

## SCHEDULE

### Amendment of Political Parties, Elections and Referendums Act 2000

#### 5. After section 71H insert—

##### **“Financial limit on Gibraltar donations and Gibraltar regulated transactions**

**71HA.**—(1) This section applies where the permitted maximum is exceeded by the aggregate value of—

- (a) Gibraltar donations which are received and accepted;
- (b) Gibraltar regulated transactions which are entered into;

within the permitted period by a registered party which is not a Gibraltar party.

(2) Such of the Gibraltar donations and Gibraltar regulated transactions as fall within subsection (3) are to be treated for the purposes of Part 4 and this Part as if—

- (a) they were received or entered into, as the case may be, at the end of the period of three months after the end of the permitted period;
- (b) in the case of a Gibraltar donation, it was received from a person who was not a permissible donor at the time;
- (c) in the case of a Gibraltar regulated transaction, it was entered into with a person who was not an authorised participant at the time.

(3) A Gibraltar donation or Gibraltar regulated transaction falls within this subsection if—

- (a) in a case where it is the first of the Gibraltar donations received or is the only one, the value of the donation alone exceeds the permitted maximum;
- (b) in a case where it is the first of the Gibraltar regulated transactions entered into or is the only one, the value of the transaction alone exceeds the permitted maximum; or
- (c) otherwise, the aggregate value of that donation or regulated transaction and such of the Gibraltar donations and Gibraltar regulated transactions previously received or entered into, as the case may be, exceeds the permitted maximum.

(4) But—

- (a) in a case within subsection (3)(a), only so much of the donation as exceeds the permitted maximum is a donation falling within subsection (3); and
- (b) in a case within subsection (3)(c) in which the aggregate value of the Gibraltar donations and Gibraltar regulated transactions previously received or entered into, as the case may be, does not exceed the permitted maximum, only so much of the donation as exceeds the difference between that aggregate value and the permitted maximum is a donation falling within subsection (3).

(5) In this section “permitted maximum” means an amount equal to the limit imposed by paragraph 4(2) of Schedule 9 on campaign expenditure incurred by or on behalf of a registered party which is not a Gibraltar party and which stands for election at an election to the European Parliament in the combined region.”