

Definition of Lobbying

- (1) A person who provides lobbying services must be registered.
- (2) In subsection (1) “lobbying services” means activities which are carried out in the course of a business for the purpose of—
 - (a) influencing government, or
 - (b) advising others how to influence government.
- (3) Activities are to be taken as having the purpose specified in subsection (2) if a reasonable person would assume, having regard to all the circumstances, that the activities were intended to have the effect described in subsection (2)(a) or (b).
- (4) In this section “government” includes, within the United Kingdom—
 - (a) central government, devolved government, local government,
 - (b) members and staff of either House of Parliament or of a devolved legislature,
 - (c) Ministers and officials, and
 - (d) public authorities (within the meaning of section 6 of the Human Rights Act 1998).
- (5) Subsection (1) does not apply to—
 - (a) anything done in response to or compliance with a court order,
 - (b) anything done for the purpose of complying with a requirement under an enactment,
 - (c) a public response to an invitation to submit information or evidence,
 - (d) a public response to a government consultation exercise,
 - (e) a formal response to a public invitation to tender,
 - (f) anything done by a person acting in an official capacity on behalf of a government organisation, or
 - (g) an individual who makes representations solely on his or her own behalf.
- (6) In subsection (2) “influencing” includes informing; but making information or opinions public (for example, by way of advertisements or attributed articles in a newspaper) is not the provision of lobbying services.
- (7) In this section—
 - (a) “business” includes any undertaking, including charitable and not-for-profit undertakings; and
 - (b) services provided by or on behalf of an undertaking are provided “in the course of a business”, even if the persons providing the services are acting on a pro bono, volunteer or not-for-profit basis.

- (8) Subsection (1) applies whether a person is acting—
- (a) on behalf of a client,
 - (b) on behalf of an employer,
 - (c) as a volunteer on behalf of a charitable or other organisation, or
 - (d) on the person's own behalf (subject to subsection (5)(g));

but the Secretary of State may by regulations made by statutory instrument permit persons who provide lobbying services on behalf of an organisation (in any capacity) to rely on the organisation's registration.

- (9) The Secretary of State may by regulations made by statutory instrument provide that a person does not contravene subsection (1) by providing lobbying services without being registered, provided that the person becomes registered within a specified period beginning with the first date on which those services were provided.