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**Changes to legislation:** There are currently no known outstanding effects for the Recall of MPs Act 2015, Cross Heading: Donations made on behalf of other persons. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 4

#### CONTROL OF DONATIONS TO ACCREDITED CAMPAIGNERS

#### PART 2

#### CONTROL OF DONATIONS

##### *Donations made on behalf of other persons*

- 12 (1) Sub-paragraphs (2) and (3) apply where—
- (a) a person (“the agent”) causes an amount (“the relevant amount”) to be received by an accredited campaigner—
    - (i) on behalf of the agent and one or more other persons, or
    - (ii) on behalf of two or more other persons, and
  - (b) the agent acts as mentioned in paragraph (a) for the purpose of—
    - (i) meeting petition expenses incurred by or on behalf of the accredited campaigner, or
    - (ii) securing that petition expenses are not so incurred.
- (2) For the purposes of this Schedule each individual contribution by a person within sub-paragraph (1)(a)(i) or (ii) of more than £500 is treated as if it were a separate donation received from that person.
- (3) In relation to each such separate donation, the agent must ensure that, at the time when the relevant amount is received by the accredited campaigner, the responsible person is given—
- (a) all such details in respect of the donation as are required by paragraph 3(1)(a)(i) of Schedule 5 (recall petition returns), and
  - (b) except in the case of a donation which the agent is treated as making, all such details in respect of the donor as are required by paragraph 3(1)(a)(iii) of that Schedule.
- (4) Sub-paragraph (5) applies where a person (“the agent”) causes an amount to be received by an accredited campaigner by way of a relevant donation on behalf of one other person (“the donor”).
- (5) The agent must ensure that, at the time when the donation is received by the accredited campaigner, the responsible person is given all such details in respect of the donor as are required by paragraph 3(1)(a)(iii) of Schedule 5.
- (6) A person commits an offence if, without reasonable excuse, the person fails to comply with sub-paragraph (3) or (5).
- (7) A person guilty of an offence under this paragraph is liable—

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- (a) on conviction on indictment, to imprisonment for a term not exceeding 12 months or a fine (or both), and
- (b) on summary conviction—
  - (i) in England and Wales, to imprisonment for a term not exceeding [<sup>F1</sup>the general limit in a magistrates' court] or a fine (or both),
  - (ii) in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both), and
  - (iii) in Northern Ireland, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum (or both).

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**Textual Amendments**

- F1** Words in Sch. 4 para. 12(7)(b)(i) substituted (E.W.) (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022 \(Magistrates' Court Sentencing Powers\) Regulations 2023 \(S.I. 2023/149\)](#), regs. 1(2), 2(1), [Sch. Pt. 1](#) table

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**Commencement Information**

- I1** Sch. 4 para. 12 in force at 4.3.2016 by [S.I. 2016/290](#), [reg. 2](#)

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