



# Lobbying (Scotland) Act 2016

## 2016 asp 16

### PART 3

#### OVERSIGHT AND ENFORCEMENT

##### *Investigation of complaints*

#### **31 Directions to the Commissioner**

- (1) The Commissioner must, in carrying out the Commissioner's functions conferred by or under this Act, comply with any direction given by the Parliament.
- (2) A direction under subsection (1) may, in particular—
  - (a) make provision as to the procedure to be followed by the Commissioner when conducting an assessment or investigation mentioned in section 22,
  - (b) set out circumstances where, despite receiving a complaint mentioned in section 22(1), the Commissioner—
    - (i) may decide not to conduct an assessment under section 22(2)(a) or an investigation under section 22(2)(b)(i) or, if started, may suspend or stop such an assessment or investigation before it is concluded,
    - (ii) must not conduct an assessment or an investigation referred to in subparagraph (i) or, if started, must suspend or stop such an assessment or investigation before it is concluded,
    - (iii) is not required to report to the Parliament under section 22(2)(b)(ii), 24(5)(a) or (b), (8)(a) or (12), 25(4) or 28(7),
  - (c) require the Commissioner to report to the Parliament upon such matter relating to the carrying out of the Commissioner's functions as may be specified in the direction.
- (3) A direction under subsection (1) may not direct the Commissioner as to how a particular investigation is to be carried out.