



# Lobbying (Scotland) Act 2016

## 2016 asp 16

### PART 2

#### THE LOBBYING REGISTER

##### *Inactive registrants*

#### **12      Reclassification as an inactive registrant on application**

- (1) An active registrant may apply to the Clerk to be instead entered in the register as an inactive registrant (in this section referred to as the “applicant”).
- (2) The application under subsection (1) must—
  - (a) be in such form as the Clerk may determine, and
  - (b) contain either—
    - (i) in the case of an applicant who has not submitted an information return under section 11, the information about the applicant’s regulated lobbying activity mentioned in subsection (3), or
    - (ii) in the case of an applicant who has submitted a return under that section, the information about the applicant’s regulated lobbying activity mentioned in subsection (4).
- (3) The information about the applicant’s regulated lobbying activity is either—
  - (a) the information mentioned in section 6 (other than any information provided under section 8(1)(b)) about each instance of the applicant engaging in regulated lobbying during the period—
    - (i) beginning with the date on which the period mentioned in section 11(1)(a) began in relation to the applicant, and
    - (ii) ending with the date of the application, or
  - (b) a statement that, in that period, the applicant—
    - (i) did not engage in regulated lobbying, or
    - (ii) other than the applicant’s first instance of regulated lobbying, did not engage in regulated lobbying.
- (4) The information about the applicant’s regulated lobbying activity is either—

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*Status: This is the original version (as it was originally enacted).*

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- (a) the information mentioned in section 6 about each instance of the applicant engaging in regulated lobbying during the period—
    - (i) beginning with the day after the end of the 6 month period covered by the last information return submitted by the applicant under section 11, and
    - (ii) ending with the date of the application, or
  - (b) a statement that, in that period, the applicant did not engage in regulated lobbying.
- (5) If, following an application under subsection (1), the Clerk has reasonable grounds to believe the applicant is not, or is no longer, engaged in regulated lobbying, the Clerk may enter the applicant in the register as an inactive registrant by updating the applicant's entry in the register accordingly.
- (6) The Clerk must, as soon as practicable after making a decision under this section, notify the applicant of—
- (a) the decision and the Clerk's reasons for the decision, and
  - (b) in the case of a decision to enter the applicant in the register as an inactive registrant—
    - (i) the date on which the applicant is entered in the register as an inactive registrant, and
    - (ii) the effect of the applicant being entered in the register as an inactive registrant.