The Scottish Grocers’ Federation is the national trade association for the independent convenience store industry in Scotland. There are 5,545 convenience stores in Scotland - more per head of population than in the rest of the UK. These stores provide over 44,000 jobs and the total value of sales to Scotland’s economy is some £4 billion annually.

The Federation lobbies solely on behalf of its retail members – it is vital that they have a representative voice with Scottish Government Ministers and Members of the Scottish Parliament.

We welcome the opportunity to provide a submission to the Committee’s call for evidence.

1. Do you agree that the Bill is necessary and that the establishment of a Lobbying Register is desirable?

The Scottish Grocers’ Federation has never been convinced that there is any noteworthy problem or issue with lobbying in Scotland. Indeed in its original report on this issue (February 2015) the Committee stated that it had heard no evidence of wrongdoing – the proposed register is trying to solve a problem that simply does not exist. However it is obvious that if any register is to be introduced it must be publicly (and easily) available, completely open, transparent and free to use for registrants.

2. How will the Bill affect you or your organisation?

Activities which could be seen as ‘lobbying’ are an important part of the business of the Scottish Grocers’ Federation: it is vital that we give our members a voice in parliament and help to connect our members with their elected representatives. In practice this is essentially about informing rather than influencing; attempting to ensure that MSPs have a good awareness of the wide range of issues that impact on independent convenience store retailers. As such we would have employees who would be classed as ‘active registrants’. From our point of view it is imperative that the regime is easy to understand, that our obligations are clearly laid out and that the register does not inhibit us in advocating on behalf of our members.

3. Registration is triggered only when lobbying is being done in exchange for payment (either as a consultant or an employee) and does not capture lobbying carried out in the course of voluntary work or when it is done by an individual on his or her own behalf. Do you agree with this approach?

The Committee should give careful consideration to the potential lobbying function of Board members and Trustees. Most charities and voluntary organisations will be
governed by a Board of directors or trustees who, by definition, undertake that role in a voluntary capacity. It is quite likely that these ‘volunteers’ could undertake activities – engagement with MSPs and Ministers - on behalf of the organisation which could constitute lobbying. This should not be excluded.

4. **Do the provisions set out in the Bill succeed in striking a balance between capturing information of value and ensuring that access and participation with the work of Parliament and Government is not discouraged?**

This remains to be seen. However, we would like to point out that The Scottish Grocers’ Federation is a not-for-profit trade association. We advocate solely on behalf of our members (in our case independent convenience store retailers in Scotland). As such we do no not have ‘clients’. It must be sufficient for trade associations to list that they are lobbying on behalf of their members – we do not lobby on someone else’s behalf. It is fairly easy for the public, MSPs and Ministers to understand who our members are. There is a strong sense in which our lobbying activity takes place on behalf of our entire sector and the issues affecting it. The register (and the registration process) should be flexible and sophisticated enough to recognise this.

5. **Do you feel that the definitions and exclusions are sufficiently clear? Do they, for example, allow individuals and organisations to easily know whether their activity requires to be registered?**

Yes.

6. **The Bill’s Policy Memorandum states the Bill aims for a “light touch, educative approach” and that “criminal offences and penalties [are] provided for as a last resort”. What are your views on this approach?**

We do not agree that there should be criminal offences and penalties in relation to ant infringement of the regulations. Removal from the register or a ban on registration is a proportionate and balanced response.

We do agree that a light touch, educative approach is appropriate (indeed having criminal penalties would seem to be at odds with these aims). As alluded to in Part 4 of the Bill, we believe that it is vital that Parliament publishes easy to understand, fit-for-purpose guidance on the operation of this Act, together with a code of conduct for persons lobbying members of the Parliament. To ensure an effective transition to, and full compliance with the new regime, the guidance and code of conduct should be published in advance of the register coming into effect: essentially there should be a sufficient lead in time to enable registrants to have a full understanding of their obligations.

**Dr John Lee**  
**Head of Policy and Public Affairs**  
**Scottish Grocers’ Federation**  
**November 2015**