
Changes to legislation: There are currently no known outstanding effects for the Referendums (Scotland) Act 2020, Cross Heading: Operation and interpretation of this Part. (See end of Document for details)

SCHEDULE 3 CAMPAIGN RULES

PART 5

CONTROL OF DONATIONS

Operation and interpretation of this Part

- 30 (1) This Part has effect for controlling donations to permitted participants that either are not registered parties or are minor parties.
- (2) The following provisions have effect for the purposes of this Part.
- (3) In accordance with sub-paragraph (1), “permitted participant” does not include a permitted participant that is a registered party other than a minor party.
- (4) “Relevant donation”, in relation to a permitted participant, means a donation to the permitted participant for the purpose of meeting referendum expenses incurred by or on behalf of the permitted participant.
- (5) “Donation” is to be construed in accordance with paragraphs 31 to 33.
- (6) In relation to donations received by a permitted participant other than a designated organisation, references to a permissible donor do not include a registered party.
- (7) Where any provision of this Part refers to a donation for the purpose of meeting a particular kind of expenses incurred by or on behalf of a permitted participant—
- (a) the reference includes a reference to a donation for the purpose of securing that any such expenses are not so incurred, and
 - (b) a donation is to be taken to be a donation for either of those purposes if, having regard to all the circumstances, it must reasonably be assumed to be such a donation.
- (8) Sub-paragraphs (9) and (10) apply to any provision of this Part which provides, in relation to a permitted participant, that money spent (otherwise than by or on behalf of the permitted participant) in paying expenses incurred directly or indirectly by the permitted participant is to constitute a donation to the permitted participant.
- (9) The reference in any such provision to money so spent is a reference to money so spent by a person, other than the permitted participant, out of the person's own resources (with no right to reimbursement out of the resources of the permitted participant).
- (10) Where, by virtue of any such provision, any amount of money so spent constitutes a donation to the permitted participant, the permitted participant is to be treated as receiving an equivalent amount on the date on which the money is paid to the creditor in respect of the expenses in question.
- (11) For the purposes of this Part, it is immaterial whether a donation received by a permitted participant is so received in Scotland or elsewhere.

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