

SCHEDULES

SCHEDULE 4

CONTROL OF DONATIONS TO ACCREDITED CAMPAIGNERS

PART 2

CONTROL OF DONATIONS

Meaning of “exempt trust donation” in paragraph 10

- 11 (1) In paragraph 10 “exempt trust donation” means a donation that—
- (a) meets condition A or B, and
 - (b) is not received from a trustee of any property pursuant to the exercise of any discretion vested by a trust in the trustee or any other person.
- (2) Condition A is that—
- (a) the donation is received from a trustee of any property in accordance with the terms of a relevant trust, and
 - (b) at or before the time of the receipt of the donation, the trustee gives the recipient of the donation the full name of the person who created the trust and of every other person by whom, or under whose will, property was transferred to the trust before that date.
- (3) “Relevant trust” means a trust—
- (a) which was created before 27th July 1999,
 - (b) to which no property has been transferred on or after that date, and
 - (c) whose terms have not been varied on or after that date.
- (4) Condition B is that—
- (a) the donation is received from a trustee of any property in accordance with the terms of a qualifying trust, and
 - (b) at or before the time of the receipt of the donation, the trustee gives the recipient of the donation all such details in respect of the donor as are required by paragraph 3(1)(a)(iii) of Schedule 5 (recall petition returns).
- (5) “Qualifying trust” means a trust—
- (a) which was created by—
 - (i) a person who was a permissible donor at the time the trust was created, or
 - (ii) in the case of a donation in the form of a bequest, the will of an individual within paragraph 6(3), and
 - (b) to which no property has been transferred otherwise than—
 - (i) by a person who was a permissible donor at the time of the transfer,or

Status: This is the original version (as it was originally enacted).

(ii) in the case of a donation in the form of a bequest, under the will of an individual within paragraph 6(3).

(6) In this paragraph—

- (a) “property”, in the context of the transfer of property to a trust, does not include income of the trust;
- (b) “trust” includes a trust created by a will;
- (c) a reference to a donation received from a trustee—
 - (i) is a reference to a donation received from the trustee in the trustee’s capacity as such, but
 - (ii) does not include a donation transmitted on behalf of a beneficiary under a trust.