
STATUTORY INSTRUMENTS

1999 No. 787

The Scottish Parliament (Elections etc.) Order 1999

PART III

THE ELECTION CAMPAIGN

Limitation of election expenses: candidates

41.—(1) No sum shall be paid and no expense shall be incurred by—

- (a) a candidate for return as a constituency member or his election agent; or
- (b) an individual candidate for return as a regional member or his election agent,

whether before, during or after an election, on account of or in respect of the conduct or management of the election, in excess of the maximum amount specified in this article, and a candidate, or election agent knowingly acting in contravention of this paragraph shall be guilty of an illegal practice.

(2) The maximum amount is (in a case other than that to which paragraph (3) below 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 £5,229 together with an additional 5.9p for every entry in a register of electors to be used at the election (as first published);
- (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, £5,229 together with an additional 4.4p for every entry in a register of electors to be used at the election (as first published);
- (c) for a candidate for return as a constituency member for the constituencies of the Orkney Islands or the Shetland Islands, £5,229 together with an additional 5.9p for every entry in a register of electors to be used at the election (as first published); 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) above) 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, £20,920 together with an additional 23.4p for every entry in a register of electors to be used at the election (as first published);
- (b) for return as a constituency member for a constituency which is coterminous with a parliamentary constituency which is a burgh constituency, £20,920 together with an additional 17.8p for every entry in a register of electors to be used at the election (as first published);

- (c) for return as a constituency member for the constituencies of the Orkney Islands or the Shetland Islands, £20,920 together with an additional 23.4p for every entry in a register of electors to be used at the election (as first published).
- (4) If a register to be used at an election is not published before the day of publication of the notice of election then for any reference in paragraph (2) or (3) above to an entry in that register there shall be substituted a reference to an entry in the electors list for that register as first published which gives the name of a person appearing from those lists to be entitled to be registered.
- (5) The maximum amount specified in paragraph (2) or (3) above for a candidate is not required to cover personal expenses of that candidate.
- (6) 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.
- (7) The maximum amount specified in paragraph (2) or (3) above 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.