



HOUSE OF COMMONS
LONDON SW1A 0AA

Tam McFarlane
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South West Region
158 Muller Road
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Houses of Parliament
London
SW1A 0AA

9th September 2013

Dear Mr McFarlane,

Many thanks for your letter about the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Bill, or the Lobbying Bill.

The Government is legislating to introduce a statutory register for consultant lobbyists. However, Andrew Lansley himself has noted that the register will not cover every conceivable form of lobbying and this is not the purpose of the Bill. The Government has always been clear that the purpose of the register is to increase transparency in the lobbying industry, not to add unnecessary burdens on what can be a very sensible practice.

Working as I do with a number of charities in the field of disability, I am a keen supporter of the vital role that campaign groups and charities play in our political process. The Government has made it clear that this should continue.

The previous Government passed an Act in 2009 that regulated activity in the run-up to General Elections; this included 'third parties' such as unions and charities. The Bill contains provisions to develop these existing laws in a way that is designed to encourage a level playing field.

I am obviously concerned about any fetter on the freedom of charities and campaigning organisations, including Trade Unions, to debate and discuss vital issues, but where activities amount to an involvement in the electoral process, these activities should be properly accounted for.

The Lobbying Bill will not affect current Charity law, which prohibits charities from engaging in party politics, from party political campaigning, from supporting political candidates and from undertaking political activity unrelated to the charity's purpose.

Charities will still be able to give support to specific policies which may also be advocated by political parties, if it helps achieve their charitable purposes. The Bill does not seek to regulate unions that simply engage with the policy of a political party. It does not prevent charities having a view on any aspect of the policy of a party. It does not inhibit charities attempting to influence the policy of a party.

Such activity would only come within these provisions if it was carried out in such a way that it could be seen to also promote the election of a political party or candidate, or otherwise enhance their standing at an election. This is the same as under current legislation and it remains unchanged by this Bill.

As you may also be aware, Andrew Lansley met the Chief Exec of the NCVO and some other bodies at the start of this week, resulting in amendments to Part 2 of the Bill that will define "controlled expenditure" by third parties for the purposes of the Act as expenditure "which can reasonably be regarded as intended to promote or procure electoral success", which is the definition under the existing legislation. These amendments will be tabled to the Bill, I understand.

I welcome the Government's decision to limit the amount third parties can spend to support a political party. If third party events or literature are specifically supporting a particular candidate, it is only right that their expenditure counts towards the political party that they are supporting. This is to ensure fairness and certify that third party expenditure is controlled in the same way as political parties currently are.

The Lobbying Bill is not an attack on trade unions. It is about trade unions knowing who their members are, and the union members and general public having confidence in these records. The Government is simply building on the existing principle that trade unions are required to keep membership records accurate and up to date. They are designed to strengthen their accountability and transparency to union members and the public.

With regards to your point about regulation of industrial action, we are not amending the requirements around industrial action ballots. The requirement to keep a list of member names and addresses is distinct from the duties a union must comply with when balloting for industrial action. The membership

ROBERT BUCKLAND MP



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information dealt with in these provisions does not form part of the information a union must provide to an employer in advance of a ballot on industrial action.

Thank you once again for getting in touch.

Yours sincerely,

A handwritten signature in blue ink that reads "Robert Buckland".

Robert Buckland MP

