



Lobbying (Scotland) Act 2016

2016 asp 16

PART 3

OVERSIGHT AND ENFORCEMENT

Commissioner's functions

38 Commissioner's functions etc.

- (1) The Scottish Parliamentary Commissions and Commissioners etc. Act 2010 is modified as follows.
- (2) In section 1(3) (functions of the Commissioner)—
 - (a) the word “and” after paragraph (b) is repealed,
 - (b) after paragraph (c) insert “, and
 - (d) the Lobbying (Scotland) Act 2016.”.
- (3) In section 5(1) (protection from actions for defamation)—
 - (a) in paragraph (a)—
 - (i) the word “or” in the second place where it occurs is repealed,
 - (ii) after “Parliamentary Standards Act” insert “ or the Lobbying (Scotland) Act 2016 ”,
 - (b) in paragraph (c)—
 - (i) the word “or” in the second place where it occurs is repealed,
 - (ii) after “Public Appointments Act” insert “ or the Lobbying (Scotland) Act 2016 ”.
- (4) In section 25 (annual reports), after subsection (3) insert—

“(3A) The report must include, in relation to the performance of the Commissioner's functions under the Lobbying (Scotland) Act 2016—

 - (a) the numbers of complaints made to the Commissioner during the reporting year,
 - (b) the number of complaints which were withdrawn during the reporting year, broken down according to the stage of the investigation at which they were withdrawn,

Changes to legislation: There are currently no known outstanding effects for the Lobbying (Scotland) Act 2016, Section 38. (See end of Document for details)

- (c) in relation to assessments of admissibility under section 22(2)(a) of that Act—
 - (i) the number completed,
 - (ii) the number of complaints dismissed, and
 - (iii) the number of complaints considered admissible,during the reporting year,
- (d) in relation to investigations under section 22(2)(b)(i) of that Act—
 - (i) the number completed,
 - (ii) the number of reports made under section 22(2)(b)(ii) of that Act,during the reporting year, and
- (e) the number of further investigations that the Commissioner has been directed to carry out under section 27(2) of that Act during the reporting year.”.

Commencement Information

II S. 38 in force at 12.3.2018 by [S.S.I. 2018/73](#), [reg. 2](#)

Changes to legislation:

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