STANDARDS, PROCEDURES AND PUBLIC APPOINTMENTS COMMITTEE

AGENDA

3rd Meeting, 2014 (Session 4)

Thursday 27 February 2014

The Committee will meet at 9.00 am in Committee Room 6.

1. **Decision on taking business in private:** The Committee will decide whether its consideration of draft reports on Hybrid Bills and on Standing Order rule changes on EU Rules and the next steps for, and a draft report on, its inquiry into Lobbying should be taken in private at future meetings.

2. **Decision on taking business in private:** The Committee will decide whether to take item 5 in private.

3. **Inquiry into lobbying:** The Committee will take evidence from—

   Juliet Swann, Campaigns and Research Officer, Electoral Reform Society;

   Michael Clancy, Director of Law Reform, and Brian Simpson, Law Reform Officer, Law Society of Scotland;

   David Robb, Chief Executive, Office of the Scottish Charity Regulator;

   and then from—

   Robin McAlpine, Director, Jimmy Reid Foundation;

   Professor Raj Chari, Department of Political Science, Trinity College Dublin;

   Professor Susan Deacon, Assistant Principal, Corporate Engagement, University of Edinburgh.

4. **Scotland Act 2012 - finance changes:** The Committee will consider a note by the Clerk.

5. **Inquiry into procedures for considering legislation:** The Committee will consider its approach to the next stage of its inquiry.
6. **Inquiry into lobbying (in private):** The Committee will consider the evidence heard earlier in the meeting.

7. **EU Rules (in private):** The Committee will consider a note by the Clerk.

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The papers for this meeting are as follows—

**Agenda item 3**  
PRIVATE PAPER  
SPPA/S4/14/3/1 (P)  
Written submissions  
SPPA/S4/14/3/2  
SPICe briefing  
SPPA/S4/14/3/3

**Agenda item 4**  
Note by the Clerk  
SPPA/S4/14/3/4

**Agenda item 5**  
PRIVATE PAPER  
SPPA/S4/14/3/5 (P)

**Agenda item 6**  
PRIVATE PAPER  
SPPA/S4/14/3/6 (P)
Standards, Procedures and Public Appointments Committee

3rd Meeting 2014 (Session 4), Thursday 27 February 2014

Inquiry into Lobbying – written submissions

Please find attached written submissions from—

- Electoral Reform Society;
- Law Society of Scotland;
- OSCR; and

Standards, Procedures and Public Appointments Committee
February 2014
WRITTEN SUBMISSION FROM ELECTORAL REFORM SOCIETY

About the Electoral Reform Society

Founded in 1884, the Electoral Reform Society operates on a simple premise – that our politics can be better than it is. We seek a living democracy where every vote and every voice is valued, where power is fairly distributed and those who exercise power can be held to account. Our policy is developed in consultation with our elected Council and our membership.

The Electoral Reform Society’s main funding source is in the form of an annual dividend from Electoral Reform Services Ltd, the UK’s leading independent supplier of ballot and election services. The Society has a small team of staff based in London, Cardiff and Edinburgh.

SPPA Committee Inquiry into Lobbying

The Need for Change

*Have there been significant changes over the last decade in the way that lobbying is carried out?*

It cannot be argued that there is not continuing disengagement with formal politics both in terms of voting at elections where turnout remains very low, but also in the various public opinion surveys conducted by the likes of the *Hansard Society* (for instance, only 41% of people say they will vote if a General Election was called tomorrow) and the Economist magazine (*Democracy under threat*). Recently, the *Guardian* published polling indicating nearly half of those surveyed are ‘angry’ at politicians. These and numerous other pieces of research and commentary are indicative of a growing mistrust and disillusionment with our politics.

Part of that mistrust is because of the sense of business being done behind closed doors, of the interests of the few being pursued at the expense of the many, and of a lack of transparency about how policy is developed.

As Raj Chari, John Hogan and Gary Murphy point out in their book, ‘Regulating Lobbying: a global comparison’: “studies have shown that, without doubt, the work carried out by interest groups (or lobby groups – we use the two terms interchangeably throughout the book) is a central and legitimate part of the democratic process within all liberal democratic systems. Although the term has often had negative connotations, throughout the democratic world the work of lobbyists is essential when policy is formulated. Lobbyists are an accepted element within society, providing the necessary input and feedback into the political system, thereby helping to develop the policy outputs which drive political and economic aspects of our daily lives.”

They go on; “However, because of issues surrounding the openness of the policymaking process, some countries have sought to regulate the activities of lobbyists. ... The basic rationale behind implementing regulations is that the public
should have some insight into, as well as oversight of, the mechanisms that draw lobbyists into the policy-making environment, in order to better understand how they influence policy outputs.”¹

The fact that it is not currently possible to find out who met who and why, and that money and favours are still being exchanged for access to politicians,² suggests that legal direction is required. Regulation should be about helping those regulated to make the right decisions. They are more likely to do this if they are aware others are watching their actions. ‘Light touch’ regulation and self-regulation has failed in many areas of social, public and commercial life including the financial sector and the mass media.

If policy decisions are made because of arguments made by one set of concerns or another, or advocates of one set of interests or another, then that influence should be apparent. If any organisation or body is contacting public officials with the intention of influencing a decision, policy development or legislation, then the public should be able to find this easily and quickly.

Is there a problem or perceived problem with lobbying in Scotland? If so, how can this best be addressed? If not, do steps still need to be taken to address any problem arising in future?

Active and informed participation is an essential aspect of democracy – no matter how well set up systems are, or how accessible decision makers make themselves, citizens must have access to the information they need to make judgments about their lives, their government and their democracy. Without accurate information, and the knowledge to access and interpret it, citizens will be unable to play their role in a functioning healthy democracy, with the deterioration of the democracy as a consequence.

ERS Scotland recently completed a thirteen month long, citizen-led inquiry into ‘what makes a good Scottish democracy’. The findings and analysis are available here http://www.electoral-reform.org.uk/democracy-max/

During the inquiry there was a very strong sense from participants that the only way to ensure power is not subverted is for everyone to have access to information and for them to be provided with the knowledge to assess it. This provision of knowledge included; how the system works, how you can engage with the system, information on what decisions are being made, by whom, and how. It was felt that an informed, confident society would be better equipped to hold those with power to account.

Equally, there was strong support that at least secretive corporate influences on government policies and decisions should be outlawed, and organisations who lobby registered.

¹ Raj Chari, John Hogan and Gary Murphy, Regulating Lobbying: a global comparison, Manchester University Press, 2010 And online here http://www.regulatelobbying.com/index.html
² http://www.telegraph.co.uk/news/politics/conservative/10091179/Patrick-Mercer-MP-resigns-over-lobbying-scandal.html
There were also suggestions that politicians should publish their diaries, including details of those they have met, both virtually and in person, or had discussions with as part of their work. There is no reason, in principle, why virtually all the work of elected representatives, including their correspondence, their emails, their texts and their memos should not be made publicly available. This kind of information is already, at least in theory, available to anyone who requests it under freedom of information law.

However, it is not just politicians who have to open up. When the Scottish Parliament was founded, it was meant to have been so open and easy to access, that a register of lobbyists wouldn’t be necessary. Experience has suggested otherwise, particularly since the onset of one-party majority government, unexpected with the electoral system in place at the Scottish Parliament, which is widely seen as having shut down constructive cross-party debate on legislative plans in committees.

Register of lobbyists

To what extent will the introduction of a register of lobbyists address any problem or perceived problem with lobbying?

The Society holds good governance and fair access to power as key values. It is our experience and our opinion formed from research and study that transparency is an important facilitator of those values. A mechanism whereby the public, voters, and those who communicate information to them, the media and others, can see when organisations meet with politicians with the intention of influencing policy is the simplest way to meet these requirements.

Policy development and lobbying is a complex process and depends upon balancing often competing priorities and sets of interests. Making this process transparent to those affected by these decisions will improve trust and understanding.

A lobbying register would not change the way lobbyist and policy makers interact, it would simply expose these interactions to the public.

It has to be remembered that lobbying ‘scandals’ are hidden. They are revealed through investigative journalism, Freedom of Information requests and so forth. The aim of a lobbying register is to prevent these scandals before they arise, rather than to expose them once they have happened. Without a register, we would never know if there was a problem until a scandal emerged. A scandal is often not an extraordinary event but exposure of something secretive that has been seen as ‘ordinary’, ‘customary’ or ‘the way things are done’. For instance with the abuse of MPs expenses; the details of this wouldn’t have come to light had Westminster been allowed to suppress the information. Whether there is undue influence on debates, policy and legislation is not the question – there may well not be - but we should be sure that there isn’t.

To whom should such a register apply? Should it be voluntary or compulsory?

Legislation and a compulsory register are necessary because the interests and incentives involved in lobbying are not always conducive to self-regulation. The
example in the Annex of the workings of the EU register demonstrate the weaknesses of a voluntary system. The easiest way to introduce a register would be to have a broad definition of lobbying, with exemptions set out as exceptions from this definition. We would suggest that such a definition should include any set of interests or undertaking that seeks to influence the content or form of legislation or policy decision of political, government or public agents.

With regard to exemptions the principle to apply should be that they are exempt if lobbying on behalf of a clear public interest through the merit of being an employee of a public body. This would not include where a paid consultant is undertaking the lobbying activity – in this case the paid lobbyist should register and declare the public body as a client.

How should it be maintained and who should maintain it? What level of information should be on it? Should thresholds be set for registration? If so what should they be? What are the likely cost implications of registration for groups that lobby?

a) It would seem proper that the Standards Commissioner for Scotland should take on the administration and oversight of the register.

b) We think the following information should be disclosed:
   - The name of the organisation lobbying
   - The name of the organisation or set of interests that the lobbying is being done on behalf of – if relevant
   - The name of the individuals meeting or involved in the campaign
   - Employment history of the individual lobbying
   - The budget allocated to the particular campaign
   - The total budget spent on lobbying by either and both of the lobbying organisation or the organisation they are lobbying on behalf of

c) We found the thresholds suggested in the private members bill introduced by Neil Findlay MSP to be appropriate and would suggest these thresholds, along with adequate exemptions and an annual reporting requirement would not lead to excessive financial or administrative burden.

What sanctions should there be for failure to register lobbying activity? How will the register sit alongside the UK register? How will compliance be monitored?

MSPs and public officials would be expected to check details of the organisation and individuals they meet with against the register, and would have a duty to report where they think there is a failure to comply. Ideally there should be some staff time dedicated to compliance and administration. The Standards Commissioner should have the power to request registration and there should be enforcement notices and fines for those who fail to comply.

Given the ongoing debate over the adequacy and complexity of the UK Government’s Lobbying Bill we suggest proceeding with a stand-alone Scottish register for those organisations and individuals who lobby the Scottish Parliament, Government and policy departments. The current drafting of the UK legislation would
not cover most of the organisations or individuals we envision being included in the Scottish lobbying register. Part II of the current Bill would probably apply, but only to campaigning in an election year, rather than to ongoing lobbying activity.

**What are the implications of a register for (a) the Parliament, (b) MSPs, (c) organisations that lobby and (d) Ministers and civil servants?**

a) Improved reputation for transparency and openness

b) Requirement to abide by Code of Conduct Vol2: Section 5 will be made easier

c) Administrative requirements to register. Being able to see which other organisations are lobbying on their issues.

d) Our understanding is that communications by Ministers and civil servants are already subject to FoI so records should be being kept of all meetings.

**Other measures**

**Whether other changes could be made to improve transparency in lobbying in Scotland? What, if any, changes should be made to Section 5 of the Code of Conduct for Members of the Scottish Parliament?**

The Code of Conduct for MSPs regarding lobbying is clear and appropriate. It should be considered that one of the reasons for introducing a register of lobbyists would be to facilitate MSPs in complying with the Code of Conduct.

Including a lobbyist’s employment history in the lobbying register would ensure any ex-MSPs, party or parliamentary staff were clearly identified as such and their previous responsibilities clarified.

**Should there be a Code of Conduct for lobbyists? Should it be statutory or voluntary?**

It is highly desirable to develop a statutory Code of Conduct for lobbyists, however such a Code of Conduct is not as fundamental as a register of information and should not jeopardise the possibility of legislating for a statutory register. The development of such a Code of Conduct would mean public representatives could consider and define what sort of activity and behaviour they feel is in the public interest and what might be threatening to it, outside of what is currently controlled. There may be lobbying practices which the wider population are not aware of, but should they be described, they would be of concern. The debate and discussion of these matters in the Parliament, enabled by reference to a Code of Conduct would be welcome.

**JULIET SWANN**
**CAMPAIGNS & RESEARCH OFFICER**
**ERS SCOTLAND**
**JANUARY 2014**
Annex – Lobbying registers in other states

The EU Transparency Register

The voluntary register in use at the EU level – the EU Transparency Register – is failing to provide true transparency in lobbying activities. A recent report from the Alliance for Lobbying Transparency and Ethics Regulation (ALTER-EU) identifies over 100 unregistered companies (105) with a representative office in Brussels or known to have been lobbying the EU. The list includes major companies like ABN-Amro Bank, Adidas, BBVA Group, Apple Inc., Belfius (formerly Dexia), Heineken, Porsche, Rio Tinto plc, Disney, Shanks Group, SAP, Time Warner, Nissan, Northrop Grumman and many others. Of the unregistered companies listed in the previous report, only a minority – 15 of the 120+ listed – have since registered. The chemicals and biotechnology firm Monsanto re-joined the register in May 2013, after being absent from the register since Spring 2012.

The Monsanto example reveals that under the current voluntary model companies are free to register and de-register as they please. This shows that it is unrealistic to expect the voluntary model to paint an accurate picture of lobbying activities in Brussels. It also reinforces the criticism of the EU’s register by the Center for Responsive Politics, which notes that the voluntary register, while not delivering full transparency, nonetheless gives the public ‘false confidence’ that there is oversight of lobbying.

The report also finds that absent from the EU register are numerous consultancies, lobby groups and MEP-industry forums. Law firms that lobby continue to boycott the register, with the meaningful participation of law firms actually having decreased in the last year. Additionally, ALTER-EU conclude that the financial information in the register continues to be far too unreliable, with many of those that appear to be the biggest spenders in fact being small players. At the same time, there remains a big problem with large players under-reporting on the size of their lobby expenditure. The result is that the register gives a misleading picture of who is lobbying and with what resources. Numerous entries in the register provide incomplete and outdated information, demonstrating that the register’s monitoring and enforcement remains far too unambitious.

US Mandatory Register

In contrast, possibly because such massive amounts of money are spent in and on American politics, the USA has adopted regulations that try to make the relationships between lobbyists and politicians transparent.

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3 http://europa.eu/transparency-register/
6 http://lobbyingdisclosure.house.gov/
Introduced by The Lobbying Disclosure Act of 1995,\(^7\) (as amended by the Honest Leadership and Open Government Act of 2007),\(^8\) the US register provides the names of 12,300 lobbyists (and other very relevant information about the activities of these lobbyists, including former public offices held in the previous two years).

Critics point to a lack of enforcement of the US register, and claim that there is a trend of de-registration after recent stricter ethics rules were introduced. However, there is at least the existence of an enforcement mechanism, and some commentators have suggested the modest decline in the number of registered lobbyists is largely due to the economic crisis.\(^9\)

This certainly doesn’t mean that the US lobby disclosure system is perfect; organisations such as the American Bar Association and Public Citizen’s Congress Watch are advocating further improvements. It does however represent a strict and enforceable model.

\(^7\) [http://www.senate.gov/legislative/Lobbying/Lobby_Disclosure_Act/TOC.htm](http://www.senate.gov/legislative/Lobbying/Lobby_Disclosure_Act/TOC.htm)
WRITTEN SUBMISSION FROM LAW SOCIETY OF SCOTLAND

Introduction

The Law Society of Scotland aims to lead and support a successful and respected Scottish legal profession. Not only do we act in the interests of our solicitor members but we also have a clear responsibility to work in the public interest. That is why we actively engage and seek to assist in the legislative and public policy decision making processes.

The Law Society of Scotland welcomes the opportunity to contribute to the Standards, Procedures and Public Appointments Committee’s (the Committee) Inquiry on Lobbying and to respond to the call for written evidence.

General Comments

We previously responded to the consultation, by Neil Findlay MSP, on a proposed Lobbying Transparency (Scotland) Bill’ 10 and to the United Kingdom Government’s consultation paper ‘Introducing a Statutory Register of Lobbyists’ in 201211. We also continue to engage with the Westminster Parliament on the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act providing our views and raising points for further debate as the Bill progresses. Inevitably, many of those comments and views apply to the current call for evidence by the Committee.

Lobbying is a necessary, important and legitimate activity in a democratic society, providing interested parties with the opportunity to engage with politicians in generating effective and considered public policy and legislation, and is a fundamental part of the political and legislative process. One of the key principles from the formation of the Scottish Parliament, detailed in the Consultative Steering Groups report on Shaping Scotland's Parliament12 was that “the Scottish Parliament should be accessible, open, responsive and develop procedures which make possible a participative approach to the development, consideration and scrutiny of policy and legislation”. To allow, and encourage, active engagement with MSPs ensures that a voice is given, and heard, to those most impacted, and supports this very important principle.

To fulfil our statutory obligations to both our members and public, we regularly engage with the Scottish Government, the United Kingdom Government, and both the Scottish and United Kingdom Parliaments, providing comment, advice and guidance on legislative proposals and raising key issues for further consideration and debate. Supporting the principles of transparency, the Society is voluntarily registered on the European Commission’s Transparency Register, which provides

10http://www.lawscot.org.uk/media/555727/consultation_proposed_lobbying_transparency%20_scotland_bill.pdf
the public with access to information of those who are actively engaged in guiding and influencing the EU decision-making process.

We recognise the importance of ensuring and maintaining the Scottish public’s trust and confidence in the political process and legislative system, and agree that transparency helps to provide effective oversight and scrutiny of the political process and is a central element of good governance. However, we also believe that this has to be balanced with ensuring that there is open communication between interested parties and those making important policy and legislative decisions. Any proposals to introduce a register must ensure that due consideration is given to a fair balance between these interests.

We note that the call for evidence raises a number of important questions, but one question it does not seek comment and views on is; what is lobbying and what constitutes lobbying activity. This has to be clearly defined as it will form the backbone of any future register. Will this be restricted to communications to Scottish Government Minister’s, or will it include civil servants and local Government. We believe that the definitions of ‘lobbying’ and ‘lobbyists’ must be clear and unambiguous from the outset as they will be the basis on which individuals and organisations will determine if they need to be registered.

We have previously suggested that the definition of lobbying should include direct communication to all parliamentarians, but should be clear in expressly excluding circumstances in which organisations or individuals are directly approached with the objective of seeking views, comment or advice on proposed policy or legislation. There is much lobbying at local Government level, and it is suggested that consideration is given to any impact a central Government register will have at local Government levels. In addition, many activities and communications which may be deemed as lobbying are conducted with Government departments through civil servants. Would those who communicate with civil servants for the purposes of lobbying be required to register?

Specific Comments

The Need for Change

**Q - Have there been significant changes over the last decade in the way that lobbying is carried out?**

In our view there has been a significant change. Parliamentarians have become more directly accessible through e-mails, social media and the opening of the Scottish Parliament. It must also be borne in mind that the Scottish Parliament was founded upon the principle that the “...Scottish Parliament should be accessible, open, responsive and develop procedures which make possible a participative approach to the development consideration and scrutiny of policy and legislation…”

It is important to strike a balance so as not to dilute this valued principle but ensuring at the same time that the openness and accessibility is not abused by those engaged in unacceptable behaviour.

**Q-Is there a problem or perceived problem with lobbying in Scotland?**

We are not aware of any significant problem.
Register of lobbyists

Q-To what extent will the introduction of a register of lobbyists address any problem or perceived problem with lobbying?
This will depend on the extent of the powers conferred on the Registrar, the sanctions which may be imposed and the resources available to ensure that those powers and sanctions are vigorously and actively enforced. It will also depend on the nature (statutory or voluntary) of the register and what information will be required to be registered.

Q-To whom should such a register apply?
We are of the view that to apply different rules to different categories of lobbyists may defeat the object of transparency and may raise uncertainties and questions among the public. The Bill currently before the United Kingdom Parliament applies only to third party consultant lobbyists13. There has been much debate on this. The consultant lobbyist sector, we suggest, accounts for only a small amount of lobbying activity. Most lobbying activity is conducted by in-house groups. As we have previously suggested, the public is unlikely to differentiate between the different lobbying groups or to understand why one group is required to register whilst the other is not.

Q-Should it be voluntary or compulsory?
A compulsory (statutory) register will ensure that all organisations, which carry out lobbying activities, will be treated on an equal basis. A voluntary register may result in the unequal treatment of lobbyists, the development of a two tier profession and fail to achieve the desired level of transparency. Legislation provides a mechanism to set out clear rules, responsibilities and duties applicable to all and ensures equal treatment and may promote public confidence.

Q-How should it be maintained and who should maintain it?
We are not in a position to recommend who should maintain and monitor the register beyond suggesting that in order to develop and maintain public confidence, the responsibility to maintain the register should rest with an independent body. This would promote transparency and prevent any perceived or real political interference.

Q-What level of information should be on it?
Before finalising what information will be required to be submitted and entered on the register, the purpose of the register should firstly be determined. This would then shape what information would need to be registered. Whatever the purpose, the level of information required should be that necessary for the purposes of transparency and should not include business sensitive information. We would also question the benefit of having to disclose financial information. We noted that Mr Finlay’s consultation did not clearly set out any benefit this would achieve or why this would be relevant.

Q-Should thresholds be set for registration?
If thresholds were to be introduced, then it must be clearly defined what activities will amount to ‘lobbying’ to ensure that a ‘lobbyist’ can definitively determine if the

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13 Clause 1 Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act.
threshold triggering the obligation to register has been met. However, we are not convinced that ‘thresholds’ can provide an accurate, effective or appropriate measure to determine who should register.

It should be noted that the UK Parliament have chosen not to adopt a direct threshold connected to lobbying activity but to place the registration requirement on lobbyists, as defined by the bill, who are registered for VAT, which excludes small businesses.

**Q-What are the likely cost implications of registration for groups that lobby?**

Any fees which may be imposed should be proportionate to the size and resource of the business concerned. To impose significant fees may deter organisations from registering and stifle legitimate communications with MSP’s. However, any fees so imposed must be sufficient to ensure that the register is adequately resourced so as to maintain and develop the infrastructure necessary to ensure reliability and maintain public confidence.

**Q-What sanctions should there be for failure to register lobbying activity?**

Any sanctions need to be proportionate and enforceable to achieve effectiveness. A number of measures have previously been suggested as sanctions;

- **De-registration.** It is difficult to see the effectiveness of de-registration as a sanction against a lobbyist who has not registered in the first place.

- **Restriction on lobbying activity and denial of access.** There may be difficulties over how a lobbyist would be prevented from contact directly or indirectly with MSPs and how this would be monitored. Would MSP’s be obliged to report any contact from restricted lobbyists. What would be the position if a restricted lobbyist were contacted directly by the MSP? However, putting these questions aside, an approach based on (objectively justifiable) denial of access might arguably achieve more transparency than one based on penalties. The European Transparency Register, on which the Society is registered, has only one sanction for non-registration which is a denial of “a pass to gain access to the premises of the European Parliament”.

- **Criminal sanctions.** The UK Government’s Bill makes it an offence to carry on a lobbying activity unless the lobbyist is registered. We have expressed our concerns that Clause 12 of the UK Government’s Bill has the effect of creating a strict liability offence for a person to carry on the business of consultant lobbying unless they are registered, or to engage in lobbying activities if their details, as entered in the register, are inaccurate or incomplete. We would likewise be concerned if any proposed criminal sanctions in Scotland had the same effect by providing that a mere omission, error or inadvertency may result in an offence being committed.

- **Lobbying from outwith Scotland.** It is entirely possible to carry out many kinds of lobbying by means of communication from a place outside the UK, therefore it is necessary to consider what kind of disadvantage or sanction can be visited upon those lobbyists who fail to register as we believe that
Article 16(2) (b) of the Services Directive\textsuperscript{14} would appear to preclude the imposition of a mandatory registration requirement upon lobbyists from elsewhere in the European Union that have chosen to refrain from establishing a United Kingdom locus. Also, how would this be enforced?

It is suggested that one sanction option would be to apply a sliding scale of a financial penalty for any failure and continued failure to register, similar to that which is imposed on companies who fail to deliver annual accounts and breach their duty under The Companies Act 2006.\textsuperscript{15}

Q- How will the register sit alongside the UK register?  
If two separate registers are to exist, then it is important that these are harmonised as much as possible to avoid confusion, complexity and conflict. Rules and procedures should be harmonised so as not to be over burdensome to business.

Q- What are the implications of a register for (a) the Parliament, (b) MSPs, (c) organisations that lobby and (d) Ministers and civil servants?  
The implications will be dependent on the intended and recognised purpose of the register and what it is to be used for by each of the aforementioned groups. For those organisations which lobby, it will create additional red tape and costs which may deter interactions with MSP’s.

\textbf{Other measures}

Q- Whether other changes could be made to improve transparency in lobbying in Scotland?  
Ministerial diaries should be made public, as too should minutes of meetings between Ministers and MSP’s, and Ministers and third parties with limited public interest and commercial exceptions.

Q-What, if any, changes should be made to Section 5 of the Code of Conduct for Members of the Scottish Parliament?  
No comments

Q-Should there be a Code of Conduct for lobbyists? Should it be statutory or voluntary?  
If a Code of Conduct is to be statutory or not will depend very much on whether the register is to be statutory and registration is to be compulsory. A Code of Conduct is a method of setting minimum standards and can be a principal method of ensuring and maintaining a consistent level of behaviour by those it applies to. It provides a way of measuring behaviour and performance and is a method of communicating commitment to professional standards and values. For a Code of Conduct to be

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\textsuperscript{14} Services Directive 2006 / 123 EC Article 16(2) Member States may not restrict the freedom to provide services in the case of a provider established in another Member State by imposing any of the following requirements: … (b) an obligation on the provider to obtain an authorisation from their competent authorities including entry in a register or registration with a professional body or association in their territory, except where provided for in this Directive or other instruments of Community law…

\textsuperscript{15} http://www.legislation.gov.uk/uksi/2008/497/made?view=plain
effective it must be seen to be actively monitored and enforced and its adherence reported upon.

Many professional and regulatory bodies have a Code of Conduct to regulate the activities of their respective members and profession. We would suggest that where a lobbyist is regulated by such a Code of Conduct that is of higher standard than that which may be proposed, then it should be those standards and Code of Conduct against which the lobbyist’s activities and behaviour should be judged.

Any rules or code of conduct which would affect solicitors who are registered as lobbyists should not conflict with legal professional privilege or the duty of confidentiality.

LAW SOCIETY OF SCOTLAND
31 JANUARY 2014
WRITTEN SUBMISSION FROM THE SCOTTISH CHARITY REGULATOR (OSCR)

1. Introduction

The Office of the Scottish Charity Regulator (OSCR) is established under the Charities and Trustee Investment (Scotland) Act 2005 (the 2005 Act) as a Non-Ministerial Department forming part of the Scottish Administration. OSCR is the registrar and regulator of charities in Scotland. There are currently over 23,700 charities registered in Scotland.

OSCR has been asked to give evidence to the Standards, Procedures and Public Appointments Committee’s inquiry into Lobbying.

This note is intended to outline OSCR’s position before the Chief Executive appears before the committee. In forming our view we have considered our overall vision, which is of charities you can trust and that provide public benefit, underpinned by the effective delivery of our regulatory role.

It is part of the Scottish Charity Regulator’s role to increase public confidence in charities through effective regulation, and through increasing the public accountability of charities. We, therefore, have an interest in any proposal which has the potential to assist in the achievement of these aims.

2. Issues

Charities and campaigning

The 2005 Act, in line with the legislative position in England and Wales, stipulates that charities cannot campaign to advance a political party. Since the Scottish Charity Regulator took up its powers, there has not been a significant or widespread problem with charities getting involved in inappropriate political activity.

In anticipation of the forthcoming referendum on independence, we produced new guidance setting out what this legal restriction means in that context – to date we have received a very small number of concerns about charities’ activities in this connection.

That guidance clarifies that campaigning on issues is a legitimate activity for charities where:

- The activity is advancing the charitable purposes of the charity;
- The governing document does not prohibit such activity;
- The activity is not advancing a political party
- The charity trustees can demonstrate that they are acting with due care and diligence and in the charity’s best interests.

This means that, for many charities, lobbying the Scottish Parliament will be a legitimate activity.
The principle of accessibility

As many giving evidence to the Committee have highlighted, one of the founding principles of the Scottish Parliament is the accessibility of decision makers. There is the potential that the creation of a register of lobbyists would undermine this principle. This might happen both because of the direct impact of organisations having to register as well as the more unintended consequences of organisations, including charities, becoming reticent to engage because they are unsure about the rules, or they are unwilling or unable (due to lack of resources) to undertake the work necessary to register. We believe that whatever decisions are taken, it is important that this founding principle is taken into account, as this accessibility contributes to a healthy and vibrant public policy debate.

A register of lobbyists

The key proposal being considered in this inquiry is the establishment of a register of lobbyists. The aim of this register would be to contribute to transparency of lobbying related to the Scottish Parliament. We note that some charities have submitted evidence supporting the establishment of a register, and that others are less enthusiastic.

The charity sector in Scotland is extremely diverse. Four out of five charities on our register have an annual income of under £100,000 and 63% have an income of less than £25,000. One key point we would want to endorse is that the impact of any regulatory change is likely to be different depending on the size and nature of the charities in question: many will have a very limited ‘professional’ capacity to take part in lobbying activity.

One of our strategic objectives in the current corporate plan is to “minimise the burden of regulation on charities wherever possible”. This means that we seek to ensure, as the lead regulator for the charity sector, that any further regulatory burden placed on the charity sector is proportionate and does not dissuade charities, who have a legitimate basis for doing so, from engaging with the Scottish Parliament.

Keeping the diverse landscape of charitable organisations in mind is key when seeking to ensure that the benefit arising from additional regulation is not outweighed by the burden placed on the sector by the regulation itself. This could be a direct burden where charities have to register. However, it could also be an indirect burden through the uncertainty a register might create. For instance, depending on definitions adopted, it is possible that small organisations would have to devote a disproportionate level of resources and time on understanding how they might have to engage (or not) with the register.

So, while OSCR recognises that a register could be a route towards transparency with respect to lobbying, there are issues related to burden that need to be considered. Any move towards developing a register should only be made once these potential impacts are understood and mitigated wherever possible.
Definitions and thresholds

One way of diminishing the regulatory burden is to provide a clear definition of “lobbying” and “lobbyists as well as any statutory exemptions. There are currently very different interpretations of what constitutes lobbying activity, and who or what a lobbyist actually is. Clarity around these issues would help minimise uncertainty. If this was linked to very clear guidance, then this would allow charities to engage appropriately and with minimal cost implications.

The Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 gained Royal Assent on 30 January 2014. As others have indicated, a great deal of controversy surrounded the passage of the legislation and it may not therefore provide the ideal template for any statutory measure here. This Act provides that ‘Consultant Lobbyists’ who are paid to lobby the UK Government on behalf of a third party must register. If there is to be a similar provision in a Scottish Act it might be helpful, for organisations operating both North and South of the border, if the definition of ‘Consultant Lobbyists’ was the same in both jurisdictions. There are around 800 cross-border charities, usually quite large in scale, that could be affected by any disparity in definitions.

The establishment of thresholds could be a way of minimising any burden, particularly on small charities. However, there might be issues about the establishment of such thresholds. If a spend-based threshold was used, the data relied on would probably be historical, and this could affect the efficacy of such a threshold. Likewise, a time-based threshold would be difficult because of the way in which it would need to be self reporting which may do little to inspire public confidence in the process.

Compulsory or voluntary

It is OSCR’s belief that if there is to be a register of lobbyists, it would need to be compulsory if it is to play the necessary role in terms of transparency.

Overseeing the register

If a register is to come into force, then its monitoring and “policing” should be properly resourced and any sanctions should be proportionate and enforceable. There are some potential resourcing implications for OSCR: the introduction and operation of a register may generate new queries, complaints and concerns. We would want to keep that under review.

Section 5 of the Code of Conduct for Members of the Scottish Parliament

OSCR notes that the publication of a register of lobbyists is only one route towards creating a more transparent system of lobbying. The suggestion of changing the Code of Conduct to facilitate the publication of diaries of MSPs (and perhaps introducing similar measures for senior officials) as another route towards transparency would seem to have some merit and could be explored as an alternative, or indeed as an addition to, a register of lobbyists.
3. Conclusion

Transparency in public life is important. The proposal of a register of lobbyists is one route towards making lobbying transparent. If such a register is to be created, it is essential that it is clear who is required to register and what they are required to register. Proportionality comes into play and any negative impacts across the sectors affected should be mitigated wherever possible. This would be important both in terms of minimising the regulatory burden for charities as well as ensuring that the principle of accessibility to the Scottish Parliament is upheld.

SCOTTISH CHARITY REGULATOR
FEBRUARY 2014
EXTRACT FROM THE JIMMY REID FOUNDATION REPORT:

GOVERNMENT BY THE PEOPLE
THE FINAL REPORT OF THE COMMISSION ON FAIR ACCESS TO POLITICAL INFLUENCE

The Commission fully supported the proposals for a register of lobbyists brought forward in early 2013. We favour a maximalist interpretation of lobbying and support full disclosure by all outside interests. The Reid Foundation produced a response to the consultation on the draft private members Bill outlining what this means. We note that this Bill has now been taken over by the Scottish Government and is subject to yet another consultation process led by the Standards Committee that appears to be reopening the debate on whether a lobbying register is needed, and if there is a problem with lobbying at Holyrood. The evidence that this Commission has heard is that there is a pressing need for a lobbying register and we conclude that the Parliament should not delay in taking forward proposals that received cross-party support to introduce a mandatory lobbying register. There is a strong case for a serious investigation into the lobbying links between commercial interests and nonelected officials and to follow that line of investigation towards reform and a more transparent system.

The full report is available here:
LOBBYING SCHEMES IN OTHER COUNTRIES

This paper was produced for the Standards, Procedures and Public Appointments Committee in response to a request for information on the lobbying registers maintained in other countries, in particular, Australia, Canada and the United States of America.

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Australia

In 2008 the Australian Government introduced a Lobbying Code of Conduct and established a Register of Lobbyists to ensure that contact between lobbyists and Commonwealth Government representatives is conducted in accordance with public expectations of transparency, integrity and honesty.

Any lobbyist who acts on behalf of third-party clients for the purposes of lobbying Government representatives must be registered on the Register of Lobbyists and must comply with the requirements of the Lobbying Code of Conduct.

The public Register of Lobbyists contains information about lobbyists who make representations to Government on behalf of their third-party clients, including:

- business registration details and trading names of each lobbying entity, if the business is not a publicly listed company, the names of owners, partners or major shareholders are listed
In line with the Government's commitment to keep the Code and Register under review a discussion paper on possible reforms to the Code and Register was released for comment on 15 July 2010.

The paper raised issues for discussion, including:

- creation of an industry association with:
  - membership contingent on on-going professional education
  - membership being a pre-requisite to registration, or indicated on the Register of Lobbyists
- requirement that lobbyists disclose on the Register the details of any lobbyists who were Ministers, former ministerial staff or senior Australian Public Service and Australian Defence Force personnel
- increasing the period of the ban on former Ministers and Parliamentary Secretaries undertaking lobbying activities from eighteen months to two years, on matters they had official dealings in their last two years in office
- extending ban on former Cabinet Ministers to include all matters, not just matters where they had official dealings.

In the introduction to the paper the Government stated that it would consider amendments to the Code and the Register in the light of feedback received. In August 2011, the Minister of State announced two changes to the Register, which applied from 20 September 2013, including:

- individuals who apply for registration must provide a declaration that they are not members of a state or federal political party executive, state executive or administrative committee (or the equivalent body).

**Australia: New South Wales**

The New South Wales Government's [Lobbyist Code of Conduct](#) provides that Government representatives (Ministers, Parliamentary Secretaries, Ministerial staff, staff working for a Parliamentary Secretary, and employees of public sector agencies) must only be lobbied by a professional lobbyist who is registered and have their details on the [Register of Lobbyists](#), which is a public document.

The Lobbyist Code of Conduct took effect on 1 February 2009. From 1 July 2011, a number of changes to the regulation of lobbying in NSW took effect.

Further changes to the regulation of lobbying have been made to require strict separation of lobbying activities from the executive decision-making by political parties. Amendments to the Lobbyist Code of Conduct prohibit individuals who occupy or act in an office or position concerned with the management of a political party, from being included on the Lobbyist Register. Owners, partners, major shareholders or other individuals involved in
the management of the business of the lobbyist are similarly prohibited. The changes took
effect from 31 October 2013.

**Australia: Victoria**

Any lobbyist who wishes to contact a Government Representative for the purpose of
lobbying activities must be registered and must agree to comply with the requirements of
the [Victorian Government Professional Lobbyist Code of Conduct](http://example.com) (last updated November
2013).

The **Register** is a public document that contains information about lobbyists who make
representation to Government on behalf of their clients, including:

- business registration details and trading names of each lobbyist company, or where
  the business is not a publicly listed company, the names of owners, partners or
  major shareholders
- names and positions of people employed, contracted or otherwise engaged by the
  Lobbyist to carry out lobbying activities
- names of clients on whose behalf the lobbyist conducts lobbying activities.

**Canada**

In Canada there is a [Lobbyists’ Code of Conduct](http://example.com), which came into effect in 1997. The
Code complements the registration requirements of the the [Lobbying Act](http://example.com), which came into
force on 2 July 2008. The Act introduced a number of changes to the reporting
requirements for registered lobbyists.

The Office of the Commissioner of Lobbying of Canada developed a [website](http://example.com) to enable
lobbyists to register under the terms of the federal Lobbying Act and the related
regulations. The website:

- allows members of the public to carry out searches of the [Registry of Lobbyists](http://example.com)
- provides information about the system for registration of individuals engaged in
  lobbying.

**Canada: British Columbia**

The [Office of the Registrar of Lobbyists](http://example.com) (ORL) is independent from government and
monitors and enforces British Columbia’s [Lobbyists Registration Act 2001](http://example.com) (LRA).

The 2001 Act recognises that lobbying is a legitimate activity. The purpose of the Act was
to ensure that lobbyists declare their activities and to provide public information about who
is lobbying the government, on what subject matters and on whose behalf at any given
point in time. There were amendments to the Act in 2010.

In November 2013, the Registrar published a report, [Recommendations for changes to the
Lobbyists Registration Act](http://example.com). The proposed recommendations include:

- removing the requirement for organisations to lobby “at least 100 hours annually”
  before they are required to register their in-house lobbyists
- give the Registrar of Lobbyists the authority to grant exemptions from the requirement to register in cases where it would be reasonable to excuse small organisations that do little lobbying

- for a period of 12 months after they leave office, former public office holders refrain from lobbying the agency where they worked during the last 12 months of employment as public officials and from lobbying on matters they engaged during the last 12 months of their employment as public officials

- mandatory review of the LRA every five years.

**Europe**

A [Transparency Register](#) (TR) has been set up and is operated by the European Parliament and the European Commission. The Council of the European Union supported this initiative.

The register provides citizens with a direct and single access to information about who is engaged in activities aiming at influencing the EU decision making process, which interests are being pursued and what level of resources are invested in these activities.

In December 2013, a working group published a list of measures and elements to be taken into account in the event of a review of the Transparency Register. These include:

- definitions and clarifications of activities and scope covered, including:
  - clarification of difference between profit and non-profit-making entities
- clarification to the complaint mechanism
- change the frequency of TR registration update from once a year to twice a year.

**Organisation for Economic Co-operation and Development (OECD)**

In February 2010, the OECD Council approved the [OECD Recommendation on Principles for Transparency and Integrity in Lobbying](#). This was the first international policy instrument to provide guidance for policy-makers on how to promote good governance principles in lobbying.

The OECD believes the instrument is an important contribution which will support cleaner, fairer and stronger economies, as it promotes open government and a level playing field for businesses and stakeholders in developing and implementing public policies.

The Principles reflects the diverse socio-political and administrative experiences in both OECD and non-member countries. They were developed on the basis of reviewed experiences and lessons learned at both central and sub-national levels of government.

The document includes a definition of lobbying as:

“… oral or written communication with a public official to influence legislation, policy or administrative decisions, often focuses on the legislative branch at the national and sub-national levels. However, it also takes place in the executive branch, for example, to influence the adoption of regulations or the design of projects and contracts. Consequently, the term public officials include civil and public servants,
employees and holders of public office in the executive and legislative branches, whether elected or appointed”.

Previously, on 30 July 2008, the OECD had published a report *Lobbyists, governments and public trust: building a legislative framework for enhancing transparency and accountability in lobbying*. That document contained a list of recommendations on how governments and public administrations should handle lobbying activities. These were grouped under five headings:

- developing an appropriate framework
- clearly define the scope of policy or regulation on lobbying
- establish clear standards and procedures for collecting and disclosing information on lobbying
- set standards of conduct to foster a culture of integrity in lobbying
- put in place mechanisms for effective implementation to secure compliance.

**France**

In February 2013, the National Assembly’s rules for lobbyists were revised in response to dissatisfaction with the existing rules and to changes in lobbying practices. Amendments included an expansion of the information required for registration, replacement of a day pass giving access to certain rooms in the Assembly with a day pass giving access for a specified purpose only, and a requirement for public relations firms’ clients to be present at their meetings with Assembly members. Members are invited to publish in the parliamentary bulletin the names of the lobbyists with whom they meet at the Assembly and the topics discussed.

**United States**

Lobbyist legislation in the USA has existed since the 1930s. The *Lobbying Act 1946* sought to ‘disclose to the legislators and the public the identity of the principals, representatives and the means involved, to make the free play of legislative intent transparent’. As a result of mounting public concern, in 2006, over the influence of lobbyists, the Congress introduced bills aimed at making the relationship between lobbyists and Members of Congress more transparent.

On 14 September 2007 the *Honest Leadership and Open Government Act 2007* became law. This Act amended a number of previous statutes and also amended House and Senate ethics rules on gifts, travel and contacts with lobbyists. The main provisions of the legislation include:

- increase from one year to two years before senators can lobby Congress, including an officer or employee of either chamber or employee of any other legislative office
- senior executive personnel (including Cabinet secretaries) prohibited from lobbying the department or agency in which they worked for two years after leaving their positions
• one year ban on Members of the House of Representatives, elected officers of the House, senior Senate staff and Senate officers from lobbying after leaving their positions

• lobbyists prevented from providing gifts or travel to members of Congress

• mandatory lobbyists’ disclosures must be filed electronically each quarter. The disclosures to be made available on a publicly searchable internet database

• civil penalty for failure to comply with requirements of the Lobby Disclosure Act has increased from $50,000 to $200,000 and a criminal penalty of up to five years is imposed for knowing and corrupt failure to comply with the Act

• members of Congress and their staff prohibited from influencing hiring decisions of any private organisation solely on the basis of partisan political affiliation. The penalty for violating this provision is a fine and/or imprisonment of up to 15 years.

New Zealand

On 5 April 2012, Holly Walker, a member of the Green Party, introduced the Lobbying Disclosure Bill 2012. The purpose of the Bill is to:

• increase the transparency of decision making by executive government by:
  
  o establishing a Register of Lobbyists, which is administered by the Auditor-General
  
  o the development of a Lobbyists’ Code of Conduct and providing powers to the Auditor-General to investigate breaches of the Code.

Francesca McGrath
Senior Researcher
29 January 2014
Introduction

1. The Convener of the Finance Committee has asked the SPPA Committee to consider how the financial provisions in the Scotland Act 2012 should be translated into Standing Orders. His letter can be found at annexe A.

Background

2. The Scotland Act contained various financial provisions which will require to be reflected in the Scottish Parliament budget process. These provisions include two new devolved taxes (the Scottish Landfill Tax and the Land and Buildings Transactions Tax), new borrowing powers, and the new Scottish Rate of Income Tax.

3. The budget scrutiny process in the Parliament is governed both by the relevant rules in Standing Orders and by a written agreement between the Finance Committee and the Scottish Government.

4. In light of the new Scotland Act financial provisions which come into effect in April 2015, the Finance Committee has agreed a revised written agreement with the Scottish Government. The revised written agreement does not include any reference to the Scottish Rate of Income Tax which is not due to come into effect until April 2016. The Finance Committee will consider whether there is a need for any further revisions to the written agreement next Autumn.

5. The revised written agreement provides for the budget process to take broadly the same form as in previous years, with subject committees and the Finance Committee scrutinising a draft budget in the autumn, followed by scrutiny of a Budget Bill in the new year. The written agreement now incorporates references to the new devolved taxes and borrowing powers.

Standing Orders changes

6. The Finance Committee has asked the SPPA Committee to consider any changes required to Standing Orders in light of the Scotland Act financial powers which come into effect in April 2015 and the revised written agreement.

7. At present Standing Orders only include the high level rules governing the budget process, for example the requirement to publish a draft budget by 20 September each year. The specific details of the process are covered in the written agreement. This approach has the advantage of flexibility as the process can be adjusted in the written agreement without needing to amend Standing Orders. It is suggested that this approach is continued.
8. Some suggested Standing Order rule changes are attached at annexe B. The proposed revisions are relatively limited, reflecting the fact that no significant changes are proposed to the broad structure of the budget process. The Finance Committee clerks have been consulted informally and are content with the proposals.

9. The changes would add references to public revenue alongside public expenditure at appropriate points in the rules, to reflect the new requirement to consider the receipts from the devolved taxes. As discussed above, given that the Scottish Rate of Income Tax (SRIT) will not come into force until 2016-17, there are no references to SRIT in the draft revisions. It is likely that the Committee will be required to make further amendments to Standing Orders in about a year, in preparation for SRIT coming into force.

10. **The Committee’s views are invited on the proposed rule changes at annexe B.**

**Next steps**

11. Once the SPPA Committee has agreed proposed rule changes, the Finance Committee could be asked to confirm that it is content. The SPPA Committee could then agree a draft report to the Parliament on the changes. The Committee is invited to agree to consider this report in private at a future meeting.

12. The Finance Committee intends to hold a Chamber debate before summer recess to invite the Parliament to endorse formally the revised written agreement with the Scottish Government. The SPPA Committee could schedule the debate seeking approval for the Standing Orders changes on the same date. This would allow the Parliament the opportunity to debate the complete package of changes relating to the budget process together.

**Recommendation**

13. The Committee is invited to consider how the Scotland Act financial provisions can be translated into Standing Orders. Specifically, the Committee is invited to—

- Consider and agree proposed Standing Orders rule changes (annexe B) and to seek confirmation that the Finance Committee is content with the changes
- Agree to consider a report on the rule changes in private at a future SPPA Committee meeting
- Agree to seek a Chamber debate to approve the rule changes on the same date as the proposed Finance Committee debate seeking approval for the written agreement

Standards, Procedures and Public Appointments Committee
February 2014
ANNEXE A: Letter from the Finance Committee, 10 December 2013

Dear Stewart

Scotland Act 2012

As you will be aware, the financial provisions contained in the Scotland Act 2012 will require changes to the process for consideration of the Scottish Government’s draft budget.

At present, the process for scrutiny of the draft budget is governed by both the relevant rules in the Standing Orders and by a written agreement between the Finance Committee and the Scottish Government. In anticipation of the devolved taxes and new borrowing powers coming into effect, the Committee has agreed with the Scottish Government a revised written agreement for the remainder of this session. A copy of the revised written agreement is attached along with a letter from the Cabinet Secretary for Finance, Employment and Sustainable Growth to the Finance Committee setting out the background to the changes. You will note that the revised written agreement does not include any reference to the Scottish Rate of Income Tax (SRIT) which is not due to come into effect until April 2016. The Finance Committee will consider whether there is a need for any further revisions to the written agreement in relation to SRIT next Autumn.

We would be grateful if your Committee could consider any changes to the Standing Orders as a consequence of the revised written agreement and the financial powers within the Scotland Act 2012 which come into effect in April 2015. As the Scottish Government draft budget for 2015-16, to be brought forward in autumn 2014, will make provision for the devolved taxes it would be helpful if any changes to Standing Orders could be agreed by June 2014.

A copy of this letter has been sent to the Cabinet Secretary for Finance, Employment and Sustainable Growth.

Yours sincerely

Kenneth Gibson MSP
Convener

Revised written agreement –
http://www.scottish.parliament.uk/S4_FinanceCommittee/Written_agreement_with_SG_-_Revised_December_2013.pdf

Letter from Cabinet Secretary for Finance, Employment and Sustainable Growth –
http://www.scottish.parliament.uk/S4_FinanceCommittee/written_agreement.pdf
ANNEXE B: DRAFT STANDING ORDER CHANGES

CHAPTER 5
THE PARLIAMENTARY BUREAU AND MANAGEMENT OF BUSINESS

Rule 5.8 Financial business
In Rule 5.8.2, after “expenditure” insert “and revenue-raising”.
In Rule 5.8.3, after “public” insert “revenue and”.

CHAPTER 6
COMMITTEES

Rule 6.6 Finance Committee
In Rule 6.6.1(a) and (b), after “public” insert “revenue or”.
In Rule 6.6.1(d), before “expenditure” where first occurring insert “revenue or” and after “other” insert “monies payable into or”.

CHAPTER 14
LAYING AND PUBLICATION OF DOCUMENTS

Rule 14.2 Laying of financial reports and documents
In Rules 14.2.1 and 14.2.2, before “expenditure” insert “revenue and”.

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