



IFA SUBMISSION

**TO THE PUBLIC CONSULTATION ON THE FIRST REVIEW OF THE OPERATION OF THE
REGULATION OF LOBBYING ACT 2015**

September 2016

Background Information

The Irish Farmers' Association (IFA) is a professional representative organisation with a membership of over 75,000 farmers.

The Association is recognised nationally, in Europe and internationally as the main national representative organisation for Irish farmers.

Objects of the Association

The objects of the Irish Farmers' Association are clearly set out in its Constitution and Rules¹ as follows:

- a) To promote, foster and develop agriculture in all its Branches including horticulture, arboriculture, mariculture and farm tourism by doing all such things as are, or may be incidental and conducive thereto, including affiliation to such National and International Organisations as shall be deemed appropriate, provided always that it shall remain non-sectarian and shall not sponsor, put forward or support any candidate for political office.
- b) To secure an adequate living, evolving in line with prevailing standards, economic and social, for the maximum number of families living on the land in Ireland as enshrined in Article 45 of Bunreacht na hEireann and within the European Community in Article 39 of the Treaty of Rome (EEC) and economic and social cohesion within the European Community required by Title V Part Three of the European Community Treaties.
- c) To have effective negotiating rights for farmers and farm families and full recognition by the Irish Government and the Institutions of the European Community.
- d) To represent, advance and protect the particular interests of members, both collectively and where appropriate individually, and to develop services for members and the direct benefits of IFA membership.
- e) To promote and defend the particular interests of the farming community.
- f) To improve the expansion of industrialisation and the development of tourism, fishing, forestry and other activities beneficial to rural areas.
- g) To improve the conditions of rural life generally.

Democratic Structure

The Association is a voluntary organisation of farmers and has a democratic structure of representation to ensure the views of members are effectively represented at local, county and national level.

Branches -the Association's 947 Branches are the basic organisational unit in IFA, providing a countrywide network, reaching into every parish across rural Ireland. Each branch elects four delegates to represent the branch at county executive level. The Association has over 3,700 officers nationally.

¹ IFA Constitution and Rules

County Executives - the Association's 29 County Executives provide the link in each county between the membership in the Branches and the organisation at national level. Each County Executive is led by a County Chairman. The job of the County Executives is to canvass the views of members and Branches on policy and other issues, and to represent those views within the Association, through the various National Committees and at the Executive Council.

Executive Council - the 53-member Executive Council is the national governing body of the IFA, bringing together the democratically elected County Chairmen, National Committee Chairmen and National Officers under the leadership of the President.

President - the President is at the head of the organisation, democratically elected by the ordinary members as leader and chief spokesman of IFA.

Professional Staff - the General Secretary is the Chief Executive Officer of the Association and is supported by 13 executive staff based in head office and 10 regional development officers based in IFA offices around the country. IFA also has an office in Brussels and a European Director.

IFA recognises the objective of the Regulation of Lobbying Act 2015 to achieve greater transparency in regard to the lobbying of office holders and public officials on matters of public policy and other relevant decisions.

Lobbying is a legitimate activity which plays an important role in the efficient functioning of a modern democracy.

IFA has at all times held the position that it is essential that this new legislation does not place excessive, impractical or costly requirements on bodies engaged in legitimate lobbying.

Transparency on Policy and Activities

As a voluntary body in civil society, with a national network, IFA is a transparent and democratically structured representative organisation.

The Association is solely involved in the legitimate pursuit of the interests of its members.

IFA acts openly on behalf of its members. Our submissions, policy proposals and views are widely published in the farming, local and national media and online. All public submissions and all media releases are placed in the public domain and are available on the Association's website.

In addition, IFA regularly makes written communications to Government Ministers and senior civil servants on issues relating to the food and agriculture sector and the wider rural economy. All of these communications can be accessed through the Freedom of Information route and are therefore accessible to the media and available for public scrutiny.

Regulation of Lobbying Advisory Group

IFA has at all stages, both in the passage of the legislation through the Houses of the Oireachtas and in its implementation through the Regulation of Lobbying Advisory Group, been constructive and pro-active in our efforts to be compliant.

The establishment of this Group has been worthwhile and provides the opportunity to address some issues of concern on the day to day operating of the web based register.

IFA Recommendation: that the review of the legislation maintains the Advisory Group, which assists lobbyists in being compliant with the Act. The Group should be tasked with making recommendations to the Minister for Public Expenditure and Reform on an on-going basis, to ensure that the legislation is relevant and delivering what it set out to achieve.

Lobbying Returns

As per the legislation², IFA has made returns for the three periods as required - 1 September to 31 December 2015, 1 January to 30 April 2016 and 1 May to 30 August 2016. To ensure IFA's compliance with the legislation, we have invested considerable time and effort in the on-going training and support for our staff in completing returns on www.lobbying.ie

Nevertheless, IFA wishes to record that the new legislation has placed a heavy administrative and costly burden on the Association.

² Regulation of Lobbying Act 2015

IFA has conveyed to the Advisory Group short-comings in the web register/programme which are making it very difficult for organisations like IFA to file a concise accurate return, without duplications. We recognise that some improvements have been made in this area.

IFA Recommendation: that the review of the legislation must take into account the difference between an organisation of the size of IFA, carrying out legitimate lobbying, and other lobbyists, to reflect the magnitude of the lobbying being carried out. IFA is seeking simplification and a reduction of the compliance burden for registered lobby representatives.

As it is set up, IFA has 34 staff members throughout the country feeding into the IFA register. The limitations of the programme have given rise to a lot of difficulties and frustrations in IFA over the past year, as we tried to perfect our returns and be fully compliant.

Designated Public Officials (DPOs)

As per the legislation, there is an obligation on public bodies that employ DPOs to publish on their websites listings showing the name and grade of designated public officials. This requirement in the Act is important to assist in compliance with the legislation, and it is the only requirement placed on public officials. Regrettably, listings are not updated and thereby make filing returns difficult and lend to inaccuracies.

IFA Recommendation: that SIPO must actively follow up on public bodies that do not keep their DPOs listings updated.

Extension of Designated Public Officials

There is provision in the Regulation of Lobbying Act 2015 to extend the Designated Public Officials to below 'Assistant Secretary' grade. For IFA, this would impose sizable administration requirements on the organisation as the number of civil servants captured by the legislation would quadruple.

IFA Recommendation: that the review of the legislation must not result in any extension of the DPOs to Principal Officers and others and that this matter can be reviewed again in 2019.

Groups not covered by the Legislation

The Act³ provides for lobbying activities of representative organisations like IFA as follows:

"the person has one or more full-time employees and is a body which exists primarily to represent the interests of its members and the relevant communications are made on behalf of any of the members"

IFA Recommendation: IFA believes that, in the interests of fairness to all lobbyists, that sectoral groups with no official status and no employees, would be covered by the legislation and be responsible for reporting their lobbying.

Access to Leinster House

There is no official record of lobbyists entering Leinster House. Also, lobbyists who were once members of the Oireachtas, do not have to get prior approval to enter the house from a current sitting member.

IFA Recommendation: In the interest of transparency, there should be an official register of lobbyists who would have access to Leinster House, similar to that available in the European Parliament. This would ensure a level playing field for all.

³ Regulation of Lobbying Act 2015 Part 1, Section 5 (2) (b)