



Lobbying (Scotland) Act 2016

2016 asp 16

PART 2

THE LOBBYING REGISTER

Active registrants

8 Duty to register

- (1) A person who engages in regulated lobbying when the person is not an active registrant must, before the end of the relevant period, provide to the Clerk—
 - (a) the information mentioned in section 5 in relation to the person's identity, and
 - (b) the information mentioned in section 6 in relation to the first instance of the regulated lobbying.
- (2) The "relevant period" is the period of 30 days beginning with the date on which the first instance of the regulated lobbying occurred.
- (3) A person must provide the information under subsection (1) in such form as the Clerk may determine.

9 Application for registration

- (1) A person may apply to the Clerk to be entered in the register if the person—
 - (a) is not an active registrant, and
 - (b) has not engaged in regulated lobbying during the period of 30 days before the date of the application.
- (2) An application under subsection (1) must—
 - (a) be in such form as the Clerk may determine, and
 - (b) include the information mentioned in section 5 in relation to the person's identity.

10 Entry in the register

- (1) This section applies where a person—

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- (a) provides information in accordance with section 8, or
 - (b) applies in accordance with section 9.
- (2) The Clerk must as soon as reasonably practicable after the information or application is received—
- (a) enter the person in the register as an active registrant, and
 - (b) update the register to include—
 - (i) the information provided by the registrant under section 8(1) or, as the case may be, section 9(2)(b), and
 - (ii) any other information provided by the registrant which the Clerk considers appropriate to include in the register.
- (3) The Clerk must, as soon as reasonably practicable after entering the person in the register, notify that person in writing of—
- (a) the date on which the period of 6 months mentioned in section 11(1)(a) begins in relation to the person, and
 - (b) the effect of section 11(1)(b) on an active registrant.
- (4) The Clerk may send additional copies of the notice sent under subsection (3) by whatever means the Clerk considers appropriate.

11 Information returns

- (1) An active registrant must submit to the Clerk an information return in respect of—
- (a) the period of 6 months beginning with—
 - (i) in the case of a registrant who provided information under section 8(1), the date on which the relevant period mentioned in that section began in relation to that person, or
 - (ii) in the case of a registrant who applied under section 9(1), the date of the application, and
 - (b) each subsequent period of 6 months.
- (2) The information return must be submitted—
- (a) in such form as the Clerk may determine,
 - (b) before the end of the period of 2 weeks beginning immediately after the end of the period to which the return relates.
- (3) The first information return submitted by a registrant mentioned in subsection (1)(a) (i) must contain—
- (a) either—
 - (i) the information mentioned in section 6 in relation to each instance of the registrant engaging in regulated lobbying during the period in question (other than information provided under section 8(1)(b)), or
 - (ii) a statement that, during the period in question, other than the registrant’s first instance of regulated lobbying, the registrant did not engage in regulated lobbying, and
 - (b) if any information included in the register in relation to the registrant is or has become inaccurate, information about the changes that have occurred.
- (4) Every other information return submitted by a registrant under this section must contain—

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- (a) either—
 - (i) the information mentioned in section 6 in relation to each instance of the registrant engaging in regulated lobbying during the period in question, or
 - (ii) a statement that, during the period in question, the registrant did not engage in regulated lobbying, and
 - (b) if any information included in the register in relation to the registrant is or has become inaccurate, information about the changes that have occurred.
- (5) An active registrant may, at any time, notify the Clerk in writing—
- (a) if any information included in the register in relation to that registrant has become inaccurate, about the changes that have occurred,
 - (b) about information of the type mentioned in section 7(a),
 - (c) about such other information which the registrant wishes to include in the register.
- (6) The Clerk must, as soon as reasonably practicable after receiving an information return or information under subsection (5), update the register to include—
- (a) the information contained in the information return or as the case may be provided under subsection (5)(a) or (b),
 - (b) any information provided under subsection (5)(c) which the Clerk considers appropriate to include in the register.