

INTERESTS OF MEMBERS OF THE SCOTTISH PARLIAMENT (AMENDMENT) ACT 2016

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 5 – Overseas visits

31. **Section 5** of the Act replaces paragraph 7 of the schedule to the Interests Act with an amended version. Sub-paragraphs (1) and (2) restate the existing requirements to register certain “overseas visits” (i.e. that members are required to register visits outside of the United Kingdom which meet the prejudice test – subject to the exemptions from registration set out in sub-paragraph (3)).
32. Sub-paragraph (4) introduces a new requirement for members to register overseas visits over the value of £1,500 (singly or in aggregate) in connection with the member’s political activities. Sub-paragraph (5) replicates the exemptions from registering overseas visits set out in sub-paragraph (3) with the exception that members are not exempt from registering an overseas visit paid for by their spouse, civil partner, cohabitant, mother, father, son or daughter if it is over the value of £1,500 and for political activities. Such overseas visits are required to be registered under PPERA.
33. Sub-paragraph (6) sets out the definition of “aggregable benefit” for the purposes of aggregating an overseas visit for political activities with other benefits for political activities accepted from the same person in the same calendar year, further to sub-paragraph (4)(b). The aggregable benefits that can be aggregated include other overseas political visits, other gifts, certain remuneration received as expenses or controlled transactions, where they are for political activities and are individually valued in excess of £500 (but not exceeding £1,500).