
November 2017

Changes to the confidentiality rules on donations and loans to Northern Ireland political parties and regulated donees

The Transparency of Donations and Loans etc. (Northern Ireland Political Parties) Order 2018 (the Order) was laid before the UK Parliament on 23 November.

If it gets Parliamentary approval, it will change the rules on confidentiality of donations and loans to Northern Ireland political parties and regulated donees (members of political parties, members associations, and holders of elective office such as MPs, MEPs, MLAs and councillors).

These changes will allow the Electoral Commission to publish details of donations and loans to

Northern Ireland parties and regulated donees.

The new transparency rules are proposed to apply to donations received and loans entered into from 1 July 2017.

The requirements on what political parties and regulated donees must report to the Electoral Commission will remain the same in most cases. The changes are primarily to what the Commission is required to publish.

Our existing guidance for political parties and regulated donees explains the rules as they currently stand.

You can access guidance for parties [here](#) and guidance for regulated donees [here](#).

This factsheet explains how the rules will change assuming that the Order becomes law.

You should check our website regularly to make sure you are aware of when the new rules come into force and for further updates.

We will publish amended guidance after the changes to the law come into effect.

What are the changes to the rules?

If it becomes law, the Order will end the confidentiality of political donors in Northern Ireland for donations and loans going forward.

The Electoral Commission will publish the details of any new donations received or loans entered into from 1 July 2017 that are reported to us. This will include the name of the donor or lender.

Aggregation

The Commission will also publish information about donations or loans made before July 2017 if they are required to be aggregated with a donation or loan made on or after that date.

Aggregation under PPERA requires donations and loans to be reported once they accrue to over the relevant threshold with any other donation or loan made by the same source in a calendar year.

This means that information about some donations or loans relating to the period between 1 January 2017 and 30 June 2017 may also be published. This could cover:

- (i) donations received in December 2016 but accepted on or after 1 January 2017;

- (ii) donations received and accepted or loans entered into entirely within the January 2017 to June 2017 period; and

- (iii) donations received up to 30 June 2017 and accepted afterwards.

Changes to loans

We will also publish the details of any loans where changes are reported to us, where

- the loan was entered into on or after 1 January 2014; and
- the change was made on or after 1 July 2017

The exception to this will be where the reportable change is that the loan has ended by being repaid in full. We will not publish details of these loans.

There is no change to the rules for donations and loans dating from before 1 January 2014.

What should parties and regulated donees do now?

Parties and regulated donees may wish to inform anyone who has donated and/or lends money over the relevant thresholds from 1 July 2017 about these changes.

It means that the names of donors and lenders of amounts over the relevant thresholds will be published in the online register on the Electoral Commission's website, in the same way as in Great Britain.

We expect to start publishing details of donations and loans to parties and

regulated donees when the law comes into force.

Summary by period

2007 - 2013	2014 - June 2017	July 2017 onwards
Historic confidential period	Information which could be made public in future	Future transparent period
<p>Information about donations and loans during this period will remain protected.</p> <p>The Commission is not permitted to disclose any information relating to it.</p> <p>It is open for the UK Government to make an Order in the future to permit the Commission to publish information relating to this period as long as it is not possible to identify a donor or lender.</p>	<p>Information about donations or loans during this period is not affected by the Order and the Commission is not permitted to disclose any information relating to it (except for aggregation and changes to loans – see next column).</p> <p>It is open for the UK Government to make an Order in the future to permit the Commission to publish information relating to this period.</p>	<p>The Commission will be required to publish information about donations received or loans entered into (and changes to those loans) on or after 1 July 2017.</p> <p>The Commission will also publish:</p> <ul style="list-style-type: none"> • information about donations and loans made before July 2017 if they are required to be aggregated with a donation or loan made on or after that date • information about loans that were entered into on or after 1 January 2014, if a change is made to the loan (other than repayment in full) on or after 1 July 2017

Where you can find more information

You can find information on the current rules for regulated donees [here](#) or for parties [here](#). If it's easier you can contact us the phone number or email below:

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Visit us at

www.electoralcommission.org.uk

Appendix: examples of aggregation for parties

	Quarter	Q1			Q2			Q3			Q4		
	Reporting deadline	30 April 2017			30 July 2017			30 October 2017			30 January 2018		
	Month	J	F	M	A	M	J	J	A	S	O	N	D
Eg1	Donation (£k)	1	1	1	1	1	1	1	1	1	1	1	1
	Aggregate donations (£k)	1	2	3	4	5	6	7	8	1	2	1	2
Eg2	Donation (£k)	2	2	2	2	2	2	2	2	2	2	2	2
	Aggregate donations (£k)	2	4	6	8	2	2	2	2	2	2	2	2
Eg3	Donation (£k)	5		5		1					1		
	Aggregate donations (£k)	5		10		1					2		

Key:

Bold Donation which goes over a reporting threshold

Blue Donations which are published in Q3

Pink Donations which are published in Q4

Example donor 1:

The Party is given a regular contribution of £1,000 per month for the whole of 2017.

The £7,500 reporting threshold is exceeded in August. The Party must report all donations accepted up to August in their Q3 return. The Commission publishes all eight £1,000 donations – including the donations from before 1 July 2017. This is because those donations aggregate to over £7,500 with the other donations accepted in Q3.

Because a donation from the donor has been reported in Q3, the reporting threshold for further donations from the same donor falls to £1,500. This is exceeded in October and again in December. The Party reports the next two donations of £1,000 as accruing in October and a further two donations of £1,000 which become recordable in December, both in their Q4 return. The Commission publishes that quarter as usual.

Example donor 2:

The Party is given a regular contribution of £2,000 per month for the whole of 2017.

The £7,500 threshold is exceeded in April. Because of aggregation, the Party reports all four donations of £2,000 made from January to April in their Q2 return. The threshold for the donor falls to £1,500, and is exceeded in May and again in June, so the next two donations of £2,000 are also reported in the Q2 return. The Commission does not publish, because this is before 1 July 2017.

The £1,500 threshold for the donor is exceeded again in July, August and September. The Party reports three donations of £2,000 in their Q3 return. The

Commission publishes that quarter as usual. The Commission still does not publish the earlier donations.

The threshold remains £1,500, and is exceeded again in October, November and December. The Party reports three donations of £2,000 in their Q4 return. The Commission publishes that quarter as usual.

Example donor 3:

The Party is given four separate amounts by the same donor in 2017, consisting of £5,000 in January, another £5,000 in March, £1,000 in May and another £1,000 in October.

The £7,500 threshold is exceeded in March. Because of aggregation the Party reports the first two donations in their Q1 return. The Commission does not publish, because this is before 1 July 2017.

The threshold falls to £1,500, and is exceeded in October. Because of aggregation, the Party reports the two £1,000 donations in their Q4 return. The Commission publishes, including the aggregated donation from before July.