

EXPLANATORY MEMORANDUM TO
THE REGISTRATION OF CONSULTANT LOBBYISTS (AMENDMENT)
REGULATIONS

2015 No. 1477

1. This explanatory memorandum has been prepared by the Cabinet Office and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

2.1 This instrument amends the Registration of Consultant Lobbyists Regulations 2015 (SI 2015/379) to replace an incorrect cross-reference in regulation 5(1)(b) of those Regulations.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 This instrument corrects a defect in SI 2015/379 and is therefore being issued free of charge.

3.2 This instrument comes into force on the 28th July 2015, only 19 clear days from the day it was laid, instead of the usual 21 days. This is because of a delay between making the instrument and laying the instrument before Parliament. We note that the Joint Committee, in its recent 17th Report published on 12th January 2015, reported Regulations as being subject to an unjustifiable delay in laying before Parliament.

3.3 We regret the delay between making and laying the instrument and the consequent shortening of the usual time for Parliamentary scrutiny of the instrument before it comes into force. Whilst the delay is undesirable, it is necessary and in the interests of all parties that this instrument comes into force as soon as possible in order to provide legal certainty by correcting a currently defective provision. This instrument is limited to correcting a single defective cross-reference and does not give effect to any change in policy or practice, merely putting beyond any doubt the provision that the cross-reference relates to.

4. Legislative Context

4.1 The Registration of Consultant Lobbyists Regulations 2015 (SI 2015/379) were made to support the implementation of the statutory register of lobbyists, provided by part 1 of

Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014. They were laid on 26 February 2015 and come into force on 1 April 2015.

5. Territorial Extent and Application

5.1 This instrument applies to all of the United Kingdom.

6. European Convention on Human Rights

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

7.1 The sole purpose of these regulations is to correct a defect in regulation 5(1)(b) of SI 2015/379, to replace an incorrect cross-reference to “paragraph (1)”, which would refer to paragraph 1 of regulation 5 of SI 2015/379 itself, with the correct reference to section 5(1) of the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014. No policy issues arise.

8. Consultation Outcome

8.1 As this SI is solely to correct a defect in regulations as set out above, it was not necessary to hold a consultation.

9. Guidance

9.1 Guidance is not necessary.

10. Impact

10.1 A Regulatory Impact Assessment has not been prepared in relation to this instrument as no impact on the private, voluntary or public sectors is foreseen.

11. Regulating small business

11.1 The instrument corrects a minor error and therefore has no impact on small business. In any event the enabling legislation does not apply to businesses not registered under the Value Added Tax Act 1994.

12. Monitoring and Review

12.1 It is not necessary to review this instrument as its sole intention is to correct a defect in regulations, as set out above.

13. Contact

13.1 Katy Budge at the Cabinet Office Tel: 020 72763513 or email: registerlobbyists@cabinetoffice.gov.uk can answer any queries regarding the instrument.