Draft Order laid before Parliament under section 156(4)(ca) and (dd) of the Political Parties, Elections and Referendums Act 2000, section 15A(5) of the Northern Ireland (Miscellaneous Provisions) Act 2006 and section 63(6) of the Electoral Administration Act 2006, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2018 No.

POLITICAL PARTIES, NORTHERN IRELAND

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

Made - - - - ***

Coming into force in accordance with Article 1(2) and (3)

The Secretary of State makes the following Order in exercise of the powers conferred by sections 71D(**a**) and 71Z3(**b**) of the Political Parties, Elections and Referendums Act 2000(**c**), section 15A(1) to (3) of the Northern Ireland (Miscellaneous Provisions) Act 2006(**d**) and section 63(1) to (3) of the Electoral Administration Act 2006(**e**).

In accordance with sections 71A(4) and 71Z(4) of the Political Parties, Elections and Referendums Act 2000, section 15A(1) of the Northern Ireland (Miscellaneous Provisions) Act 2006 and section 63(1) of the Electoral Administration Act 2006, the Electoral Commission has been consulted prior to making this Order.

A draft of this Order has been laid before Parliament under section 15A(5) of the Northern Ireland (Miscellaneous Provisions) Act 2006 and section 63(6) of the Electoral Administration Act 2006.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Transparency of Donations and Loans etc. (Northern Ireland Political Parties) Order 2018.

(2) This Order comes into force on the day after the day on which it is made, subject to paragraph (3).

(**a**) Section 71D was inserted by paragraph 1 of Schedule 1 to the Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33) ("NIMPA 2006"); "prescribed" is defined in section 71A(4) of the Political Parties, Elections and Referendums Act 2000 (c. 41) (which was inserted by section 12 of NIMPA 2006) as meaning prescribed by an order made by the Secretary of State after consulting the Electoral Commission.

(**b**) Section 71Z3 was inserted by S.I. 2008/1319; "prescribed" is defined in section 71Z(4) of the Political Parties, Elections and Referendums Act 2000 (which was inserted by S.I. 2008/1319) as meaning prescribed by an order made by the Secretary of State after consulting the Electoral Commission.

(**c**) 2000 c. 41.

(**d**) 2006 c. 33; section 15A was inserted by section 1 of the Northern Ireland (Miscellaneous Provisions) Act 2014 (c. 13) ("NIMPA 2014"). See also the restrictions on the power in section 15B of NIMPA 2006, which was inserted by section 1 of NIMPA 2014.

(**e**) 2006 c. 22; section 63 was amended by section 2 of NIMPA 2014.

(3) Articles 8 and 9 come into force on the twenty-first day after the day on which this Order is made.

(4) In this Order, "the 2000 Act" means the Political Parties, Elections and Referendums Act 2000.

Amendments to section 71E of the 2000 Act

2.—(1) Section 71E of the 2000 Act (duty not to disclose contents of donation reports)(**a**) is amended as follows.

(2) Before subsection (1) insert—

"(A1) Subject to subsection (A2), this section applies only to a donation received by a Northern Ireland recipient before 1 July 2017.

(A2) This section does not apply to a donation received before 1 July 2017 which is required to be recorded in a report—

(a) under section 62(**b**) in respect of a period beginning on or after 1 July 2017 because the donation is required by that section to be aggregated with a donation received or transaction entered into on or after that date, or

(b) under paragraph 10 of Schedule 7(**c**) delivered on or after 1 July 2017 because the donation is required by that paragraph to be aggregated with a donation received or a transaction entered into on or after that date."

(3) In subsection (1)(a), for "received by a Northern Ireland recipient" substitute "to which this section applies".

(4) After subsection (5), insert—

"(6) A person does not contravene subsection (1) if that person discloses information relating to a donation to which this section applies where—

(a) the donation was received on or after 1 January 2014 but before 1 July 2017,

(b) the Northern Ireland report recording the donation does not state that the donation was received before 1 July 2017, and

(c) when the disclosure is made, the person believes that the donation was received on or after 1 July 2017 and is reasonably entitled to hold that belief.

(7) A person does not contravene subsection (1) merely because—

(a) the person discloses information relating to a transaction within section 71Z4(A3) (duty not to disclose contents of transaction reports: change to a transaction)(**d**), and

(b) that disclosure suggests that a donation was received before 1 July 2017 with which the transaction has been aggregated in accordance with—

(i) sections 62 (quarterly donation reports: aggregation) and 71M (quarterly reports of regulated transactions: aggregation)(**e**), or

---

(**a**) Section 71E was inserted by paragraph 1 of Schedule 1 to NIMPA 2006.

(**b**) Section 62 has been amended by paragraph 148 of Part 7 of Schedule 1 to the Electoral Administration Act 2006 and by section 20(2) and (3) of, and prospectively by paragraph 16 of Schedule 6 to, the Political Parties and Elections Act 2009 (c. 12).

(**c**) Paragraph 10 has been amended by section 59(1) and (2) of, and paragraph 28 of Part 1and paragraph 154 of Part 7 of Schedule 1 to, the Electoral Administration Act 2006; section 20(2) (in part prospectively) and (3) of, and prospectively by paragraph 2 of Schedule 3 paragraph 3 of Schedule 4 to, the Political Parties and Elections Act 2009; and S.I 2007/2501. There is another amending instrument but it is not relevant.

(**d**) Section 71Z4 was inserted by paragraph 1 of Schedule 1 to S.I. 2008/1319; subsection (A3) is inserted by article 3 of this Order.

(**e**) Section 71M was inserted by section 61(1) of the Electoral Administration Act 2006 and has been amended by section 20(2) of the Political Parties and Elections Act 2009.

(ii) paragraph 10 of Schedule 7 (donation reports: aggregation) and paragraph 9 of Schedule 7A (transactions reports: aggregation)(**a**).

(8) A person does not contravene subsection (1) merely because—

(a) the person discloses information relating to a donation or a transaction in accordance with this section or section 71Z4, and

(b) the disclosure suggests that a donation was received before 1 July 2017 as a result of which section 62(6) or 71M(6) applies in relation to the donation or transaction mentioned in paragraph (a).”

Amendments to section 71Z4 of the 2000 Act

3.—(1) Section 71Z4 of the 2000 Act (duty not to disclose contents of transaction reports) is amended as follows.

(2) Before subsection (1) insert—

“(A1) Subject to subsections (A2) and (A3), this section applies only to a transaction entered into by a Northern Ireland participant before 1 July 2017.

(A2) This section does not apply to a transaction entered into before 1 July 2017 which is required to be recorded in a report—

(a) under section 71M in respect of a period beginning on or after 1 July 2017 because the transaction is required by that section to be aggregated with a transaction entered into or a donation received on or after that date, or

(b) under paragraph 9 of Schedule 7A delivered on or after 1 July 2017 because the transaction is required by that paragraph to be aggregated with a transaction entered into or a donation received on or after that date.

(A3) This section does not apply to a transaction entered into on or after 1 January 2014 and before 1 July 2017—

(a) if a change to that transaction is required to be recorded in a report under section 71M in respect of a period beginning on or after 1 July 2017 because the change falls within section 71N(1) or (3)(**b**), or

(b) if a change to that transaction which takes effect on or after 1 July 2017 is required to be recorded in a report under paragraph 11 of Schedule 7A because the change falls within sub-paragraph (3) or (5) of that paragraph.

(A4) In subsection (A3), a reference to a change within section 71N(1) or paragraph 11(3) of Schedule 7A does not include a reference to a repayment of the whole of a debt (or all of the remaining debt) under a loan.”

(3) In subsection (1)(a), for “a Northern Ireland participant is a party” substitute “this section applies”.

(4) After subsection (5), insert—

“(6) A person does not contravene subsection (1) if that person discloses information relating to a transaction to which this section applies where—

(a) the transaction was entered into on or after 1 January 2014 but before 1 July 2017,

(b) the Northern Ireland report recording the transaction does not state that the transaction was entered into before 1 July 2017, and

(c) when the disclosure is made, the person believes that the transaction was entered into on or after 1 July 2017 and is reasonably entitled to hold that belief.

(**a**) Schedule 7A was inserted by paragraph 99 of Part 6 of Schedule 1 to the Electoral Administration Act 2006; paragraph 9 has been amended by sections 11(6) (prospectively) and 20(2) and (3) of the Political Parties and Elections Act 2009 and by S.I.s 2008/1737 and 2009/185.

(**b**) Section 71N was inserted by section 61(1) of the Electoral Administration Act 2006.

(7) A person does not contravene subsection (1) if that person discloses information relating to a transaction to which this section applies where—

(a) the transaction was entered into on or after 1 January 2014 but before 1 July 2017,

(b) a change to the transaction which took effect before 1 July 2017 is required to be recorded in a report under section 71M or paragraph 11 of Schedule 7A,

(c) the Northern Ireland report recording the change does not state that it took effect before 1 July 2017, and

(d) when the disclosure is made, the person believes that the change took effect on or after 1 July 2017 and is reasonably entitled to hold that belief.

(8) A person does not contravene subsection (1) merely because—

(a) the person discloses information relating to a transaction within subsection (A3), and

(b) that disclosure suggests that a transaction was entered into before 1 July 2017 with which the transaction has been aggregated in accordance with section 71M (quarterly reports of regulated transactions: aggregation) or paragraph 9 of Schedule 7A (transactions reports: aggregation).

(9) A person does not contravene subsection (1) merely because—

(a) the person discloses information relating to a donation or a transaction in accordance with this section or section 71E, and

(b) the disclosure suggests that a transaction was entered into before 1 July 2017 as a result of which section 71M(6) or 62(6) applies in relation to the transaction or donation mentioned in paragraph (a).”

Amendment to section 149 of the 2000 Act

4. In section 149 of the 2000 Act (inspection of Commission’s registers etc.)(**a**), omit subsections (8) to (11).

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)(**b**) 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)(**c**) 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**) Section 149 has been amended by section 61(3) of the Electoral Administration Act 2006; paragraph 24 of Schedule 6, and Schedule 7, to the Political Parties and Elections Act 2009; and section 33(3) of the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (c. 4). Subsections (8) and (9) were inserted by paragraph 3 of Schedule 1 to the Northern Ireland (Miscellaneous Provisions) Act 2006 and subsections (10) and (11) were inserted by S.I. 2008/1319.

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

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

(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(**a**), 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(**b**).

(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."

Amendments to Schedule 6 to the 2000 Act

6.—(1) Paragraph 5 of Schedule 6 to the 2000 Act (details to be given in donation reports: circumstances in which donation made) is amended as follows.

(2) After sub-paragraph (4) insert—

"(5) Where a quarterly report to which this sub-paragraph applies includes a donation which was received by a Northern Ireland recipient, or an accounting unit of a Northern Ireland recipient, before 1 July 2017, the report must give the date on which the donation was received.

(6) Sub-paragraph (5) applies to a quarterly report in respect of a period beginning on or after 1 January 2018.

(7) In this paragraph, "Northern Ireland recipient" means a party registered in the Northern Ireland register."

Amendments to Schedule 6A to the 2000 Act

7.—(1) Schedule 6A to the 2000 Act (details to be given in transaction reports) is amended as follows.

(2) In paragraph 8 (relevant date for a transaction)—

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

(**b**) 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.

(a) in sub-paragraph (1), after "For the purposes of paragraph 5(4) as it applies to a quarterly report," insert "but subject to sub-paragraphs (1A) and (1B),", and

(b) after sub-paragraph (1), insert—

"(1A) For the purposes of paragraph 5(4) as it applies to a quarterly report in respect of a period beginning on or after 1 January 2018, the relevant date for a transaction to which this sub-paragraph applies is the date on which the transaction was entered into.

(1B) Sub-paragraph (1A) applies to a transaction which—

(a) is entered into by a Northern Ireland participant, or an accounting unit of a Northern Ireland participant, before 1 July 2017, and

(b) is within section 71M(9).

(1C) In this Schedule, "Northern Ireland participant" means a party registered in the Northern Ireland register."

(3) After paragraph 8, insert—

"**8A** .—(1) This paragraph applies where information about a change of a kind mentioned in section 71Z4(A3)(a) to a transaction to which a Northern Ireland participant, or an accounting unit of a Northern Ireland participant, is a party is supplied in a quarterly report in respect of a period beginning on or after 1 January 2018.

(2) The report must state the date on which the change took effect.

(3) Where the transaction was entered into before 1 January 2014, the report must state that fact."

Amendments to Schedule 7 to the 2000 Act

8.—(1) Paragraph 10 of Schedule 7 to the 2000 Act (control of donations to individuals and members associations: donation reports for donations from permissible donors) is amended as follows.

(2) After sub-paragraph (4) insert—

"(4ZA) Where such a report is one to which this sub-paragraph applies and includes a donation which was received by a Northern Ireland recipient before 1 July 2017, the report must give the date when the donation was received by the donee.

(4ZB) Sub-paragraph (4ZA) applies to a report which is delivered to the Commission on or after the date on which Article 8 of the Transparency of Donations and Loans etc. (Northern Ireland Political Parties) Order 2018 comes into force.", and

(3) After sub-paragraph (9) insert—

"(10) In this paragraph, "Northern Ireland recipient" means a regulated donee who is—

(a) an individual ordinarily resident in Northern Ireland, or

(b) a members association wholly or mainly consisting of members of a party registered in the Northern Ireland register."

Amendments to Schedule 7A to the 2000 Act

9.—(1) Schedule 7A to the 2000 Act (control of loans etc. to individuals and members associations) is amended as follows.

(2) In paragraph 9 (transaction reports: transactions with authorised participants)—

(a) in sub-paragraph (6), after "For the purposes of this paragraph", insert "(other than sub-paragraphs (6A) to (6C)) and section 71Z4 (duty not to disclose contents of transaction reports)",

(b) after sub-paragraph (6), insert—

"(6A) But if sub-paragraph (6) would otherwise have the effect that a person who is or has been a member or employee of the Commission could make available to the public information to which this sub-paragraph applies, it does not have that effect.

(6B) Sub-paragraph (6A) applies to information—

(a) which has been obtained by the Commission in the exercise of their functions under Part 4A(**a**), and

(b) which relates to a controlled transaction to which a Northern Ireland participant is a party and which was entered into before 1 January 2014.

(6C) Information to which sub-paragraph (6A) applies is to be treated for the purposes of sections 71Z4 and 149A (inspection of Commission's registers etc.: Northern Ireland) as information relating to a transaction to which section 71Z4 applies.",

(c) after sub-paragraph (9), insert—

"(9A) Sub-paragraph (9B) applies in relation to a transaction which—

(a) is entered into by a Northern Ireland participant before 1 July 2017, and

(b) is included in a report under sub-paragraph (1) to which this sub-paragraph applies because it has been varied as described in sub-paragraph (6).

(9B) For the purposes of sub-paragraph (9)(d), the report on the transaction must give—

(a) the date on which the transaction was first entered into, and

(b) the date on which the variation took effect.

(9C) Sub-paragraph (9A) applies to a report which is delivered to the Commission on or after the date on which Article 9 of the Transparency of Donations and Loans etc. (Northern Ireland Political Parties) Order 2018 comes into force.", and

(d) after sub-paragraph (10), insert—

"(11) In this Schedule, "Northern Ireland participant" means a regulated participant who is—

(a) an individual ordinarily resident in Northern Ireland, or

(b) a members association wholly or mainly consisting of members of a party registered in the Northern Ireland register."

(3) In paragraph 11 (transaction reports: changes to recorded transactions), after sub-paragraph (7) insert—

"(8) Where information about a change of the kind mentioned in section 71Z4(A3)(b) to a transaction to which a Northern Ireland participant is a party is supplied in a report under this paragraph to which this sub-paragraph applies, and the transaction was entered into before 1 January 2014, the report must state that fact.

(9) Sub-paragraph (8) applies to a report which is delivered to the Commission on or after the date on which Article 9 of the Transparency of Donations and Loans etc. (Northern Ireland Political Parties) Order 2018 comes into force."

Amendments to the Political Parties, Elections and Referendums Act 2000 (Northern Ireland Political Parties) Order 2007

10.—(1) Part 2 of the Political Parties, Elections and Referendums Act 2000 (Northern Ireland Political Parties) Order 2007(**b**) is amended as follows.

(2) In the title to Part 2, for "during the prescribed period" substitute "in relation to Northern Ireland reports".

(**a**) Part 4A was inserted by section 61(1) of the Electoral Administration Act 2006 and has been amended by section 20(1) of the Political Parties and Elections Act 2009.

(**b**) S.I. 2007/2501.

(3) In Article 7 (steps to be taken by the Commission for the purpose of verifying information given in Northern Ireland reports), omit "during the prescribed period".

(4) In Article 10 (disclosure of information relating to a donation which was required to be dealt with in accordance with section 56(2) of the 2000 Act)—

(a) the existing text becomes paragraph (1),

(b) in paragraph (1), after "the Commission believes on reasonable grounds that a donation", insert "to which this article applies and which is", and

(c) after paragraph (1), insert—

"(2) This article applies to a donation received by a Northern Ireland recipient which is a donation to which section 71E of the 2000 Act applies.".

Amendments to the Political Parties, Elections and Referendums Act 2000 (Northern Ireland Political Parties) Order 2008

11.—(1) Part 3 of the Political Parties, Elections and Referendums Act 2000 (Northern Ireland Political Parties) Order 2008(**a**) is amended as follows.

(2) In the title to Part 3, for "during the prescribed period" substitute "in relation to Northern Ireland reports".

(3) In Article 7 (steps to be taken by the Commission for the purpose of verifying information given in Northern Ireland reports), omit "during the prescribed period".

(4) In Article 10 (disclosure of information relating to transactions which are required to be dealt with in accordance with section 71I or 71J of, or paragraph 5 or 6 of Schedule 7A to, the 2000 Act)—

(a) the existing text becomes paragraph (1),

(b) in paragraph (1), after "the Commission believes on reasonable grounds that a transaction", insert "to which this article applies and which is", and

(c) after paragraph (1), insert—

"(2) This article applies to a transaction to which a Northern Ireland participant is a party and to which section 71Z4 of the 2000 Act applies.".

Transitional provisions

12.—(1) The amendments made by this Order to section 71E of the 2000 Act do not have effect in relation to information to which this paragraph applies until the first occasion on which, as a result of the amendments made by this Order, the Commission publishes details relating to a donation received, or transaction entered into, by a party registered in the Northern Ireland register.

(2) Paragraph (1) applies to information which—

(a) is recorded in a Northern Ireland report (within the meaning of section 71D of the 2000 Act),

(b) relates to a donation received by a regulated donee who is—

(i) an individual ordinarily resident in Northern Ireland, or

(ii) a members association wholly or mainly consisting of members of a party registered in the Northern Ireland register, and

(c) apart from paragraph (1), could be disclosed after the coming into force of this Order as a result of the amendments to section 71E of the 2000 Act made by Article 2.

(3) The amendments made by this Order to section 71Z4 of the 2000 Act do not have effect in relation to information to which this paragraph applies until the first occasion on which, as a result

(**a**) S.I. 2008/1737.

of the amendments made by this Order, the Commission publishes details relating to a donation received, or transaction entered into, by a party registered in the Northern Ireland register.

(4) Paragraph (3) applies to information which—

(a) is recorded in a Northern Ireland report (within the meaning of section 71Z3 of the 2000 Act),

(b) relates to a transaction entered into by a regulated participant who is—

(i) an individual ordinarily resident in Northern Ireland, or

(ii) a members association wholly or mainly consisting of members of a party registered in the Northern Ireland register, and

(c) apart from paragraph (3), could be disclosed after the coming into force of this Order as a result of the amendments to section 71Z4 of the 2000 Act made by Article 3.

(5) Expressions used in this Article which are defined in the 2000 Act have the same meaning as in that Act.

Name
Parliamentary Under Secretary of State
Date Northern Ireland Office

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision which will require the Electoral Commission ("the Commission") to make available information about certain donations for political purposes received by Northern Ireland recipients and about certain transactions ("loans") for political purposes entered into with Northern Ireland participants. It also makes other provision for the purpose of increasing transparency in relation to such donations and loans.

Section 71E(1) and section 71Z4(1) of the Political Parties, Elections and Referendums Act 2000 (c. 41) ("the 2000 Act"), before the amendments made by this Order, prohibit the Commission from disclosing information which relates to a donation received by a Northern Ireland recipient or loan entered into with a Northern Ireland participant, and which has been obtained by the Commission in the exercise of its functions, except in the circumstances set out in those sections. In relation to donations, Article 2 amends section 71E of that Act and, in relation to loans, Article 3 amends section 71Z4 of that Act.

The amendments made by Article 2 mean that the Commission will no longer be prohibited from disclosing information about donations received by a Northern Ireland recipient on or after 1 July 2017. Information will also be published about donations received before 1 July 2017 which are required to be aggregated with a donation received from, or loan entered into with, the same source on or after 1 July 2017. Article 2 also amends section 71E of the 2000 Act to provide that the Commission will not breach the prohibition in section 71E if the donation was received on or after 1 January 2014 but before 1 July 2017, the donation report to the Commission does not state that the donation was received before 1 July 2017 and the person making the disclosure believes that the donation was received on or after 1 July 2017 and is reasonably entitled to hold that belief.

The amendments made by Article 3 make equivalent provision in relation to loans entered into with Northern Ireland participants on or after 1 July 2017. Article 3 also makes additional provision so that information relating to a loan entered into on or after 1 January 2014 but before 1 July 2017 will be published if on or after 1 July 2017 there is a reportable change to that transaction (for example a change in the repayment period), with the exception of a change

amounting to the repayment of the whole of the debt under the loan. Article 9 makes amendments to Schedule 7A to the 2000 Act in relation to controlled transactions (where one of the parties to the transaction is a member of a registered party, a members association or the holder of a relevant elective office) which are varied.

Section 149 of the 2000 Act, before the changes made by this Order, prevents the Commission from including in the copy of its register made available to the public information about donations to Northern Ireland recipients and transactions entered into with Northern Ireland participants. Articles 4 and 5 amend section 149 of the 2000 Act and insert a new section 149A into that Act, the effect of which is that information relating to Northern Ireland donations and loans will be included in the register made available for inspection by the Commission, with the exception of copies of Irish passports or other evidence of nationality which are required to be provided in relation to donations and loans from Irish citizens.

Articles 6, 7, 8 and 9 also make amendments relevant to the date of a donation or transaction, principally requiring additional information to be provided in donation and transaction reports.

Articles 10 and 11 amend, respectively, the Political Parties, Elections and Referendums Act (Northern Ireland Political Parties) Order 2007 (S.I. 2007/2501) and the Political Parties, Elections and Referendums Act 2000 (Northern Ireland Political Parties) Order 2008 (S.I. 2008/1737) to ensure that the Commission must take steps, in line with those Orders, to verify information in relation to donations and loans.

To avoid there being different publication dates in relation to donations and loans to a party registered in the Northern Ireland register and donations and loans to regulated donees and regulated participants, Article 12 makes transitional provision so that the Commission must not make available information (that it would be otherwise required to make available by this Order) and that it is not under a duty to publish that information until the first occasion on which, as a result of this Order, it publishes details relating to a donations received, or a transaction entered into, by a party registered in the Northern Ireland Register.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

© Crown copyright 2017

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

£6.00

UK201711231002 11/2017 19585

http://www.legislation.gov.uk/id/ukdsi/2018/9780111162019

ISBN 978-0-11-116201-9

9 780111 162019