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

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## SCHEDULES

### SCHEDULE 4

#### CONTROL OF DONATIONS TO ACCREDITED CAMPAIGNERS

#### PART 2

#### CONTROL OF DONATIONS

##### *Duty to return donations from impermissible donors*

- 14 (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(a) (impermissible donor) but not by virtue of paragraph 9(b) (unidentifiable donor).
- (2) The donation must, before the end of the period of 30 days beginning with the day on which the donation is received, be returned to—
- (a) the donor, or
  - (b) any person appearing to be acting on that person's behalf.
- (3) If sub-paragraph (2) is not complied with, an offence is committed by—
- (a) the accredited campaigner, and
  - (b) the responsible person.
- (4) It is a defence for a person charged with an offence under this paragraph to show that—
- (a) all reasonable steps were taken by or on behalf of the accredited campaigner to verify (or ascertain) whether the donor was a permissible donor, and
  - (b) as a result, the relevant person believed the donor to be a permissible donor.
- (5) “The relevant person” means—
- (a) where the person charged with the offence is an individual, that individual, and
  - (b) otherwise, the responsible person.
- (6) 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 [F1the 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. 14(6)(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. 14](#) in force at 4.3.2016 by [S.I. 2016/290](#), **reg. 2**

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