

SCHEDULE 2

Prescribed Offences, Restrictions and Requirements

Article 4(1)

PART 1

Prescribed Offences

<i>Provision creating offence</i>	<i>Offence</i>
section 24(8)(1)	registration as treasurer where convicted of certain offences
section 43(7)	failure to deliver statement relating to auditor's resignation etc.
section 47(1)(a)(2)	failure to deliver proper statement of accounts
section 47(1)(b)	failure to deliver accounts within time limits
section 54(7)	failure to provide information about donors
section 56(3), (3B) or (4)(3)	failure to return donations
section 65(3)(4)	failure to deliver donation reports to Commission within time limits
section 65(4)	failure to comply with requirements for recording donations in donation report
section 71L(1)(5)	registered party entering into regulated transaction with unauthorised participant
section 71L(2)	treasurer of party entering into regulated transaction with unauthorised participant
section 71L(3)	party liable if treasurer fails to repay money obtained under regulated transaction with unauthorised participant
section 71L(4)	treasurer failing to repay money obtained under regulated transaction with unauthorised participant
section 71L(5)	party benefiting from connected transaction to which an unauthorised participant is a party
section 71L(6)	treasurer of registered party which benefits from connected transaction to which an unauthorised participant is a party
section 71L(7)	party liable if treasurer fails to repay benefit obtained in consequence of security given by unauthorised participant
section 71L(8)	treasurer failing to repay benefit obtained in consequence of security given by unauthorised participant

(1) Section 24(8) is amended by paragraph 3 of the Schedule to [S.I. 2004/366](#).

(2) Section 47(1) is amended by section 13(2) of the Political Parties and Elections Act [2009 \(c. 12\)](#).

(3) Section 56(3B) is inserted by section 12 of the Political Parties and Elections Act [2009 \(c. 12\)](#).

(4) Section 65(3) and (4) is amended by section 13(3)(a) of and paragraph 17 of Schedule 6 to the Political Parties and Elections Act [2009 \(c. 12\)](#).

(5) Section 71L is inserted by section 61(1) of the Electoral Administration Act [2006 \(c. 22\)](#).

<i>Provision creating offence</i>	<i>Offence</i>
section 71S(4)(6)	failure to deliver transaction reports to Commission within time limits
section 71S(5)	failure to comply with requirements for recording transactions in transaction report
section 74(4)	acceptance by ineligible person of office of deputy treasurer
section 75(2)	incurring campaign expenditure without authority
section 76(4)(a)	making payments in respect of campaign expenditure without authority
section 76(4)(b)	failure to notify treasurer of payments in respect of campaign expenditure
section 77(3)(a)	paying claim in respect of campaign expenditure where failure to comply with procedure
section 77(3)(b)	paying claim in respect of campaign expenditure outside specified time period
section 79(2)	exceeding limits on campaign expenditure
section 82(4)(a)	failure of treasurer to deliver return and auditor's report to Commission
section 82(4)(b)	failure to comply with requirements for returns
section 82(4)(c)	failure of treasurer to deliver return and court order to Commission
section 83(3)(b)	failure to deliver signed declaration with return to Commission
section 90(2)	incurring controlled expenditure without authority
section 91(4)(a)	making payments in respect of controlled expenditure without authority
section 91(4)(b)	failure to notify responsible person of payments in respect of controlled expenditure
section 92(3)(a)	paying claim in respect of controlled expenditure where failure to comply with procedure
section 92(3)(b)	paying claim in respect of controlled expenditure outside specified time period
section 94(2) or (4)	exceeding limits on controlled expenditure
section 98(4)(a)	failure of responsible person to deliver return and auditor's report to Commission
section 98(4)(b)	failure to comply with requirements for returns
section 98(4)(c)	failure to deliver return and court order to Commission
section 99(4)(b)	failure to deliver signed declaration with return to Commission
section 113(2)	incurring referendum expenses without authority

(6) Section 71S is inserted by section 61(1) of the Electoral Administration Act 2006 (c. 22) and subsections (4) and (5) are amended by section 13(4)(a) of the Political Parties and Elections Act 2009 (c. 12).

<i>Provision creating offence</i>	<i>Offence</i>
section 114(4)(a)	making payments in respect of referendum expenses without authority
section 114(4)(b)	failure to notify responsible person of payments in respect of referendum expenses
section 115(3)(a)	paying claim in respect of referendum expenses where failure to comply with procedure
section 115(3)(b)	paying claim in respect of referendum expenses outside specified time period
section 117(2)	individual (other than permitted participant) exceeding limits on referendum expenses
section 117(3) or (4)	body (other than permitted participant) exceeding limits on referendum expenses
section 118(2)	permitted participant exceeding limits on referendum expenses
section 122(4)(a)	failure to deliver return and auditor's report to Commission
section 122(4)(b)	failure to comply with requirements for returns
section 122(4)(c)	failure to deliver return and court order to Commission
section 123(4)(b)	failure to deliver signed declaration with return to Commission
section 126(8) and (9)	printing or publishing referendum material without details of printer or publisher
section 143(8) or (9)	printing or publishing election material without details of printer or publisher
section 148(2)(a)	failure to supply relevant person with information
paragraph 1B of Schedule 7(7)	failure by members association to comply with requirement to appoint responsible person
paragraph 6(5) of Schedule 7	failure to provide information about donors
paragraph 12(1) of Schedule 7(8)	failure to deliver donation report to Commission within time limit
paragraph 12(2) of Schedule 7	failure to comply with requirements for recording donations in donation reports
paragraph 8(3) of Schedule 7A(9)	individual regulated participant failing to repay money obtained under controlled transaction with unauthorised participant
paragraph 8(4) of Schedule 7A	responsible person failing to repay money obtained by members association under controlled transaction with unauthorised participant

(7) Paragraph 1B is inserted by section 14(3) of the Political Parties and Elections Act 2009 (c. 12).

(8) Paragraph 12(1) and (2) is amended by paragraph 154(7) of Part 7 of Schedule 1 to the Electoral Administration Act 2006 (c. 22) and sections 13(5) and 14(4) of the Political Parties and Elections Act 2009 (c. 12).

(9) Schedule 7A is inserted by paragraph 99 of Schedule 1 to the Electoral Administration Act 2006 (c. 22). Paragraph 12(1) and (2) is amended by sections 13(6) and 16(3) of the Political Parties and Elections Act 2009 (c. 12).

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: *The Political Parties, Elections and Referendums (Civil Sanctions) Order 2010 No. 2860*

<i>Provision creating offence</i>	<i>Offence</i>
paragraph 8(7) of Schedule 7A	individual regulated participant failing to repay value of benefit obtained in consequence of connected transaction involving unauthorised participant
paragraph 8(8) of Schedule 7A	responsible person failing to repay value of benefit obtained by members association in consequence of connected transaction involving unauthorised participant
paragraph 12(1) of Schedule 7A	failure to deliver transaction report to Commission within time limit
paragraph 12(2) of Schedule 7A	failure to comply with requirements for recording transactions on transaction reports
paragraph 6(7) of Schedule 11	failure to provide information about donors
paragraph 6(8) of Schedule 15	failure to provide information about donors
paragraph 6(1) of Schedule 19A ⁽¹⁰⁾	of failure to give notification or report within specified period
paragraph 6(2) of Schedule 19A	giving notification or report that fails to comply with requirements of that Schedule
paragraph 13(1) of Schedule 19B ⁽¹¹⁾	of failure to comply with investigation requirement

⁽¹⁰⁾ Schedule 19A is inserted by Schedule 5 to the Political Parties and Elections Act 2009 (c. 12).

⁽¹¹⁾ Schedule 19B is inserted by Schedule 1 to the Political Parties and Elections Act 2009 (c. 12).