

## SCHEDULES

### SCHEDULE 1

#### CAMPAIGNING AND FINANCIAL CONTROLS

##### *Expenses incurred by persons acting in concert*

- 22 (1) This paragraph applies where—
- (a) referendum expenses are incurred by or on behalf of an individual or body during the referendum period for the referendum, and
  - (b) those expenses are incurred in pursuance of a plan or other arrangement by which referendum expenses are to be incurred by or on behalf of—
    - (i) that individual or body, and
    - (ii) one or more other individuals or bodies,with a view to, or otherwise in connection with, promoting or procuring a particular outcome in relation to the question asked in the referendum.
- (2) In this paragraph references to “common plan expenses” of an individual or body are to referendum expenses which are incurred by or on behalf of that individual or body—
- (a) as mentioned in sub-paragraph (1)(a), and
  - (b) in pursuance of a plan or other arrangement mentioned in sub-paragraph (1)(b).
- (3) The common plan expenses of the individual or body which is mentioned in sub-paragraph (1)(a) are to be treated for the purposes of—
- (a) section 117 of the 2000 Act, and
  - (b) section 118 of and Schedule 14 to that Act,
- as having also been incurred during the referendum period by or on behalf of the other individual or body (or, as the case may be, each of the other individuals or bodies) mentioned in sub-paragraph (1)(b)(ii); but this is subject to sub-paragraph (5).
- (4) This paragraph applies whether or not any of the individuals or bodies in question is a permitted participant.
- (5) But if any of the individuals or bodies in question (“the persons involved”) is or becomes a designated organisation, the following referendum expenses are to be treated for the purposes of sections 117 and 118 of and Schedule 14 to the 2000 Act as having been incurred during the referendum period by or on behalf of the designated organisation only—
- (a) any referendum expenses incurred during the referendum period by or on behalf of the designated organisation;
  - (b) where any of the other persons involved is a permitted participant, any common plan expenses of that permitted participant;

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*Status: This is the original version (as it was originally enacted).*

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- (c) where any of the other persons involved is an individual or body which is not a permitted participant but is below the expenses threshold, any common plan expenses of that individual or body.
- (6) For the purposes of this paragraph an individual or body is “below the expenses threshold” if the total of the referendum expenses incurred during the referendum period by or on behalf of the individual or body does not exceed £10,000.
- (7) For the purposes of this paragraph—
- (a) section 112 of the 2000 Act (notional referendum expenses) applies as it applies for the purposes of Part 7 of that Act,
  - (b) section 113(3) of the 2000 Act (expenses incurred in contravention of section 113(1)) applies as it applies for the purposes of sections 117 to 123 of that Act, and
  - (c) subsections (5) and (6) of section 117 of the 2000 Act (certain expenditure incurred before the referendum period) apply as they apply for the purposes of that section.
- (8) In this paragraph any reference to referendum expenses incurred by or on behalf of a designated organisation, or a permitted participant, during the referendum period includes referendum expenses incurred during that period before the person by or on whose behalf the expenses were incurred became a designated organisation or, as the case may be, permitted participant.