



Lobbying (Scotland) Act 2016

2016 asp 16

LOBBYING (SCOTLAND) ACT 2016

PART 1

CORE CONCEPTS

- 1 Regulated lobbying
- 2 Government or parliamentary functions

PART 2

THE LOBBYING REGISTER

The register

- 3 Lobbying register
- 4 Content of register
- 5 Information about identity
- 6 Information about regulated lobbying activity
- 7 Additional information

Active registrants

- 8 Duty to register
- 9 Application for registration
- 10 Entry in the register
- 11 Information returns

Inactive registrants

- 12 Reclassification as an inactive registrant on application
- 13 Reclassification as an inactive registrant without application

Voluntary registrants

- 14 Voluntary registration

Further provision

- 15 Power to specify requirements about the register

PART 3

OVERSIGHT AND ENFORCEMENT

Duty to monitor

- 16 Clerk's duty to monitor compliance

Information notices

- 17 Clerk's power to require information
 18 Limitations on duty to supply information and use of information supplied
 19 Appeal against information notice
 20 Power to make further provision about information notices
 21 Offences relating to information notices

Investigation of complaints

- 22 Commissioner's duty to investigate and report on complaint
 23 Requirements for complaint to be admissible
 24 Procedure for assessing admissibility of complaint
 25 Investigation of complaint
 26 Commissioner's report on complaint
 27 Parliament's action on receipt of report
 28 Withdrawal of complaint
 29 Commissioner's discretionary reports to Parliament
 30 Restriction on Commissioner's advice
 31 Directions to the Commissioner

Investigations: witnesses and documents

- 32 Power to call for witnesses and documents etc.
 33 Notice
 34 Exceptions to requirement to answer question or produce document
 35 Evidence under oath
 36 Offences relating to Commissioner's investigation
 37 Restriction on disclosure of information

Commissioner's functions

- 38 Commissioner's functions etc.
 39 Investigation of performance of Commissioner's functions

Disposal of complaints

- 40 Parliament's power to censure

Further provision

- 41 Power to make further provision about Parliament's procedures etc.

Offences

- 42 Offences relating to registration and information returns

PART 4

GUIDANCE, CODE OF CONDUCT AND PUBLIC AWARENESS

- 43 Parliamentary guidance
44 Code of conduct for persons lobbying MSPs
45 Public awareness and understanding of Act

PART 5

FINAL PROVISIONS

- 46 Offences by bodies corporate etc.
47 Interpretation
48 Parliamentary resolutions
49 Application of Act to trusts
50 Report on operation of Act
51 Ancillary provision
52 Commencement
53 Short title

SCHEDULE — COMMUNICATIONS WHICH ARE NOT LOBBYING

- 1 Communications made on individual's own behalf
2 Communications made to member for constituency or region
3 However, paragraph 2 does not apply where the communication is...
4 In paragraph 2, "constituency" and "region" are to be construed...
5 Communications not made in return for payment
6 For the purposes of paragraph 5— (a) a communication made...
7 Communications by small organisations
8 However, paragraph 7 does not apply where the communication is...
9 For the purposes of paragraph 7, the number of full-time...
10 For the purposes of the calculation in paragraph 9, any...
11 Communications in Parliament or required under statute.
12 Communications made on request
13 Cross-party groups
14 Journalism
15 Communications in relation to terms and conditions of employment
16 A communication made by or on behalf of a trade...
17 In paragraph 16, "trade union" is to be construed in...
18 Communications by political parties
19 Communications by judiciary
20 In paragraph 19— "holder of judicial office within the United...
21 Communications by Her Majesty
22 Government and Parliament communications etc.
23 In paragraph 22— "international organisation" means— an international organisation whose...