

SCHEDULES

SCHEDULE 1

CAMPAIGNING AND FINANCIAL CONTROLS

Returns in respect of referendum expenses and donations

- 35 For the purposes of the referendum, the following section is to be treated as inserted after section 120 of the 2000 Act (returns in respect of referendum expenses and donations)—

“120A Full return not required if expenses do not exceed £10,000

- (1) A return under section 120 need not be made by the responsible person in relation to a permitted participant if, within 3 months beginning with the end of the referendum period, the responsible person—
 - (a) makes a relevant declaration, and
 - (b) delivers that declaration to the Commission.
- (2) A “relevant declaration” is a declaration that, to the best of the responsible person’s knowledge and belief, the total amount of referendum expenses incurred by or on behalf of the permitted participant during the referendum period does not exceed £10,000.
- (3) If a person who is the responsible person in relation to a permitted participant knowingly or recklessly makes a false declaration under this section, that person commits an offence.
- (4) A person guilty of an offence under this section is liable—
 - (a) on conviction on indictment, to imprisonment for a term not exceeding 12 months or to a fine, or to both;
 - (b) on summary conviction in England and Wales, to imprisonment for a term not exceeding 12 months or to a fine, or to both;
 - (c) on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months or to a fine not exceeding the statutory maximum, or to both;
 - (d) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months or to a fine not exceeding the statutory maximum, or to both;
 - (e) on summary conviction in Gibraltar, to imprisonment for a term not exceeding 12 months or to a fine not exceeding level 5 on the Gibraltar standard scale, or to both.
- (5) The reference in subsection (4)(b) to 12 months is to be read as a reference to 6 months in relation to an offence committed before the commencement of section 154(1) of the Criminal Justice Act 2003.

Status: This is the original version (as it was originally enacted).

- (6) In subsection (4)(e) “the Gibraltar standard scale” means the standard scale set out in Part A of Schedule 9 to the Criminal Procedure and Evidence Act.”