

Rt Hon Andrew Lansley CBE MP  
Leader of the House  
House of Commons  
LONDON  
SW1A 0AA

17 September 2013

Dear Mr Lansley

**Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Bill**

As Presiding Officer of the National Assembly for Wales, I am writing to share 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.

In May 2012 I wrote to the then Secretary of State, Cheryl Gillan MP, seeking assurances that the National Assembly for Wales would not be included in any future legislation relating to a register of lobbyists given the robust systems we already have in place. I am grateful that the UK Government has fulfilled its commitment on this issue in that 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.

However, the provisions of the Bill that deal with non-party campaigning do affect campaigning in elections to the National Assembly. I wish to express my concern, which I have communicated to the Secretary of State for Wales, about the impact on the political process for some Welsh organisations as a result of this Bill. I appreciate that this is not a devolved matter but, as

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

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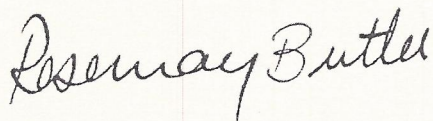
Presiding Officer of the National Assembly for Wales, my duty is to ensure that the right governance structures are in place to ensure openness and transparency for those who engage with Wales's law-making institution.

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. I also understand that the Electoral Commission has indicated that this cap will continue to apply over the four-month period leading up to a National Assembly election (a shorter period than that relating to UK Parliamentary elections). I would appreciate your assurance that this sum will remain unaffected by the Bill.

However, I am concerned at the widening of what is defined as expenditure counting towards that limit, and towards the threshold for registering with the Electoral Commission. I also note that the limits which apply to the amount that a person or body other than a political party may spend on election campaigning, before that person/body is required to register with the Electoral Commission, are proposed to be reduced to £2,000 and £5,000 for Wales and England respectively.

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 amendments are proposed to reflect these concerns and would appreciate any information you may be able to share in this regard.

Yours sincerely



**Rosemary Butler AM**  
**Presiding Officer**

27 SEP 2013

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

Thank you for your letter dated 17 September 2013, regarding concerns you have in relation to the Transparency of Lobbying, Non Party Campaigning and Trade Union Administration Bill. Specifically, you have concerns over the impact the Bill will have on the ability of charities and third sector organisations in Wales.

I would like to address directly the concerns expressed and provide some assurance that it is not the Government's intention for the legislation to impact on charities. Only campaigning by third parties, whether charities, voluntary organisations or community groups, which promotes or procures electoral success or otherwise enhances the standing of parties or candidates would be regulated. This is substantially the same as the current definition.

It is not the intention of the Bill to prevent charities, voluntary organisations or community groups from engaging or influencing public policy. The Bill will bring greater transparency where third parties campaign at an election in a way which supports a particular political party of its candidates, by requiring expenditure on those campaigns to be fully recorded and disclosed.

However, the Government does understand the concern which charities and voluntary organisations have raised. As mentioned, it is not the intention of the Government to make the normal and important work of these groups subject to regulation. The Government confirmed during the committee stage of the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Bill that it will bring forward amendments to ensure the Bill is clear in this respect.

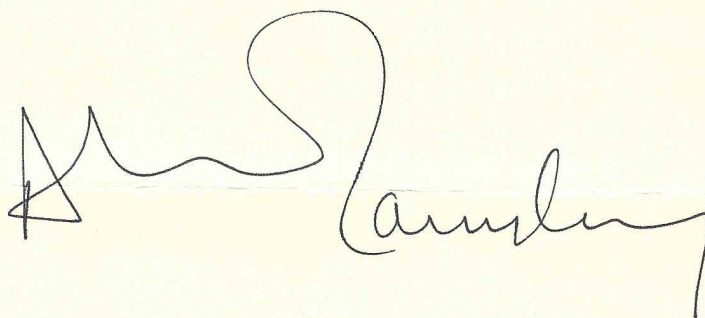
As you note in your letter, the Bill extends the range of activities which count towards controlled expenditure to include rallies, media work and market research. This provision takes forward a recommendation of the independent Electoral Commission in its report '*A regulatory review of the UK's party and election finance laws – Recommendations for change*' published in June 2013.

In relation to the reduced registration thresholds, it is true that this will result in a greater number of third parties having to register their intention to campaign in the political process. If money is to be spent on promoting or procuring the electoral success of a political party or candidate, it is right that those funds are accounted for and transparent.

Finally, I would like to confirm that the Bill does not change the limit of £30,000 that third parties can spend in relation to National Assembly elections. I can also confirm that the cap will continue to apply over the four-month period leading up to a National Assembly election.

I hope this reassures you as to the intent or purpose of the Bill.

Yours ever,

A handwritten signature in black ink, appearing to read 'Andrew Lansley'. The signature is fluid and cursive, with a large loop at the end of the name.

**Rt Hon Andrew Lansley CBE MP**  
Leader of the House of Commons

Rosemary Butler AM  
Presiding Officer  
National Assembly for Wales