



# Political Parties, Elections and Referendums Act 2000

## 2000 CHAPTER 41

### PART VII

#### REFERENDUMS

### CHAPTER II

#### FINANCIAL CONTROLS

#### *General restrictions relating to referendum expenses incurred by permitted participants*

#### **115 Restriction on making claims in respect of referendum expenses**

- (1) A claim for payment in respect of referendum expenses incurred by or on behalf of a permitted participant during a referendum period shall not be payable if the claim is not sent to—
  - (a) the responsible person, or
  - (b) any other person authorised under section 113 to incur the expenses, not later than 21 days after the end of the referendum period.
- (2) Any claim sent in accordance with subsection (1) shall be paid not later than 42 days after the end of the referendum period.
- (3) A person commits an offence if, without reasonable excuse—
  - (a) he pays any claim which by virtue of subsection (1) is not payable, or
  - (b) he makes any payment in respect of a claim after the end of the period allowed under subsection (2).
- (4) In the case of any claim to which subsection (1) applies—
  - (a) the person making the claim, or

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*Status: This is the original version (as it was originally enacted).*

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- (b) the person with whose authority the expenses in question were incurred, may apply to the High Court or a county court or, in Scotland, to the Court of Session or the sheriff for leave for the claim to be paid although sent in after the end of the period mentioned in that subsection; and the court, if satisfied that for any special reason it is appropriate to do so, may by order grant the leave.
- (5) Nothing in subsection (1) or (2) shall apply in relation to any sum paid in pursuance of the order of leave.
- (6) Subsection (2) is without prejudice to any rights of a creditor of a permitted participant to obtain payment before the end of the period allowed under that subsection.
- (7) Subsections (7) to (10) of section 77 shall apply for the purposes of this section as if—
- (a) any reference to subsection (1), (2) or (4) of that section were a reference to subsection (1), (2) or (4) above; and
  - (b) any reference to campaign expenditure were a reference to referendum expenses; and
  - (c) any reference to the treasurer or deputy treasurer of the registered party were a reference to the responsible person in relation to the permitted participant.