

Status: Point in time view as at 30/11/2000.

Changes to legislation: Political Parties, Elections and Referendums Act 2000, Part III is up to date with all changes known to be in force on or before 21 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

SCHEDULE 7

CONTROL OF DONATIONS TO INDIVIDUALS AND MEMBERS ASSOCIATIONS

PART III

REPORTING OF DONATIONS BY REGULATED DONEES

Donation reports: donations from permissible donors

- 10 (1) A regulated donee shall—
- (a) prepare a report under this paragraph in respect of each controlled donation accepted by the donee which is a recordable donation; and
 - (b) deliver the report to the Commission within the period of 30 days beginning with the date of acceptance of the donation.
- (2) For the purposes of this paragraph a controlled donation is a recordable donation—
- (a) if it is a donation of more than £5,000 (where the donee is a members association) or £1,000 (in any other case); or
 - (b) if, when it is added to any other controlled donation or donations accepted by the donee—
 - (i) which have been made by the same permissible donor 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 donations is more than £5,000 (where the donee is a members association) or £1,000 (in any other case).
- (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 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.
- (5) In the application of paragraphs 2 and 4 of Schedule 6 in accordance with sub-paragraph (4) above—

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- (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 a donation to which paragraph 7(2) applies, sub-paragraph (2)(b) above shall have effect as if for “by the same permissible donor” there were substituted “in circumstances falling within paragraph 7(2)”.
- (7) In the case of a donation to which paragraph 7(3) applies—
- (a) sub-paragraph (2)(b) above shall have effect as if for “by the same permissible donor” 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.

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

- II** 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. 1Pt. 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.

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- (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)

- 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 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 not delivered by the end of the period of 30 days mentioned in that provision—
- (a) the regulated donee, or
 - (b) (if a members association) the responsible person,
- is guilty of an offence.

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- (2) If such a report is delivered to the Commission which does not comply with any requirements of paragraph 10 or 11 as regards the information to be given in such a report—
- (a) the regulated donee, or
 - (b) (if a members association) the responsible person,
- is guilty of an offence.
- (3) Where a person is charged with an offence under this paragraph, it shall be a defence to prove that he took all reasonable steps, and exercised all due diligence, to ensure that any requirements—
- (a) as regards the preparation and delivery of a report in respect of the donation in question, or
 - (b) as regards the information to be given in the report in question,
- as the case may be, were complied with in relation to that donation or report.
- (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.

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)

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](#))

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).

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- (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)

- C10** Sch. 7 paras. 2-15 excluded (temp. from 16.2.2001) by S.I. 2001/446, art. 3
- C11** 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
- C12** 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

- 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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