

## **A guide to the Registration of Lobbying Bill 2014**

### **Objective of the Bill**

The key objective in introducing a register of lobbying is to make information available to the public on the identity of those who are communicating with Government and senior civil and public servants on public policy matters.

The Bill will establish a web based registration system of lobbying activity which will tell us

“Who is lobbying whom about what?”

### **How will this work?**

Lobbyists (the “**who**” in the question) are defined in the Bill as

- Employers or their staff (where the employer has more than 10 employees),
- 3<sup>rd</sup> party lobbyists (those who are paid by a client to lobby on the clients behalf), or
- Anyone lobbying about the development of zoning of land.

The lobbied (the “**whom**” in the question) are referred to in the Bill as designated public officials and are defined in the Bill as

- Ministers and Ministers of State,
- Members of Dáil Éireann and Seanad Éireann,
- Members of the European Parliament for constituencies in the State,
- Members of local authorities,
- Special Advisers, and
- Public servants as prescribed (initially this will be Secretaries General and Assistant Secretaries in the Civil Service and equivalent grades in local authorities).

The matters about which lobbyists are communicating with the lobbied (the “**what**” in the question) are defined in the Bill as communications about

- The initiation, development or modification of any public policy or programme,
- The preparation of legislation, or
- The award of any grant, loan, contract etc.

(apart from matters relating only to implementation of any such policy, programme, enactment, award, etc. or matters of a technical nature).

So when a lobbyist communicates with one of the lobbied about one of the listed matters then the lobbyist must register on the lobbying register.

Once registered, the lobbyist will have to make a return of their lobbying activities 3 times a year (at the end of April, August and December).

### **What type of information will a lobbyist have to put on the register?**

#### Registration Details

- (a) The person's name (i.e. the name of the business, corporate body, etc. conducting lobbying activities);
- (b) The person's business address or if there is no business address the address at which the person normally resides;
- (c) The person's business or main activities;
- (d) Any e-mail address, telephone number or website address relating to the person's business or main activities;
- (e) Any registration number issued to the person by the Companies Registration Office; and
- (f) (If a company) the person's registered office.

#### Return Details

- (a) The names of any public service body and the designated public officials communicated with;
- (b) The subject of the lobbying communications and the results they were intended to secure;
- (c) The extent and type of lobbying activities (while this doesn't require details of each individual contact, the information supplied must be sufficient to meet the transparency objectives of the Bill);
- (d) The name of the person who has primary responsibility for carrying on lobbying activities within the organisation;
- (e) The name of any person who is or was a designated official, who is employed by or providing services to the registered person, and is engaged in lobbying activities; and
- (f) 3<sup>rd</sup> party lobbyists will also have to provide information about their clients similar to the information required under 'registration details' above.

### **Who will the Registrar be?**

The Standards in Public Office Commission will be the Registrar. They will oversee the implementation of the register, monitor compliance, provide guidance and assistance and where necessary investigate and pursue breaches of legal requirements in due course.

### **When will the Register come into operation?**

It is expected that the Bill will be published on Friday 20<sup>th</sup> June 2014. The passage of the Bill through the Houses will be progressed in the autumn.

Once the Bill is enacted a period of time will be required prior to commencement of the legislation to enable development of the IT and information systems which will support the registration process. The Department of Public Expenditure and Reform is currently

working closely with the Standards in Public Office Commission on these issues. Following publication it is intended to establish an Advisory Group composed of relevant experts and key stakeholders who will be in a position to provide information and guidance that will assist in the smooth implementation of the legislation.

The timeframe for the regulatory provisions of the Bill to come into operation will depend, in the first instance, on the timeframe for the enactment of the Bill by the Oireachtas following Government approval. We anticipate commencement of the Act in mid-summer 2015.