From: FOI
Sent: 11 July 2023 16:55
To: [redacted]
Subject: FOI 078-23 - Response
Attachments: Re_ Boris Johnson's declaration in the Register of Members' Financial Interests_Redacted.pdf

Categories: Transferred to Skynet

Dear [redacted]

Our Ref: FOI 078-23

Thank you for your email to the Electoral Commission dated 13 June 2023.

The Commission aims to respond to requests for information promptly and has done so within the statutory timeframe of twenty working days.

Your request is shown below followed by our response.

You have asked for the following information:
Correspondence between the Electoral Commission and Boris Johnson (or the office of Boris Johnson ltd) about a donation he reported that may have been made to a company and not to him personally. We note that this is in reference to a document released as part of our response to FOI 059-23; that document being 'RE_Reporting of donations given to a company_REDACTED'.

We hold the information you have requested and enclose a copy of email correspondence.

Please see attached, you will notice that certain personal details have been redacted from the documents we are releasing.

Section 40(2) of the Freedom of Information Act provides for an exemption where the information requested constitutes personal data, as defined by the Data Protection Act 2018 (DPA), and where release of the information requested would breach one of the data protection principles. Some of the information contained in the document falls within this description of personal data because it relates directly to an identifiable living individual. This includes names and contact details of individuals in some instances. Additionally, in some cases the individuals are junior staff members, and they would not reasonably expect their information to be released.

The Commission strives to be an open, transparent authority and I trust that this information satisfies your request. If you are not satisfied with this response, please note that the Commission operates a review procedure, details of which can be found on the Commission website at: https://www.electoralcommission.org.uk/freedom-information/make-a-freedom-information-request.

Please also note that if you have exhausted all internal Commission review procedures and you are still not satisfied you have the right to appeal to the Information Commissioner. Details of this procedure can be found on the ICO website: https://ico.org.uk.

Yours sincerely

Information Team
FOI@electoralcommission.org.uk

The Electoral Commission
electoralcommission.org.uk

From: [redacted]
To:
Subject: Re: Boris Johnson"s declaration in the Register of Members" Financial Interests
Date: 15 June 2023 22:34:23

Hi [redacted] Sorry, as you can tell, it has been a difficult period. Could we please put in a call on Monday to discuss and I'm sure we can solve this matter.

Thank you

Sent from Outlook for iOS

From: [redacted]@electoralcommission.org.uk>
Sent: Friday, June 9, 2023 3:11:10 PM
To [redacted]@borisjohnsonoffice.com>
Subject: RE: Boris Johnson's declaration in the Register of Members' Financial Interests

Hi [redacted]

Would it be helpful to have a quick video conference at some point next week to resolve this.

We can talk through the issues you are having and provide advice as to what we consider the correct course of action.

Kind regards,

[redacted]

[redacted]

The Electoral Commission
electoralcommission.org.uk

From: [redacted]@borisjohnsonoffice.com>
Sent: 30 May 2023 8:30 AM
To: [redacted]@electoralcommission.org.uk>
Subject: Re: Boris Johnson's declaration in the Register of Members' Financial Interests

Dear [redacted]

Apologies for the delay, I will revert to you today.

Best wishes

[redacted]

From: [redacted]@electoralcommission.org.uk>
Date: Wednesday, 24 May 2023 at 09:29
To: [redacted]@borisjohnsonoffice.com>
Subject: RE: Boris Johnson's declaration in the Register of Members' Financial Interests

Hi [redacted]

I am just chasing a response on this, do let me know if a quick phone call or video conference would be helpful.

I am not available today but will find time later in the week if necessary.

Kind regards,

[redacted]

[redacted]

The Electoral Commission
electoralcommission.org.uk

From: [redacted]@borisjohnsonoffice.com>
Sent: 20 April 2023 3:23 PM
To: [redacted]@electoralcommission.org.uk>
Subject: Re: Boris Johnson's declaration in the Register of Members' Financial Interests

Dear [redacted]

Thank you for this. I am checking the details regarding the company director and these other questions, and I will revert as soon as possible.

Thank you

[redacted]

From: [redacted]@electoralcommission.org.uk>
Date: Thursday, 13 April 2023 at 15:31
To: [redacted]@borisjohnsonoffice.com>
Subject: RE: Boris Johnson's declaration in the Register of Members' Financial Interests

Hi [redacted]

My apologies for the delay in coming back to you.

Members associations are entities whose composition is made up of mainly members of a political party. A company can be a Members Association, generally

this would mean 50% of its directors or other officers are members of the same political party. It is not clear from your email that this is the case.

Members Associations have to report donations in relation to their political activities. Political activities includes:

(a)promoting or procuring the election of any person to any position in, or to any committee of, the party in question;
(b)promoting or procuring the selection of any person as the party's candidate for election to a relevant elective office; and
(c)promoting or developing policies with a view to their adoption by the party;

Based on what you have said, the first two do not seem applicable but potentially the third one might be, again this is unclear. If you are able to provide any further information to clarify the use of the funds and the party membership of the company officers, it would be useful.

It may be that by considering the information provided you are able to make a decision regarding whether or not the donation needs to be reported. If that is the case please do let us know.

Kind regards,

[redacted]

[redacted]

The Electoral Commission
electoralcommission.org.uk

From: [redacted]@borisjohnsonoffice.com>
Sent: 03 April 2023 9:26 AM
To [redacted]@electoralcommission.org.uk>
Subject: Re: Boris Johnson's declaration in the Register of Members' Financial Interests

Dear [redacted]

Thank you for your email to Boris Johnson's parliamentary office. I am replying on behalf of Mr Johnson. This has been passed to me as it is a matter for the Office of Boris Johnson rather than for his parliamentary office, which is a separate entity.

The declaration in the Register of Members Financial Interests was made because of an abundance of caution and transparency, and we are unsure whether the Electoral Commission would treat the funds received as a donation. The funds were provided directly to the registered limited company The Office of Boris Johnson Ltd (Company number 14409444**).** The sole purpose of the company is to provide a private office for Mr Johnson in his capacity as a former Prime Minister. As such these funds pay for the employment a small number of staff and cover some office and travel expenses associated with his activities as a former Prime Minister.

Mr Johnson is not the recipient of these funds, and he has not accessed them. We do not

believe the Office of Boris Johnson Ltd meets the definition of a Members Association because it does not undertake activities with members. It is not intended to serve as a vehicle for such activities. The company has no 'members' - save for its director and employed or contracted staff.

However, we are totally supportive of making whatever declarations or registrations are required to be made. If it is the case that it is better to publish a donation under the name of The Office of Boris Johnson Ltd, then we are happy to provide whatever information you need for that.

I'm on [redacted] if I can help further. Please let us know how you intend to proceed.

Thank you.

[redacted]

[redacted]
Office of Boris Johnson Ltd