
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2015 No.

The Scottish Parliament (Elections etc.) Order 2015

PART 3

THE ELECTION CAMPAIGN

Interpretation of Part 3

- 80.**—(1) In this Part, unless the context otherwise requires—
- a person becomes a “candidate” in relation to a Scottish parliamentary election—
- (a) on the date of—
 - (i) the dissolution of the Scottish Parliament; or
 - (ii) in the case of an election under section 9 of the 1998 Act (constituency vacancies), the occurrence of the vacancy,in consequence of which the notice of election is issued if on or before that date the person has been declared to be a candidate at the election; and
 - (b) otherwise, on the day on which the person is so declared or on which the person is nominated as a candidate at the election (whichever is the earlier);
- “date of the allowance of an authorised excuse” has the meaning given by article 53(9);
- “declaration as to election expenses” means a declaration made under article 48 or 49;
- “disputed claim” has the meaning given by article 45(1) as extended by article 46;
- “money” (except in article 75) and “pecuniary or other reward” shall be deemed to include—
- (a) any office, place or employment;
 - (b) any valuable security or other equivalent of money; and
 - (c) any valuable consideration,
- and expressions referring to money shall be construed accordingly;
- “payment” includes any pecuniary or other reward; and
- “personal expenses” as used with respect to the expenditure of any candidate in relation to any Scottish parliamentary election—
- (a) includes the expenses described in paragraph (2), but only where reasonably incurred by the candidate for the purposes of and in relation to the election;
 - (b) to the extent that the expenditure falls within paragraph (2)(c), is to be ignored for the purpose of calculating the personal expenditure limits in article 39(1), but is to be included in the statement of the amount of personal expenses required by article 39(3) and in the declaration as to election expenses required by article 49(1).
- (2) Matters included as personal expenses are—
- (a) travelling expenses;
 - (b) expenses of living at hotels or elsewhere;

- (c) expenses that are reasonably attributable to the candidate having a physical or mental impairment that has a substantial and long-term adverse effect on the candidate's ability to carry out normal day-to-day activities.