
STATUTORY INSTRUMENTS

2002 No. 2779

The Scottish Parliament (Elections etc.) Order 2002

PART III

THE ELECTION CAMPAIGN

Return as to election expenses: candidates for return as constituency members and individual candidates for return as regional members

44.—(1) Within 35 days after the day on which the result of a Scottish parliamentary election is declared the election agent of every—

- (a) candidate for return as a constituency member; and
- (b) individual candidate for return as a regional member,

at the election shall deliver to the appropriate returning officer a true return in the form set out in the Appendix to this Order, containing as respects that candidate—

- (i) a statement of all election expenses incurred by or on behalf of the candidate; and
- (ii) a statement of all payments made by the election agent together with all bills or receipts relating to the payments.

(2) A return under this article must—

- (a) specify the poll by virtue of which the return is required;
- (b) specify the name of the candidate to whom the return relates and of the candidate's election agent; and
- (c) deal under a separate heading with any expenses in respect of which a return is required by virtue of article 39(3) above.

(3) The return shall also contain as respects that candidate—

- (a) a statement of all payments made—
 - (i) by the candidate in accordance with article 37(1) or (2) above, or
 - (ii) by any other person in accordance with article 37(4) above,together with all bills or receipts relating to any such payments made in accordance with article 37(2) or (4) above;
- (b) a statement of all disputed claims of which the election agent is aware;
- (c) a statement of all the unpaid claims, if any, of which the election agent is aware, in respect of which application has been or is about to be made to the Court of Session or the sheriff;
- (d) any declarations of value falling to be made by the candidate's election agent by virtue of article 38(2) above or 57(2) below;
- (e) a declaration of the amount of expenses which are to be regarded as election expenses incurred by or on behalf of the candidate by virtue of article 55(5)(b) below;

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- (f) a statement of donations made to the candidate or his election agent which complies with the requirements of paragraphs 11 and 12 of Schedule 2A to the 2000 Political Parties Act; and
 - (g) a statement of the amount, if any, of money provided by the candidate from his own resources for the purpose of meeting election expenses incurred by him or on his behalf.
- (4) Where after the date at which the return as to election expenses is delivered leave is given by the court under article 41(5) above for any claims to be paid, the candidate or his election agent shall, within seven days after its payment, deliver to the appropriate returning officer a return of the sums paid in pursuance of the leave accompanied by a copy of the order of the court giving the leave and in default he shall be deemed to have failed to comply with the requirements of this article without such authorised excuse as is mentioned in article 50 below.