

Status: Point in time view as at 16/02/2001.

Changes to legislation: Representation of the People Act 1983, Paragraph 5 is up to date with all changes known to be in force on or before 10 July 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)

SCHEDULES

[^{F1}SCHEDULE 2A

CONTROL OF DONATIONS TO CANDIDATES

Textual Amendments

- F1** Schedule 2A inserted (30.11.2000 for certain purposes and otherwise 1.7.2001) by 2000 c. 41, ss. 130(3), 163(3)(d), **Sch. 16** (with ss. 130(4), 156(6)); S.I. 2001/222, art. 4, **Sch. 2 Pt. I** (subject to transitional provisions in Sch. 2 Pt. II)

Modifications etc. (not altering text)

- C1** Sch. 2A applied (with modifications) (1.8.2001) by S.I. 2001/2599, art. 3, Sch. 1 (as substituted (10.2.2009) by S.I. 2009/256, arts. 1(2), 3, **Sch. 1**)
- C1** Sch. 2A: power to amend or modify conferred (25.9.2006) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. **15(1)-(3)**, 31
- C1** Sch. 2A modified (25.9.2006) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. **11(5)**, 31

PART I

INTRODUCTORY

Value of donations

- 5 (1) The value of any donation falling within paragraph 2(1)(a) above (other than money) shall be taken to be the market value of the property in question.
- (2) Where, however, paragraph 2(1)(a) above applies by virtue of paragraph 2(2) above, 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 candidate or his election agent.
- (3) The value of any donation falling within paragraph 2(1)(b) above 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) above; 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 2(1)(d) or (e) above 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 candidate or his election agent in respect of the loan or the provision of the property, services or facilities if—

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- (i) the loan had been made, or
 - (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 candidate or his election agent.
- (5) Where a donation such as is mentioned in sub-paragraph (4) above 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.
- (6) In this paragraph “market value” in relation to any property, means the price which might reasonably be expected to be paid for the property on a sale in the open market.]

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