



Political Parties, Elections and Referendums Act 2000

2000 CHAPTER 41

PART IV

CONTROL OF DONATIONS TO REGISTERED PARTIES AND THEIR MEMBERS ETC.

CHAPTER II

RESTRICTIONS ON DONATIONS TO REGISTERED PARTIES

Permissible donations

56 Acceptance or return of donations: general.

(1) Where—

- (a) a donation is received by a registered party, and
- (b) it is not immediately decided that the party should (for whatever reason) refuse the donation,

all reasonable steps must be taken forthwith by or on behalf of the party to verify (or, so far as any of the following is not apparent, ascertain) the identity of the donor, whether he is a permissible donor, and (if that appears to be the case) all such details in respect of him as are required by virtue of paragraph 2 [^{F1}or 2A] of Schedule 6 to be given in respect of the donor of a recordable donation.

(2) If a registered party receives a donation which it is prohibited from accepting by virtue of section 54(1), or which it is decided that the party should for any other reason refuse, then—

- (a) unless the donation falls within section 54(1)(b), the donation, or a payment of an equivalent amount, must be sent back to the person who made the donation or any person appearing to be acting on his behalf,

Status: Point in time view as at 22/09/2020. This version of this provision has been superseded.

Changes to legislation: Political Parties, Elections and Referendums Act 2000, Section 56 is up to date with all changes known to be in force on or before 17 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)

- (b) if the donation falls within that provision, the required steps (as defined by section 57(1)) must be taken in relation to the donation, within the period of 30 days beginning with the date when the donation is received by the party.
- (3) Where—
- (a) subsection (2)(a) applies in relation to a donation, and
 - (b) the donation is not dealt with in accordance with that provision,
- the party and the treasurer of the party are each guilty of an offence.
- [^{F2}(3A) Where a party or its treasurer is charged with an offence under subsection (3), it shall be a defence to prove that—
- (a) all reasonable steps were taken by or on behalf of the party to verify (or ascertain) whether the donor was a permissible donor, and
 - (b) as a result, the treasurer believed the donor to be a permissible donor.]
- (4) Where—
- (a) subsection (2)(b) applies in relation to a donation, and
 - (b) the donation is not dealt with in accordance with that provision,
- the treasurer of the party is guilty of an offence.
- (5) For the purposes of this Part a donation received by a registered party shall be taken to have been accepted by the party unless—
- (a) the steps mentioned in paragraph (a) or (b) of subsection (2) are taken in relation to the donation within the period of 30 days mentioned in that subsection; and
 - (b) a record can be produced of the receipt of the donation and—
 - (i) of the return of the donation, or the equivalent amount, as mentioned in subsection (2)(a), or
 - (ii) of the required steps being taken in relation to the donation as mentioned in subsection (2)(b),
 as the case may be.
- (6) Where a donation is received by a registered party in the form of an amount paid into any account held by the party with a financial institution, it shall be taken for the purposes of this Part to have been received by the party at the time when the party is notified in the usual way of the payment into the account.

Textual Amendments

- F1** Words in s. 56(1) 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**
- F2** S. 56(3A) inserted (1.1.2010) by [Political Parties and Elections Act 2009 \(c. 12\)](#), **ss. 12**, 43; S.I. 2009/3084, **art. 4(a)**

Modifications etc. (not altering text)

- C1** Ss. 56-60 applied (with modifications) by [1983 c. 2](#), **Sch. 2A para. 7** (as inserted (1.7.2001) by [2000 c. 41](#), **ss. 130(3)(4)**, **163(2)-(4)**, **Sch. 16** (with s. 156(6)); S.I. 2001/222, art. 4, **Sch. 2** (with **Sch. 2 Pt. II para. 1**))

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- C2** Ss. 56-60 applied (with modifications) (E.W.S. and Gibraltar) (23.3.2004) by [The European Parliamentary Elections Regulations 2004 \(S.I. 2004/293\)](#), reg. 42(4), **Sch. 6 para. 7(1)** (with regs. 3-5)
- C3** Ss. 56-60 applied (with modifications) (N.I.) (30.4.2004) by [The European Parliamentary Elections \(Northern Ireland\) Regulations 2004 \(S.I. 2004/1267\)](#), reg. 38(4), **Sch. 4 para. 7**
- C4** Ss. 50-69 excluded (temp. from 25.9.2006 until 31.10.2007) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\)](#), ss. 10(2)(a), **11(1)(2)**, 31(2)
- C5** Ss. 56-60 applied (with modifications) (1.2.2007) by [The National Assembly for Wales \(Representation of the People\) Order 2007 \(S.I. 2007/236\)](#), arts. 1(1), 41(4), **Sch. 6 para. 7**
- C6** Ss. 56-59 applied by 1962 c. 14 (N.I.), Sch. 3A para. 7 (as inserted (16.12.2010) by [The Local Elections \(Northern Ireland\) Order 2010 \(S.I. 2010/2977\)](#), art. 2(2), **Sch. 1 para. 19** (with art. 1(3)))
- C7** Ss. 56-60 applied (with modifications) (25.7.2012) by [The Police and Crime Commissioner Elections Order 2012 \(S.I. 2012/1917\)](#), art. 1(2), **Sch. 5 para. 7**
- C8** S. 56(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)(6)** (with reg. 8(8)-(10))

Commencement Information

- II** S. 56 wholly in force at 16.2.2001; s. 56 not in force at Royal Assent, see s. 163(2); s. 56 in force at 16.2.2001 by [S.I. 2001/222](#), art. 2, **Sch. 1 Pt. I** (with [Sch. 1 Pt. II para. 2](#))

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