
Changes to legislation: There are currently no known outstanding effects for the European Union Referendum Act 2015, Paragraph 28. (See end of Document for details)

SCHEDULES

SCHEDULE 1

CAMPAIGNING AND FINANCIAL CONTROLS

Financial limit on certain donations etc to registered parties other than minor parties

- 28 (1) This paragraph applies where the permitted maximum is exceeded by the aggregate value of—
- (a) relevant donations which are received and accepted, and
 - (b) relevant regulated transactions which are entered into,
- during the referendum period by a permitted participant that is a registered party other than a minor party.
- (2) Each of the relevant donations and relevant regulated transactions falling within sub-paragraph (3) is to be treated for the purposes of Parts 4 and 4A of the 2000 Act (as modified by paragraphs 26 and 27 of this Schedule and paragraphs 10 to 13 of Schedule 2) as if—
- (a) it had been received or entered into, as the case may be, at the end of the period of 3 months after the end of the referendum period,
 - (b) in the case of a relevant donation, it had been received from a person who was not a permissible donor at the time, and
 - (c) in the case of a relevant regulated transaction, it had been entered into with a person who was not an authorised participant at the time.
- (3) A relevant donation or relevant regulated transaction falls within this sub-paragraph—
- (a) if—
 - (i) it is the first of the relevant donations received or is the only one,
 - (ii) no relevant regulated transaction has previously been entered into,and
 - (iii) the value of the donation alone exceeds the permitted maximum,
 - (b) if it is the first of the relevant regulated transactions entered into or is the only one, and the value of the transaction alone exceeds the permitted maximum, or
 - (c) in a case not falling within paragraph (a) or (b), if the aggregate value of the relevant donation or relevant regulated transaction and the relevant donations and relevant regulated transactions previously received or entered into exceeds the permitted maximum.
- (4) But—
- (a) in the case of a relevant donation within sub-paragraph (3)(a), only so much of the donation as exceeds the permitted maximum is a donation falling within sub-paragraph (3), and

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- (b) in the case of a relevant donation within sub-paragraph (3)(c) where the aggregate value of the relevant donations and relevant regulated transactions previously received or entered into does not exceed the permitted maximum, only so much of the donation as exceeds the difference between that aggregate value and the permitted maximum is a donation falling within sub-paragraph (3).

(5) In this paragraph—

“authorised participant” means an authorised participant for the purposes of Part 4A of the 2000 Act;

“permissible donor” means a permissible donor for the purposes of Part 4 of the 2000 Act;

“permitted maximum”, in relation to a permitted participant, means an amount equal to the limit imposed on that permitted participant by paragraph 1(2) of Schedule 14 to the 2000 Act (as modified by paragraph 25 of this Schedule);

“relevant donation” means a donation which is received from a person who is a permissible donor in relation to that donation by virtue of paragraph 26 of this Schedule;

“relevant regulated transaction” means a transaction which—

- (a) is a regulated transaction for the purposes of Part 4A of the 2000 Act (see section 71F of that Act), and
- (b) is entered into with a person who is an authorised participant in relation to that transaction by virtue of paragraph 10 of Schedule 2.

(6) In this paragraph—

- (a) references to a donation and to the value of a donation have the same meaning as in Part 4 of the 2000 Act (see sections 50 and 53 of that Act), and
- (b) references to the value of a regulated transaction have the same meaning as in Part 4A of that Act (see section 71G of that Act).

Commencement Information

II Sch. 1 para. 28 in force at 1.2.2016 by S.I. 2016/69, reg. 2

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