

Office of the Registrar of Consultant Lobbyists

Summary of investigation

August to September 2021

Organisation or person investigated

The Conservative & Unionist Party, The Conservative Foundation Limited, C&UCO Properties Limited, C&UCO Services Limited, C&UCO Management Limited and any other company or organisation controlled by The Conservative Party or any of these companies (“the parties”).

Matter(s) investigated

Whether the parties are unregistered consultant lobbyists, with particular reference to the Advisory Board and the Leaders Group.

Registrar’s decision

Based on the information provided by the parties and on substantive assurances on behalf of each of the entities, I conclude that they have not been engaged in consultant lobbying activity.

Summary of rationale for decision

The Conservative Party (“the Party”)

The Party falls within the exception in schedule 1, part 1, paragraph 2 of the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (‘The Act’):

A person does not carry on the business of consultant lobbying if (a) the person acts generally as a representative of persons of a particular class or description, (b) the income of the person derives wholly or mainly from persons of that class or description, and (c) the making of communications within section 2(3) on behalf of those persons is no more than an incidental part of that general activity.

Had the exception not applied, it is likely that some of The Conservative Party’s activities would have been consultant lobbying under the definitions provided in the Act.

The Conservative Party Foundation (‘the Foundation’)

I have no evidence of any activity by the Foundation that might constitute registrable communications under the Act.

The limited companies

C&UCO Properties Limited is a holding company; C&UCO Services Limited is dormant; and C&UCO Management Limited has no income.

Chronology

Date	Action
July and August	Media reports suggesting The Conservative Party arranges access to government Ministers for participants in the Advisory Board.
6 August	Formal letter from the Registrar to The Conservative Party and the other parties giving background on the requirement for registering; asking if their activities in general fall within the criteria to be registered; and in particular with reference to the Advisory Board and the Leaders Group.
17 August	Holding response from The Conservative Party, explaining they will respond on 23 August.
18 August	Email from the Registrar to grant an extension to response deadline.
23 August	Response providing further information on The Conservative Party and related entities and expressing the view that the Act's exception for representative bodies applies (Schedule 1, Part 1, Paragraph 2).
26 August	Letter from the Registrar requesting further information regarding the Advisory Board and Leaders Group.
3 September	Letter from The Conservative Party providing further detail regarding the Advisory Board and Leaders Group, with specific reference to their funding through membership.
6 September	Letter from the Registrar to clarify the legal status of the Conservative Foundation and its relationship with The Conservative Party; and to ask which organisation participants in the Advisory Board and Leaders Group make payments to.
9 September	Letter from The Conservative Party providing further information in response to the letter 6 September.
13 September	Investigation closure letter from the Registrar with his decision. The Registrar noted that some of the Conservatives Party's activities connecting donors and ministers are likely to have been registerable under the Act if the exception had not applied and advising caution in case circumstances arise under which the exception did not apply. It is unlikely that the Foundation could take advantage of the exception in schedule 1, part 1, paragraph 2 of the Act.

13 September 2021

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