

# Summary of investigation

April – September 2022

## Organisation or person investigated

ASJ Properties Limited (“ASJP”)

## Matter(s) investigated

Whether ASJP, through Mr Samir Jassal, is an unregistered consultant lobbyist

## Registrar’s decision

ASJP, through Mr Jassal, did not conduct unregistered consultant lobbying activities, based on information provided and assurances given.

## Summary of rationale for decision

Mr Jassal disclosed emails sent between May 2020 and March 2021, variously to the then Secretary of State for the Home Department, the Secretary of State for Health and Social Care and the Minister for Pacific and the Environment which were clearly communications with ministers about the exercise of a function of government on behalf of a client.

However, ASJP had a contingent fee arrangement with their client, so that a fee was only paid if their activity resulted in a contract with government. Mr Jassal, on behalf of ASJP, has provided unequivocal assurance through their solicitor that neither he nor ASJP received payment of any kind as defined by the Act or described in my formal guidance in relation to any of the matters discussed in the emails. Unpaid activities do not require registration under the Act and I have therefore concluded that the email communications did not constitute registrable consultant lobbying.

## Chronology

Date	Action
5 April	Formal letter from the Registrar to Mr Jassal giving background on the requirement for registering and asking if his activities fall within the criteria for registration. In particular, but not limited to, communications on behalf of Pharmaceuticals Direct Limited (“PDL”).
14 April	Email from Mr Jassal apologising for not responding and requesting a deadline extension.

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Date	Action
20 April	Email from the Registrar agreeing to extend the deadline.
26 April	Email from Mr Jassal requesting a further extension to the deadline.
26 April	Email from Office giving Registrar's agreement to the extension.
6 May	Letter from Mr Jassal to the Registrar giving background and explaining that his work with PDL was via a consultancy agreement with Dymon Cap Limited ("DCL") and his name was published as the PDL contact for government PPE contracts in error and was subsequently removed. Stating that he did contact the Home Secretary and introduced PDL's sales representative regarding a cancelled contract for KN95 masks; he emailed the Secretary of State for Health and Social Care either directly or indirectly six times; and copied the Minister for Pacific and the Environment into an email regarding Rapid Antigen tests. His view is that he is not a consultant lobbyist as there was no understanding or agreement that PDL would benefit from his contacts; and he carries on a business that consists of mainly non-lobbying activities and the emails to ministers were incidental.
1 June	Letter from the Registrar to Mr Jassal requesting copies of agreements with DCL and PDL; copies of the communications detailed in Mr Jassal's letter of 6 May; asking why emails had been sent to ministers who were not at DHSC; and whether payment was made, and if so, whether it was to a VAT registered entity.
15 June	Letter from Mr Jassal responding to the questions of 1 June: agreements between ASJP and DCL were oral; providing copies of the emails outlined in his letter of 6 May; stating that he contacted the Home Secretary as he required an urgent response; he contacted an FCDO Minister because FCDO was supporting the supply chain for foreign procurement contracts and the Minister was included as a way to ensure the email was sent to the relevant FCDO staff; and his payments made by PDL were to DCL who then paid ASJP, which is VAT registered.
11 July	Letter from the Registrar asking further questions about the agreement between ASJP and DCL; about payments from PDL (or Eastspring Trade Cap Limited); and any direct payments from PDL, its subsidiaries or Mediport Limited.
19 July	Email from Mr Jassal letting the Office know that he expects to be able to respond substantively by 22 August.
15 August	Letter from Mishcon de Reya, Mr Jassal's solicitors, to the Registrar confirming that that Mr Jassal provided his services on a without charge basis and was paid a percentage of any successful contract by DCL; questioning the basis on which ORCL is entitled to ask about payments and letting the Registrar know

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Date	Action
	which contracts ASJP did receive payment for; that no direct payments were made by the other companies in the Registrar's letter of 11 July; and that Mr Jassal's conduct does not fall within the definition of consultant lobbying.
13 Sept	Letter from the Registrar to Mishcon de Reya stating that he requires Mr Jassal's unequivocal assurance that neither he personally nor ASJP has received payment of any kind as defined by the Act or described in the Registrar's guidance, in relation to any of the matters discussed in the relevant emails provided on 15 June. That in giving such assurance, he should consider an article by The Good Law Project dated 28 May 2021, appearing to link Mr Jassal's communications to a successful contract. Finally, giving the grounds on which the Registrar is entitled to ask for information about payments.
22 Sept	Letter to Registrar from Mishcon de Reya giving Mr Jassal's unequivocal assurance that neither he nor ASJP received any payments, as defined by the Act or guidance, in relation to the relevant emails shared on 15 June.

26 September 2022  
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