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SCHEDULES

SCHEDULE 7

CONTROL OF DONATIONS TO INDIVIDUALS AND MEMBERS ASSOCIATIONS

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—
- (a) the person by whom the donation would be made is not, at the time of its receipt by the donee, a permissible donor, or
 - (b) 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—
- (a) on behalf of himself and one or more other persons, or
 - (b) 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 [^{F1}£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—
- (a) (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 [^{F2}or 2A] of Schedule 6 to be given in respect of the donor of a recordable donation to a registered party; and
 - (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 [^{F1}£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

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required by virtue of paragraph 2 [^{F3}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

- F1** 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\(h\)](#)
- F2** 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](#)
- F3** 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)

- 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

- 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](#))

PROSPECTIVE

[^{F4}Declaration as to source of donation

Textual Amendments

- F4** 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—
- (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.

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- (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

[^{F5}Declaration as to whether residence etc condition satisfied

Textual Amendments

F5 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.
 - (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.

^{F6}(1A)

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- (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.
- ^{F7}(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
 - ^{F8}(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) ^{F9} ..., or
 - (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

- F6** 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))

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- F7** 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))
- F8** 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))
- F9** 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)

- 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

- I2** 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)

- 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 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**
- 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. 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

- 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**)

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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)

- C11** Sch. 7 paras. 2-15 excluded (temp. from 16.2.2001) by [S.I. 2001/446, art. 3](#)
- C12** 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](#)
- C13** 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\(2\)](#)

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- 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](#))

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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\(3\)](#)