



Lobbying (Scotland) Act 2016

2016 asp 16

LOBBYING (SCOTLAND) ACT 2016

PART 1

CORE CONCEPTS

- 1 Regulated lobbying
- 2 Government or parliamentary functions

PART 2

THE LOBBYING REGISTER

The register

- 3 Lobbying register
- 4 Content of register
- 5 Information about identity
- 6 Information about regulated lobbying activity
- 7 Additional information

Active registrants

- 8 Duty to register
- 9 Application for registration
- 10 Entry in the register
- 11 Information returns

Inactive registrants

- 12 Reclassification as an inactive registrant on application
- 13 Reclassification as an inactive registrant without application

Voluntary registrants

- 14 Voluntary registration

Changes to legislation: There are currently no known outstanding effects for the Lobbying (Scotland) Act 2016. (See end of Document for details)

Further provision

- 15 Power to specify requirements about the register

PART 3

OVERSIGHT AND ENFORCEMENT

Duty to monitor

- 16 Clerk's duty to monitor compliance

Information notices

- 17 Clerk's power to require information
18 Limitations on duty to supply information and use of information supplied
19 Appeal against information notice
20 Power to make further provision about information notices
21 Offences relating to information notices

Investigation of complaints

- 22 Commissioner's duty to investigate and report on complaint
23 Requirements for complaint to be admissible
24 Procedure for assessing admissibility of complaint
25 Investigation of complaint
26 Commissioner's report on complaint
27 Parliament's action on receipt of report
28 Withdrawal of complaint
29 Commissioner's discretionary reports to Parliament
30 Restriction on Commissioner's advice
31 Directions to the Commissioner

Investigations: witnesses and documents

- 32 Power to call for witnesses and documents etc.
33 Notice
34 Exceptions to requirement to answer question or produce document
35 Evidence under oath
36 Offences relating to Commissioner's investigation
37 Restriction on disclosure of information

Commissioner's functions

- 38 Commissioner's functions etc.
39 Investigation of performance of Commissioner's functions

Disposal of complaints

- 40 Parliament's power to censure

Further provision

- 41 Power to make further provision about Parliament's procedures etc.

Changes to legislation: There are currently no known outstanding effects for the Lobbying (Scotland) Act 2016. (See end of Document for details)

Offences

- 42 Offences relating to registration and information returns

PART 4

GUIDANCE, CODE OF CONDUCT AND PUBLIC AWARENESS

- 43 Parliamentary guidance
44 Code of conduct for persons lobbying MSPs
45 Public awareness and understanding of Act

PART 5

FINAL PROVISIONS

- 46 Offences by bodies corporate etc.
47 Interpretation
48 Parliamentary resolutions
49 Application of Act to trusts
50 Report on operation of Act
51 Ancillary provision
52 Commencement
53 Short title

SCHEDULE — COMMUNICATIONS WHICH ARE NOT LOBBYING

Communications made on individual's own behalf

- 1 A communication made by an individual on the individual's own...

Communications made to member for constituency or region

- 2 A communication made— (a) by an individual as an employee...
3 However, paragraph 2 does not apply where the communication is...
4 In paragraph 2, “constituency” and “region” are to be construed...

Communications not made in return for payment

- 5 A communication made by an individual who is not making...
6 For the purposes of paragraph 5— (a) a communication made...

Communications by small organisations

- 7 A communication made— (a) by an individual as an employee...
8 However, paragraph 7 does not apply where the communication is...
9 For the purposes of paragraph 7, the number of full-time...
10 For the purposes of the calculation in paragraph 9, any...

Communications in Parliament or required under statute.

- 11 A communication— (a) made in proceedings of the Parliament,

Communications made on request

- 12 A communication about a topic which is made in response...

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Cross-party groups

- 13 A communication made in the course of a meeting of...

Journalism

- 14 A communication made for the purposes of journalism.

Communications in relation to terms and conditions of employment

- 15 A communication made by or on behalf of a person...
16 A communication made by or on behalf of a trade...
17 In paragraph 16, “trade union” is to be construed in...

Communications by political parties

- 18 A communication made by or on behalf of a party...

Communications by judiciary

- 19 A communication made by or on behalf of—
20 In paragraph 19— “holder of judicial office within the United...

Communications by Her Majesty

- 21 A communication made by or on behalf of Her Majesty....

Government and Parliament communications etc.

- 22 A communication made by or on behalf of—
23 In paragraph 22— “international organisation” means— an international organisation whose...

Changes to legislation:

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