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

Permissible donations

54 Permissible donors.

(1) A donation received by a registered party must not be accepted by the party if—
   (a) the person by whom the donation would be made is not, at the time of its receipt by the party, a permissible donor; or
   (b) the party is (whether because the donation is given anonymously or by reason of any deception or concealment or otherwise) unable to ascertain the identity of that person.

(2) For the purposes of this Part the following are permissible donors—
   (a) an individual registered in an electoral register;
   (b) a company—
      (i) [F1 registered under the Companies Act 2006], and
      (ii) incorporated within the United Kingdom or another member State, which carries on business in the United Kingdom;
   (c) a registered party[F2, other than a Gibraltar party whose entry in the register includes a statement that it intends to contest one or more elections to the European Parliament in the combined region];
(d) a trade union entered in the list kept under the Trade Union and Labour Relations (Consolidation) Act 1992 or the Industrial Relations (Northern Ireland) Order 1992;

(e) a building society (within the meaning of the Building Societies Act 1986);

(f) a limited liability partnership registered under the Limited Liability Partnerships Act 2000 which carries on business in the United Kingdom;

(g) a friendly society registered under the Friendly Societies Act 1974, a registered society within the meaning of the Co-operative and Community Benefit Societies Act 2014 or a society registered (or deemed to be registered) under the Industrial and Provident Societies Act (Northern Ireland) 1969; and

(h) any unincorporated association of two or more persons which does not fall within any of the preceding paragraphs but which carries on business or other activities wholly or mainly in the United Kingdom and whose main office is there.

(2A) As respects a registered party whose entry in the register includes a statement that it intends to contest one or more elections to the European Parliament in the combined region, the following are also permissible donors for the purposes of this Part—

(a) a Gibraltar elector;

(b) a company—

(i) registered under the Companies Act or the Companies Act 2014 (see section 160(6) below), and

(ii) incorporated within Gibraltar, the United Kingdom or another member State, which carries on business in Gibraltar;

(c) a Gibraltar party whose entry in the register includes a statement that it intends to contest one or more elections to the European Parliament in the combined region;

(d) a trade union within the meaning of the Trade Unions and Trade Disputes Act;

(e) a limited partnership registered under the Limited Partnerships Act, which carries on business in Gibraltar;

(f) any unincorporated association of two or more persons which does not fall within any of the preceding paragraphs but which carries on business or other activities wholly or mainly in Gibraltar and whose main office is there, but, in the case of a party other than a Gibraltar party, only where the donation is received by the party within the period of four months ending with the date of the poll for an election to the European Parliament in the combined region.

(3) In relation to a donation in the form of a bequest subsection (2)(a) shall be read as referring to an individual who was, at any time within the period of five years ending with the date of his death, registered in an electoral register.

(3A) In relation to a donation in the form of a bequest subsection (2A)(a) shall be read as referring to an individual who was, at any time within the period of five years ending with the date of his death, a Gibraltar elector.

(4) Where any person (“the principal donor”) causes an amount (“the principal donation”) to be received by a registered party by way of a donation—
(a) on behalf of himself and one or more other persons, or
(b) on behalf of two or more other persons,

then for the purposes of this Part each individual contribution by a person falling within paragraph (a) or (b) of more than £500 shall be treated as if it were a separate donation received from that person.

(5) In relation to each such separate donation, the principal donor must ensure that, at the time when the principal donation is received by the party, the party is given—

(a) (except in the case of a donation which the principal donor is treated as making) all such details in respect of the person treated as making the donation as are required by virtue of paragraph 2 or 2A of Schedule 6 to be given in respect of the donor of a recordable donation; and

(b) (in any case) all such details in respect of the donation as are required by virtue of paragraph 4 of Schedule 6 to be given in respect of a recordable donation.

(6) Where—

(a) any person (“the agent”) causes an amount to be received by a registered party by way of a donation on behalf of another person (“the donor”), and

(b) the amount of that donation is more than £500,

the agent must ensure that, at the time when the donation is received by the party, the party is given all such details in respect of the donor as are required by virtue of paragraph 2 or 2A of Schedule 6 to be given in respect of the donor of a recordable donation.

(7) A person commits an offence if, without reasonable excuse, he fails to comply with subsection (5) or (6).

(8) In this section “electoral register” means any of the following—

(a) a register of parliamentary or local government electors maintained under section 9 of the Representation of the People Act 1983;

(b) a register of relevant citizens of the European Union prepared under the European Parliamentary Elections (Franchise of Relevant Citizens of the Union) Regulations 2001; or

(c) a register of peers prepared under regulations under section 3 of the Representation of the People Act 1985.
Changes to legislation: Political Parties, Elections and Referendums Act 2000, Section 54 is up to date with all changes known to be in force on or before 01 December 2019. 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) View outstanding changes

F6 S. 54(2A)(b) substituted (8.12.2015) by The European Parliamentary Elections (Miscellaneous Provisions) (United Kingdom and Gibraltar) Order 2015 (S.I. 2015/1982), art. 1(2), Sch. para. 2(a) (with art. 3)

F7 Words in s. 54(2A)(d) substituted (8.12.2015) by The European Parliamentary Elections (Miscellaneous Provisions) (United Kingdom and Gibraltar) Order 2015 (S.I. 2015/1982), art. 1(2), Sch. para. 2(b) (with art. 3)

F8 S. 54(2A)(e) omitted (8.12.2015) by virtue of The European Parliamentary Elections (Miscellaneous Provisions) (United Kingdom and Gibraltar) Order 2015 (S.I. 2015/1982), art. 1(2), Sch. para. 2(c) (with art. 3)

F9 S. 54(2A)(f) substituted (8.12.2015) by The European Parliamentary Elections (Miscellaneous Provisions) (United Kingdom and Gibraltar) Order 2015 (S.I. 2015/1982), art. 1(2), Sch. para. 2(d) (with art. 3)

F10 Words in s. 54(3A) 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. 12(c)

F11 Sum in s. 54(4)(b) substituted (1.1.2010) by virtue of Political Parties and Elections Act 2009 (c. 12), ss. 20(1), 43; S.I. 2009/3084, art. 4(h)

F12 Words in s. 54(5)(a)(6) inserted (1.11.2007) by The Political Parties, Elections and Referendums Act 2000 (Northern Ireland Political Parties) Order 2007 (S.I. 2007/2501, art. 6, Sch. 2 para. 2)

F13 Sum in s. 54(6)(b) substituted (1.1.2010) by Political Parties and Elections Act 2009 (c. 12), ss. 20(1), 43; S.I. 2009/3084, art. 4(h)

F14 Words in s. 54(8)(b) substituted (9.4.2001) by S.I. 2001/1184, reg. 11(b)

Modifications etc. (not altering text)

C1 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)

C2 S. 54(2)(c) modified (temp. from 25.9.2006 until 31.10.2007) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 10(2)(a), 11(2)(4), 31(2)

Commencement Information

I1 S. 54 wholly in force at 16.2.2001; s. 54 not in force at Royal Assent, see s. 163(2); s. 54 in force at 16.2.2001 by S.I. 2001/222, art. 2, Sch. 1 Pt. 1 (with Sch. 1 Pt. II para. 2)

Marginal Citations

M1 1992 c. 52.
M3 1986 c. 53.
M4 2000 c. 12.
M5 1974 c. 46.
M7 1983 c. 2.
M8 1985 c. 50.
Changes to legislation:
Political Parties, Elections and Referendums Act 2000, Section 54 is up to date with all changes known to be in force on or before 01 December 2019. 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.
View outstanding changes

Changes and effects yet to be applied to:

- s. 54(1)(a) word repealed by 2009 c. 12 Sch. 7
- s. 54(1)(b) words substituted by 2009 c. 12 Sch. 6 para. 12
- s. 54(2)(a) words substituted by 2009 c. 12 s. 10(2)
- s. 54(2)(b)(ii) words repealed by S.I. 2018/1310 Sch. 1 Pt. 1 (This S.I. is amended by S.I. 2019/1389, reg. 2)
- s. 54(2)(c) words repealed by S.I. 2018/1310 Sch. 1 Pt. 1 (This S.I. is amended by S.I. 2019/1389, reg. 2)
- s. 54(2A) repealed by S.I. 2018/1310 Sch. 1 Pt. 1 (This S.I. is amended by S.I. 2019/1389, reg. 2)
- s. 54(3A) repealed by S.I. 2018/1310 Sch. 1 Pt. 1 (This S.I. is amended by S.I. 2019/1389, reg. 2)
- s. 54(8) words repealed by S.I. 2018/1310 Sch. 1 Pt. 1 (This S.I. is amended by S.I. 2019/1389, reg. 2)
- s. 54(8)(b)(c) repealed by S.I. 2018/1310 Sch. 1 Pt. 1 (This S.I. is amended by S.I. 2019/1389, reg. 2)

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):

- Pt. 9 heading words inserted by 2009 c. 12 Sch. 6 para. 21
- s. 8(3)(d) inserted by 2011 c. 13 Sch. 10 para. 12
- s. 31(4)(c) repealed by S.I. 2018/1310 Sch. 1 Pt. 1 (This S.I. is amended by S.I. 2019/1389, reg. 2)
- 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(2A)-(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. 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)