



# Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014

## 2014 CHAPTER 4

### PART 1

#### REGISTRATION OF CONSULTANT LOBBYISTS

#### *Offences*

#### 12 Offences

- (1) If a person carries on the business of consultant lobbying in breach of section 1(1) (lobbying whilst unregistered), an offence is committed by—
  - (a) the person, and
  - (b) any individual who, not being entered in the register, engages in lobbying in the course of that business.
- (2) It is an offence for a registered person to engage in lobbying if—
  - (a) the person's entry in the register is inaccurate or incomplete in a material particular, and
  - (b) the person has failed, when required to submit an information return under section 5, to provide sufficient information in or accompanying the return to enable the inaccuracy or omission to be rectified.
- (3) Where a person is required to submit an information return under section 5, it is an offence for the person—
  - (a) to fail to do so within the period specified in section 5(6), or
  - (b) to provide information which is inaccurate or incomplete in a material particular.

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**Changes to legislation:** There are currently no known outstanding effects for the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014, Section 12. (See end of Document for details)

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- (4) Where an information notice has been served on a person, it is an offence for the person—
- (a) to fail to supply the required information on or before the date by which the person is required to do so, or
  - (b) to provide information which is inaccurate or incomplete in a material particular.
- (5) It is a defence for a person charged under any of subsections (1) to (4) to show that the person exercised all due diligence to avoid committing the offence.
- (6) A person is taken to have shown the fact mentioned in subsection (5) if—
- (a) sufficient evidence of the fact is adduced to raise an issue with respect to it, and
  - (b) the contrary is not proved beyond reasonable doubt.
- (7) A person guilty of an offence under any of subsections (1) to (4) is liable—
- (a) on summary conviction in Scotland or Northern Ireland, to a fine not exceeding the statutory maximum;
  - (b) on summary conviction in England and Wales, or on conviction on indictment, to a fine.
- (8) In the case of a summary conviction in England and Wales for an offence committed before the coming into force of section 85 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012, the fine under subsection (7) must not exceed the statutory maximum.
- (9) Proceedings for an offence under this Part may be instituted—
- (a) in England and Wales, only by or with the consent of the Director of Public Prosecutions;
  - (b) in Northern Ireland, only by or with the consent of the Director of Public Prosecutions for Northern Ireland.

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**Commencement Information**

**II** S. 12 in force at 1.4.2015 by S.I. 2015/954, art. 2

**Changes to legislation:**

There are currently no known outstanding effects for the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014, Section 12.