



# Lobbying (Scotland) Act 2016

## 2016 asp 16

### PART 3

#### OVERSIGHT AND ENFORCEMENT

##### *Investigation of complaints*

#### **23 Requirements for complaint to be admissible**

- (1) A complaint is admissible if—
  - (a) the complaint is relevant,
  - (b) the complaint meets the conditions mentioned in subsection (3), and
  - (c) the complaint warrants further investigation.
- (2) A complaint is relevant if, at first sight—
  - (a) it appears to be about a person who may be, or may have been, engaged or may be likely to engage in regulated lobbying, and
  - (b) it appears that, if it is established that all or part of the conduct complained about occurred, it might amount to a failure to comply with a requirement mentioned in section 22(1)(a) to (d).
- (3) The conditions are that the complaint—
  - (a) is made in writing to the Commissioner,
  - (b) is made by an individual, is signed by that individual and states that individual's name and address,
  - (c) names the person to whom the complaint relates,
  - (d) sets out the facts related to the conduct complained about, and
  - (e) is made before the end of the period of one year beginning on the date when the individual who made the complaint could reasonably have become aware of the conduct complained about.
- (4) A complaint warrants further investigation if, after an initial investigation, the evidence is sufficient to suggest that the person who is the subject of the complaint may have failed to comply with a requirement mentioned in section 22(1)(a) to (d).

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**Changes to legislation:** There are currently no known outstanding effects for the Lobbying (Scotland) Act 2016, Section 23. (See end of Document for details)

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#### **Commencement Information**

**II** [S. 23](#) in force at 12.3.2018 by [S.S.I. 2018/73](#), [reg. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Lobbying (Scotland) Act 2016, Section 23.