



Political Parties, Elections and Referendums Act 2000

2000 CHAPTER 41

PART IV

CONTROL OF DONATIONS TO REGISTERED PARTIES AND THEIR MEMBERS ETC.

[^{F1}CHAPTER 6

SPECIAL PROVISION IN CONNECTION WITH NORTHERN IRELAND

Textual Amendments

F1 Pt. 4 Ch. 6 inserted (1.11.2007) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\)](#), ss. 10(2)(b), 12, 31(2)

71A Introduction

- (1) The following provisions have effect for the interpretation of this Chapter.
- (2) “Northern Ireland recipient” means—
 - (a) a party registered in the Northern Ireland register, or
 - (b) a regulated donee who is—
 - (i) an individual ordinarily resident in Northern Ireland, or
 - (ii) a members association wholly or mainly consisting of members of a Northern Ireland party.
- (3) “Regulated donee” and “members association” have the same meaning as in Schedule 7.
- (4) “Prescribed” means prescribed by an order made by the Secretary of State after consulting the Commission.

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71B Extension of categories of permissible donors in relation to Northern Ireland recipients

- (1) In relation to a donation to a Northern Ireland recipient, section 54(2) has effect as if the following were also permissible donors—
 - (a) an Irish citizen in relation to whom any prescribed conditions are met;
 - (b) a body which is of a prescribed description or category and in relation to which any prescribed conditions are met.
- (2) A description or category of body must not be prescribed for the purposes of subsection (1)(b) unless the Secretary of State is satisfied that a body of that description or category would be entitled under Irish law to donate to an Irish political party.
- (3) In relation to a donation in the form of a bequest subsection (1)(a) is to be read as referring to an individual—
 - (a) who at any time within the period of five years ending with the date of his death was an Irish citizen, and
 - (b) in relation to whom, at the time of his death, any prescribed conditions were met.

71C Northern Ireland recipients not permissible donors in relation to Great Britain

- (1) In relation to a donation received by—
 - (a) a registered party which is registered in the Great Britain register, or
 - (b) a regulated donee resident or carrying on activities in Great Britain,
 section 54(2) has effect as if it did not include a party registered in the Northern Ireland register.
- (2) The reference in subsection (1)(b) to Great Britain includes the combined region.

^{F2}71D Duty to verify donation reports

- (1) The Commission must take such steps as are prescribed for the purpose of verifying the information given in Northern Ireland reports.
- (2) “Northern Ireland report” means a report to the Commission which—
 - (a) is prepared by a Northern Ireland recipient, and
 - (b) contains, or purports to contain, information required to be given by Schedule 6 or 7.

Textual Amendments

F2 Ss. 71D, 71E inserted (1.11.2007) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\)](#), ss. 10(2)(b), 14(1)(2), 31(2), [Sch. 1 para. 1](#) (as amended: (2.8.2010) by [S.I. 2010/2061](#), [arts. 1, 2](#); (1.3.2011) by [S.I. 2011/431](#), [arts. 1\(2\), 2](#); (28.2.2013) by [S.I. 2013/320](#), [arts. 1\(2\), 2](#); and (13.3.2014) by [2014 c. 13](#), [ss. 1\(1\), 28\(1\)\(a\)\(i\)](#))

71E Duty not to disclose contents of donation reports

[Subject to subsection (A2), this section applies only to a donation received by a ^{F3}(A1) Northern Ireland recipient before 1 July 2017.

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(A2) This section does not apply to a donation received before 1 July 2017 which is required to be recorded in a report—

- (a) under section 62 in respect of a period beginning on or after 1 July 2017 because the donation is required by that section to be aggregated with a donation received or transaction entered into on or after that date, or
- (b) under paragraph 10 of Schedule 7 delivered on or after 1 July 2017 because the donation is required by that paragraph to be aggregated with a donation received or a transaction entered into on or after that date.]

(1) A person who is or has been a member or employee of the Commission must not disclose any information which—

- (a) relates to a donation [^{F4}to which this section applies] , and
- (b) has been obtained by the Commission in the exercise of their functions under this Part,

except in the following cases.

(2) Such information may be disclosed, for the purpose of verifying information given in a Northern Ireland report,—

- (a) to a member or employee of the Commission, or
- (b) to such bodies as may be prescribed.

(3) Such information may be disclosed for the purposes of any criminal or civil proceedings.

(4) Such information may be disclosed in accordance with any prescribed requirements if it relates to a donation which the Commission believe, on reasonable grounds, was a donation required to be dealt with in accordance with section 56(2) (donations from impermissible and unidentifiable donors).

[Such information may be disclosed if the Commission believe, on reasonable grounds,
^{F5}(4A) that—

- (a) the relevant person has consented to the disclosure, and
- (b) the consent was given in accordance with any prescribed requirements.

(4B) “The relevant person” means the person who made the donation to which the information relates.]

(5) A person who contravenes subsection (1) is guilty of an offence.

[A person does not contravene subsection (1) if that person discloses information
^{F6}(6) relating to a donation to which this section applies where—

- (a) the donation was received on or after 1 January 2014 but before 1 July 2017,
- (b) the Northern Ireland report recording the donation does not state that the donation was received before 1 July 2017, and
- (c) when the disclosure is made, the person believes that the donation was received on or after 1 July 2017 and is reasonably entitled to hold that belief.

(7) A person does not contravene subsection (1) merely because—

- (a) the person discloses information relating to a transaction within section 71Z4(A3) (duty not to disclose contents of transaction reports: change to a transaction), and
- (b) that disclosure suggests that a donation was received before 1 July 2017 with which the transaction has been aggregated in accordance with—

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- (i) sections 62 (quarterly donation reports: aggregation) and 71M (quarterly reports of regulated transactions: aggregation), or
 - (ii) paragraph 10 of Schedule 7 (donation reports: aggregation) and paragraph 9 of Schedule 7A (transactions reports: aggregation).
- (8) A person does not contravene subsection (1) merely because—
- (a) the person discloses information relating to a donation or a transaction in accordance with this section or section 71Z4, and
 - (b) the disclosure suggests that a donation was received before 1 July 2017 as a result of which section 62(6) or 71M(6) applies in relation to the donation or transaction mentioned in paragraph (a).]]]

Textual Amendments

- F2** Ss. 71D, 71E inserted (1.11.2007) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\)](#), ss. 10(2)(b), 14(1)(2), 31(2), **Sch. 1 para. 1** (as amended: (2.8.2010) by [S.I. 2010/2061](#), **arts. 1, 2**; (1.3.2011) by [S.I. 2011/431](#), **arts. 1(2), 2**; (28.2.2013) by [S.I. 2013/320](#), **arts. 1(2), 2**; and (13.3.2014) by [2014 c. 13](#), **ss. 1(1), 28(1)(a)(i)**)
- F3** S. 71E(A1)(A2) inserted (8.3.2018) by [The Transparency of Donations and Loans etc. \(Northern Ireland Political Parties\) Order 2018 \(S.I. 2018/328\)](#), arts. 1(2), **2(2)** (with art. 12)
- F4** Words in s. 71E(1)(a) substituted (8.3.2018) by [The Transparency of Donations and Loans etc. \(Northern Ireland Political Parties\) Order 2018 \(S.I. 2018/328\)](#), arts. 1(2), **2(3)** (with art. 12)
- F5** S. 71E(4A)(4B) inserted (13.3.2014 for specified purposes) by [Northern Ireland \(Miscellaneous Provisions\) Act 2014 \(c. 13\)](#), **ss. 1(3), 28(1)(a)(ii)**
- F6** S. 71E(6)-(8) inserted (8.3.2018) by [The Transparency of Donations and Loans etc. \(Northern Ireland Political Parties\) Order 2018 \(S.I. 2018/328\)](#), arts. 1(2), **2(4)** (with art. 12)

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View outstanding changes

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)