
Changes to legislation: There are currently no known outstanding effects for the Scottish Independence Referendum Act 2013, Paragraph 18. (See end of Document for details)

SCHEDULE 6 CAMPAIGN RULES: CIVIL SANCTIONS

PART 4

ENFORCEMENT UNDERTAKINGS

- 18 (1) This paragraph applies where—
- (a) the Electoral Commission have reasonable grounds to suspect that a person has committed a campaign offence listed in Part 7,
 - (b) the person offers an undertaking (an “enforcement undertaking”) to take such action, within such period, as is specified in the undertaking,
 - (c) the action so specified is—
 - (i) action to secure that the offence does not continue or recur,
 - (ii) action to secure that the position is, so far as possible, restored to what it would have been if the offence had not happened, and
 - (d) the Commission accept the undertaking.
- (2) Unless the person has failed to comply with the undertaking or any part of it—
- (a) the person may not at any time be convicted of a campaign offence in respect of the act or omission to which the undertaking relates,
 - (b) the Commission may not impose on the person any fixed monetary penalty that they would otherwise have power to impose by virtue of paragraph 1 in respect of that act or omission,
 - (c) the Commission may not impose on the person any discretionary requirement that they would otherwise have power to impose by virtue of paragraph 6 in respect of that act or omission.

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