
STATUTORY INSTRUMENTS

2007 No. 937

The Scottish Parliament (Elections etc.) Order 2007

PART III

THE ELECTION CAMPAIGN

Limitation of election expenses: candidates

- 42.**—(1) The election expenses incurred by or on behalf of—
- (a) a candidate for return as a constituency members; or
 - (b) an individual candidate for return as a regional member,
- at an election must not in the aggregate exceed the maximum amount specified in this article.
- (2) The maximum amount is (in a case other than that to which paragraph (3) applies)—
- (a) for a candidate for return as a constituency member in a constituency which is coterminous with a parliamentary constituency which is a county constituency £7,150 together with an additional 7p for every entry in the register of electors;
 - (b) for a candidate for return as a constituency member for a constituency which is coterminous with a parliamentary constituency which is a burgh constituency, £7,150 together with an additional 5p for every entry in the register of electors;
 - (c) for a candidate for return as a constituency member for the constituency of the Orkney Islands or the Shetland Islands, £7,150 together with an additional 7p for every entry in the register of electors ; and
 - (d) for an individual candidate for return as a regional member, a sum calculated by adding together the maximum amounts (calculated in accordance with sub paragraphs (a) to (c)) for a single candidate for return as a constituency member in each constituency included in the region.
- (3) The maximum amount at an election to fill a vacancy, for a candidate—
- (a) for return as a constituency member in a constituency which is coterminous with a parliamentary constituency which is a county constituency, £100,000;
 - (b) for return as a constituency member for a constituency which is coterminous with a parliamentary constituency which is a burgh constituency, £100,000;
 - (c) for return as a constituency member for the constituency of the Orkney Islands or the Shetland Islands, £100,000.
- (4) Where any election expenses are incurred in excess of the maximum amount specified in paragraph (2) or, as the case may be, paragraph (3), any candidate or election agent who—
- (a) incurred, or authorised the incurring of, the election expenses, and
 - (b) knew or ought reasonably to have known that the expenses would be incurred in excess of that maximum amount,
- shall be guilty of an illegal practice.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(5) In paragraph (2) “the register of electors” means the register of local government electors, for the area in question as it has effect on the last day for publication of notice of the election.

(6) The maximum amount specified in paragraph (2) or (3) for a candidate is not required to cover personal expenses of that candidate.

(7) Where a poll for the return of a constituency member is countermanded or abandoned by reason of a candidate’s death, the maximum amount of election expenses shall, for any of the other candidates who then remain validly nominated, be twice, or if there has been a previous increase under this paragraph, three times what it would have been but for any increase under this paragraph.

(8) The maximum amount specified in paragraph (2) or (3) for a candidate shall not be affected by the change in the timing of a Scottish parliamentary election or of any step in the proceedings at such an election.

(9) In paragraphs (2) and (3) a parliamentary constituency means a parliamentary constituency (except the constituency of Orkney and Shetland) provided for by Article 2 of and the Schedule to the Parliamentary Constituencies (Scotland) Order 1995⁽¹⁾.

(1) S.I.1995/1037.