
Status: Point in time view as at 20/01/2005.

Changes to legislation: Political Parties, Elections and Referendums Act 2000, Cross Heading: Operation and interpretation of Schedule is up to date with all changes known to be in force on or before 03 June 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)

SCHEDULES

SCHEDULE 7

CONTROL OF DONATIONS TO INDIVIDUALS AND MEMBERS ASSOCIATIONS

PART I

INTRODUCTORY

Operation and interpretation of Schedule

- 1 (1) This Schedule has effect for controlling donations to—
- (a) members of registered parties;
 - (b) members associations; and
 - (c) holders of relevant elective offices.
- (2) The following provisions have effect for the purposes of this Schedule.
- (3) “Controlled donation”—
- (a) in relation to a member of a registered party, means a donation received by that person which is—
 - (i) offered to him, or
 - (ii) where it has been accepted, retained by him,for his use or benefit in connection with any of his political activities as a member of the party;
 - (b) in relation to a members association, means a donation received by the association which is—
 - (i) offered to the association, or
 - (ii) where it has been accepted, retained by the association,for its use or benefit in connection with any of its political activities;
 - (c) in relation to a holder of a relevant elective office, means a donation received by that person which is—
 - (i) offered to him, or
 - (ii) where it has been accepted, retained by him,for his use or benefit (as the holder of such an office) in connection with any of his political activities.
- (4) For the purposes of this Schedule the political activities of a party member or (as the case may be) of a members association include, in particular—
- (a) promoting or procuring the election of any person to any position in, or to any committee of, the party in question;

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- (b) promoting or procuring the selection of any person as the party’s candidate for election to a relevant elective office; and
 - (c) promoting or developing policies with a view to their adoption by the party; and in the application of paragraph (a) or (b) to a party member the reference to any person includes that member.
- (5) “Donation” shall be construed in accordance with paragraphs 2 to 4; and (in the absence of any express indication) a donation shall be taken to have been offered to, or retained by, a person or organisation as mentioned in sub-paragraph (1)(a), (b) or (c) if, having regard to all the circumstances, it must reasonably be assumed to have been so offered or retained.
- (6) “Members association” means any organisation whose membership consists wholly or mainly of members of a registered party, other than—
- (a) a registered party falling within section 26(2)(a); or
 - (b) an organisation falling within section 26(2)(b) (that is, the central organisation of a registered party or an accounting unit of such a party).
- (7) “Regulated donee” means—
- (a) a member of a registered party;
 - (b) a members association; or
 - (c) the holder of a relevant elective office, whether or not he is a member of a registered party.
- (8) “Relevant elective office” means the office of—
- (a) member of the House of Commons;
 - (b) member of the European Parliament elected in the United Kingdom [^{F1}(including the combined region)];
 - (c) member of the Scottish Parliament;
 - (d) member of the National Assembly for Wales;
 - (e) member of the Northern Ireland Assembly;
 - (f) member of—
 - (i) any local authority in any part of the United Kingdom, including the Common Council of the City of London but excluding a parish or community council, or
 - (ii) the Greater London Assembly; or
 - (g) Mayor of London or elected mayor within the meaning of Part II of the Local Government Act 2000.
- (9) “The responsible person”, in relation to a members association, means—
- (a) the treasurer, if there is one, and
 - (b) otherwise any person responsible for dealing with donations to the association.
- (10) Where—
- (a) at a time when any order is in force under section 70(1) a donation is received by a regulated donee resident or carrying on activities in Great Britain, and
 - (b) the order provides for this sub-paragraph to apply to any such donation,
- section 54(2)(c) shall have effect in relation to the donation as if it referred only to a registered party which is registered in the Great Britain register.

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[^{F2}(11) In sub-paragraph (10)(a) the combined region is to be regarded as part of England for the purposes of the reference to Great Britain.]

Textual Amendments

- F1** Words in Sch. 7 para. 1(8)(b) inserted (5.2.2004) by The European Parliamentary Elections (Combined Region and Campaign Expenditure) (United Kingdom and Gibraltar) Order 2004 (S.I. 2004/366), arts. 1(2), 4(2), **Sch. para. 34(a)(i)**
- F2** Words in Sch. 7 para. 1(11) inserted (5.2.2004) by The European Parliamentary Elections (Combined Region and Campaign Expenditure) (United Kingdom and Gibraltar) Order 2004 (S.I. 2004/366), arts. 1(2), 4(2), **Sch. para. 34(a)(ii)**

Modifications etc. (not altering text)

- C1** Sch. 7 para. 1(10) applied (16.2.2001) by S.I. 2001/446, **art. 5**
- C2** Sch. 7 para. 1(10) applied (temp. from 16.2.2005) by The Political Parties, Elections and Referendums Act 2000 (Disapplication of Part IV for Northern Ireland Parties, etc) Order 2005 (S.I. 2005/299), arts. 1(2), **5**

Commencement Information

- I1** Sch. 7 wholly in force at 16.2.2001; Sch. 7 partly in force at Royal Assent, see s. 163(3); Sch. 7 in force in so far as not already in force at 16.2.2001 by S.I. 2001/222, art. 2, **Sch. 1 Pt. I** (subject to transitional provisions in Sch. 1 Pt. II)

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