

Wayne David MP
House of Commons
LONDON
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12 September 2013

Dear Wayne

Thank you for your letter dated 29 August regarding the Westminster Government's Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Bill.

I share your concerns about the impact this Bill will have on the ability of charities and third sector organisations, in Wales, to campaign and lobby elected representatives.

That is why I wrote to the then Secretary of State, Cheryl Gillan MP, in May 2012, seeking assurances that the National Assembly for Wales would not be included in any future legislation relating to a register of lobbyists.

I received assurances from the Wales Office that this would be the case. I am pleased to see that the UK Government has fulfilled its commitment on this issue - Part 1 of the Bill, which establishes a register of consultant lobbyists and a Registrar of lobbyists to supervise and enforce the registration requirements, **does not affect the Assembly**. Although the Bill extends to Wales, the requirement to register applies only to consultant lobbyists who lobby UK Government Ministers and Permanent Secretaries.

Therefore, lobbyists groups who target only Welsh Government Ministers and Assembly Members will not be required to register. Nor will in-house lobbyists who work for a charity or other voluntary organisation.

Croesewir gohebiaeth yn y Gymraeg a'r Saesneg/We welcome correspondence in both English and Welsh

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Llywydd
Presiding Officer



You may also be aware that the National Assembly's Standards of Conduct Committee supported my position in April of this year, when it reported that the Assembly already has robust systems in place to ensure transparency and openness in the way that Assembly Members deal with external organisations and individuals.

The Committee recommended a strengthening of guidance to Members on lobbying and the adoption of new rules for the operation of Cross Party Groups (CPGs), but felt that the system was already robust enough to render a register of lobbyists unnecessary at this time.

However, the provisions of the Bill that deal with non-party campaigning do affect campaigning in elections to the National Assembly. I share some of your concerns about the impact on the political process for some Welsh organisations as a result of this Bill. This is not a devolved matter but, as Presiding Officer of the National Assembly for Wales, my duty is to ensure that the right governance structures are in place to ensure openness and transparency for those who engage with Wales's law-making institution. Therefore, I intend to write to the Leader of the Commons to express my concerns. I am pleased to note that the limit for expenditure on non-party campaigns in relation to National Assembly elections remains unchanged at £30,000 in the Bill. However, I am concerned at the radical widening of what is defined as expenditure counting towards that limit, and towards the threshold for registering with the Electoral Commission. I will be raising this point with the Leader of the House.

I should like to clarify two points. In your letter you say that "financial limits on expenditure for "campaigns" in Wales will be substantially less than in England - £2000 [as opposed to] £5000 in England". I am advised that the figures you cite here are not limits on campaign expenditure, but rather limits on the amount that a third party (a person or body other than a political party) may spend on election campaigning before they are required to register with the Electoral Commission.

I am also advised that, although the figure for Wales is lower than for England, this is similar to the present situation where the figure is £10,000 for England and £5,000 for Wales.



Llywydd
Presiding Officer

I also note the concerns that have been raised by third sector bodies such as the WCVA about the definition of 'activities for election purposes' which could capture a range of the day-to-day activities charities carry out, entirely legitimately, as part of their campaigning and policy/advocacy work. This concern is shared by the Electoral Commission which believes that this could have a "significant effect" in Wales. I understand that the UK Government will be amending the Bill to reflect these concerns.

Yours sincerely

+ Best wishes

Rosemary

Rosemary Butler AM
Presiding Officer