



# Lobbying (Scotland) Act 2016

## 2016 asp 16

### PART 2

#### THE LOBBYING REGISTER

##### *The register*

### **3 Lobbying register**

- (1) The Clerk must establish and maintain a lobbying register (the “register”), containing information about active registrants, inactive registrants and voluntary registrants.
- (2) The Clerk must publish, by such means as the Clerk considers appropriate, the information about active registrants which is contained in the register.
- (3) But the Clerk may withhold from publication information relating to an individual if the Clerk considers that it would be inappropriate to make that information publicly available.
- (4) The Clerk may publish, by such means as the Clerk considers appropriate, such information as the Clerk considers appropriate about—
  - (a) inactive registrants, and
  - (b) voluntary registrants.
- (5) In exercising functions under this Part, the Clerk must have regard to the parliamentary guidance (see section 43).
- (6) In this Part—
  - “active registrant” means a person entered in the register under section 10,
  - “inactive registrant” means a person entered in the register as an inactive registrant under section 12 or 13,
  - “voluntary registrant” means a person entered in the register as a voluntary registrant under section 14.

#### **4 Content of register**

- (1) The register must contain an entry for each registrant setting out the information about the registrant's identity mentioned in section 5.
- (2) In relation to an active or inactive registrant, the register must also contain—
  - (a) the information about the registrant's regulated lobbying activity mentioned in section 6, and
  - (b) additional information provided by the registrant mentioned in section 7.

#### **5 Information about identity**

The information about the registrant's identity is—

- (a) in the case of an individual—
  - (i) the individual's name, and
  - (ii) the address of the individual's main place of business (or, if there is no such place, the individual's residence),
- (b) in the case of a company (within the meaning of the Companies Act 2006)—
  - (i) the name of the company,
  - (ii) its registered number,
  - (iii) the address of its registered office,
  - (iv) the names of its directors and of any secretary, and
  - (v) the names of any shadow directors,(each of those expressions having the same meaning as in that Act),
- (c) in the case of a partnership (including a limited liability partnership)—
  - (i) the name of the partnership,
  - (ii) the names of the partners, and
  - (iii) the address of its main office or place of business, and
- (d) in the case of any other person—
  - (i) the name of the person, and
  - (ii) the address of the person's main office or place of business.

#### **6 Information about regulated lobbying activity**

- (1) The information about the registrant's regulated lobbying activity is information submitted by the registrant about instances of the registrant engaging in regulated lobbying.
- (2) That is, in relation to each instance of regulated lobbying—
  - (a) the name of the person lobbied,
  - (b) the date on which the person was lobbied,
  - (c) the location at which the person was lobbied,
  - (d) a description of the meeting, event or other circumstances in which the lobbying occurred,
  - (e) the name of the individual who made the communication falling within section 1(1),
  - (f) either—
    - (i) a statement that the lobbying was undertaken on the registrant's own behalf, or

- (ii) the name of the person on whose behalf the lobbying was undertaken,  
and
- (g) the purpose of the lobbying.

## **7 Additional information**

The additional information provided by the registrant is—

- (a) any information submitted by the registrant about—
  - (i) whether there is an undertaking by the registrant to comply with a code of conduct which governs regulated lobbying (whether or not it also governs other activities) and is available for public inspection,
  - (ii) where a copy of the code may be inspected, and
  - (iii) any individual given responsibility by the registrant for monitoring the registrant's compliance with the code, and
- (b) such other information provided by the registrant which the Clerk considers appropriate to include in the register.