



Political Parties and Elections Act 2009

2009 CHAPTER 12

PART 2

POLITICAL DONATIONS ETC AND EXPENDITURE

Unincorporated associations

19 Reports of gifts received by unincorporated associations making political contributions

(1) After section 140 of the 2000 Act there is inserted—

“Reports to Commission by unincorporated associations making political contributions

140A Reports of gifts received by unincorporated associations

Schedule 19A, which requires unincorporated associations making political contributions to report gifts received by them to the Commission, has effect.”

(2) Before Schedule 19B to the 2000 Act (inserted by section 2 above) there is inserted, as Schedule 19A, the Schedule set out in Schedule 5 to this Act.

(3) In Schedule 20 to the 2000 Act the following entries are inserted at the appropriate place—

“Paragraph 6(1) of Schedule 19A (failure to give notification or report within specified period)

On summary conviction: Level 5

Paragraph 6(2) of Schedule 19A (giving notification or report that fails to comply with requirements of that Schedule)

On summary conviction in England and Wales or Scotland: statutory maximum or 12 months
On summary conviction in Northern Ireland: statutory maximum or 6 months

Changes to legislation: There are currently no known outstanding effects for the Political Parties and Elections Act 2009, Section 19. (See end of Document for details)

Paragraph 6(3) of Schedule 19A (making false declaration in notification or report)	<p>On indictment: fine or 1 year</p> <p>On summary conviction in England and Wales or Scotland: statutory maximum or 12 months</p> <p>On summary conviction in Northern Ireland: statutory maximum or 6 months</p> <p>On indictment: fine or 1 year”.</p>
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(4) In section 62 of the Electoral Administration Act 2006 (c. 22) (regulation of loans: power to make provision for candidates, third parties and referendums), after subsection (3) there is inserted—

“(3A) The provision that may be made by virtue of subsection (3)(e) includes, in particular, provision amending paragraph 1 of Schedule 19A to the 2000 Act (requirement for unincorporated associations to notify Commission of political contributions over £25,000) so that, in the case of a recognised third party or a permitted participant in a referendum, a “political contribution” includes a relevant matter.”

(5) The Secretary of State, after consulting the Electoral Commission, may make an order that—

- (a) amends or modifies the Schedule inserted into the 2000 Act by Schedule 5 so far as it applies in relation to Northern Ireland;
- (b) makes provision that is consequential on or supplemental to that made by virtue of paragraph (a) (including provision amending or modifying any provision of the 2000 Act).

(6) The power to make an order under subsection (5) is exercisable by statutory instrument.

(7) No order may be made under subsection (5) unless a draft of the instrument containing the order has been laid before and approved by a resolution of each House of Parliament.

(8) In the Schedule inserted into the 2000 Act by Schedule 5 to this Act—

- (a) the reference in paragraph 1(1) to a calendar year does not include any year before 2010;
- (b) a reference in paragraph 2 to a gift does not include any gift received before the day on which this Act is passed.

Changes to legislation:

There are currently no known outstanding effects for the Political Parties and Elections Act 2009, Section 19.