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STATUTORY INSTRUMENTS

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**2007 No. 937**

**The Scottish Parliament (Elections etc.) Order 2007**

**PART III**

**THE ELECTION CAMPAIGN**

**Payment of expenses through election agent: constituency and individual candidates**

**38.**—(1) No payment (of whatever nature) shall be made by—

- (a) a candidate for return as a constituency member or an individual candidate for return as a regional member; or
- (b) any other person,

in respect of election expenses incurred by or on behalf of the candidate for return as a constituency member or an individual candidate for return as a regional member unless it is made by or through the candidate's election agent.

(2) Every payment made by an election agent in respect of any election expenses shall, except where less than £20, be vouched for by a bill stating the particulars or by a receipt.

(3) The references in the foregoing provisions of this article to an election agent shall be taken as references to the election agent acting by himself or a sub agent.

(4) This article does not apply to—

- (a) any expenses which are, in accordance with article 39(1) or (2), 43(6) or 44(2), paid by the candidate;
- (b) any expenses which are paid in accordance with article 39(4) by a person authorised as mentioned in that provision;
- (c) any expenses included in a declaration made by the election agent under article 40; or
- (d) any expenses which are to be regarded as incurred by or on behalf of the candidate by virtue of article 57(5).

(5) A person who makes any payment (of whatever nature) in contravention of paragraph (1) shall be guilty of an illegal practice.