



Political Parties, Elections and Referendums Act 2000

2000 CHAPTER 41

[^{F1}PART 4A

REGULATION OF LOANS AND RELATED TRANSACTIONS

[^{F1}]^{F2}CHAPTER 2

SPECIAL PROVISION IN CONNECTION WITH NORTHERN IRELAND

Textual Amendments

- F1** Pt. 4A (ss. 71F-71X) inserted (11.9.2006 for E.W.S. for specified purposes, 1.1.2007 for N.I. for specified purposes, 1.7.2008 for N.I. for specified purposes, 15.9.2014 for N.I. in so far as not already in force) by [Electoral Administration Act 2006](#) (c. 22), [ss. 61\(1\)](#), 77(2); S.I. 2006/1972, [art. 3](#), Sch. 1 para. 20(a) (subject to [art. 4](#), Sch. 2) (as substituted by S.I. 2006/2268, art. 3); S.I. 2006/3412, [art. 4](#) (subject to [art. 6](#), Sch. 2); S.I. 2008/1656, [art. 2](#) (subject to [art. 3](#), Sch. 1); S.I. 2014/1809, art. 2
- F2** Pt. 4A Ch. 2 inserted (1.7.2008) by [The Electoral Administration Act 2006 \(Regulation of Loans etc: Northern Ireland\) Order 2008](#) (S.I. 2008/1319), arts. 1(2), [3\(2\)](#)

71Z Introduction

- (1) The following provisions have effect for the interpretation of this Chapter.
- (2) “Northern Ireland participant” means —
 - (a) a party registered in the Northern Ireland register, or
 - (b) a regulated participant 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.

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- (3) “Regulated participant” and “members association” have the same meaning as in Schedule 7A.
- (4) “Prescribed” means prescribed by an order made by the Secretary of State after consulting the Commission.
- [Such information may be disclosed if the Commission believe, on reasonable grounds,
^{F3}(4A) that—
- (a) each relevant person has consented to the disclosure, and
 - (b) the consent was given in accordance with any prescribed requirements.
- (4B) “Relevant person” means a party to the transaction to which the information relates other than—
- (a) a registered party whose treasurer is required under this Part to prepare a report to the Commission giving details of the transaction, or
 - (b) any other party to the transaction who is required under this Part to prepare such a report.]

Textual Amendments

- F3** S. 71Z(4A)(4B) inserted (13.3.2014 for specified purposes) by [Northern Ireland \(Miscellaneous Provisions\) Act 2014 \(c. 13\)](#), ss. **2(2)**, 28(1)(b)(ii)

71Z1 Extension of categories of authorised participants in relation to Northern Ireland participants

- (1) In relation to a regulated transaction or controlled transaction involving a Northern Ireland participant, section 71H(3) and paragraph 4(3) of Schedule 7A have effect as if the following were also authorised participants—
- (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 enter into a transaction which corresponds to a regulated or controlled transaction in relation to an Irish political party.

71Z2 Northern Ireland participants are not authorised participants in relation to Great Britain

- (1) In relation to a regulated transaction or controlled transaction to which—
- (a) a registered party which is registered in the Great Britain register, or
 - (b) a regulated participant resident or carrying on activities in Great Britain,
- is a party, section 71H(3) and paragraph 4(3) of Schedule 7A, have effect as if a party registered in the Northern Ireland register is not an authorised participant.

^{F4}(2)

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Textual Amendments

- F4** S. 71Z2(2) repealed (31.12.2020) by [The European Parliamentary Elections Etc. \(Repeal, Revocation, Amendment and Saving Provisions\) \(United Kingdom and Gibraltar\) \(EU Exit\) Regulations 2018](#) (S.I. 2018/1310), reg. 1, **Sch. 1 Pt. 1** (as amended by S.I. 2019/1389, regs. 1, 2(2))

[^{F5}71Z3] Duty to verify transaction reports

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

Textual Amendments

- F5** Ss. 71Z3, 71Z4 inserted (1.7.2008) by [The Electoral Administration Act 2006 \(Regulation of Loans etc: Northern Ireland\) Order 2008](#) (S.I. 2008/1319), arts. 1(2), 5, **Sch. 1 para. 1** (as amended: (2.8.2010) by S.I. 2010/2061, **arts. 1, 3**; (1.3.2011) by S.I. 2011/431, **arts. 1(2), 3**; (28.2.2013) by S.I. 2013/320, **arts. 1(2), 3**; and (13.3.2014) by 2014 c. 13, **ss. 2(1)(a), 28(1)(b)(i)**)

71Z4 Duty not to disclose contents of transaction reports

[Subject to subsections (A2) and (A3), this section applies only to a transaction entered
^{F6}(A1) into by a Northern Ireland participant before 1 July 2017.

- (A2) This section does not apply to a transaction entered into before 1 July 2017 which is required to be recorded in a report—
- under section 71M in respect of a period beginning on or after 1 July 2017 because the transaction is required by that section to be aggregated with a transaction entered into or a donation received on or after that date, or
 - under paragraph 9 of Schedule 7A delivered on or after 1 July 2017 because the transaction is required by that paragraph to be aggregated with a transaction entered into or a donation received on or after that date.
- (A3) This section does not apply to a transaction entered into on or after 1 January 2014 and before 1 July 2017—
- if a change to that transaction is required to be recorded in a report under section 71M in respect of a period beginning on or after 1 July 2017 because the change falls within section 71N(1) or (3), or
 - if a change to that transaction which takes effect on or after 1 July 2017 is required to be recorded in a report under paragraph 11 of Schedule 7A because the change falls within sub-paragraph (3) or (5) of that paragraph.
- (A4) In subsection (A3), a reference to a change within section 71N(1) or paragraph 11(3) of Schedule 7A does not include a reference to a repayment of the whole of a debt (or all of the remaining debt) under a loan.]

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- (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 transaction to which [^{F7}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–
- (a) to a member or employee of the Commission, or
 - (b) to such bodies as may be prescribed,
- for the purpose of verifying information given in a Northern Ireland report.
- (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 transaction which the Commission believe, on reasonable grounds, was a transaction which was required to be dealt with under section 71I or 71J or paragraph 5 or 6 of Schedule 7A (transactions involving unauthorised participants).
- (5) A person who contravenes subsection (1) is guilty of an offence.

[A person does not contravene subsection (1) if that person discloses information
^{F8}(6) relating to a transaction to which this section applies where—

- (a) the transaction was entered into on or after 1 January 2014 but before 1 July 2017,
 - (b) the Northern Ireland report recording the transaction does not state that the transaction was entered into before 1 July 2017, and
 - (c) when the disclosure is made, the person believes that the transaction was entered into on or after 1 July 2017 and is reasonably entitled to hold that belief.
- (7) A person does not contravene subsection (1) if that person discloses information relating to a transaction to which this section applies where—
- (a) the transaction was entered into on or after 1 January 2014 but before 1 July 2017,
 - (b) a change to the transaction which took effect before 1 July 2017 is required to be recorded in a report under section 71M or paragraph 11 of Schedule 7A,
 - (c) the Northern Ireland report recording the change does not state that it took effect before 1 July 2017, and
 - (d) when the disclosure is made, the person believes that the change took effect on or after 1 July 2017 and is reasonably entitled to hold that belief.
- (8) A person does not contravene subsection (1) merely because—
- (a) the person discloses information relating to a transaction within subsection (A3), and
 - (b) that disclosure suggests that a transaction was entered into before 1 July 2017 with which the transaction has been aggregated in accordance with section 71M (quarterly reports of regulated transactions: aggregation) or paragraph 9 of Schedule 7A (transactions reports: aggregation).
- (9) A person does not contravene subsection (1) merely because—

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- (a) the person discloses information relating to a donation or a transaction in accordance with this section or section 71E, and
- (b) the disclosure suggests that a transaction was entered into before 1 July 2017 as a result of which section 71M(6) or 62(6) applies in relation to the transaction or donation mentioned in paragraph (a).]]]]

Textual Amendments

- F5** Ss. 71Z3, 71Z4 inserted (1.7.2008) by [The Electoral Administration Act 2006 \(Regulation of Loans etc: Northern Ireland\) Order 2008 \(S.I. 2008/1319\)](#), arts. 1(2), 5, **Sch. 1 para. 1** (as amended: (2.8.2010) by [S.I. 2010/2061](#), **arts. 1, 3**; (1.3.2011) by [S.I. 2011/431](#), **arts. 1(2), 3**; (28.2.2013) by [S.I. 2013/320](#), **arts. 1(2), 3**; and (13.3.2014) by [2014 c. 13](#), **ss. 2(1)(a)**, 28(1)(b)(i))
- F6** S. 71Z4(A1)-(A4) 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), **3(2)** (with art. 12)
- F7** Words in s. 71Z4(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), **3(3)** (with art. 12)
- F8** S. 71Z4(6)-(9) 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), **3(4)** (with art. 12)

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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\(3\)](#)