
Changes to legislation: There are currently no known outstanding effects for the Recall of MPs Act 2015,
Cross Heading: Duty to return donations from unidentifiable donors. (See end of Document for details)

SCHEDULES

SCHEDULE 4

CONTROL OF DONATIONS TO ACCREDITED CAMPAIGNERS

PART 2

CONTROL OF DONATIONS

Duty to return donations from unidentifiable donors

- 15 (1) This paragraph applies where an accredited campaigner receives a relevant donation which the accredited campaigner is prohibited from accepting by virtue of paragraph 9(b) (unidentifiable donor).
- (2) The donation must be returned to the appropriate person before the end of the period of 30 days beginning with the day on which the donation is received.
- (3) “The appropriate person” means—
- (a) where the donation was transmitted by a person other than the donor, and the identity of that person is apparent, that person,
 - (b) where the identity of the person by whom the donation was transmitted is not apparent, but it is apparent that the donor has, in connection with the donation, used any facility provided by an identifiable financial institution, that institution, and
 - (c) in any other case, the Electoral Commission.
- (4) If sub-paragraph (2) is not complied with an offence is committed by—
- (a) the accredited campaigner, and
 - (b) the responsible person.
- (5) A person guilty of an offence under this paragraph is liable—
- (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 [^{F1}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).
- (6) The Electoral Commission must pay into the Consolidated Fund any amount received by virtue of this paragraph.

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Textual Amendments

- F1** Words in Sch. 4 para. 15(5)(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. 15 in force at 4.3.2016 by [S.I. 2016/290](#), **reg. 2**

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