
Changes to legislation: There are currently no known outstanding effects for the Referendums (Scotland) Act 2020.
Cross Heading: Declaration of responsible person as to return under paragraph 22. (See end of Document for details)

SCHEDULE 3 CAMPAIGN RULES

PART 3

REFERENDUM EXPENSES

Declaration of responsible person as to return under paragraph 22

- 25 (1) Each return prepared under paragraph 22 in respect of referendum expenses incurred by or on behalf of a permitted participant must be accompanied by a declaration which complies with sub-paragraph (2) and is signed by the responsible person.
- (2) The declaration must state—
- (a) that the responsible person has examined the return in question, and
 - (b) that to the best of the responsible person's knowledge and belief—
 - (i) it is a complete and correct return as required by law, and
 - (ii) all expenses shown in it as paid have been paid by the responsible person or a person authorised by the responsible person.
- (3) In a case where the permitted participant either is not a registered party or is a minor party, the declaration must also—
- (a) in relation to all relevant donations recorded in the return as having been accepted by the permitted participant—
 - (i) state that they were all from permissible donors, or
 - (ii) state whether or not paragraph 36(3) was complied with in the case of each of those donations that was not from a permissible donor,
 - (b) in relation to all regulated transactions entered in the return as having been entered into by the permitted participant—
 - (i) state that none of the transactions was made void by paragraph 50(2) or (6), or
 - (ii) state whether or not paragraph 50(3)(a) was complied with in the case of each of the transactions that was made void by paragraph 50(2) or (6).
- (4) A person commits an offence if—
- (a) the person knowingly or recklessly makes a false declaration under this paragraph, or
 - (b) sub-paragraph (1) is contravened at a time when the person is the responsible person in the case of the permitted participant to which the return relates.
- (5) A person who commits an offence under sub-paragraph (4) is liable—
- (a) on summary conviction, to imprisonment for a term not exceeding 12 months or to a fine not exceeding the statutory maximum (or both),
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 12 months or to a fine (or both).
- (6) In this paragraph—
- “relevant donation” has the same meaning as in paragraph 30, and
 - “regulated transaction” is to be construed in accordance with paragraph 47.

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