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Delegated Powers and Law Reform Committee

Lobbying (Scotland) Bill as amended at Stage 2



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Delegated Powers and Law Reform Committee

The remit of the Delegated Powers and Law Reform Committee is to consider and report on—

- a. any—
 - i. subordinate legislation laid before the Parliament or requiring the consent of the Parliament under section 9 of the Public Bodies Act 2011;
 - ii. [deleted]
 - iii. pension or grants motion as described in Rule 8.11A.1; and, in particular, to determine whether the attention of the Parliament should be drawn to any of the matters mentioned in Rule 10.3.1;
- b. proposed powers to make subordinate legislation in particular Bills or other proposed legislation;
- c. general questions relating to powers to make subordinate legislation;
- d. whether any proposed delegated powers in particular Bills or other legislation should be expressed as a power to make subordinate legislation;
- e. any failure to lay an instrument in accordance with section 28(2), 30(2) or 31 of the 2010 Act; and
- f. proposed changes to the procedure to which subordinate legislation laid before the Parliament is subject.
- g. any Scottish Law Commission Bill as defined in Rule 9.17A.1; and
- h. any draft proposal for a Scottish Law Commission Bill as defined in that Rule.



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Introduction

1. At its meeting on 1 March 2016 the Delegated Powers and Law Reform Committee considered the delegated powers provisions in the Lobbying (Scotland) Bill as amended at Stage 2 (“the Bill”)¹. The Committee submits this report to the Parliament under Rule 9.7.9 of Standing Orders.
2. The Bill was introduced on 29 October 2015 by the Deputy First Minister and Cabinet Secretary for Finance, Constitution & Economy. It makes provision to establish and maintain a lobbying register and to publish a code of conduct in order to fulfil the Scottish Government’s objective of increasing the public transparency of elected representatives’ activity. It also provides for the monitoring of compliance with the lobbying regime, and for enforcement measures.
3. The Scottish Government has provided the Parliament with a supplementary memorandum on the delegated powers provisions in the Bill (“the SDPM”)².
4. The Committee previously reported on the delegated powers provisions in this Bill at Stage 1 in its 74th report of 2015³.

Delegated Power Provision

4. The Committee considered the one new delegated power provision in the Bill after Stage 2. There are no substantially amended delegated power provisions.
5. After Stage 2, the Committee reports that it does not need to draw the attention of the Parliament to the new delegated power provision listed below, and that it is content with the parliamentary procedure which the power is subject to:
 - Section 1(4) – Regulated lobbying
6. **The Committee therefore reports that it is content with the new delegated power provision in the Bill as amended at Stage 2.**

¹ Lobbying (Scotland) Bill, as amended at Stage 2 (SP Bill 82A, Session 4 (2016)) is available at the following website:

[http://www.scottish.parliament.uk/S4_Bills/Lobbying%20\(Scotland\)%20Bill/SPBill82AS042016.pdf](http://www.scottish.parliament.uk/S4_Bills/Lobbying%20(Scotland)%20Bill/SPBill82AS042016.pdf)
[accessed March 2016]

² Lobbying (Scotland) Bill. Supplementary Delegated Powers Memorandum (SP Bill 82A-DPM, Session 4 (2016)) is available at the following website:

[http://www.scottish.parliament.uk/S4_Bills/Lobbying%20\(Scotland\)%20Bill/SPBill82ADPMS042016.pdf](http://www.scottish.parliament.uk/S4_Bills/Lobbying%20(Scotland)%20Bill/SPBill82ADPMS042016.pdf)
[accessed March 2016]

³ Delegated Powers and Law Reform Committee. 74th Report, 2015 (Session 4). *Lobbying (Scotland) Bill at Stage 1* (SP Paper 842) can be accessed at the following website:

<http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/94513.aspx> [accessed March 2016]

