
Changes to legislation: There are currently no known outstanding effects for the Referendums (Scotland) Act 2020.
Cross Heading: Restriction on making claims in respect of referendum expenses. (See end of Document for details)

SCHEDULE 3 CAMPAIGN RULES

PART 3

REFERENDUM EXPENSES

Restriction on making claims in respect of referendum expenses

- 16 (1) A claim for payment in respect of referendum expenses incurred by or on behalf of a permitted participant during the referendum period is not payable unless the claim is sent within the period of 30 days after the end of the referendum period to—
- (a) the responsible person, or
 - (b) any other person authorised under paragraph 14 to incur the expenses.
- (2) A claim sent in accordance with sub-paragraph (1) must be paid within the period of 60 days after the end of the referendum period.
- (3) A person commits an offence if, without reasonable excuse, the person—
- (a) pays a claim which by virtue of sub-paragraph (1) is not payable, or
 - (b) makes a payment in respect of a claim after the end of the period allowed under sub-paragraph (2).
- (4) A person who commits an offence under sub-paragraph (3) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (5) In the case of a claim to which sub-paragraph (1) applies—
- (a) the person making the claim, or
 - (b) the person with whose authority the expenses in question were incurred,
- may apply to the Electoral Commission for leave for the claim to be paid although sent in after the end of the period mentioned in that sub-paragraph; and the Commission, if satisfied that it is appropriate to do so, may grant the leave.
- (6) Nothing in sub-paragraph (1) or (2) applies in relation to any sum paid in pursuance of the leave granted by the Commission.
- (7) Sub-paragraph (2) is without prejudice to any rights of a creditor of a permitted participant to obtain payment before the end of the period allowed under that sub-paragraph.
- (8) Subsections (9) and (10) of section 77 of the 2000 Act apply for the purposes of this paragraph as if—
- (a) any reference to subsection (1) or (2) of that section were a reference to sub-paragraph (1) or (2) above,
 - (b) any reference to campaign expenditure were a reference to referendum expenses, and
 - (c) any reference to the treasurer or deputy treasurer of the registered party were a reference to the responsible person in relation to the permitted participant.

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