
STATUTORY INSTRUMENTS

2018 No. 328

**The Transparency of Donations and Loans
etc. (Northern Ireland Political Parties) Order 2018**

Insertion of section 149A of the 2000 Act

5. After section 149 of the 2000 Act, insert—

“149A. Inspection of Commission’s registers etc.: Northern Ireland

(1) Subsections (2) to (4) of section 149 (Commission to make available a copy of the register) do not apply to so much of the register maintained under section 69 (register of recordable donations)⁽¹⁾ as concerns donations to which section 71E (non-disclosure of a donation received by a Northern Ireland recipient) applies.

(2) Subsections (2) to (4) of section 149 do not apply to so much of the register maintained under section 71V (register of recordable transactions)⁽²⁾ as concerns recordable transactions to which section 71Z4 (non-disclosure of a transaction to which a Northern Ireland participant is a party) applies.

(3) Subsections (2) to (4) of section 149 do not apply to a part of a register to which subsection (4) or (5) applies.

(4) This subsection applies to a part of the register maintained under section 69 where—

- (a) the information included in that part of the register relates to a donation which is received by a Northern Ireland recipient and is a donation to which section 71E does not apply, and
- (b) that part of the register contains details relating to—
 - (i) a document of a kind mentioned in paragraph 2A(4)(b) (Irish passports etc.) of Schedule 6⁽³⁾, or
 - (ii) a statement of a kind mentioned in paragraph 2A(5)(c) (statement by Department of Foreign Affairs of Ireland) of that Schedule.

(5) This subsection applies to a part of the register maintained under section 71V where—

- (a) the information included in that part of the register relates to a transaction which is entered into by a Northern Ireland participant and is a transaction to which section 71Z4 does not apply, and
- (b) that part of the register contains details relating to a document of a kind mentioned in paragraph 2A(4)(b) (Irish passports etc.) of Schedule 6A⁽⁴⁾.

(1) Section 69 has been amended by section 58 of, and paragraph 149 of Part 7 of Schedule 1 to, the Electoral Administration Act 2006.

(2) Section 71V was inserted by section 61(1) of the Electoral Administration Act 2006.

(3) Paragraph 2A of Schedule 6 was inserted by [S.I. 2007/2501](#); there are other amending instruments but none is relevant.

(4) Schedule 6A was inserted by section 61(5) of the Electoral Administration Act 2006. Paragraph 2A was inserted by [S.I. 2008/1737](#); there are other amendments to paragraph 2A but none is relevant.

(6) But where subsection (3) would otherwise have the effect that the Commission would be prevented from making available to the public information to which this subsection applies, it does not have that effect.

(7) Subsection (6) applies to information supplied to the Commission—

- (a) under a provision of Schedule 6 which is not mentioned in subsection (4)(b), or
- (b) under a provision of Schedule 6A which is not mentioned in subsection (5)(b).

(8) A reference in this section to a provision of Schedule 6 or 6A includes a reference to that provision as applied by paragraph 10(4) of Schedule 7 or paragraph 9(9) of Schedule 7A.

(9) In this section—

- (a) “Northern Ireland recipient” has the same meaning as in Chapter 6 of Part 4, and
- (b) “Northern Ireland participant” has the same meaning as in Chapter 2 of Part 4A.”