

# The Interests of Members of the Scottish Parliament Act 2006 (Form and Content of Written Statement) Determination 2017

The Scottish Parliament, in exercise of the powers conferred by sections 4(1), 4(2) and 8A(6) of the Interests of Members of the Scottish Parliament Act 2006, on the 30 day of August 2017 made the following Determination. This replaces the Interests of Members of the Scottish Parliament Act 2006 (Form and Content of Written Statement) Determination 2016:

## Citation and commencement

1. This Determination may be cited as the Interests of Members of the Scottish Parliament Act 2006 (Form and Content of Written Statement) Determination 2017 and shall have effect from 30 August 2017.

## Interpretation

2. In this Determination—

“the Act” means the Interests of Members of the Scottish Parliament Act 2006 (asp 12);

“the Code of Conduct” means the Code of Conduct for Members of the Scottish Parliament, as amended by the Parliament by resolution on 28 June 2017;

“written statement” means the written statement which members are required to lodge under sections 3(3), 5(2) or 6(2) of the Act or may lodge under section 7 of the Act and the written notice which members are required to lodge under section 8A(5) of the Act.

## Form of written statement

3. A written statement shall be in the form annexed to this determination and published on the Scottish Parliament’s website.

## Content of written statement

4. A written statement shall contain the information required in the form annexed to this determination and for the purposes of registration includes only those parts of the statement completed by or on behalf of a member.

# Register of Interests of Members of the Scottish Parliament

## Written Statement of Interests

**PLEASE NOTE:** Statements (including nil returns) must be returned to the Standards Clerks—

- a. In the case of initial registration by members (section 3 of the Interests of Members of the Scottish Parliament Act 2006 - “the Act”) no later than 30 days after you take the oath of allegiance or make the solemn affirmation.
- b. In the case of interests acquired by members on or after the date of return (sections 3 and 5 of the Act) within 30 days beginning with the date you acquired the interest;
- c. In the case of Scottish Law Officers (section 18 of the Act) in accordance with that section; and
- d. In the case of late registrations (section 6 of the Act) within 7 days of becoming aware the interest ought to have been registered.

NAME:	
CONSTITUENCY / REGION:	

### 1. The Register of Members Interests

[The Interests of Members of the Scottish Parliament Act 2006](#) (‘the Act’) requires a Member to register any registrable interests or to declare that the Member has no such interest. You must register any interest by lodging this written statement with the Clerk. Written statements lodged by you form the basis of your entry in the Register of Interests of Members of the Scottish Parliament (‘the Register’).

Under section 11(3) of the Act, the Register must be made available for public inspection. It will be available on the Scottish Parliament’s website.

**Please take the time to familiarise yourself with the requirements of the Act and the Code of Conduct. Any Member who takes part in any proceedings of the Parliament without having complied with, or in contravention of, sections 3, 5, 6, 8A(4) and (5), 13, 14, or a measure taken under sections 15 or 16 of the Act is guilty of a criminal offence. The maximum penalty for an offence under this Act, as specified in section 17 of the Act, is a fine not exceeding level 5 on the standard scale.**

Failure to comply with the requirements of the Act may also (in terms of sections 15, 16 and 17A) result in parliamentary sanctions being applied

The Code of Conduct provides detailed information on how to comply with the Act, including the criteria for registration under each of the categories of registrable interest (Section 2 of the Code); the requirement to update your register throughout the

Parliamentary session (Section 1 of the Code); and how to declare your interests in advance of taking part in Parliamentary proceedings (Section 3).

The Act, which sets out the categories of registrable interest, was amended by the Parliament in 2016. This included the addition of new requirements so that members do not have to report interests to both the Parliament and the Electoral Commission.

## 2. Registration requirements under the Act

### Interests to be registered

The interests that require to be registered are those set out in the Schedule to the Act which you—

(1) had at the date you were returned; or

(2) acquired on the date on which you were returned; or

(3) with the exception of controlled transactions, had before you were returned but no longer have, where the interest meets the prejudice test (section 3(2)) – (please note that such gifts and overseas visits which are over £1,500 (either singly or in aggregate) and for political activities but do not meet the prejudice test do not have to be registered); or

(4) have acquired since the date you were returned.

*“Prejudice test” – an interest meets the prejudice test if, after taking into account all of the circumstances, that interest is reasonably considered to prejudice, or give the appearance of prejudicing, the ability of the member to participate in a disinterested manner in any proceedings of the Parliament.*

The Parliament has determined what information you **must** provide but you may provide additional details for your entry if you wish.

### Declaration that no registrable interests are held (section 3 of the Act)

If you have no registrable interests you are still required to make a written declaration to that effect. You can do so by completing and lodging this form.

### Late registration (section 6 of the Act)

If, after submitting your statement, you become aware of a registrable interest which was not included, you should immediately contact the Standards Clerks. The Act requires you to lodge a further written statement registering that interest within 7 days of becoming aware of it. If you have in the meantime taken part in proceedings of the Parliament, you should be aware that you may already have committed a criminal offence and could also become subject to parliamentary sanctions.

Further, if you lodge a statement 7 days or more after becoming aware of the unregistered interest you may have committed a further offence and may become subject to further parliamentary sanctions.

## 3. Completion and submission of the written statement

The written statement form is split into 6 categories (and a section for voluntary interests) —

- Remuneration, Related Undertaking and Partnerships
- Gifts
- Loans, credit facilities, etc
- Overseas Visits
- Heritable Property
- Interest in Shares
- Voluntary

For each category of interest, the form asks you to indicate whether you have an interest in the relevant category and then goes on to set out a series of questions regarding the specific information that should be provided for that category. Any part of the form that you are required to complete has been shaded in grey.

Please go through this form, in conjunction with the Act and the Code of Conduct, and complete each grey-shaded section as appropriate before signing and dating where indicated. If there is not enough space in any section of this form additional sheets may be attached, but each sheet should be clearly marked with your name and also signed and dated.

Once you have completed this form, and any additional sheets as necessary, the document should be sent to the Standards Clerks. This form may also be completed electronically and sent to—

[standards.clerks@parliament.scot](mailto:standards.clerks@parliament.scot)

Upon receipt of the completed form, the Standards Clerks will draft a Register of Interests for each member. Once the member has approved the draft for publication, the Clerks will publish the register online.

#### **4. Who to contact for further information**

Further advice and assistance on any matter relating to this form can be obtained from the Standards Clerks by e-mail [standards.clerks@parliament.scot](mailto:standards.clerks@parliament.scot).

Members are advised to seek advice from the Standards Clerks if they are uncertain about whether an interest is registrable, or about which category an interest should be registered in. Members may also choose to consult their own legal or other advisers. If you are in any doubt about whether or not to register an interest, the guiding principle is to err on the side of caution.

## REMUNERATION, RELATED UNDERTAKING AND PARTNERSHIPS

For details of what constitutes a registrable interest under the remuneration, related undertaking and partnerships category and details of exemptions to the requirement to register please refer to the schedule to the Act and to the Code of Conduct, in particular Section 2.

### Notes

The following are not registrable under this category—

a. Remuneration received solely by virtue of being an MSP (i.e. MSPs' salary and allowances) and remuneration received solely by virtue of being a Minister of the Scottish Government, Presiding Officer, deputy Presiding Officer, member of the Parliamentary corporation or convener, deputy convener or member of a committee of the Parliament.

b. Remuneration received from one source on a single or more than one occasion during this parliamentary session which consists solely of expenses amounting to no more than 0.5% of a member's gross salary at the start of the parliamentary session rounded down to the nearest £10.

However, members are required to register expenses for political activities, over the value of £500 and from a single source which, cumulatively, along with other expenses, gifts, overseas visits or controlled transactions from the same source and also for political activities, exceed the value of £1,500 in the course of the same calendar year.

### REMUNERATION

<b>Name and Office:</b>		
<b>Do you receive remuneration by virtue of:</b>	<b>Yes</b>	<b>No</b>
<b>a) being employed</b>		
<b>b) being self-employed</b>		
<b>c) being the holder of any office</b>		
<b>d) being the director of an undertaking</b>		
<b>e) being a partner in a firm</b>		
<b>f) undertaking a trade, profession or vocation?</b>		

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If you answered yes, then please answer the following questions for each interest:

<p><b>1. What is the name of the employer, business, body, undertaking or firm, or name under which the trade, profession or vocation is carried out?</b></p>	
<p><b>2. What is the:</b></p> <p>a) principal business address of, and</p> <p>b) nature of the business, activities or work carried out by</p> <p>the person or organisation named in 2 above?</p>	
<p><b>3. What position do you hold?</b></p>	
<p><b>4. What level of remuneration do you receive or expect to receive per annum within the following bands:</b></p> <p>up to £500</p> <p>between £501 – £1,000</p> <p>between £1,001 – £2,000</p> <p>between £2,001 – £3,000</p> <p>between £3,001 – £5,000</p> <p>and thereafter in intervals of £5,000?</p>	
<p><b>5. What is the regularity of the work you undertake (for example, the number of hours or days worked per week or month)?</b></p>	
<p><b>6. Is there any relevant additional information that you wish to provide?</b></p>	

## RELATED UNDERTAKING AND PARTNERSHIPS

Are you:	Yes	No
a) a director of a related undertaking but do not receive remuneration as such a director?		
b) a partner in a firm but do not receive remuneration as such a partner?		

If you answered yes, then please provide the following information for each interest:

<p>1. If you answered “yes” to a) - what is the name of the related undertaking of which you are a director; and / or</p> <p>2. If you answered “yes” to b) - what is the name of the firm of which you are an unremunerated partner?</p>	
<p>3. If you answered “yes” to a) at the beginning of this section, what is the nature of the relationship between the related undertakings?</p>	
<p>4. What is the:</p> <p style="padding-left: 40px;">a) principal business address of, and</p> <p style="padding-left: 40px;">b) nature of the business carried out by</p> <p>the related undertaking or firm?</p>	
<p>5. Is there any relevant additional information that you wish to provide?</p>	



## GIFTS

**For details of what constitutes a registrable interest under the gifts category and details of exemptions to the requirement to register please refer to the schedule to the Interests Act and to the Code of Conduct, in particular Section 2.**

### Notes

1. Please note that if a member receives a number of gifts from a single source each of which is below or equal to the threshold for registration (0.5% of a member's gross salary, rounded down to the nearest £10) but which cumulatively exceed it, the gifts are registrable if the prejudice test is met.
2. Also, a member is required to register gifts from a single source received within the same calendar year if
  - each of them has a value of over £500
  - they cumulatively exceed £1,500 (or exceed £1,500 when combined with overseas visits for political activities, remuneration as expenses for political activities or a controlled transaction from the same source within the same calendar year – see Section 2 of the Code and paragraph 6A of the Schedule to Interests Act) and

they are for the member's use or benefit in connection with any political activities.

3. The following are not registrable under this category—
  - a. Support provided by a volunteer in that person's own time and free of charge
  - b. Donations towards expenses for election to the Scottish Parliament or to the UK Parliament are not registrable. However, any donations which are unspent on the election in question by the expiry of the 35th day after the election result is declared (the same timeframe that is allowed for lodging election returns) must be registered if they exceed the gifts threshold (see above at Note 1) and meet the prejudice test, or if they are over the value of £1,500 and they are for the member's use or benefit in connection with any political activities.
  - c. The costs of travel and subsistence in connection with attendance at a conference or meeting if those costs are borne in whole or in part by the organiser of the conference or by one of the other parties attending the meeting. However, if these costs are over the value of £1,500, and they are for the member's use or benefit in connection with any political activities, they are registrable.
4. [The Political Parties, Elections and Referendums Act 2000](#) (“PPERA”) requires that members accept donations over £500 for political activities only from a permissible source (see section 54 of, and paragraphs 6 to 9 of Schedule 7 to, PERA). If the donation is not from a permissible source it must be returned to the donor or forwarded to the Electoral Commission where the donor cannot be identified (see sections 56 and 57 of PERA). Members are not required to register any gift or

benefit which falls into the second category of gift (i.e. over £1,500 and for political activities) that is returned to the donor or forwarded to the Electoral Commission in these circumstances. Further advice can be obtained from the Electoral Commission on the permissibility of donations.

5. Members are still required to register donations returned to the donor under paragraph 6 of the schedule to the Act under the first category of gift (see Note 1 above). As outlined above, the prejudice test applies to this category of gift.

Name and Office:		
	Yes	No
<p><b>A. Have you or a company in which you have a controlling interest or a partnership of which you are a partner, received:</b></p> <p style="padding-left: 40px;">a) a gift of heritable or moveable property; or</p> <p style="padding-left: 40px;">b) a gift of a benefit in kind;</p> <p>the value of which, at the date on which it was received exceeded 0.5% of a Member's gross salary at the start of this parliamentary session?</p> <p><b>AND</b></p> <p>Does that interest meet the prejudice test (as set out in section 3(2) of the Act)?</p> <p><b>B. If the gift is over the value of £1,500 (either singly or in aggregate – see note 2 above) and for political activities, please <u>also</u> provide the information required by questions 7 and 9 below and sign the declaration at 8 below.</b></p>		

If you answered yes, then please answer the following questions for each interest:

1. Into which category (A or B) does this interest fall?	
2. On what date or dates did you receive the gift?	
3. What is the full name of the donor of the gift?	
4. What is the:	

<p>a) principal business address of, and b) nature of the business, activities or work carried out by the donor named in 3 above? (Note: This information does not need to be provided if the donor of the gift is a private individual)</p>	
<p>5. Was the gift to you as an individual or to a company or partnership?</p>	
<p>6. What is the monetary value of the gift?</p>	
<p>7. If the gift is over the value of £1,500 (whether singly or in aggregation as set out in note 2 above) and for political activities, please provide the following information:</p> <p>(a) Date that you accepted the gift;</p> <p>(b) Is the requirement to register the result of an aggregation of gifts or other aggregable benefits (see note 2 above)?</p> <p>(c) Please state –</p> <p>(i) the nature of the gift (e.g. cash or non-cash donation, sponsorship provided (within the meaning of section 51 PPERA), payment of expenses incurred directly or indirectly by the member),</p> <p>(ii) a description if the donation is a benefit in kind/non-cash donation (e.g. office space etc), and</p> <p>(iii) the value of the donation as determined in accordance with section 53 PPERA</p> <p>(d) Is this gift a bequest?</p> <p>(e) Please specify the address of the donor at the time of receipt of the gift on the electoral register if the donor is an individual;</p> <p>(f) Please provide a company number in the case of donations from companies;</p> <p>(g) The specific type of donor from the list below:</p> <p>1) an individual registered in an electoral register;</p> <p>2) a company—</p>	

**(i) registered under the Companies Act 2006, and**

**(ii) incorporated within the United Kingdom or another Member State,**

**which carries on business in the United Kingdom;**

**(3) a registered political party, other than a Gibraltar party whose entry in the PPERA register of political parties includes a statement that it intends to contest one or more elections to the European Parliament in the combined region;**

**(4) a trade union entered in the list kept under the Trade Union and Labour Relations (Consolidation) Act 1992 or the Industrial Relations (Northern Ireland) Order 1992;**

**(5) a building society (within the meaning of the Building Societies Act 1986);**

**(6) a limited liability partnership registered under the Limited Liability Partnerships Act 2000 which carries on business in the United Kingdom;**

**(7) a friendly society registered under the Friendly Societies Act 1974 or a society registered (or deemed to be registered) under the Industrial and Provident Societies Act 1965 or the Industrial and Provident Societies Act (Northern Ireland) 1969; and**

**(8) any unincorporated association of two or more persons which does not fall within any of the preceding paragraphs but which carries on business or other activities wholly or mainly in the United Kingdom and whose main office is there.**

**8. Please sign here if you answered “yes” to question B above.**

**I declare to the best of my knowledge and belief that the donation(s) accepted by me and included in this statement is/are each from a permissible donor within the meaning of PPERA:**

**Signed:**

\_\_\_\_\_

**Date:** \_\_\_\_\_

**9. If you answered “yes” to question B above, please tick this box if the donation is sponsorship. For further details please see guidance from the Electoral Commission in the Guidance on the Code of Conduct or seek further advice from the Standards Clerks.**

**The following link provides more information from the Electoral Commission on sponsorship:**

**[http://www.electoralcommission.org.uk/\\_data/assets/pdf\\_file/0004/153859/fs-sponsorship.pdf](http://www.electoralcommission.org.uk/_data/assets/pdf_file/0004/153859/fs-sponsorship.pdf)**

**10. Is there any relevant additional information that you wish to provide?**

## OVERSEAS VISITS

For details of what constitutes a registrable interest under the overseas visits category and details of exemptions to the requirement to register please refer to the schedule to the Act and to the Code of Conduct, in particular Section 2, and to paragraph 7 of the schedule to the Interests Act.

### Notes

1. Overseas visits which were funded wholly by the member or the SPCB, out of the Scottish Consolidated Fund, or which were approved in advance by the SPCB, are not registrable under this category. However Members should note that committee travel outwith the UK may fall to be registered in this category. Members are advised to seek advice from the relevant committee clerk regarding prior approval by the SPCB. Members may also consult the Standards Clerks for further advice on seeking SPCB approval for certain visits overseas. Overseas visits, which were funded wholly by certain family members are only registrable under this category where the costs are over £1,500 and the visit was for political activities.
2. If the costs of the visit are from a single source and over £500, and cumulatively exceed £1,500 when aggregated with other political overseas visits, gifts to support political activities, remuneration received as expenses for political activities or controlled transactions, also from the same source and received within the same calendar year, these costs are registrable (but only if the visit is for the member's benefit in connection with the member's political activities). Members should consult Section 2 of the Code of Conduct or seek advice from the Standards Clerks if in any doubt about these provisions.

Name and Office:		
	Yes	No
(a) Have you made a visit outside the United Kingdom which meets the prejudice test?		
(b) Are the costs of the overseas visit over £1,500 (either singly or cumulatively) and if so, is it for political activities?		

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If you answered yes to either (a) or (b), then please answer the following questions for each interest:

1. On or between which date(s) did the visit take place?	
2. What was: a) the destination, and	

b) the purpose of the visit?	
3. What is the name of the person or organisation who met any of the costs of the visit?	
<p>4. What is the:</p> <p style="padding-left: 40px;">a) principal business address of, and</p> <p style="padding-left: 40px;">b) nature of the business, activities or work carried out by</p> <p>the person or organisation named in 3 above?</p> <p>(Note: This information does not need to be provided if the donor of the overseas visit is a private individual, unless the costs of the visit are over £1,500 and for political activities, in which case please provide the individual's address)</p>	
5. What were the costs of the visit?	
6. Is there any relevant additional information that you wish to provide?	

## **CONTROLLED TRANSACTIONS (LOANS, CREDIT FACILITIES, ETC)**

**For details of what constitutes a registrable interest under the controlled transactions category and details of exemptions to the requirement to register please refer to the schedule to the Interests Act and to Section 2 of the Code of Conduct.**

PPERA prohibits members from entering into a controlled transaction (e.g. loans or credit facilities over £500 any part of which the member intends to use in connection with political activities) unless it is with an “authorised participant” (see section 54 of, and paragraphs 4 to 8 of Schedule 7A to, PPERA). Similarly, members are prohibited from deriving any benefit from a connected transaction if any of the participants to that transaction is not an authorised participant. If the parties to a controlled transaction include an unauthorised participant, the transaction is void and any sums received by the member under it must be repaid; also criminal sanctions may ensue. Further advice can be obtained from the Electoral Commission.

### **Notes**

1. Please note that a member is required to register controlled transactions from a single source received within the same calendar year if—

- each of them has a value of over £500
- they cumulatively exceed £1,500 (or exceed £1,500 when combined with “aggregable benefits” such as overseas visits for political activities, remuneration as expenses for political activities or a gift for political activities from the same source within the same calendar year – see Section 2 of the Code and paragraph 9 of Schedule 7A to PPERA) and

at the time the member enters into the transaction the member intends to use any money or benefit obtained in consequence of the controlled transaction in connection with the member’s political activities as a member or as a member of a political party or both.

Members are only required to register with the Scottish Parliament controlled transactions entered into on or after the date of return.<sup>1</sup>

2. The following are not registrable under this category—

- payments which fall to be included in an Electoral Return for an election;
- trade credit (given on normal rather than preferential terms).

3. Members may enter into a controlled transaction which is not registrable but which is subsequently varied so as to become registrable (either singly or when aggregated with other aggregable benefits). For example, the terms of a loan agreement may be varied to take its value above £1,500. In such circumstances, the date on which the

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<sup>1</sup> Some controlled transactions entered into before a member is returned may be registrable with the Electoral Commission, e.g. where the member was a member of a registered political party at the time the transaction was entered into. Please contact the Electoral Commission for further advice.



controlled transaction is considered to be entered into is the date on which that change takes effect. Members are required to register controlled transactions within 30 days of entering into the transaction.

<b>Name and Office:</b>		
	<b>Yes</b>	<b>No</b>
<b>A. Are you reporting a controlled transaction with an authorised participant that is a UK registered company?</b>		
<b>B. Are you reporting a controlled transaction with an authorised participant other than a company?</b>		

**If you answered yes, then please complete the following:**

<b>1. If you answered “yes” to A above, please provide the full company name as registered, registered address and company registration number.</b>	
<b>2. If you answered “yes” to B above, please provide the name of the authorised participant and address.<sup>2</sup></b>	
<b>3. If you answered “yes” to B above, please specify the status of the participant:</b> <b>a) Individual;</b> <b>b) Trade union;</b> <b>c) Building society;</b> <b>d) Unincorporated association;</b> <b>e) Limited liability partnership;</b>	

<sup>2</sup> For individual authorised participants, please enter their full name and their address shown in the electoral register at the time the transaction was entered into if applicable, or if not shown on the electoral register at that time, the individual’s home address (whether in the UK or elsewhere). In the case of an individual with an anonymous entry in the electoral register, please see question 4 below. Please note that the address of individuals will not be published. For other types of participant, please enter the registered name where applicable and the registered address of the participant’s headquarters or main or principal office.

<p><b>f) Political party;</b> <b>g) Friendly/provident society.</b></p>	
<p><b>4. If you specified an individual at Q3 above, please indicate if they are an anonymously registered individual.<sup>3</sup></b></p>	
<p><b>5. Please specify whether you have you entered into:</b> <b>a) a loan or</b> <b>b) credit facility?</b> <b>Over the value of £1,500 for use or benefit in connection with any political activities (either singly or cumulatively – see note 1).</b></p>	
<p><b>6. What is the loan reference number?<sup>4</sup></b></p>	
<p><b>7. On what date was the loan or credit facility entered into?</b></p>	
<p><b>8. What is the date on which the loan is to be repaid or the credit facility ends? Please indicate if the loan/credit facility is indefinite and, if the date of repayment or ending is to be determined under the agreement, please state how it is to be so determined.</b></p>	
<p><b>9. What is the value of the loan/maximum credit limit? Please specify if the amount is unlimited.<sup>5</sup></b></p>	

<sup>3</sup> Please confirm (if appropriate) that you have seen a duly issued certificate of anonymous registration. This is evidence prescribed by the Secretary of State that the individual has an anonymous entry - see para 2(3) Schedule 6A of PPERA, applied by 9(9) of Schedule 7A and the Political Donations and Regulated Transactions (Anonymous Electors) Regulations 2014, S.I.2014/1806.

<sup>4</sup> This should be a unique number assigned by the member to ensure the transaction can be identified in future. This is important should any changes or connected transactions need to be reported to the Scottish Parliament Standards Clerks to ensure the correct transaction is identified.

<sup>5</sup> For a loan, this is the maximum amount of the loan. For a credit facility, this is the maximum amount that can be drawn down under the facility. The value of a transaction does not include any provision for interest to be added on to the amount outstanding rather than be repaid. Examples of values include a £100,000 cash loan or £15,000 limit on a credit card issued to you. If the transaction has no maximum value, please indicate this instead of providing a numerical value.

<p><b>10. Are you registering the loan or credit facility as a result of an aggregation? (see note 1 above)</b></p>	
<p><b>11. Please specify the following information:</b></p> <p>a) Is the interest rate fixed or variable?</p> <p>b) What is the rate of interest? (or, please state that no interest is payable. Where the rate of interest is to be determined under the loan/credit facility agreement, please state how it is to be determined)</p> <p>c) Can interest be added on to the loan/credit facility?<sup>6</sup></p>	
<p><b>12. Was security given on the loan or credit facility? If yes, please give details.</b></p>	
<p><b>13. Please sign this declaration:</b></p> <p>I declare that to the best of my knowledge and belief that all transactions recorded in this report have been entered into with an authorised participant in accordance with Schedule 7A of the Political Parties, Elections and Referendums Act as inserted by the Electoral Administration Act 2006.</p>	<p>Signed: _____</p> <p>Dated: _____</p>

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<sup>6</sup> Please specify how the interest on this transaction is to be calculated; if it is a fixed per cent please enter at what rate. If the interest rate is variable, please give details of how it is ascertained. First you should explain what base rate is being used (e.g. bank's base rate or the London Inter-bank Offered Rate (LIBOR). Please also specify the variation from that base (e.g. Bank of England minus one per cent or LIBOR plus two per cent). If no interest is being charged, please indicate this.

## CONNECTED TRANSACTIONS

**For details of what constitutes a registrable interest under the controlled transactions category and details of exemptions to the requirement to register please refer to paragraph 6A of the schedule to the Interests Act and to Section 2 the Code of Conduct.**

### Notes

1. A connected transaction is a type of controlled transaction, and therefore the same general rules apply. Members must register transactions over £1,500 that are connected to a loan or credit facility obtained by a member ('connected transactions'), which the member intends to be used wholly or partly for their political activities. A connected transaction is one under which a third party gives security in relation to a sum owed by the member under a loan or credit agreement which is itself a controlled transaction (or for the provision of property, services or facilities to the member for political activities). For example, where a third person gives a personal guarantee to a bank in respect of a loan or credit facility over the value of £1,500 provided to the member for political activities. Members are only required to register connected transactions entered into on or after the date of return.<sup>7</sup>

2. Subject to note 4, registrable transactions include –

- a) loans,
- b) credit facilities such as credit cards and overdrafts,
- c) securities or guarantees for a member's obligations to someone else such as the (a) lender or the giver or (b) a credit facility or a person who provides property, services or facilities for the use of benefit of the member. These are all 'connected transactions' – for example, where a third person gives a personal guarantee to a bank in respect of a loan over the value of £1,500 provided to the member for political activities.

3. A connected transaction is a type of "controlled transaction" and the same rules apply, including the PPERA rules about permissibility (see note 4 below). This written statement form is for registering connected transactions. Please see and complete the separate written statement form for categories (a) and (b) (i.e. the controlled transaction form).

4. Please note that a member is required to register connected transactions from a single source received within the same calendar year if

- each of them has a value of over £500
- they cumulatively exceed £1,500 (or exceed £1,500 when combined with other controlled transactions, overseas visits for political activities, remuneration as expenses for political activities or a gift for political activities from the same source within the same calendar year – see para 2.4.2 of the Code and paragraph 9 of Schedule 7A to PPERA) and

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<sup>7</sup> Some controlled transactions entered into before a member is returned may be registrable with the Electoral Commission, e.g. where the member was a member of a registered political party at the time the transaction was entered into. Please contact the Electoral Commission for further advice.

the member intends to use any money or benefit obtained in consequence of the connected transaction in connection with the member's political activities.

5. The following are not registrable under this category—

- payments which fall to be included in an Electoral Return for an election;
- trade credit (given on normal rather than preferential terms).

6. PPERA requires that members only enter into controlled transactions over £500 for political activities from a permissible source (see section 54 of, and paragraphs 4 to 8 of Schedule 7A to, PPERA). If a party to the controlled transaction is an unauthorised participant then both the transaction and the transaction to which it is connected are void and any sums received by the member under it must be repaid (see Schedule 7A paragraph 6 of PPERA). Breaches of this provision are a criminal offence. Further advice can be obtained from the Electoral Commission.

7. Members are required to register connected transactions within 30 days of entering into the transaction. Members are only required to register with the Scottish Parliament connected transactions entered into on or after the date of return.<sup>8</sup>

Name and Office:		
	Yes	No
<b>A. Are you reporting a connected transaction with an authorised participant that is a UK registered company?</b>		
<b>B. Are you reporting a connected transaction with an authorised participant other than a company within the last 30 days?</b>		

**If you answered yes, then please complete the following:**

<b>1. If you answered “yes” to A above, please provide the full company name, registered address and company registration number.</b>	
<b>2. If you answered “yes” to B above, please provide the name of the authorised participant and address.</b>	

<sup>8</sup> Some controlled transactions entered into before a member is returned may be registrable with the Electoral Commission. Please contact the Electoral Commission for further advice.

<p><b>3. If you answered “yes” to B above, please specify whether the participant is:</b></p> <p>a) Individual;  b) Trade union;  c) Building society;  d) Unincorporated association;  e) Limited liability partnership;  f) Political party;  g) Friendly/provident society.</p>	
<p><b>4. If you specified an individual at Q3 above, please indicate if they are an anonymously registered individual.<sup>9</sup></b></p>	
<p><b>5. What is the value of the connected transaction? Please state if it is unlimited.</b></p>	
<p><b>6. What is the date on which the connected transaction was entered into?</b></p>	
<p><b>7. Is this transaction connected to a controlled transaction already registered or being registered at the same time as this connected transaction? If so, please specify which controlled transaction by reference to the written statement form in which it was reported including the unique reference number you entered at Q6 of the relevant controlled transaction written statement form for identification purposes. If not, please give details of the original transaction.</b></p>	

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<sup>9</sup> Please confirm (if appropriate) that you have seen a duly issued certificate of anonymous registration. This is evidence prescribed by the Secretary of State that the individual has an anonymous entry - see para 2(3) Schedule 6A of PPERA, applied by 9(9) of Schedule 7A and the Political Donations and Regulated Transactions (Anonymous Electors) Regulations 2014, S.I.2014/1806.

<p><b>8. If you answered “yes” to A above, will the company receive consideration from you? If yes, please give details.</b></p>	
<p><b>9. If you answered “yes” to B above, will the participant receive consideration from you? If yes, please give details.</b></p>	
<p><b>10. Are you registering the connected transaction as a result of an aggregation? (see note 4 above)</b></p>	
<p><b>11. Does the security given include rights over property? If yes, please provide details of the property.</b></p>	
<p><b>12. Please sign this declaration:</b>  <b>I declare that to the best of my knowledge and belief that all transactions recorded in this report have been entered into with an authorised participant in accordance with Schedule 7A of the Political Parties, Elections and Referendums Act as inserted by the Electoral Administration Act 2006.</b></p>	<p><b>Signed:</b> _____</p> <p><b>Dated:</b> _____</p>

## CHANGE TO PREVIOUSLY REPORTED TRANSACTION

Members must notify the Clerk of any changes to a registered controlled or connected transaction within 30 days of the date on which the change takes effect. Such changes include the following: another person becoming party to the transaction; there is a change to any information which was (or should have been) provided by the member in the written statement lodged by the member when registering the transaction; the transaction coming to an end.<sup>10</sup>

**Please complete the following:**

<b>1. Name and Office:</b>	
<b>2. What is the loan reference number?</b>	
<b>3. What was the date on which the controlled transaction was registered?</b>	
<b>4. What is the value of the loan/maximum credit limit?</b>	
<b>5. What is the date of the change?</b>	
<b>6. Was the transaction ended?</b>	
<b>7. Is there a change to:</b> a) participants in the transaction; <sup>11</sup> b) the details of an existing participant as previously provided (e.g. address).	
<b>8. If you answered “yes” to question 7 above, please specify the change and provide the new details for the information set out in questions 3 to 6 in the controlled transactions written statement form (or the connected</b>	

<sup>10</sup> A loan comes to an end: a) by the whole of the debt (or all the remaining debt) being repaid or (b) the creditor releasing the whole debt (or all the remaining debt) – see PPERA Sch 7A, para 11(4).

<sup>11</sup> Members should contact the Electoral Commission immediately if they have reason to believe an unauthorised participant may have become a party to the transaction.



<b>transactions written statement form if applicable).</b>	
<b>9. Is there any relevant additional information that you wish to provide?</b>	
<b>10. Please sign this declaration: I declare that to the best of my knowledge and belief that the information contained and reported in this written statement form is true and complete.</b>	<b>Signed:</b> _____ <b>Dated:</b> _____

## HERITABLE PROPERTY

For details of what constitutes a registrable interest under the heritable property category and details of exemptions to the requirement to register please refer to the schedule to the Interests Act and to Section 2 of the Code of Conduct.

### Notes

1. The relevant date referred to below is the date that the member is returned (and each following 5th April) or for property acquired after the date of return the date of acquisition (and each following 5th April) or for property disposed of before the member is returned the date of disposal, as the case may be.

2. The following are not registrable under this category—

- a. Heritable property used as a residential home by you, your spouse, civil partner or cohabitant.
- b. Heritable property which was used as a residential home by you, your spouse, civil partner or cohabitant but which, for a period of not more than 12 months, is or was unoccupied and for sale.
- c. Heritable property which forms part of the assets of a partnership and any income from that partnership is, or forms part of, the remuneration registered under the remuneration and related undertaking category.

Name and Office:		
	Yes	No
<b>Do you own or hold heritable property:</b> a) the market value of which, at the relevant date, exceeds 50% of a member's gross salary at the start of this Parliamentary session; or b) from which you have, or any other person has, received rental income during the period of twelve months prior to the relevant date?		

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If you answered yes, then please answer the following questions for each interest:

1. Into which category (a, b or both) does this interest fall?	
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<p><b>2. What is the location of the property (by area, for example by local authority area if in Scotland)?</b></p>	
<p><b>3. What is the type of the property (for example, flat, house, commercial, industrial, domestic, commercial, agricultural)?</b></p>	
<p><b>4. For interests acquired after the date of your return:</b></p> <p><b>On what date did you acquire this interest either by acquiring the property or it ceasing to be your residential home?</b></p> <p><b>For properties disposed of before the date of your return:</b></p> <p><b>On what date did you dispose of the property?</b></p>	
<p><b>5. What is/was the market value of the property at the relevant date within the following bands:</b></p> <p><b>up to £50,000</b></p> <p><b>between £50,001 – £100,000</b></p> <p><b>between £100,001 – £150,000</b></p> <p><b>between £150,001 – £200,000</b></p> <p><b>between £200,001 – £250,000</b></p> <p><b>between £250,001 – £300,000</b></p> <p><b>and thereafter in intervals of £100,000?</b></p>	
<p><b>6. What is/was the gross income from the property at the relevant date within the following bands:</b></p> <p><b>up to £5,000</b></p> <p><b>between £5,001 – £10,000</b></p> <p><b>between £10,001 – £15,000</b></p> <p><b>between £15,001 – £20,000</b></p> <p><b>between £20,001 – £25,000</b></p>	

<b>between £25,001 – £30,000 and thereafter in intervals of £10,000?</b>	
<b>7. Is there any relevant additional information that you wish to provide?</b>	

## INTEREST IN SHARES

For details of what constitutes a registrable interest under the interest in shares category and details of exemptions to the requirement to register please refer to the schedule to the Interests Act and to Section 2 of the Code of Conduct.

### Notes

1. The relevant date referred to below is the date that the member is returned (and each following 5th April) or for interests acquired after the date of return the date of acquisition (and each following 5th April) or for interests disposed of before the member is returned the date of disposal as the case may be.

2. An interest in shares which forms part of the assets of a partnership and any income from that partnership is, or forms part of, remuneration registered under the remuneration and related undertaking category, is not registrable under this category.

Name and Office:		
	Yes	No
<b>Do you or a relevant person have an interest in shares and:</b> <b>a) the nominal value of the shares at the relevant date is greater than 1% of the issued share capital of the company or other body;</b> <i>Or</i> <b>b) the market value of the shares at the relevant date exceeds or exceeded 50% of a Member's gross salary at the start of this Parliamentary session?</b>		

If you answered yes, then please answer the following questions for each interest:

<b>1. Into which category (a, b or both) does this interest fall?</b>	
<b>2. What is the name of the company or other body (as described when you acquired the interest)?</b>	
<b>3. What type of shares do you own?</b>	

<p><b>4. On what date did you acquire the shares (if after the date of your return in this parliamentary session) or dispose of the shares (if before the date of your return)?</b></p>	
<p><b>5. What is the nature of the business undertaken by the company or other body in which you hold shares?</b></p>	
<p><b>6. What is</b></p> <p><b>(a) the market value of the shares (if the value threshold is triggered)?</b></p> <p><b>and/or</b></p> <p><b>(b) the percentage of the issued share capital of the company or other body (if this threshold is triggered)?</b></p>	
<p><b>7. Is there any relevant additional information that you wish to provide?</b></p>	

## **VOLUNTARY**

You may choose to provide details in this section of any interest, not falling within any of the previous sections, which you wish to register, perhaps because you consider that the interest might be thought by others to influence your actions.

	<b>Yes</b>	<b>No</b>
<b>Do you have any such interests?</b>		

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**If you answered yes, please insert details below:**

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<b>Signed</b>	
<b>Date</b>	