

Office of the Registrar of Consultant Lobbyists

Summary of investigation

August 2019 to January 2020

Organisation or person investigated: Acumen Public Affairs and Hering Schuppener

Matter(s) investigated: Whether these organisations should have included themselves on the UK's statutory Register of Consultant Lobbyists.

Registrar's decision: Neither organisation is required to declare themselves on the UK's Register of Consultant Lobbyists, as they do not meet that part of the statutory definition of consultant lobbying which relates to UK VAT registration.

Summary of rationale for decision: Section 2(1)(b) of the Transparency of Lobbying [etc] Act 2014 provides that a person carries on the business of consultant lobbying if, amongst other criteria, "the person is registered under the Value Added Tax Act 1994". Neither organisation appears to provide goods or services in the UK, and they are instead registered for VAT in Belgium and Germany respectively. Accordingly, neither can be said to be registered under the UK's Value Added Tax Act 1994.

Chronology:

13 August 2019	Notification received from a third party that the two organisations had been noted as attending a meeting in November 2016 with Lord Price, then a Minister in the Department for International Trade
5 September 2019	Letters sent from Registrar to Acumen Public Affairs, Hering Schuppener. Explained remit of Registrar, legislation and guidance on consultant lobbying, and indicative evidence received, and asked for a response. Registrar also seeks further details of the November 2016 meeting from the Department for International Trade.
6 September 2019	Reply received from Acumen Public Affairs, stating that they did not consider themselves as required to register, as the 'meeting' was part of an event organised by the British Chamber of Commerce in Belgium, to which they and others had been invited.
19 September 2019	Reply from Hering Shuppener, confirming information received from Acumen. Also added that there was no specific or bilateral 'meeting' as part of the event, and that they were not registered under the VAT Registration Act 1994.
22 October 2019	Noting that both organisations display VAT registration numbers, but with prefixes of BE and DE respectively, Registrar seeks legal advice on meaning and application of "registered under the Value Added Tax Act 1994" statutory provision.

4 November 2019	Legal advice received by Registrar.
28 January 2020	Registrar makes final determination.