
Changes to legislation: There are currently no known outstanding effects for the European Union Referendum Act 2015, Cross Heading: Further modifications of 2000 Act relating to loans etc. (See end of Document for details)

SCHEDULES

SCHEDULE 2

CONTROL OF LOANS ETC TO PERMITTED PARTICIPANTS

Further modifications of 2000 Act relating to loans etc

- 2 (1) Section 120 of the 2000 Act (returns in respect of referendum expenses and donations) 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 16 to 20 of Schedule 15A”.
- (2) 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 after subsection (3) (as modified by Schedule 1) there were inserted—
- “(3A) In a case where the permitted participant either is not a registered party or is a minor party, the declaration must also, in relation to all regulated transactions recorded in the return as having been entered into by the permitted participant—
- (a) state that none of the transactions was made void by paragraph 5(2) or (6) or 6(3) of Schedule 15A, or
- (b) 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.”
- (3) Section 124 of the 2000 Act (public inspection of returns under section 120) has effect in relation to the referendum as if after subsection (2) there were inserted—
- “(2A) If the return contains 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, in the case of a transaction entered into by the permitted participant with an individual, the individual's address.”
- (4) For the purposes of the referendum, the following provisions of Schedule 15 to the 2000 Act are to be treated as omitted—
- (a) paragraph 2(1)(d),
- (b) in paragraph 2(3)—
- (i) paragraph (a), and
- (ii) the words “the loan or”, and
- (c) in paragraph 5(4)—
- (i) the words “(d) or”,
- (ii) in paragraph (a) the words “the loan or”, and
- (iii) paragraph (a)(i).

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Accordingly, paragraph 2(3)(b) of that Schedule has effect for the purposes of the referendum as if for “such terms” there were substituted “commercial terms”.

- (5) Paragraph 10 of Schedule 15 to the 2000 Act, which is modified by paragraph 34 of Schedule 1, also has effect in relation to the referendum as if for paragraph (b) of sub-paragraph (2) there were substituted—
- “(b) the value of it and any other relevant benefit or benefits is more than that amount; and “relevant benefit” here 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) Paragraph 1 of Schedule 19A to the 2000 Act (requirement to notify Commission of certain political contributions) has effect in relation to the referendum as if—
- (a) in sub-paragraph (2) after paragraph (f) there were inserted—
- “(fa) it makes a loan of money to a permitted participant, or discharges (to any extent) a liability of a permitted participant, in pursuance of a regulated transaction (within the meaning of Schedule 15A);”, and
- (b) in sub-paragraph (5)(e) for “sub-paragraph (2)(b) or (d)” there were substituted “sub-paragraph (2)(b), (d) or (fa)”.
- (7) Schedule 19C to the 2000 Act (civil sanctions), and any order under Part 5 of that Schedule, have effect as if offences under paragraphs 8 to 11 of the Schedule treated as inserted by paragraph 1 above were offences prescribed in an order under that Part.
- (8) Nothing in sub-paragraph (6) or (7) (read with section 12) is to be taken to mean that Schedule 19A or 19C of the 2000 Act extends or applies to Gibraltar for the purposes of the referendum.

Commencement Information

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

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