



# Referendums (Scotland) Act 2020

## 2020 asp 2

### *Campaign*

#### **16 Campaign rules: general offences**

- (1) A person commits an offence if—
  - (a) the person—
    - (i) alters, suppresses, conceals or destroys any document to which this subsection applies, or
    - (ii) causes or permits the alteration, suppression, concealment or destruction of any such document, and
  - (b) the person does so with the intention of falsifying the document or enabling any person to evade any of the provisions of schedules 3 to 5.
- (2) Subsection (1) applies to any book, record or other document which is or is liable to be required to be produced for inspection under paragraph 1 or 3 of schedule 4.
- (3) Subsection (4) applies where the relevant person in the case of a supervised organisation, or a person acting on behalf of the relevant person, requests a person holding an office in any such organisation (“the office-holder”) to supply the relevant person with any information which the relevant person reasonably requires for the purposes of any of the provisions of schedules 3 to 5.
- (4) The office-holder commits an offence if—
  - (a) without reasonable excuse, the office-holder fails to supply the relevant person with that information as soon as practicable, or
  - (b) in purporting to comply with the request, the office-holder knowingly supplies the relevant person with any information which is false in a material particular.
- (5) A person commits an offence if, with intent to deceive, the person withholds—
  - (a) from the relevant person in the case of a supervised organisation, or
  - (b) from a supervised individual,any information required by the relevant person or that individual for the purposes of any of the provisions of schedules 3 to 5.
- (6) In subsections (1) to (5) any reference to a supervised organisation or individual includes a reference to a former supervised organisation or individual.

---

*Changes to legislation:* There are currently no known outstanding effects for the Referendums (Scotland) Act 2020, Section 16. (See end of Document for details)

---

- (7) A person who commits an offence under subsection (1), (4)(a) or (b) or (5) 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).
- (8) In this section—
- “supervised individual” means an individual who is a permitted participant,
  - “supervised organisation” means a permitted participant other than an individual,
  - “relevant person” means a person who is (or has been), in relation to a permitted participant, the responsible person for the purposes of this Act.

**Changes to legislation:**

There are currently no known outstanding effects for the Referendums (Scotland) Act 2020, Section 16.