



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

Forfeiture of certain donations

58 Forfeiture of donations made by impermissible or unidentifiable donors.

- (1) This section applies to any donation received by a registered party—
 - (a) which, by virtue of section 54(1)(a) or (b), the party are prohibited from accepting, but
 - (b) which has been accepted by the party.
- (2) The court may, on an application made by the Commission, order the forfeiture by the party of an amount equal to the value of the donation.
- (3) The standard of proof in proceedings on an application under this section shall be that applicable to civil proceedings.
- (4) An order may be made under this section whether or not proceedings are brought against any person for an offence connected with the donation.
- (5) In this section “the court” means—
 - (a) in relation to England and Wales, a magistrates’ court;
 - (b) in relation to Scotland, the sheriff; and
 - (c) in relation to Northern Ireland, a court of summary jurisdiction;

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^{F1}(d)

and proceedings on an application under this section to the sheriff shall be civil proceedings.

Textual Amendments

- F1** S. 58(5)(d) repealed (31.12.2020) by The European Parliamentary Elections Etc.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))

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**))
- 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**

Commencement Information

- I1** S. 58 wholly in force at 16.2.2001; s. 58 not in force at Royal Assent, see s. 163(2); s. 58 in force at 16.2.2001 by S.I. 2001/222, art. 2, **Sch. 1 Pt. 1** (with **Sch. 1 Pt. II para. 2**)

59 Appeal against order under section 58.

- (1) Subsection (2) applies where an order (“the forfeiture order”) is made under section 58 by a magistrates’ court or a court of summary jurisdiction in Northern Ireland.
- (2) The registered party may, before the end of the period of 30 days beginning with the date on which the forfeiture order is made, appeal to the Crown Court or, in Northern Ireland, to a county court.

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- (3) An appeal under subsection (2) shall be by way of a rehearing; and the court hearing such an appeal may make such order as it considers appropriate.
- (4) Subsections (3) and (4) of section 58 apply in relation to a rehearing on an appeal under subsection (2) as they apply in relation to proceedings under that section.
- (5) Where an order is made under section 58 by the sheriff, the registered party may appeal against the order to the Court of Session.

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Textual Amendments

- F2** S. 59(2A) 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))

Modifications etc. (not altering text)

- 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** 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**))
- C9** 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)
- C10** 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**
- C11** 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)
- C12** 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**

Commencement Information

- I2** S. 59 wholly in force at 16.2.2001; s. 59 not in force at Royal Assent, see s. 163(2); s. 59 in force at 16.2.2001 by [S.I. 2001/222](#), art. 2, **Sch. 1 Pt. I** (with [Sch. 1 Pt. II para. 2](#))

60 Supplementary provisions about orders under section 58.

- (1) [^{F3}Provision] may be made by rules of court—
- with respect to applications or appeals to any court under section 58 or 59,
 - for the giving of notice of such applications or appeals to persons affected,
 - for the joinder, or in Scotland sisting, of such persons as parties,
- and generally with respect to the procedure under those sections before any court.
- (2) Subsection (1) is without prejudice to the generality of any existing power to make rules.
- (3) Any amount forfeited by an order under section 58 or 59 shall be paid into the Consolidated Fund.
- (4) Subsection (3) does not apply—
- where an appeal is made under section 59(2) or (5), before the appeal is determined or otherwise disposed of; and
 - in any other case—
- where the forfeiture was ordered by a magistrates' court or a court of summary jurisdiction in Northern Ireland ^{F4}..., before the end of the period of 30 days mentioned in section 59(2); or

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- (ii) where the forfeiture was ordered by the sheriff, before the end of any period within which, in accordance with rules of court, an appeal under section 59(5) must be made.
- (5) In the case of a registered party which is not a body corporate—
- (a) proceedings under section 58 or 59 shall be brought against or by the party in its own name (and not in that of any of its members);
 - (b) for the purposes of any such proceedings any rules of court relating to the service of documents apply as if the party were a body corporate; and
 - (c) any amount forfeited by an order under section 58 or 59 shall be paid out of the funds of the party.

Textual Amendments

- F3** Words in s. 60(1) substituted (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. 2 para. 4\(3\)](#) (as amended by S.I. 2019/1389, regs. 1, 2(2))
- F4** Words in s. 60(4)(b)(i) 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))

Modifications etc. (not altering text)

- 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](#)
- C13** 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](#)))
- C14** 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)
- C15** 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](#)
- C16** 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\(2\)](#)
- C17** 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](#)
- C18** S. 60(3)-(5) 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)))

Commencement Information

- I3** S. 60 wholly in force at 16.2.2001; s. 60 not in force at Royal Assent, see s. 163(2); s. 60 in force at 16.2.2001 by S.I. 2001/222, art. 2, [Sch. 1 Pt. I](#) (with [Sch. 1 Pt. II para. 2](#))

Changes to legislation:

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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\(3\)](#)