
Factsheet on permissible donations for candidates and parties contesting European Parliamentary elections in the combined region – South West of England and Gibraltar

Candidates and parties contesting the combined region covering the South West of England and Gibraltar at the European Parliamentary elections can accept donations from certain Gibraltar sources in certain circumstances. This is in addition to donations from other permissible donors.

This factsheet sets out the separate rules that apply to donations received from Gibraltar. These rules also apply to other ‘regulated transactions’ such as loans.

These rules apply only during the regulated period for the European Parliamentary elections.

The ‘combined region’

Gibraltar is incorporated into the South West of England constituency for the purposes of the European Parliamentary elections. We refer to this as the ‘**combined region**’.

Special rules on permissibility of donations apply for candidates and parties intending to contest the combined region for the European Parliamentary elections.

The rules allow you to accept donations from Gibraltar sources under certain conditions.

Contesting the combined region

For the European Parliamentary elections, parties can put forward lists of candidates for one or more regions.

If you are a party list candidate, your party’s entry on the register will include a statement whether the party intends to contest the

Parties can make a change to their entry on the register for this using [form RP 3](#).

European Parliamentary elections in the combined region. Parties whose entry in the register makes a declaration of such intent are able to accept donations from Gibraltar donors under certain conditions.

You can also accept donations from Gibraltar sources if you are an independent candidate not included on a party list and are intending to contest the European Parliamentary elections in the combined region. The rules explained in this factsheet will also apply to you in that case.

Donations from Gibraltar

Candidates and parties can accept donations from Gibraltar sources **only during the four month regulated period starting on 23 January 2014 and ending with the date of the European Parliamentary election on 22 May 2014.**

Candidates and parties contesting the combined region are able to accept donations from permissible Gibraltar donors during this regulated period. This is in addition to donations from other permissible donors from UK sources.

Permissible Gibraltar donors

The following individuals and organisations are regarded as permissible Gibraltar donors:

- a Gibraltar elector (including donations from bequests)
- a Gibraltar company
- a Gibraltar party which has made a statement that it intends to contest European Parliamentary elections in the combined region
- a Gibraltar trade union
- a Gibraltar building society

- a Gibraltar limited liability partnership
- a Gibraltar unincorporated association.

You can also accept donations from types of trusts and from bequests (which also extend to Gibraltar trusts and bequests from a Gibraltar donor). The rules on these types of donations are complicated, so please get in touch with us for more information.

Checking permissibility of donors

You must make sure that any donations from Gibraltar sources are from permissible Gibraltar donors. Our guidance for [parties](#) and for [independent candidates](#) gives you the details for how to check whether an organisation or individual is a permissible donor.

Recording and reporting donations

You must record and report donations you receive from Gibraltar sources where they exceed the reporting thresholds.

Different rules and reporting thresholds will apply, however, to parties nominating candidates on party lists and to individual candidates standing as an independent.

You should read this factsheet alongside our [guidance](#) for parties contesting these elections, which explains how to report donations.

We have produced separate guidance for independent candidates at these elections, which can be found [here](#).

Other regulated transactions such as loans

The provisions on donations from Gibraltar sources also apply to transactions such as to loans. Candidates and parties can enter into loan agreements with a Gibraltar source during the regulated period for the European Parliamentary elections.

You must only accept loans from permissible lenders (see list of permissible donors) and you must check permissibility before entering into the loan.

The value of loans (and other regulated transactions) from Gibraltar individuals or organisations entered within the regulated period cannot be increased after the election has taken place.

Spending limits

There are limits on how much you can spend during the regulated period.

Donations from Gibraltar can be accepted up to the 'permitted maximum' amount, that is, £270,000 (the expenditure limit applying to a party that contests the combined region only). Any donations in excess of this limit must be regarded as donations received from impermissible donors, and must be returned.

The value of donations as well as of loans or other regulated transactions must be taken into account when deciding whether the maximum limit has been reached.

Impermissible donations

When a donation is returned because it was a Gibraltar donation received in excess of the permitted maximum, this should be recorded on your election expenses return.

If you take donations that you can't legally accept, we may apply to the courts for it to be forfeited.

Where you can find more information

You can view the full range of [guidance](#) for the European Parliamentary elections on our website.

If it's easier, you can also call us using our phone numbers below or email us. We are here to help, so please get in touch.

England:
Call us on 020 7271 0616
Email us at:
pef@electoralcommission.org.uk

Scotland
Call us on 0131 225 0200
Email us at:
infoscotland@electoralcommission.org.uk

Wales:
Call us on 029 2034 6800
Email us at:
infowales@electoralcommission.org.uk

Or you can visit us at:
www.electoralcommission.org.uk

We welcome feedback on our guidance – just email us at pef@electoralcommission.org.uk