



# Parliamentary Voting System and Constituencies Act 2011

## 2011 CHAPTER 1

### PART 1

#### VOTING SYSTEM FOR PARLIAMENTARY ELECTIONS

##### *The referendum*

#### **6 Control of loans etc to permitted participants**

- (1) The 2000 Act has effect in relation to the referendum as if the Schedule set out in Schedule 9 to this Act were inserted in that Act as Schedule 15A.
- (2) Section 120 of the 2000 Act (returns as to referendum expenses) has effect in relation to the referendum as if at the end of subsection (2)(d) there were inserted “and a statement of regulated transactions entered into in respect of the referendum which complies with the requirements of paragraphs 11 to 15 of Schedule 15A”.
- (3) Section 123 of the 2000 Act (declaration of responsible person as to return under section 120) has effect in relation to the referendum as if for subsection (3) there were substituted—

“(3) In a case where the permitted participant either is not a registered party or is a minor party, the declaration must also—

- (a) in relation to all relevant donations recorded in the return as having been accepted by the permitted participants—
  - (i) state that they were all from permissible donors, or
  - (ii) state whether or not section 56(2) was complied with in the case of each of those donations that was not from a permissible donor;
- (b) in relation to all regulated transactions recorded in the return as having been entered into by the permitted participant—

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*Status: This is the original version (as it was originally enacted).*

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- (i) state that none of the transactions was made void by paragraph 5(2) or (6) or 6(3) of Schedule 15A, or
  - (ii) state whether or not paragraph 5(3)(a) of that Schedule was complied with in the case of each of the transactions that was made void by paragraph 5(2) or (6) of that Schedule.”
- (4) Section 124 of the 2000 Act (public inspection of returns under section 120) has effect in relation to the referendum as if for subsection (2) there were substituted—
- “(2) If the return contains a statement of relevant donations or a statement of regulated transactions in accordance with section 120(2)(d), the Commission shall secure that the copy of the statement made available for public inspection does not include—
- (a) in the case of any donation by an individual, the donor’s address;
  - (b) in the case of a transaction entered into by the permitted participant with an individual, the individual’s address.”
- (5) Schedule 15 to the 2000 Act (control of donations to permitted participants) has effect in relation to the referendum as if—
- (a) paragraph (d) of paragraph 2(1) were omitted, together with paragraph 2(3)(a), the words “the loan or” in paragraphs 2(3) and 5(4)(a), the words “(d) or” in paragraph 5(4), and paragraph 5(4)(a)(i);
  - (b) for paragraph (b) of paragraph 10(2) there were substituted—
    - “(b) the value of it and any other relevant benefit or benefits is more than that amount.

In paragraph (b) “relevant benefit” means any relevant donation or regulated transaction (within the meaning of Schedule 15A) made by, or entered into with, the person who made the donation.””
- (6) Schedule 19C to the 2000 Act (civil sanctions), and any order under Part 5 of that Schedule, have effect as if offences under paragraph 8(1) to (12) of the Schedule set out in Schedule 9 to this Act were offences prescribed in an order under that Part.
- (7) Paragraphs 4, 5, 6 and 8 of the Schedule set out in Schedule 9 do not apply to regulated transactions (within the meaning of that Schedule) entered into before the commencement of this section; but otherwise the provisions of this section (and that Schedule) apply to such transactions entered into before as well as after that commencement.
- (8) Paragraph 7 of that Schedule applies only to a purported transfer made on or after the commencement of this section.