

*Changes to legislation: There are currently no known outstanding effects for the European Union Referendum Act 2015, Cross Heading: Permissible donors: donations to minor parties and to persons who are not parties. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 1

#### CAMPAIGNING AND FINANCIAL CONTROLS

*Permissible donors: donations to minor parties and to persons who are not parties*

29 Paragraph 1 of Schedule 15 to the 2000 Act (control of donations to permitted participants: operation and interpretation of Schedule) has effect for the purposes of the referendum as if the following sub-paragraphs were substituted for sub-paragraph (6)—

“(6) In relation to donations received by a permitted participant other than a designated organisation—

- (a) references to a permissible donor falling within section 54(2), and
- (b) references to a person within paragraph 6(1A) of this Schedule,

do not include a registered party and do not include a political party which is not a registered party but is established in Gibraltar.

(7) Sub-paragraph (6) applies also to references to a permissible donor, and references to a person within paragraph 6(1A) of this Schedule, in sections 56 and 61 as applied by paragraphs 7 and 8 of this Schedule.”

#### Commencement Information

**II** Sch. 1 para. 29 in force at 1.2.2016 by S.I. 2016/69, reg. 2

30 Paragraph 4(1) of Schedule 15 to the 2000 Act (payments etc not to be regarded as donations) has effect for the purposes of the referendum as if after paragraph (a) there were inserted—

“(aa) any grant provided out of Gibraltar public funds;”.

#### Commencement Information

**I2** Sch. 1 para. 30 in force at 1.2.2016 by S.I. 2016/69, reg. 2

31 (1) Paragraph 6 of Schedule 15 to the 2000 Act (prohibition on accepting donations from persons who are not permissible donors) has effect for the purposes of the referendum with the following modifications.

(2) Sub-paragraph (1)(a) has effect for those purposes as if after “a permissible donor falling within section 54(2)” there were inserted “ or a person within sub-paragraph (1A) ”.

(3) For the purposes of the referendum the following sub-paragraph is to be treated as inserted after sub-paragraph (1)—

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“(1A) The persons within this sub-paragraph are—

- (a) a Gibraltar elector;
- (b) a body falling within any of paragraphs (b) to (g) of section 54(2A);
- (c) a body incorporated by Royal Charter which does not fall within section 54(2);
- (d) a charitable incorporated organisation within the meaning of Part 11 of the Charities Act 2011 or Part 11 of the Charities Act (Northern Ireland) 2008;
- (e) a Scottish charitable incorporated organisation within the meaning of Chapter 7 of Part 1 of the Charities and Trustee Investment (Scotland) Act 2005 (asp 10);
- (f) a partnership constituted under the law of Scotland which carries on business in the United Kingdom.”

(4) Sub-paragraph (3) has effect for those purposes as if after “exempt trust donation” there were inserted “ or exempt Gibraltar trust donation ”.

(5) Sub-paragraph (4) has effect for those purposes as if—

- (a) in paragraph (a) after “exempt trust donation” there were inserted “ or exempt Gibraltar trust donation ”,
- (b) in paragraph (b)(i) after “permissible donors falling within section 54(2)” there were inserted “ or persons within sub-paragraph (1A) ”,
- (c) in paragraph (b)(ii) after “such a permissible donor” there were inserted “ or such a person ”, and
- (d) after “not such a permissible donor” there were inserted “ and is not within sub-paragraph (1A) ”.

(6) For the purposes of the referendum the following sub-paragraph is to be treated as inserted after sub-paragraph (8)—

“(9) In relation to a relevant donation in the form of a bequest sub-paragraph (1A) (a) is to be read as referring to an individual who was, at any time within the period of five years ending with the date of the individual's death, a Gibraltar elector.”

**Commencement Information**

**I3** Sch. 1 para. 31 in force at 1.2.2016 by S.I. 2016/69, reg. 2

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