

The Lobbying Act

What you need to know



1.

The starting point

As a charity, the IET cannot engage in party political activity. The IET does not seek to lobby for or on behalf of any political party or candidate.

2.

The Lobbying Act

The snappily-titled *Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014* (aka the Lobbying Act) is in force and affects what can and can't be said by organisations and their staff and members (including volunteers) up until the General Election on 7 May. It can catch activity that might not normally be regarded as "political".

What does the Lobbying Act say?

3.

The Lobbying Act imposes (quite low) limits on what "third party campaigners" (such as the IET) can spend on "lobbying". Lobbying is activity "that can reasonably be regarded as intended to influence voters", so there is potential to be inadvertently caught. The Electoral Commission has said that activity may be caught "even if it doesn't name a particular party or candidate".

Set out below are some practical pointers you need to bear in mind between now and the General Election.

Tone of our activity and materials

If materials and activities in the IET's name focus clearly on the subject of the relevant IET campaign, this is less likely to be regulated. For example, a campaign regarding a particular piece of legislation, focussing on the content of the legislation itself and why the IET is in favour of/opposes it, is less likely to come within the rules. However, a more overt link to parties/candidates and their prospects at the election (such as a call to support candidates which support the IET's position, or oppose those that do not, or a comparison of the parties' positions) is more likely to be caught by the rules.



Context and timing

Context will always be important. If the IET's activities coincide with specific events which would make it logical for the IET to campaign on the same issue at the same time, this is less likely to be caught. If, however, close to polling day the IET were to campaign on an issue which is publicly supported or opposed by a particular party (eg by publishing a response to that party's position), this is more likely to be seen as supporting or criticising that party and therefore caught by the legislation.

Calls to action

Encouraging people to lobby their MP generally will not be regulated. Asking people to support a particular party, or boycott another, because it supports or opposes the IET's position, is more likely to be caught.

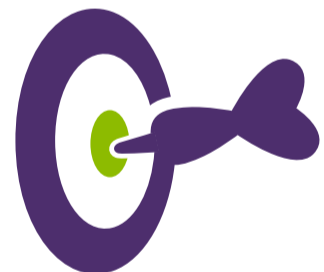


Increases in activity

If a particular party or candidate comes out in favour of, or in opposition to, a particular issue which the IET is campaigning on, and the IET alters or increases its campaigning activity on that issue in response, this might be seen as supporting or opposing that party or candidate - so avoid making any campaigns overtly reactive to the positions or statements of political parties or candidates.

Focus on the campaign message, not the parties

Try to keep the focus on the central message of the relevant IET campaign, rather than appearing to advocate support or opposition for a particular party or candidate. Avoid responding to statements by parties or candidates by publicly endorsing or opposing the relevant statement. Outlining each party's policy is OK, but explicit comparisons must be avoided.

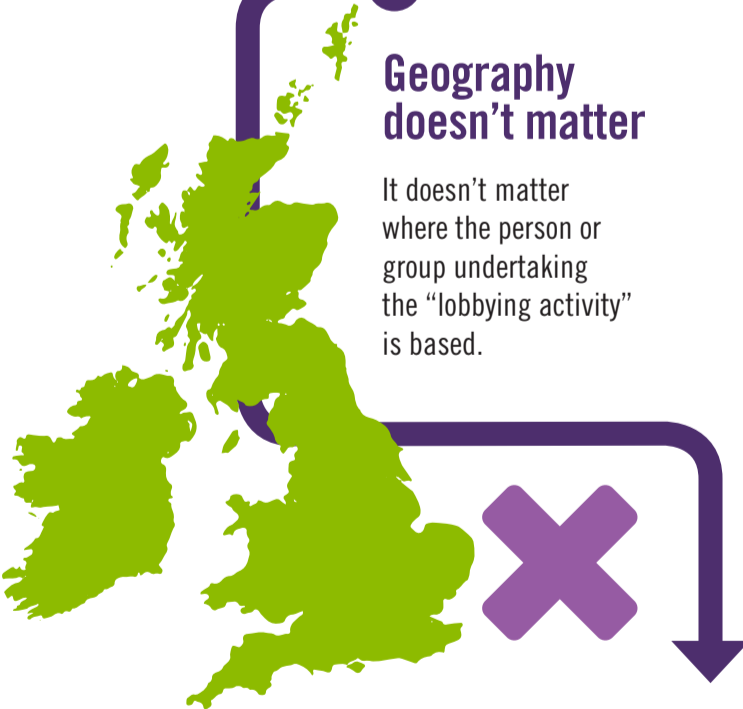


Geography doesn't matter

It doesn't matter where the person or group undertaking the "lobbying activity" is based.

The "man on the Clapham omnibus"

The IET's actual (subjective) intention with regards to a campaign or activity will be irrelevant. What will count is whether the "reasonable person" would regard the campaign or activity as "reasonably regarded as intended to promote or procure electoral success". Always try and put yourself in the position of a "reasonable" member of the general public, or ask someone not connected with the IET how they would interpret any planned activities.



Electoral Commission and Charity Commission guidance

Guidance published by the Electoral Commission can be found here: [Electoral Commission](#).
Guidance published by the Charity Commission can be found here: [Charity Commission](#)



Seek advice

The fact that activities may be regulated doesn't necessarily stop them going ahead, but taking advice early will help ensure the IET complies with its legal requirements. If you have any doubts about whether an activity you are planning may be caught by the Lobbying Act, please email publicaffairs@theiet.org

Practical examples

Below are some examples which may help determine if activities are likely to be regulated or not. These are for illustration only, and advice should still be sought if there are any concerns as to whether activities are regulated.

- An article, not an advert, written by a representative of the IET talking about a particular engineering issue in the UK.
- A campaign to encourage the UK government to engage on a particular issue.
- A campaign directly critical of an MP or their track record on a particular issue.
- Requiring candidates to complete a questionnaire showing where they stand on a particular issue.
- Endorsing or criticising a viewpoint of a particular named political party or politician.