



# Companies Act 2006

## 2006 CHAPTER 46

### PART 14

#### CONTROL OF POLITICAL DONATIONS AND EXPENDITURE

##### *Exemptions*

#### **374 Trade unions**

- (1) A donation to a trade union, other than a contribution to the union's political fund, is not a political donation for the purposes of this Part.
- (2) A trade union is not a political organisation for the purposes of section 365 (meaning of "political expenditure").

- (3) In this section—

“trade union” has the meaning given by section 1 of Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52) or Article 3 of the Industrial Relations (Northern Ireland) Order 1992 (S.I. 1992/807 (N.I. 5));

“political fund” means the fund from which payments by a trade union in the furtherance of political objects are required to be made by virtue of section 82(1)(a) of that Act or Article 57(2)(a) of that Order.

#### **375 Subscription for membership of trade association**

- (1) A subscription paid to a trade association for membership of the association is not a political donation for the purposes of this Part.

- (2) For this purpose—

“trade association” means an organisation formed for the purpose of furthering the trade interests of its members, or of persons represented by its members, and

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*Status: This is the original version (as it was originally enacted).*

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“subscription” does not include a payment to the association to the extent that it is made for the purpose of financing any particular activity of the association.

### **376 All-party parliamentary groups**

- (1) An all-party parliamentary group is not a political organisation for the purposes of this Part.
- (2) An “all-party parliamentary group” means an all-party group composed of members of one or both of the Houses of Parliament (or of such members and other persons).

### **377 Political expenditure exempted by order**

- (1) Authorisation under this Part is not needed for political expenditure that is exempt by virtue of an order of the Secretary of State under this section.
- (2) An order may confer an exemption in relation to—
  - (a) companies of any description or category specified in the order, or
  - (b) expenditure of any description or category so specified (whether framed by reference to goods, services or other matters in respect of which such expenditure is incurred or otherwise),
 or both.
- (3) If or to the extent that expenditure is exempt from the requirement of authorisation under this Part by virtue of an order under this section, it shall be disregarded in determining what donations are authorised by any resolution of the company passed for the purposes of this Part.
- (4) An order under this section is subject to affirmative resolution procedure.

### **378 Donations not amounting to more than £5,000 in any twelve month period**

- (1) Authorisation under this Part is not needed for a donation except to the extent that the total amount of—
  - (a) that donation, and
  - (b) other relevant donations made in the period of 12 months ending with the date on which that donation is made,
 exceeds £5,000.
- (2) In this section—
 

“donation” means a donation to a political party or other political organisation or to an independent election candidate; and

“other relevant donations” means—

  - (a) in relation to a donation made by a company that is not a subsidiary, any other donations made by that company or by any of its subsidiaries;
  - (b) in relation to a donation made by a company that is a subsidiary, any other donations made by that company, by any holding company of that company or by any other subsidiary of any such holding company.

- (3) If or to the extent that a donation is exempt by virtue of this section from the requirement of authorisation under this Part, it shall be disregarded in determining what donations are authorised by any resolution passed for the purposes of this Part.