



# Political Parties, Elections and Referendums Act 2000

## 2000 CHAPTER 41

### [<sup>F1</sup>PART 4A

#### REGULATION OF LOANS AND RELATED TRANSACTIONS

### [<sup>F2</sup>CHAPTER 1

#### [<sup>F1</sup>[ <sup>F2</sup>71L] <sup>X1</sup>Offences relating to regulated transactions

- (1) A registered party commits an offence if—
  - (a) it enters into a regulated transaction of a description mentioned in section 71F(2) or (3) in which another participant is not an authorised participant, and
  - (b) an officer of the party knew or ought reasonably to have known of the matters mentioned in paragraph (a).
- (2) A person commits an offence if—
  - (a) he is the treasurer of a registered party,
  - (b) the party enters into a regulated transaction of a description mentioned in section 71F(2) or (3) in which another participant is not an authorised participant, and
  - (c) he knew or ought reasonably to have known of the matters mentioned in paragraph (b).
- (3) A registered party commits an offence if—
  - (a) it enters into a regulated transaction of a description mentioned in section 71F(2) or (3) in which another participant is not an authorised participant,
  - (b) no officer of the party knew or ought reasonably to have known that the other participant is not an authorised participant, and

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- (c) as soon as practicable after knowledge of the matters mentioned in paragraph (a) comes to the treasurer of the party he fails to take all reasonable steps to repay any money which the party has received by virtue of the transaction.
- (4) A person who is the treasurer of a registered party commits an offence if—
  - (a) the party enters into a regulated transaction of a description mentioned in section 71F(2) or (3) in which another participant is not an authorised participant,
  - (b) subsection (2)(c) does not apply to him, and
  - (c) as soon as practicable after knowledge of the matters mentioned in paragraph (a) comes to him he fails to take all reasonable steps to repay any money which the party has received by virtue of the transaction.
- (5) A registered party commits an offence if—
  - (a) it benefits from or falls to benefit in consequence of a connected transaction to which any of the parties is not an authorised participant, and
  - (b) an officer of the party knew or ought reasonably to have known of the matters mentioned in paragraph (a).
- (6) A person commits an offence if—
  - (a) he is the treasurer of a registered party,
  - (b) the party benefits from or falls to benefit in consequence of a connected transaction to which any of the parties is not an authorised participant, and
  - (c) he knew or ought reasonably to have known of the matters mentioned in paragraph (b).
- (7) A registered party commits an offence if—
  - (a) it is a party to a transaction of a description mentioned in section 71F(4)(a),
  - (b) it benefits from or falls to benefit in consequence of a connected transaction to which any of the parties is not an authorised participant,
  - (c) no officer of the party knew or ought reasonably to have known of the matters mentioned in paragraphs (a) and (b), and
  - (d) as soon as practicable after knowledge of the matters mentioned in paragraphs (a) and (b) comes to the treasurer of the party he fails to take all reasonable steps to pay to any person who has provided the party with any benefit in consequence of the connected transaction the value of the benefit.
- (8) A person who is the treasurer of a registered party commits an offence if—
  - (a) the party is a party to a transaction of a description mentioned in section 71F(4)(a),
  - (b) the party benefits from or falls to benefit in consequence of a connected transaction to which any of the parties is not an authorised participant,
  - (c) subsection (6)(c) does not apply to him, and
  - (d) as soon as practicable after knowledge of the matters mentioned in paragraphs (a) and (b) comes to him he fails to take all reasonable steps to pay to any person who has provided the party with any benefit in consequence of the connected transaction the value of the benefit.
- (9) A person commits an offence if he—
  - (a) knowingly enters into, or
  - (b) knowingly does any act in furtherance of,

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any arrangement which facilitates or is likely to facilitate, whether by means of concealment or disguise or otherwise, the participation by a registered party in a regulated transaction with a person other than an authorised participant.

- (10) It is a defence for a person charged with an offence under subsection (2) to prove that he took all reasonable steps to prevent the registered party entering the transaction.
- (11) It is a defence for a person charged with an offence under subsection (6) to prove that he took all reasonable steps to prevent the registered party benefiting in consequence of the connected transaction.
- (12) A reference to a registered party entering into a regulated transaction includes a reference to any circumstances in which the terms of a regulated transaction are varied so as to increase the amount of money to which the party is entitled in consequence of the transaction.
- (13) A reference to a registered party entering into a transaction in which another participant is not an authorised participant includes a reference to any circumstances in which another party to the transaction who is an authorised participant ceases (for whatever reason) to be an authorised participant.
- (14) This section does not apply to a transaction which is entered into before the commencement of section 61 of the Electoral Administration Act 2006.]]

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#### **Editorial Information**

- X1** The insertion of the new heading "Chapter 1" in Pt. 4A on 1.7.2008 gives rise to a change in the structure of this legislation on SLD which breaks the continuity of historical versions of the existing provisions which are now brought under that new heading.

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#### **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 (ss. 71F-71Y) renumbered (1.7.2008) as Pt. 4A Ch. 1 by [The Electoral Administration Act 2006 \(Regulation of Loans etc: Northern Ireland\) Order 2008 \(S.I. 2008/1319\)](#), arts. 1(2), **3(1)**

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#### **Modifications etc. (not altering text)**

- C1** S. 71L modified (1.2.2016) by [European Union Referendum Act 2015 \(c. 36\)](#), s. 13(2), **Sch. 2 para. 13**; S.I. 2016/69, **reg. 2**
- C2** S. 71L(14) modified (30.1.2009) by [The European Parliamentary Elections \(Loans and Related Transactions and Miscellaneous Provisions\) \(United Kingdom and Gibraltar\) Order 2009 \(S.I. 2009/185\)](#), arts. 1(2), 2(2), **Sch. para. 8**

**Changes to legislation:**

Political Parties, Elections and Referendums Act 2000, Section 71L is up to date with all changes known to be in force on or before 22 April 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.

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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\(3\)](#)