



Lobbying (Scotland) Act 2016

2016 asp 16

PART 1

CORE CONCEPTS

1 Regulated lobbying

- (1) For the purposes of this Act, a person engages in regulated lobbying if—
 - (a) the person makes a communication which—
 - (i) is made orally to a member of the Scottish Parliament, a member of the Scottish Government, a junior Scottish Minister, a special adviser or the permanent secretary,
 - (ii) is made in person or, if not made in person, is made using equipment which is intended to enable an individual making a communication and an individual receiving that communication to see and hear each other while that communication is being made,
 - (iii) is made in relation to Government or parliamentary functions, and
 - (iv) is not a communication of a kind mentioned in the schedule, or
 - (b) in the course of a business or other activity carried on by the person, an individual makes such a communication as an employee, director (including shadow director) or other office-holder, partner or member of the person.
- (2) Where a person engages in regulated lobbying by virtue of paragraph (b) of subsection (1), the individual mentioned in that paragraph is not to be regarded as engaging in regulated lobbying.
- (3) For the purposes of subsection (1)(a)(i), a communication which is “made orally” includes a communication which is made using British Sign Language or is otherwise made by signs.
- (4) For the purposes of subsection (1), it does not matter whether the communication occurs in or outwith Scotland.
- (5) The Parliament may by resolution modify the schedule so as to—
 - (a) add a description of a kind of communications,
 - (b) modify or remove a description so added.