

Positive Early Results

Results of first returns deadline (21 January 2016):

Number of registrants: **1,131**

Number of returns: **2,512**

Top 10 public policy areas cited in returns:

- Health: **312**
- Justice and Equality: **183**
- Finance: **158**
- Agriculture: **150**
- Housing: **149**
- Economic development and industry: **128**
- Education: **120**
- Development and zoning: **110**
- Environment: **106**
- Transport: **97**

“The information available on the register provides the Irish public with unprecedented insight into the role that lobbying plays in shaping policy and funding decisions.”

Commission Chairperson
Mr. Justice Daniel O’Keeffe

Deadlines to Submit Returns

Relevant period:

1 January to
30 April

*Return due
21 May*

Relevant period:

1 May to
31 August

*Return due
21 September*

Relevant period:

1 September to
31 December

*Return due
21 January*

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Highlights of the Annual Report 2015

In regard to the
Regulation of
Lobbying Act 2015



Overview of the Regulation of Lobbying Act

The Regulation of Lobbying Act 2015 provides that if a person who falls within the scope of the Act communicates with a designated public official about a relevant matter, it is lobbying. Anyone lobbying must register and submit regular online returns of lobbying activity.

The register itself is a web-based system. There is no cost to register, to submit returns or to access the information contained therein. While the Commission has oversight responsibility for the establishment and maintenance of the register, the content is driven by the information contained in the registrations and returns submitted by registrants.

Persons within the scope of the Act include:

- persons with more than 10 employees,
- representative bodies and advocacy bodies with at least one employee,
- third parties communicating on behalf of a client (who fits one of the above criteria) in return for pay, and
- anyone lobbying about the development or zoning of land.

The Three-Step Test

To be considered lobbying, all components of the following three-step test must be met:

1. The person communicating must fall within the scope of the Act
2. The communication must be made personally (directly or indirectly) to a designated public official
3. The communication must concern a relevant matter.

If all three components of the test are met, it is lobbying.

If you are lobbying, you must register and submit regular returns of lobbying activity on the online Register of Lobbying.

Designated public officials include Ministers and Ministers of State, Members of Dáil Éireann and Seanad Éireann, Members of the European Parliament for Irish constituencies, and Members of Local Authorities. The category also includes Special Advisors and the senior-most civil and public servants which have been designated by Ministerial order.

A relevant matter is one to do with the initiation, development or modification of any public policy or of any public programme, the preparation of an enactment; or the award of any grant, loan or other financial support, contract or other agreement, or of any licence or other authorisation involving public funds. Matters dealing with the zoning and development of land are relevant communications. The Act provides for a number of exemptions to what is considered a relevant matter, which are set out in section 5(5) of the Act.

Anyone who is lobbying must register and submit returns three times per annum, covering prescribed periods (1 January – 30 April, 1 May – 31 August, and 1 September – 31 December). The return must indicate who was lobbied, the subject matter of the lobbying activity and the results the person was seeking to secure, the type and extent of

activity, the name of any person in the lobbying organisation who is or was a designated public official and carried out lobbying activity, and, if relevant, information about any client on whose behalf they are lobbying.

The Act also provides that specific classes of designated public officials (namely Ministers and Ministers of State, special advisors and public and civil servants) are subject to a one-year post-employment cooling-off period, during which they must not engage in specific lobbying activities.

While the Act does contain a number of investigative and enforcement provisions, those will not come into effect until the one-year anniversary of the commencement. The focus in the first year is on education, outreach and encouraging compliance.

Finally, the Act provides for a legislative review, scheduled to take place one year after commencement. The review will be led by the Minister for Public Expenditure and Reform, who may then consider possible amendments to the Act.

For more information, visit our website at:

lobbying.ie

Key Features of the Act:

- Independent lobbying registrar (Standards in Public Office Commission)
- Persons lobbying must register and submit returns within 21 days of end of first relevant period in which they lobby
- Web-based public registry
- Post-employment restrictions for some classes of designated public official
- Investigation and enforcement provisions for contraventions of the Act
- Legislative review

Key Operational Statistics 2015

- 1 Determinations under section 14 made or in force (**delayed publication requests**)
- 0 Investigations under section 19 concluded (**not in force**)
- 0 Applications for consent under section 22 (**post-employment restrictions**)
- 0 Convictions for offences under section 20 (**not in force**)
- 0 Fixed payment notices served under section 21 (**not in force**)

Date of Commencement of Act:
1st September 2015