

## SCHEDULES

### SCHEDULE 3

#### REGULATION OF EXPENDITURE

#### PART 2

##### LIMITS ON EXPENDITURE

##### *Limit on petition expenditure: accredited campaigners*

- 3 (1) The total petition expenses incurred during the recall petition period by or on behalf of an accredited campaigner must not exceed £10,000.
- (2) The following provisions of this paragraph apply where—
- (a) at any time during the recall petition period any petition expenses are incurred by or on behalf of a person (“P”) in excess of the limit imposed by sub-paragraph (1), and
  - (b) P is at that time an accredited campaigner.
- (3) Where P is an individual—
- (a) P commits an offence if P knew or ought reasonably to have known that the expenses would be incurred in excess of that limit, and
  - (b) where the responsible person is a different individual, the responsible person commits an offence if he or she—
    - (i) authorised the expenses to be incurred by or on behalf of P, and
    - (ii) knew or ought reasonably to have known that the expenses would be incurred in excess of that limit.
- (4) Where P is a registered party or is a body that is not a registered party—
- (a) P commits an offence, and
  - (b) the responsible person commits an offence if he or she—
    - (i) authorised the expenses to be incurred by or on behalf of P, and
    - (ii) knew or ought reasonably to have known that the expenses would be incurred in excess of that limit.
- (5) In proceedings for an offence under this paragraph it is a defence to show that—
- (a) any code of practice for the time being in force under paragraph 16 (guidance as to meaning of “petition expense”) was complied with in determining the items and amounts of petition expenses to be entered in the relevant return under paragraph 1 of Schedule 5 (reporting requirements), and
  - (b) the limit imposed by sub-paragraph (1) would not have been exceeded on the basis of the items and amounts entered in that return.
- (6) A person is taken to have shown the matters specified in sub-paragraph (5) if—

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*Status: This is the original version (as it was originally enacted).*

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- (a) sufficient evidence of those matters is adduced to raise an issue with respect to them, and
  - (b) the contrary is not proved beyond reasonable doubt.
- (7) An offence under this paragraph is an illegal practice.