parties and Elections Act 2009 \(c. 12\)](#), [ss. 13\(5\)\(b\)](#), 43; [S.I. 2009/3084](#), [art. 4\(b\)](#) (with [art. 5](#))
- F47** Sch. 7 para. 12(3) repealed (1.1.2010) by [Political Parties and Elections Act 2009 \(c. 12\)](#), [ss. 13\(5\)\(c\)](#), 39, 43, [Sch. 7](#); [S.I. 2009/3084](#), [art. 4\(b\)\(k\)](#) (with [art. 5](#))

### Modifications etc. (not altering text)

- C39** Sch. 7 paras. 2-15 excluded (temp. from 16.2.2001) by [S.I. 2001/446](#), [art. 3](#)
- C40** Sch. 7 paras. 2-15 disapplied in part (temp. from 16.2.2005) by [The Political Parties, Elections and Referendums Act 2000 \(Disapplication of Part IV for Northern Ireland Parties, etc\) Order 2005 \(S.I. 2005/299\)](#), [arts. 1\(2\)](#), 3
- C41** Sch. 7 paras. 2-15 excluded (temp. from 25.9.2006 until 31.10.2007) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\)](#), [ss. 10\(2\)\(a\)](#), [11\(2\)\(3\)](#), 31(2)

### Commencement Information

- I12** Sch. 7 wholly in force at 16.2.2001; Sch. 7 partly in force at Royal Assent, see [s. 163\(3\)](#); Sch. 7 in force in so far as not already in force at 16.2.2001 by [S.I. 2001/222](#), [art. 2](#), [Sch. 1 Pt. I](#) (subject to transitional provisions in [Sch. 1 Pt. II](#))

### *Declaration in donation report*

- 13 (1) Each report under paragraph 10 or 11 must, when delivered to the Commission, be accompanied by a declaration made by—
- (a) the regulated donee, or
  - (b) (if a members association) the responsible person,
- which complies with sub-paragraph (2) or (3).
- (2) In the case of a report under paragraph 10, the declaration must state that, to the best of the declarant's knowledge and belief, any donation recorded in the report as having been accepted by the donee was from a permissible donor.
- (3) In the case of a report under paragraph 11, the declaration must state that, to the best of the declarant's knowledge and belief, the donation recorded in the report as having been received by the donee, or a payment of an equivalent amount, has been returned to the donor or otherwise dealt with in accordance with the provisions of Chapter II of Part IV of this Act.
- (4) A person commits an offence if he knowingly or recklessly makes a false declaration under this paragraph.

### Modifications etc. (not altering text)

- C42** Sch. 7 paras. 2-15 excluded (temp. from 16.2.2001) by [S.I. 2001/446](#), [art. 3](#)

*Status: This version of this schedule contains provisions that are prospective.*

**Changes to legislation:** Political Parties, Elections and Referendums Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 16 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

**C43** Sch. 7 paras. 2-15 disappplied in part (temp. from 16.2.2005) by [The Political Parties, Elections and Referendums Act 2000 \(Disapplication of Part IV for Northern Ireland Parties, etc\) Order 2005 \(S.I. 2005/299\)](#), arts. 1(2), 3

**C44** Sch. 7 paras. 2-15 excluded (temp. from 25.9.2006 until 31.10.2007) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\)](#), ss. 10(2)(a), **11(2)(3)**, 31(2)

#### Commencement Information

**I13** Sch. 7 wholly in force at 16.2.2001; Sch. 7 partly in force at Royal Assent, see s. 163(3); Sch. 7 in force in so far as not already in force at 16.2.2001 by [S.I. 2001/222](#), art. 2, **Sch. 1 Pt. I** (subject to transitional provisions in [Sch. 1 Pt. II](#))

## F48F48 PART IV

### REPORTING OF DONATIONS BY DONORS

#### Textual Amendments

**F48** Sch. 7 Pt. 4 repealed (11.9.2006) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 74, 77(2), [Sch. 1 para. 154\(8\)](#), **Sch. 2**; [S.I. 2006/1972](#), art. 3, [Sch. 1 paras. 24, 25\(k\), 26\(3\)\(b\)](#) (with art. 4, [Sch. 2](#))

- 14 (1) This paragraph applies where a person (“the donor”) has during the course of a calendar year made small donations to a regulated donee whose aggregate value is more than £5,000 (where the donee is a members association) or £1,000 (in any other case).
- (2) The donor must make a report to the Commission in respect of the donations which gives the following details—
- the aggregate value of the donations and the year in which they were made;
  - the name of the regulated donee to whom they were made; and
  - the full name and address of the donor (if an individual) and (in any other case) the details required by virtue of paragraph 2 of Schedule 6 in respect of the donor of a recordable donation.
- (3) The report must be delivered to the Commission by 31st January in the year following that in which the donations were made.
- (4) The report must, when delivered to the Commission, be accompanied by a declaration by the donor stating—
- that small donations whose aggregate value was that specified in the report were made by him to the specified regulated donee during the specified year, and
  - that no other small donations were made by him to that regulated donee during that year.
- (5) A person commits an offence if—
- he delivers a report under this paragraph which does not comply with sub-paragraph (2);

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- (b) he fails to deliver such a report in accordance with sub-paragraph (3) or such a report, when delivered by him, is not accompanied by a declaration under sub-paragraph (4); or
  - (c) he knowingly or recklessly makes a false declaration under that sub-paragraph.
- (6) In this paragraph—
- (a) “small donation” means a controlled donation whose value is not more than £200; and
  - (b) “specified” means specified in the report in question.

## PART V

### REGISTER OF DONATIONS

#### *Register of recordable donations*

#### **Modifications etc. (not altering text)**

**C49** Sch. 7 paras. 2-15 disapplied in part (temp) (16.2.2005) by [The Political Parties, Elections and Referendums Act 2000 \(Disapplication of Part IV for Northern Ireland Parties, etc\) Order 2005 \(S.I. 2005/299\)](#), arts. 1(2), 3

- 15 (1) Section 69 shall apply in relation to donations reported to the Commission under this Schedule (“relevant donations”) as it applies to donations reported to them under Chapter III of Part IV of this Act.
- (2) But in its application in accordance with sub-paragraph (1), section 69 shall have effect with the modifications set out in sub-paragraph (3).
- (3) Those modifications are as follows—
- (a) subsection (2) shall have effect in relation to a relevant donation as if (instead of requiring the register to contain the details mentioned in paragraphs (a) to (c) of that subsection) it required the register to contain such details as have been given in relation to the donation in pursuance of paragraph 10(3), 10(4), 11(2), 11(3) or 11(4); and
  - (b) <sup>F49</sup> .....

#### **Textual Amendments**

**F49** Sch. 7 para. 15(3)(b) repealed (11.9.2006) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 74, 77(2), Sch. 1 para. 154(9), [Sch. 2](#); [S.I. 2006/1972](#), [art. 3](#), Sch. 1 paras. 24, 25(k), 26(3)(b) (subject to [art. 4](#), Sch. 2)

#### **Modifications etc. (not altering text)**

**C50** Sch. 7 paras. 2-15 excluded (temp. from 16.2.2001) by [S.I. 2001/446](#), [art. 3](#)

**C51** Sch. 7 paras. 2-15 disapplied in part (temp. from 16.2.2005) by [The Political Parties, Elections and Referendums Act 2000 \(Disapplication of Part IV for Northern Ireland Parties, etc\) Order 2005 \(S.I. 2005/299\)](#), arts. 1(2), 3



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**C52** Sch. 7 paras. 2-15 excluded (temp. from 25.9.2006 until 31.10.2007) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 10(2)(a), 11(2)(3), 31(2)

#### Commencement Information

**I15** Sch. 7 wholly in force at 16.2.2001; Sch. 7 partly in force at Royal Assent, see s. 163(3); Sch. 7 in force in so far as not already in force at 16.2.2001 by S.I. 2001/222, art. 2, Sch. 1 Pt. I (subject to transitional provisions in Sch. 1 Pt. II)

### *<sup>F50</sup>Donations to holders of certain elective offices*

#### Textual Amendments

**F50** Sch. 7 para. 15A and preceding cross-heading inserted (1.7.2009 for certain purposes, 4.5.2016 for specified purposes) by Electoral Administration Act 2006 (c. 22), ss. 59(3), 77(2); S.I. 2009/1509, art. 2 (with art. 3); S.I. 2016/551, art. 2(a) (with art. 3)

- 15A (1) This paragraph applies in relation to donations received by a holder of a relevant elective office<sup>F51</sup>, other than a police and crime commissioner] if—
- (a) the relevant body has in place arrangements requiring the holder of the office to report such donations, and
  - (b) the Commission think that the arrangements correspond to the requirements of paragraph 10.
- (2) The Commission must make such arrangements as they think appropriate corresponding to section 69 as modified in pursuance of paragraph 15(3) to maintain a register of such information as they receive relating to such donations.
- (3) In sub-paragraph (1)(a) a relevant body is—
- (a) if the holder of a relevant elective office is a member of a body mentioned in paragraphs (a) to (f) of paragraph 1(8), that body;
  - (b) if the holder of a relevant elective office is the Mayor of London, the London Assembly;
  - (c) if the holder of a relevant elective office is an elected mayor within the meaning of Part 2 of the Local Government Act 2000, the local authority of which he is the mayor.]

#### Textual Amendments

**F51** Words in Sch. 7 para. 15A(1) inserted (25.7.2012) by The Police and Crime Commissioner Elections Order 2012 (S.I. 2012/1917), arts. 1(2), 24(4)(b)

## PART VI

### POWER TO MAKE SPECIAL PROVISION

#### *Exemption from disclosure*

*Status: This version of this schedule contains provisions that are prospective.*

*Changes to legislation: Political Parties, Elections and Referendums Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 16 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

### Textual Amendments

- F52** Sch. 7 para. 16 repealed (25.9.2006) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\)](#), ss. 10(2)(a), 11(8)(a)(iv), 30(2), 31(2)(4), [Sch. 5](#)

## [<sup>F53</sup>PART 7

### COMPLIANCE OFFICERS

### Textual Amendments

- F53** Sch. 7 Pt. 7 inserted (1.1.2010) by [Political Parties and Elections Act 2009 \(c. 12\)](#), ss. [15\(1\)](#), 43; S.I. 2009/3084, [art. 4\(d\)](#)

#### *Functions and liabilities of compliance officers*

- 17 (1) A regulated donee who is the holder of a relevant elective office (the “office-holder”) may, by giving a notice to the Commission which complies with paragraph 18(1), appoint an individual as compliance officer for the office-holder.
- (2) Where a notice under this paragraph is for the time being in force—
- (a) any duty imposed on the office-holder by virtue of paragraph 8, or under paragraph 10, 11 or 13, may be discharged either by the office-holder or by the compliance officer;
  - (b) section 56(3), (3B) and (4) as applied by paragraph 8, and paragraph 12(1) and (2), apply to the compliance officer as well as the office-holder (so that either or both of them may be charged with any offence under those provisions);
  - (c) if the compliance officer makes a declaration under paragraph 13, paragraph 13(4) applies to the compliance officer instead of the office-holder.
- (3) The compliance officer for an office-holder cannot be guilty of an offence under paragraph 12(1) or (2) in respect of any controlled donation received by the office-holder at a time when the notice under this paragraph was not in force.
- (4) A person commits an offence if, at a time when a notice under this paragraph is in force in relation to an office-holder, the person knowingly gives the compliance officer any information relating to—
- (a) the amount of any controlled donation made to the office-holder, or
  - (b) the person or body making such a donation,
- which is false in a material particular.

#### *Notices of appointment, renewal, alteration and termination*

- 18 (1) A notice under paragraph 17—
- (a) must be signed by the office-holder, and
  - (b) must contain a statement signed by the individual to be appointed as compliance officer confirming that the individual is willing to be appointed.
- (2) A notice under paragraph 17 must state—

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*Status: This version of this schedule contains provisions that are prospective.*

*Changes to legislation: Political Parties, Elections and Referendums Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 16 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (a) the full name of the office-holder,
  - (b) the relevant elected office that the person holds,
  - (c) the office-holder's home address in the United Kingdom, or (if there is no such home address) the office-holder's home address elsewhere, and
  - (d) if the office-holder is a member of a registered party, the party's registered name and the address of its registered headquarters.
- (3) A notice under paragraph 17 must also state—
- (a) the full name of the individual to be appointed as compliance officer,
  - (b) if the individual holds a relevant elected office, what that office is,
  - (c) the individual's home address in the United Kingdom, or (if there is no such home address) the individual's home address elsewhere, and
  - (d) if the individual is a member of a registered party, the party's registered name and the address of its registered headquarters.
- (4) Subject to the following provisions of this paragraph, a notice under paragraph 17 (“the original notice”)—
- (a) shall be in force as from the date on which it is received by the Commission, but
  - (b) shall lapse at the end of the period of 12 months beginning with that date unless the office-holder or the compliance officer gives the Commission a notice (a “renewal notice”) that they both wish the original notice to remain in force.
- (5) A renewal notice—
- (a) has the effect of extending the validity of the original notice for a further 12 months beginning with the time when it would otherwise have lapsed (whether under sub-paragraph (4)(b) or on the expiry of a previous extension under this sub-paragraph);
  - (b) must be received by the Commission during the period of one month ending at that time.
- (6) A renewal notice must either—
- (a) confirm that all the statements contained in the original notice, as it has effect for the time being, are accurate; or
  - (b) indicate that any statement contained in that notice, as it so has effect, is replaced by some other statement conforming with the relevant provision of sub-paragraph (2) or (3).

A renewal notice must be signed by the office-holder and the compliance officer.

- (7) The office-holder or the compliance officer may, at any time after giving the original notice, give the Commission a notice (a “notice of alteration”) indicating that any statement contained in the original notice, as it has effect for the time being, is replaced by some other statement—
- (a) contained in the notice of alteration, and
  - (b) conforming with the relevant provision of sub-paragraph (2) or (3).

A notice of alteration takes effect on the day on which it is received by the Commission or (if later) on such date as may be specified in the notice.

- (8) A notice of alteration must be signed—
- (a) by the office-holder, and

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- (b) by the compliance officer or, in the case of a notice substituting a different individual as the compliance officer, by that individual.
- (9) A notice under paragraph 17 ceases to have effect on receipt by the Commission of a notice terminating it (a “notice of termination”) given and signed by the office-holder or by the compliance officer.
- (10) On receipt of a notice of termination given by the office-holder or by the compliance officer, the Commission must inform the other party as soon as is reasonably practicable (unless the notice was signed both by the office-holder and by the compliance officer).

#### *Register of compliance officers*

- 19 (1) The Commission shall maintain a register of all notices given to them under paragraph 17 which are for the time being in force.
- (2) The register shall be maintained by the Commission in such form as they may determine and shall contain, in the case of each such notice, all the information contained in the notice as it has effect for the time being in accordance with paragraph 18.
- (3) Where any notice is given to the Commission under paragraph 17 or subparagraph (4)(b) or (7) of paragraph 18, they shall cause all the information contained in the notice, or (as the case may be) any new information contained in it, to be entered in the register as soon as is reasonably practicable.
- (4) The information to be entered in the register in respect of any individual shall, however, not include the individual's home address.]

**Status:**

This version of this schedule contains provisions that are prospective.

**Changes to legislation:**

Political Parties, Elections and Referendums Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 16 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to :**

- Sch. 7 para. 6A inserted by 2009 c. 12 Sch. 3 para. 1(2)
- Sch. 7 para. 6B inserted by 2009 c. 12 Sch. 4 para. 1(2)
- Sch. 7 para. 6(1)(a) word repealed by 2009 c. 12 Sch. 7
- Sch. 7 para. 10(1)(b) words inserted by 2009 c. 12 Sch. 4 para. 3(2)
- Sch. 7 para. 11(3)(a) words inserted by 2009 c. 12 Sch. 3 para. 3(6)
- Sch. 7 para. 6(1)(b) words substituted by 2009 c. 12 Sch. 6 para. 28(2)
- Sch. 7 para. 8(2) words substituted by 2009 c. 12 Sch. 6 para. 28(3)
- Sch. 7 para. 10(1) words substituted by 2009 c. 12 Sch. 3 para. 2(3)
- Sch. 7 para. 10(4)(a) words substituted by 2009 c. 12 Sch. 3 para. 2(4)
- Sch. 7 para. 10(5) words substituted by 2009 c. 12 Sch. 3 para. 2(5)(a)
- Sch. 7 para. 11(1)(a) words substituted by 2009 c. 12 Sch. 3 para. 3(3)
- Sch. 7 para. 11(1)(b) words substituted by 2009 c. 12 Sch. 3 para. 3(4)
- Sch. 7 para. 11(3) words substituted by 2009 c. 12 Sch. 3 para. 3(5)
- Sch. 7 para. 11(3)(c) words substituted by 2009 c. 12 Sch. 3 para. 3(7)
- Sch. 7 para. 10 heading word inserted by 2009 c. 12 Sch. 3 para. 2(2)
- Sch. 7 para. 11 heading words inserted by 2009 c. 12 Sch. 3 para. 3(2)

**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)