CODE OF CONDUCT FOR PERSONS LOBBYING MSPs

BACKGROUND

The Lobbying (Scotland) Act 2016 ("the Act") provides that the Scottish Parliament must publish a Code of Conduct for those persons who lobby members of the Parliament (MSPs). This is set out in Section 44 of the Act which states that "lobbying" means making a communication of any kind to a member of the Parliament in relation to the member’s functions."

Section 5 of the Code of Conduct for MSPs (Lobbying and Access to MSPs) sets out the responsibilities on MSPs who are lobbied.

As such, this Code of Conduct for Persons Lobbying MSPs implements the statutory obligations of the Act and complements the Code of Conduct for MSPs.

Other codes of conduct or practice in relation to lobbying are the sole responsibility of the organisations which publish those codes.

CODE OF CONDUCT

This Code sets out the key principles which any person lobbying a member of the Scottish Parliament should respect (use of the term “person” applies here in terms of both an individual and a legal person i.e. an organisation, company or other such entity).

The following ethical principles should be respected:

- If lobbying an MSP, you should act with honesty, integrity and respect.
- If lobbying an MSP, you should not expect preferential access or treatment from that MSP.
- If lobbying an MSP, where appropriate, you should make clear the identity of the person or organisation you are lobbying for and the motives and purpose of that lobbying.
- If lobbying an MSP, you should not offer any payment or benefit in kind which would involve an MSP (or members of their staff) acting as paid advocates on your behalf. Paid advocacy is prohibited by the Interests of Members of the Scottish Parliament Act 2006.
- If lobbying an MSP, you should not knowingly provide information which is untrue, inaccurate or misleading.
- If lobbying an MSP you should be fully aware of the Code of Conduct for MSPs which requires members to ensure that their staff adhere to the rules and guidelines of the Code, when acting on their behalf or in any parliamentary connection.
STATUS OF CODE

The Act obliges the Parliament to publish this Code of Conduct and to review it from time to time.

The current version of the Code is available at www.lobbying.scot

“REGULATED” LOBBYING

The Lobbying (Scotland) Act 2016 also provides that the Scottish Parliament must establish and maintain a Lobbying Register to record “regulated” lobbying as specified under the Act.

The Lobbying Register is available at www.lobbying.scot. Any person engaging in regulated lobbying with MSPs should adhere to the Parliamentary Guidance at www.lobbying.scot published by the Scottish Parliament specifically in relation to regulated lobbying.