



Regulation of Lobbying in

2018

Annual Report



Coimisiún um Chaighdeán in Oifigí Poiblí
Standards in Public Office Commission

Standards in Public Office Commission

18 Lower Leeson Street
Dublin 2
D02 HE97

Telephone: (01) 639 5722
Email: info@lobbying.ie
Website: www.lobbying.ie
Twitter: [@LobbyingIE](https://twitter.com/LobbyingIE)

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Foreword and Introduction

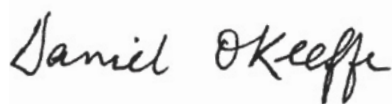
In accordance with the provisions of section 25(1) of the Regulation of Lobbying Act 2015, I am pleased to submit the Standards in Public Office Commission's Annual Report on the Regulation of Lobbying in 2018 to be laid before each House of the Oireachtas.

This report provides information on the Commission's activities in administering the Regulation of Lobbying Act 2015.

This past year, the Commission continued to oversee lobbying registrations and returns, published a Code of Conduct for persons carrying on lobbying activities, issued a number of decisions under the Act's provisions in respect of post-employment, delayed publication and removal of information from the Register, and conducted investigation and enforcement activities. The Commission also reached out to various stakeholders, domestic and international, in order to share information and exchange best practices.

The second review of the Act by the Minister for Finance and Public Expenditure & Reform is scheduled to take place later this year. The Commission looks forward to making a submission to the review. While generally the Act is working well, there are areas where the Commission considers it might benefit from amendment or clarification. These are enumerated in this report.

I wish to extend my sincere thanks to my fellow Commissioners and to the Secretariat of the Standards Commission for their work over the past year.



Justice Daniel O'Keeffe
Chairperson
Standards in Public Office Commission
June 2019



Justice Daniel O'Keeffe
Chairperson

The Standards in Public Office Commission

The Commission is an independent body established in December 2001 by the Standards in Public Office Act 2001. It has supervisory responsibility for several statutes dealing with ethics in public office, electoral regulation and political funding and financial reporting.

There are six members of the Commission, which is chaired by a former judge of the High Court. The members of the Commission are:

- Justice Daniel O’Keeffe, Chairperson;
- Seamus McCarthy, Comptroller and Auditor General;
- Peter Tyndall, Ombudsman;
- Peter Finnegan, Clerk of Dáil Éireann;
- Martin Groves, Clerk of Seanad Éireann; and
- Jim O’Keeffe, Former member of Dáil Éireann.

The Secretariat to the Commission is provided by the Office of the Ombudsman.

Statement by the Head of Ethics and Lobbying Regulation

When the Regulation of Lobbying Act commenced in 2015, there was some trepidation among stakeholders that the Act would create a chilling effect; that lobbying would come to a halt due to the reluctance of those lobbying to comply or public officials unwilling to engage.



Sherry Perreault
Head of Ethics and Lobbying Regulation

Fast forward to 2019. We see a robust system, with more than 1,800 registrants and in excess of 30,000 returns on the Register. Lobbying is clearly alive and well in Ireland – and so it should be. Lobbying helps shape public policy, program parameters, decisions regarding public resources and how our towns, cities and countryside will be developed. It serves to provide public officials with the information needed to do their jobs effectively.

What has changed in the past three-plus years is that compliance is becoming the norm. This is due in part to the inevitable increase in familiarity with the Act over time, and the fact that information continues to spread organically across sectors. It is also due to ongoing efforts to encourage compliance through education, guidance, and, when necessary, enforcement.

The Commission exists to promote transparency and accountability in Irish public life. We apply the same principles to our own activities, and seek to ensure good governance internally. An external audit was conducted in 2018 and found that the Commission's procedures were robust and appropriate, reflecting our emphasis on solid frameworks and a consistent and common sense approach to regulation.

While these results are encouraging, more remains to be done. Registration in Ireland's less populous counties remains disproportionately low, and some sectors are under-represented on the Register. The Commission continues its tailored outreach, and its work to ensure that supports, including online tools, are in place to help people understand how to comply.

The next legislative review of the Act is scheduled to take place in 2019. It is hoped that amendments will be made to strengthen the Act and further enhance transparency and accountability. We look forward in the coming year to continuing to raise awareness of the Act and the Commission's new Code of Conduct for persons carrying on lobbying activities.

I wish to take this opportunity to thank the staff of the Commission Secretariat, who have provided excellent support to the Commission and to myself over this past year.

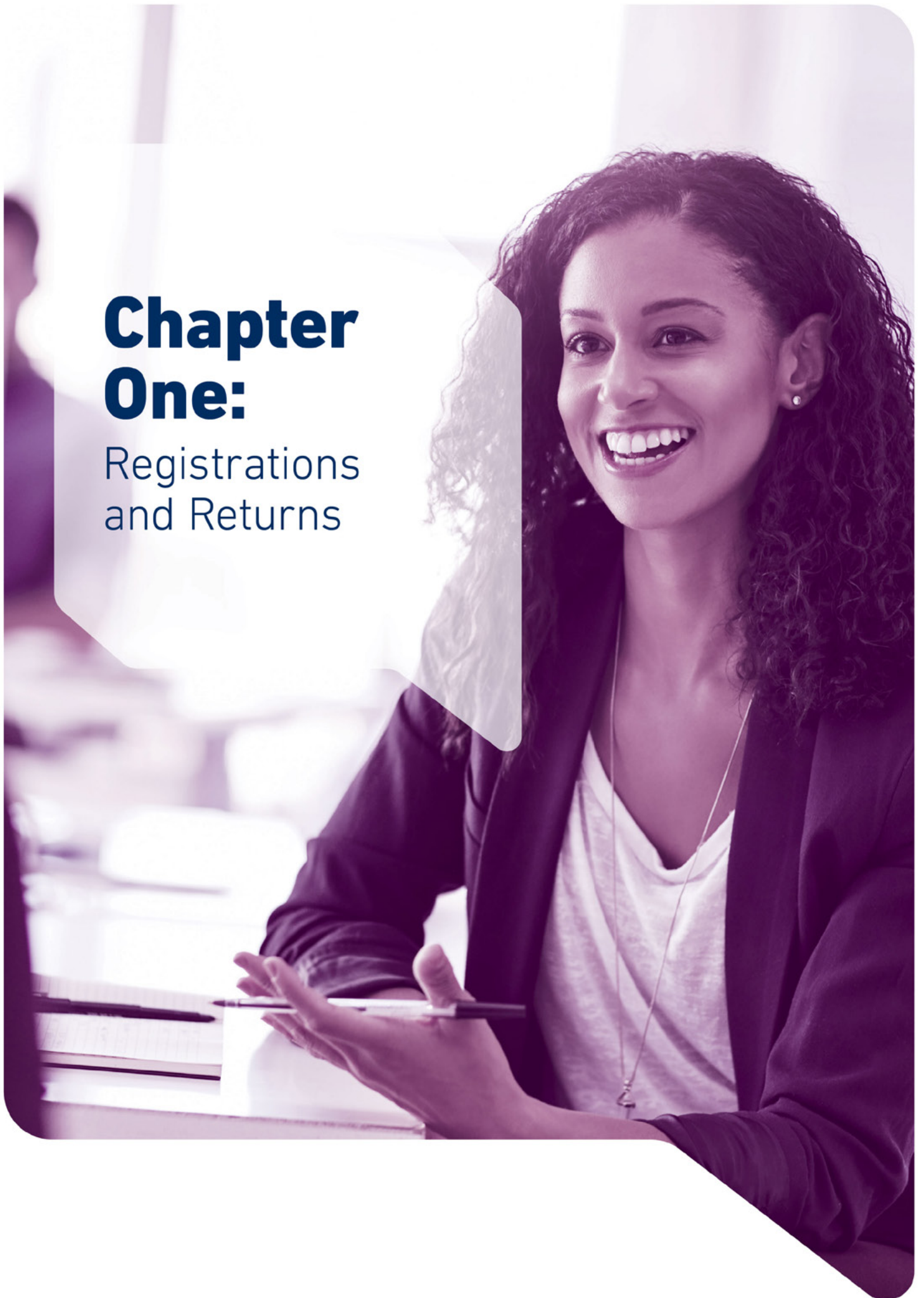


Sherry Perreault

Head of Ethics and Lobbying Regulation

Chapter One:

Registrations
and Returns



Chapter One

Registrations and Returns

Returns were received in respect of three reporting periods during 2018, namely: 1 January - 30 April, 1 May - 31 August and 1 September - 31 December. The respective reporting deadlines for these periods were 21 May 2018, 21 September 2018 and 21 January 2019.

1.1 Applications to register

During 2018, there were 246 new applications to register. All applications are reviewed to ensure that the person is required to register and that they have registered correctly. Each new applicant is sent a letter which highlights the reporting period deadlines, best practices for account administration and details of enforcement provisions.

The Report of the First Review of the Regulation of Lobbying Act made by the Minister for Public Expenditure and Reform (the Minister) recommended that the Commission seek to ensure that sectoral information provided by registrants is more meaningful by reducing the numbers of registrants categorised in the miscellaneous grouping “other”. During 2018, the Commission expanded the options available to registrants for selecting their main business activity and removed “other” as an option. The Commission is pleased to report that most registrants have now updated their registration to reflect their main business activity.

1.2 Returns of lobbying activities

At the time of writing this report, almost 9,800 returns of lobbying activities have been submitted in respect of the three reporting periods in 2018. The graphs in Appendix Three set out the number of returns that were received in respect of each relevant period, and the most popular “relevant matters” and policy areas on which lobbying activities were carried out.

The Commission made a concerted effort during 2018 to ensure that all returns of lobbying activities complied with section 12 of the Act, that the information provided was clear and meaningful, and that it was provided in the manner and form that the Commission requires. Issues dealt with during 2018 included the following:

- Multiple returns from a registrant in respect of lobbying activities carried out in relation to the same subject matter during a relevant period. Returns in respect of the same subject matter should be compiled in a single return for that period.
- Vague information – particularly in the intended results field. Returns should contain sufficient information to be clear and transparent.
- Inclusion of former Designated Public Officials (DPOs) who might have been subject to the cooling off period provided for in section 22 of the Act. The Commission will seek information where a former DPO who may have post-employment obligations is named in a return.
- Where there is a question as to whether the subject matter of the return is a relevant matter, staff will follow up with the registrant to clarify whether a return of lobbying activities is required in relation to the particular matter.

If the Commission finds that information contained in a return of lobbying activities is incorrect or misleading or is not sufficiently detailed, the Commission may use its powers under section 13 of the Act to remove or request the correction of the return as appropriate. Generally the Commission receives good co-operation from registrants in amending their returns or providing further information. If incorrect information is not corrected or removed, the Commission may, under section 13(3), immediately remove it from the Register.

The performance of the online register is kept under review, both from a user's perspective and from the Commission's perspective as administrator, to ensure that it is operating as effectively as possible. A number of areas were identified during 2018 where further development work could be carried out to improve the usability and functionality of the Register. These improvements will be rolled out during 2019.

Chapter Two:

Code of Conduct for
persons carrying on
lobbying activities



Chapter Two

Code of Conduct for persons carrying on lobbying activities

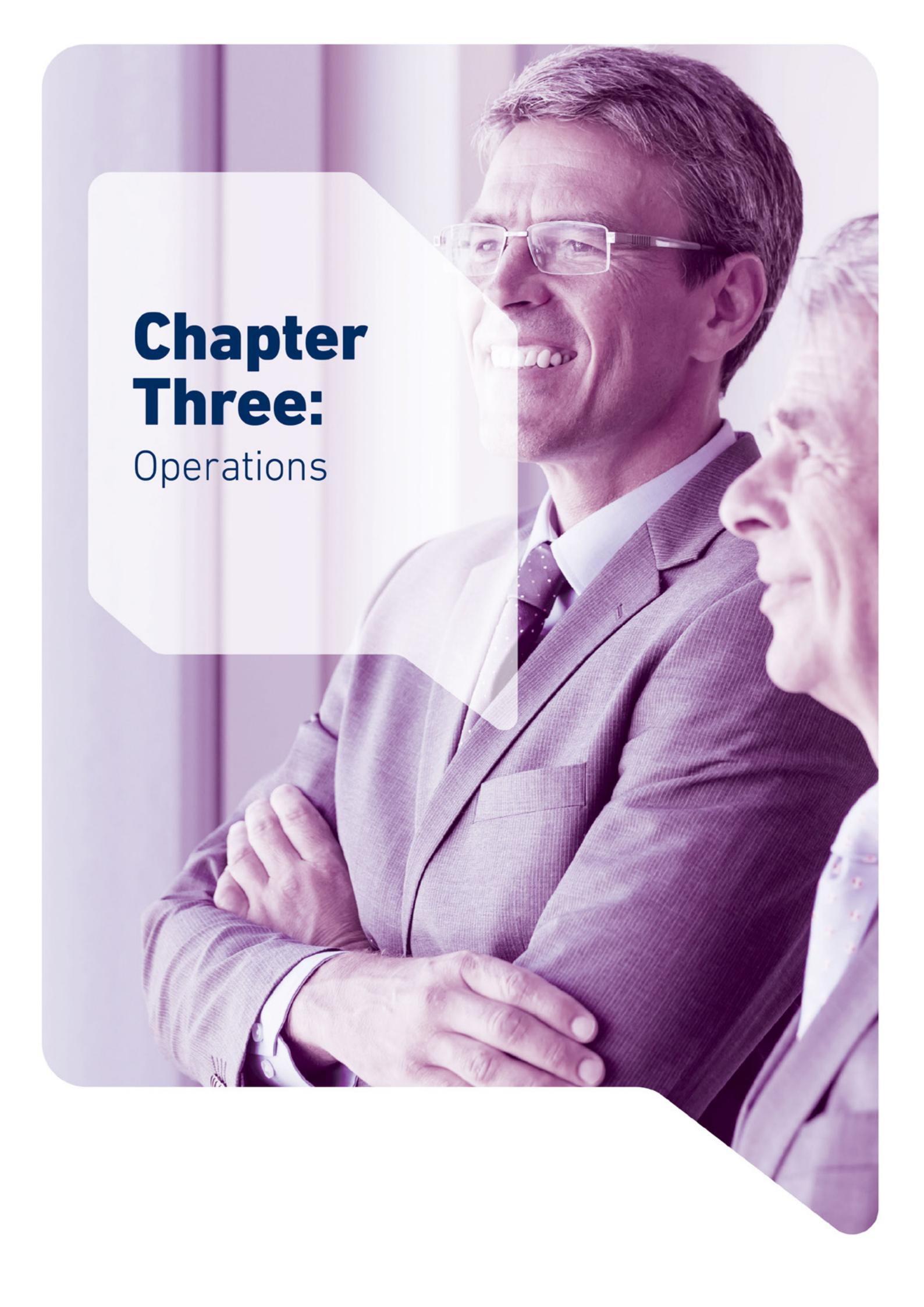
Section 16(1) of the Act provides that the Commission may produce a code of conduct for persons carrying on lobbying activities “*with a view to promoting high professional standards and good practices*”. The Commission considered it prudent to defer development of a code until such time as the enforcement provisions of the Act had been commenced, and the first review of the Act had been completed, in case any resulting legislative changes might impact on the development of the Code. With these milestones completed, and no legislative changes resulting, the Commission considered it timely to develop a code in 2018.

Before producing a code of conduct, the Commission is required to consult with persons carrying on lobbying activities and such bodies representing them, and such other persons as the Commission considers appropriate. A draft code of conduct and consultation paper were developed, having regard to other models, international best practice and the Commission’s own experience of administering the Act. A call for submissions was published in national newspapers, on the Commission’s website (www.sipo.ie), on the website of the Department of Public Expenditure and Reform, and on the lobbying.ie website, along with the consultation paper and draft code. Views of key stakeholders, including international counterparts, were also sought. The deadline for receipt of submissions was 31 July 2018.

Submissions were received from Government departments and public bodies, from other regulatory bodies, from representative bodies and advocacy bodies, and from other organisations and individuals, including registrants. Based on this input, amendments were made to the draft code and the final version was published on 28 November 2018. A [report on the consultation process](#) and copies of submissions received are available on the website.

The Code, which came into effect on 1 January 2019, provides eight principles by which persons carrying on lobbying activities may conduct their lobbying activities transparently and ethically. Anyone lobbying, including employers, third parties, representative or advocacy bodies and individuals alike, must have regard to the Code when communicating with public officials. The Code will be reviewed every three years, in keeping with scheduled statutory reviews of the Act.

A copy of the Code is included as Appendix One.



Chapter Three:

Operations

Chapter Three

Operations

Section 25(2) of the Act requires that the following information be included in this report:

- any determinations made under section 14 made or in force that year (delayed publication requests);
- any investigations carried out under section 19 and concluded in that year;
- any applications for consent made under section 22 (post-employment restrictions) and all decisions on such applications, made in that year;
- any convictions for offences under section 20 in that year; and
- any Fixed Payment Notices (FPNs) served under section 21 in that year.

This information must be provided in a form which does not enable the identification of the persons involved.

3.1 Determinations under section 14 of the Act

Under section 14 of the Act, a person may apply to delay publication of the information contained in the person's application to register or in their return of lobbying activities. The Commission's role in determining applications to delay publication is set out in Appendix Two of this report.

Applications to delay publication of returns of lobbying activities

One application to delay publication of a return of lobbying activities was received during 2018. The application was from a legal firm and concerned lobbying activities carried out by the firm during the period 1 May – 31 August 2018 on behalf of three of its clients. Delayed publication was requested until 21 March 2019. The application was deemed to have been made under section 14(1)(b) of the Act. Ministerial consultation was not, therefore, required and was not considered necessary or appropriate.

The Commission was satisfied that publication of the information contained in the return of lobbying activities could reasonably be expected to reflect negatively on the clients' business interests generally, on their business interests with particular suppliers/customers, and could reasonably be expected to prejudice seriously the clients' competitive positions in the conduct of future negotiations. The Commission was satisfied that there was not a sufficient public interest justification to override the possible adverse effect that publishing the information contained in the return of lobbying activities might have on the clients. The Commission determined, therefore, that publication of the return of lobbying activities could be delayed until 21 March 2019.

This decision was scheduled for review in December 2018. Having reviewed the matter, the Commission was satisfied that the conditions which informed its original decision to delay publication continued to exist.

3.2 Investigations under section 19 of the Act

Section 19 provides the Commission with the authority to conduct investigations into possible contraventions of the Act. Unregistered lobbying activity is monitored via open source intelligence, such as media articles, social media notifications and proposed legislation, or from complaints or information received by the Commission.

In 2018, 26 investigations were launched to gather evidence in relation to possible unreported or unregistered lobbying activity. Over the course of the year, 13 of the investigations were discontinued. Reasons for discontinuance included where the person subsequently came into compliance with the Act, or where the person was outside of jurisdiction. At year's end, the remaining 13 investigations were ongoing.

3.3 Applications for consent under section 22 of the Act

Section 22 of the Act provides that Ministers, Ministers of State, special advisers and senior public officials who have been prescribed for the purposes of section 6(1) of the Act are subject to a one year "cooling-off" period after they leave office, during which time they cannot engage in lobbying activities in specific circumstances, or be employed by, or provide services to, a person carrying on lobbying activities in specific circumstances.

A person subject to the cooling-off period may apply to the Commission for a reduction or waiver of the cooling-off period. Further information regarding the provisions of section 22 of the Act and the Commission's role in relation to section 22 of the Act is set out in Appendix Two of this report.

The Commission received two applications for consent under section 22 of the Act in 2018.

Case No 1

The applicant had been a special adviser in a government department and was seeking to take up employment in a senior position with a prospective employer who was registered on the Register of Lobbying. The prospective employer had previously carried out lobbying activities with the person's previous department. The applicant was seeking to waive the final eight months of the cooling-off period in order to take up the employment.

The Commission took into account that the applicant was seeking to take up employment within four months of having left their position in a government department, with a registrant that had regularly, recently and directly lobbied the applicant and that department. On a number of the returns of lobbying activities submitted by the registrant, the applicant was the only representative of the department who had been lobbied by the registrant in relation to the particular subject matters.

The Commission also took into account that the applicant had been offered the position without a competitive process and seemed to have been targeted by the registrant. The registrant had informed the Commission that it anticipated continuing to lobby the department during the applicant's cooling-off period on some of the same subject matters on which the applicant had been lobbied. The Commission considered that the registrant would almost certainly benefit from the applicant's connections and knowledge gained during the applicant's time as a DPO.

The Commission considered that this was exactly the type of situation that the provisions of section 22 of the Act are intended to regulate. Having regard to the applicant's previous and proposed roles, the Commission did not consider that the objectives of section 22 of the Act or the public interest would be served by waiving the cooling-off period as requested, and refused the application.

The applicant appealed the Commission's decision. The appeal was referred to an independent appeal officer. The appeal officer upheld the Commission's decision. The appeal officer's decision was not appealed to the High Court.

Case No 2

The applicant had been a special adviser in a government department and was seeking to take up employment with a registrant on the Register of Lobbying. The applicant had been offered the position following a competitive process, and was seeking to waive the final ten months of the cooling-off period.

The Commission had regard to the fact that the prospective employer had not previously carried out lobbying activities with the applicant or the applicant's former department. The prospective employer advised that it had no plans to lobby either that department or DPOs of that department. The applicant would not be expected to participate in or advise on any prohibited lobbying activities (including to the applicant's former department or colleagues) during the cooling-off period. The offer of employment with the person was not contingent on the applicant being involved in any such lobbying activities during the cooling-off period.

The Commission agreed to grant a waiver for the final ten months of the cooling-off period. The waiver was subject, however, to a number of conditions which were designed to ensure that the applicant could not carry on lobbying activities in circumstances set out in section 22. No appeal was received, and the applicant subsequently informed the Commission that they did not intend to take up the particular offer of employment.

Breach of section 22 of the Act

In July 2018, the Commission received a request for information from a former special adviser (DPO) about the post-employment obligations of section 22 of the Act. The information was duly provided and no further correspondence from the DPO was received at that time.

An email was subsequently received from the (now former) DPO in January 2019 enquiring as to the status of an application for consent under section 22 of the Act which the former DPO claimed to have emailed in October 2018. The Commission could find no record of any such email, was satisfied that an application for consent was never received, and the DPO was informed accordingly. The former DPO subsequently confirmed that they had taken up the employment around the same time as they claimed to have applied for consent.

The former DPO's new employer was on the Register of Lobbying and had submitted returns of lobbying activities targeting the former DPO's department. As a "relevant designated public official", the former DPO was prohibited under section 22(1)(b) of the Act from being employed in that organisation except with the consent of the Commission. Having not obtained consent, the person was in breach of the Act.

It was noted from the DPO's correspondence that, even if the Commission had received the email application as allegedly sent, there would not have been sufficient time to make a decision on the application before the DPO commenced their employment. Moreover, no effort had been made by the DPO to follow up or ensure consent was in place prior to taking up the employment. The Commission also noted that the new employer, which had never previously reported lobbying activities to the DPO's former department, commenced lobbying that department in the same reporting period in which the DPO took up the new employment.

The Commission has informed the DPO that it considers their taking up this employment to have been a breach of their statutory obligations under section 22 of the Act and that it regards a breach of section 22 of the Act as a serious matter. The Commission has also written to the employer concerned and has brought the matter to the attention of the Minister. The contravention is not ongoing as the person subsequently left the new post.

This is the first instance where the Commission has become aware of a breach of section 22 of the Act. There are no sanctions in the Act for failing to comply with section 22 and the Commission has no authority to investigate or prosecute such breaches. In its submission to the first review of the operation of the Act, the Commission recommended that contraventions of section 22(1) of the Act should be an offence under the Act. The above breach brings into sharp focus the lack of power to enforce the Act's post-employment provisions, or to impose sanctions for persons who fail to comply with these provisions.

The second review of the Act by the Minister is due to take place later this year. Having regard to the above breach, the Commission will again be recommending that contraventions of section 22(1) of the Act should be added to the list of relevant contraventions that may be investigated and prosecuted.

Guidance published

During 2018, the Commission published a guidance note on section 22 of the Act. The guidance note is available on lobbying.ie and sets out the requirements of section 22; the Commission's role and decision-making process in relation to applications for consent; and the criteria which the Commission may consider when processing an application for consent.

3.4 Convictions for offences under section 20 of the Act

3.4(a) Offences under section 20(1) - Late returns

Section 21 provides that the Commission may serve a Fixed Payment Notice (FPN) of €200 to a person who has submitted a late return of lobbying activities. If a person fails to pay the penalty within 21 days, the Commission may proceed to prosecute the offence of submitting a late return. A person is liable on summary conviction to a Class C fine (currently €2,500).

Anyone who received an FPN in 2018 complied once they received notice of these consequences and none were referred for investigation or commencement of prosecution proceedings. There were therefore no convictions in 2018 under this section of the Act.

Notices issued during 2018 for making a late return

No issued	In respect of 2018 return periods	In respect of 2016 and 2017 return periods	Referred for prosecution
41	16	25	0

3.4(b) Offences under section 20(2) - Failure to submit a return of lobbying activities

A registrant is required to make a return of lobbying activities, including a nil return, by the statutory deadline. Failure to do so is an offence, and the person is liable on summary conviction to a maximum fine of €2,500.

The Commission issues a notification to any registrant who has failed to make a return by the deadline, and the person is afforded an additional two weeks to submit a return of lobbying activities. If the person fails to submit the return by that date, the Commission may proceed to prosecute the offence under section 20(2) of the Act.

In 2018, the Commission issued a total of 199 notices to registrants informing them of the intent to prosecute if a return of lobbying activities was not submitted.

Notices issued during 2018 for failing to submit a return

No issued	In respect of 2018 return periods (2)	In respect of Sept/Dec 17 return period (1)
199	100	99

Compliance Table 2018¹

Returns period	Notices issued	Current outstanding returns (non-compliant)
Period 1: Sept – Dec 2017	99	2
Period 2: Jan – Apr 2018	51	2
Period 3: May – Aug 2018	49	5

Prosecutions during 2018 for failure to make return

Prosecutions initiated	Settled	Ongoing	Discontinued
8	5	2	1

The Commission seeks to encourage compliance in the first instance. Increased communication and outreach with registered lobbyists at an early stage of the process has reduced the number of files referred for prosecution this year, and most tend to comply with their obligations once contacted by the investigations unit. The Commission takes a less lenient approach to lobbyists who repeatedly miss return periods and fail to comply or engage with the Commission. In such cases, the Commission pursues prosecution proceedings. Where the lobbyist engages with the Commission and compliance is achieved, the case is generally settled and proceedings are withdrawn.

The number of notices issued by the Commission in respect of both late returns and non-returns for the 2018 relevant periods is considerably lower than those issued in respect of previous years. This reflects the investment of time by the Commission to encourage compliance. It also reflects the efforts taken to review new and existing registrations to ensure all those registered are in fact required to do so. If the Commission considers that a person may not be required to register, the Commission contacts the registrant to review the Act's requirements. This approach has resulted in less time and resources spent pursuing non-compliance.

¹ These figures represent compliance with the obligation to make a lobbying return. Not all registrants who submitted late returns subsequently paid the associated penalty for making the return after the deadline.

3.5 Fixed Payment Notices served under section 21 of the Act

The online register is designed to ensure that an FPN issues automatically to the person submitting a late return. The FPN informs the person that they have 21 days to pay it.

FPNs issued in 2018

No of FPNs issued	Relating to 2018 relevant periods	Relating to other relevant periods	Paid	Cancelled	Unpaid
522	270	252	437	70	15

The number of FPNs issued in respect of the three previous (2017) relevant periods was 619. This year's statistics represent a marked improvement in compliance with the deadlines.

Enforcement activities in respect of the 15 unpaid FPNs are ongoing.

While the Commission did cancel a number of FPNs, it generally only does so for the following reasons:

- where a technical problem on lobbying.ie prevented the person from submitting a return on time;
- where an administrative error occurred in which the person erroneously submitted a duplicate return for the wrong period; and/or
- where the person was not required to register and had registered in error.

3.6 Engagement regarding “relevant bodies” and the Transparency Code

A critical element of public policy formulation is the availability to Ministers and public bodies of expertise, skills and knowledge from persons outside of the public service. Often this process is formalised by the establishment of working groups, including task forces, advisory groups or policy committees etc. focusing on a particular policy issue or set of related issues.

Where a working group’s membership includes at least one person who is a DPO, communications by other persons within the group may count as lobbying activities if the person falls within scope of the Act. The person making these communications (or the organisation they represent) may be required to register and submit a return of this lobbying activity to the Register.

Section 5(5)(n) of the Act provides that such communications may be exempt from the requirement to register if the working group is a “relevant body” (as defined in section 5(6) of the Act) that adheres to a [Transparency Code](#) published by the Minister. The Transparency Code requires the public body sponsoring the group to publish on its website a list of the group’s members, terms of reference, agendas and minutes of meetings. Where a group does not adhere to these criteria, its members may be required to register and submit returns of lobbying activity. It is in the members’ interest, therefore, that the group adhere to the Code.

The Commission maintains a “repository” of those relevant bodies that do adhere to the Transparency Code on its website.

During 2018 the Commission also reviewed the information published by public bodies in relation to the “relevant bodies” under their aegis. It found that of the 71 public bodies with DPOs prescribed, only 12 had published some information in relation to relevant bodies (seven Government Departments; three other public bodies and two local authorities). In some cases the information published did not fully meet the requirements of the Transparency Code.

The Commission is of the view that there are far more relevant bodies in operation than are being reported on the public bodies' websites, who are likely operating outside of the Transparency Code. External members of these bodies may be required to account for "lobbying activities" carried out as members of the Group. Commission staff met with the Corporate Committee of the City and County Managers' Association (CCMA) in an effort to:

1. Seek to have local authorities include a reference to the provisions of the Act and the Commission's guidance regarding public consultation processes included as part of their consultative process on Development Plans.
2. Ensure that external members of local authority strategic policy committees (SPCs) are aware of the requirements of the Act, including the fact that communications within an SPC might result in an obligation to register; and
3. Highlight the exemption for "relevant bodies" who comply with the Transparency Code and how this might apply to SPCs and other local authority committees.

During 2018, the Commission also wrote separately to a number of local authorities regarding a recommendation made by Transparency International that all local authorities include details of their elected representatives (or a link to their elected representatives' page) on their Regulation of Lobbying page. All local authorities are now providing this information.

The Commission intends to have further engagement with public bodies regarding their relevant bodies and the Transparency Code during 2019.

3.7 Information about Designated Public Officials on public body websites

The Act requires each public body with DPOs appointed under section 6 of the Act to publish up to date lists of their DPOs. Lobbying.ie provides links to the relevant pages on the public bodies' websites.

In November 2018, the Commission wrote to each public body with DPOs prescribed and requested that they take the following steps:

1. Create a "Regulation of Lobbying" (ROL) page in the About Us section of their website.
2. Publish on that page details of the body's DPOs, including name and position held, and identify any "relevant bodies" operating under the Transparency Code.
3. For each such body, publish the information required under the Transparency Code.
4. Provide the Commission with the exact address/URL of the page so that the Commission can include a link to that page on the central repository on lobbying.ie.
5. Nominate a liaison person responsible for maintaining and updating the ROL page.

Public bodies are asked prior to the end of each return period to check and update the information on their ROL page both in relation to their DPOs and their relevant bodies.

3.8 Audit of the Commission's lobbying procedures and operations

The Office of the Ombudsman provides shared services to the Commission. The Audit and Risk Committee (ARC) is part of the Office of the Ombudsman's control environment and is tasked with providing independent advice to the Accounting Officer regarding the suitability and robustness of the organisations internal control systems and procedures. The Accounting Officer for the Office of the Ombudsman is also the Accounting Officer for the Commission.

At the request of the ARC, the external auditors to the ARC (Anne Brady McQuillan DFK), were asked during 2018 to carry out an internal audit review of the administrative procedures of the Commission's operational and statutory activities in respect of lobbying.

The review concluded that there are suitable and robust policies and procedures in place to meet the Commission's obligations under the Act. These policies and procedures are adhered to and consistently applied, and decisions are made in a robust and consistent manner. The information technology systems in place are easy to use and staff have a strong awareness of the Commission's responsibilities and obligations under the legislation. The audit determined that overall risks were reasonable.

Chapter Four:

Communications
and Outreach



Chapter Four

Communications and Outreach

4.1 Outreach activities

4.1(a) Inaugural meeting of the European Lobbying Regulators Network

In recent years, a number of jurisdictions in Europe have passed or proposed new legislation to regulate lobbying. Given the common interests of regulators in the regulation of lobbying field and recognizing the values of exchanging best practice, the Commission sought to create a European Lobbying Registrars Network (ELRN). The Commission was pleased to host the first meeting of the ELRN on 22 March 2018, which was attended by lobbying registrars from various jurisdictions in Europe, including Austria, the European Union, France, Lithuania, Scotland, the United Kingdom and Ireland.

The meeting provided a welcome forum for exchanging experiences and best practices. A number of the lobbying regulators attending the event made presentations. A comparative analysis of international lobbying systems was provided by Dr. Raj Chari, Trinity College and Dr. Michele Crepaz, Dublin Institute of Technology. On foot of the successful event, all participants have agreed to establish the ELRN as an ongoing initiative. A second annual event, hosted by another member of the group, is planned for 2019.

4.1(b) Outreach to key sectors

During 2018, an analysis of the Register was undertaken to assess the representation of various sectors on the Register. The Commission noted that two key sectors, namely the property development/construction and legal services sectors, appear to have lower levels of registration than anticipated.

In respect of the property development sector, at the time of the analysis, there were 77 organisations that had self-identified in their registration under the category of “construction”, 42 organisations under the category of “planning & development” and 31 organisations under “real estate/property”. Given the high likelihood that members of these sectors would regularly engage with Designated Public Officials in the course of their work, particularly in respect of the zoning and development of land, the Commission was concerned that the property development sector is under-represented on the Register. The Commission has engaged with the Construction Industry Federation, the Society of Chartered Surveyors of Ireland, the Royal Institute of Architects of Ireland and Property Industry Ireland (a sectoral association of Ibec) with a view to facilitating targeted outreach to their members and partners through various mechanisms, set to be implemented in 2019.

With respect to the legal sector, an analysis showed that 2,459 legal firms registered with the Law Society. Only 24 of these legal firms (1%) have registered on the Register. (See Appendix Three for a geographical breakdown of the representation of the legal sector on the Register). While the Commission notes a fairly high level of registration among larger firms in Dublin, the levels of registration outside the capital city is lower than one might expect, given the fact that solicitors may engage on behalf of their clients. The Commission has since worked with the Law Society to conduct targeted outreach to their members. A letter, highlighting the requirements of the legislation issued to all registered members of the Society during December 2018, and was also published on the Society's website and blog.

4.1(c) General Outreach Activities

Internationally, the Head of Ethics and Lobbying Regulation made a presentation on Ireland's Register of Lobbying to the Network for Integrity in Paris, France in March 2019. Ms Perreault was also invited to present on behalf of the Commission at a conference on lobbying and transparency held by LobbyNet, a civil society organisation, in Berlin, Germany.

The Commission continues to be a member of the Council on Governmental Ethics Laws (COGEL) and was represented at the Annual Conference of COGEL in December 2018.

As part of its general communication strategy, the Commission made a number of presentations throughout the year to organisations including the Public Relations Consultants Association, the Irish Community Action on Alcohol Network and the Community Platform Governance workshop. In addition, the Commission hosted a number of open house information sessions for persons who may be carrying out lobbying activities.

4.2 Information tools and resources

Section 17 of the Act provides that the Commission may issue guidance and make information available for the purpose of promoting awareness and understanding of the Act. The Commission has published a series of guidelines on its website, tailored to various parties with an interest in the Act. These are updated as appropriate.

In October 2018, the Commission published revised guidelines for persons carrying on lobbying activities. During 2019, the Commission intends to update and revise its guidelines on lobbying in relation to zoning and development of land. The Commission will also publish revised guidance for DPOs, revised guidance for TDs, senators and MEPs and revised guidance for local authority members. These will be published after the 2019 European and local authority elections.

A “frequently asked questions” section of the website addresses specific areas of the legislation and is informed by the Commission’s experience. The format of the FAQ document was reviewed and updated in 2018 to make it more user-friendly. The Commission also published a number of new and updated FAQs during 2018.

The Commission also published a number of specific guidance notes during 2018:

- Information notice for strategic policy committees, advisory groups, task forces etc. regarding the exempt communication under section 5(5)(n) of the Act which applies to “relevant bodies” operating in accordance with the Transparency Code.
- Information note on the requirements for public bodies to publish certain information relating to their DPOs and “relevant bodies”. The information note sets out the steps the Commission has asked public bodies to take to ensure a uniform approach to the presentation of information in relation to DPOs and “relevant bodies”.
- Guidance note on section 22 of the Act – the “cooling-off” period.

A photograph of three business professionals walking down a modern staircase. A man with glasses and a beard, wearing a dark blazer over a white shirt, is in the center. To his left, a woman with blonde hair, wearing a light-colored blazer, is walking. To his right, a woman with dark hair, wearing a white blazer, is walking. The image has a purple tint and a white text box on the left side.

Chapter Five:

Key Issues
in 2019 and
Next Steps

Chapter Five

Key Issues in 2019 and Next Steps

5.1 Second review of the Regulation of Lobbying Act

Section 2 of the Act provides that the Act will be subject to review after the first year, and every three years thereafter. Reviews are to be led by the Minister who is required to consult with key stakeholders, including the Commission. The first review of the Act took place in 2016. The second review is scheduled to commence before 1 September 2019.

The Commission will be making a submission based on the experience that it has acquired in administering the Act, which will be published on lobbying.ie. While the Commission considers that the Act is generally working well, it has previously identified some areas where the Act might benefit from amendment or clarification. The Commission will review its previous recommendations and if it considers them still relevant, will include them (together with any new recommendations) in its submission to the second review of the Act.

5.2 Further engagement with public bodies regarding “relevant bodies”

The Commission intends during 2019 to continue to communicate with public bodies to improve the number of relevant bodies adhering to the Transparency Code.

5.3 Quality of returns of lobbying activities

As stated in Chapter 1, the Commission made a concerted effort during 2018 to ensure that all returns of lobbying activities were checked for compliance with the obligations of the Act. The Commission has published on its website a list of common pitfalls to avoid when submitting a return and will continue to work with registrants during 2019 to ensure that the information they are including in their returns of lobbying activities is clear and meaningful.

5.4 Review of the Code of Conduct for persons carrying on lobbying activities

The Commission has committed to reviewing the Code of Conduct every three years, in keeping with scheduled statutory reviews of the Act. As the second review of the Act is due to take place in 2019, the Commission will commence a review of the Code of Conduct, when the report on the second review of the Act has been published.



Chapter Six:

Recommendations for Change

Chapter Six

Recommendations for Change

6.1 Previous recommendations

The Commission's submission to the first review of the Act included a number of recommended changes which in the Commission's opinion would, if implemented, strengthen and help clarify the Act.

In Chapter Six of its annual report for 2017, the Commission made further recommendations where it considered the legislative provisions could be clarified or amended, namely in respect of strengthening the post-employment provisions of section 22, and considering whether to limit the Act's provisions in respect of zoning and development.

The Commission wishes to reiterate its recommendation that contraventions of section 22(1) of the Act should be added to the list of relevant contraventions in section 18 of the Act, and that the Commission should have the authority to investigate and prosecute such contraventions.

6.2 Suggestions received during consultations on the Code of Conduct

As part of the consultation process on the Code of Conduct, the Commission received a number of comments and suggestions that did not specifically relate to the draft Code of Conduct. They generally concerned other issues relating to Act and its requirements. These comments/suggestions are included in the Commission's report on the consultation process on the Code of Conduct and where relevant, have been brought to the attention of the Department of Public Expenditure and Reform.

Conclusion

The Commission will continue to identify opportunities to raise awareness and understanding of the Act in order to promote compliance. In ensuring the effective administration of the Act, the Commission will strive to support transparency and good governance in Irish public life.

Appendix One:

Code of Conduct
for persons
carrying on
lobbying activities

2018 CODE
OF CONDUCT

FOR PERSONS CARRYING
ON LOBBYING ACTIVITIES

AS PUBLISHED BY THE STANDARDS IN
PUBLIC OFFICE COMMISSION 2018
EFFECTIVE 1 JANUARY 2019



Appendix One

Code of Conduct for persons carrying on lobbying activities

Note: The Code is also available in booklet form on lobbying.ie.

Introduction

Under section 16 of the Regulation of Lobbying Act 2015 (the Act) the Standards in Public Office Commission (the Standards Commission) may produce a Code of Conduct for persons carrying on lobbying activities “*with a view to promoting high professional standards and good practice*”.

The purpose of this Code is to govern the behaviour of persons carrying on lobbying activities. The diversity and range of persons who may be captured by the scope of the Act presents a challenge in terms of defining a set of shared principles on which a code of conduct might be based. The provisions of the Act can apply to employers; to representative or advocacy bodies; to professional lobbyists or third parties who are being paid to communicate on behalf of a client or other person; and, significantly, to any person communicating about the development or zoning of land. Consequently, persons who might otherwise not regard themselves as lobbyists may find themselves carrying on lobbying activities and have the requirement to register.

The Standards Commission is of the view, however, that this Code sets out principles which can be applied equally to professional lobbyists and to employers, representative / advocacy bodies and individuals alike, and by which persons carrying on lobbying activities may conduct their lobbying activities transparently and ethically.

The Code is not intended to supersede or replace any requirement that a person carrying on lobbying activities may have to comply with the Act or to comply with any other legislation, professional code of conduct or industry rules and regulations which might apply to them.

The Code will come into effect on 1 January 2019. The Code will be reviewed every three years, in keeping with the statutory reviews of the Act provided for in section 2 of the Act.

Preamble

Lobbying activities are undertaken by many people and organisations in relation to a broad range of matters. Lobbying activities are a legitimate means of access to parliamentary, government and municipal institutions. Lobbying activities contribute to informed decision-making by elected and appointed public officials.

The legitimacy of lobbying is reinforced when lobbying activities are carried out transparently and in an ethical manner. In support of the Act's objectives to foster transparency and the proper conduct of lobbying activities, this Code of Conduct sets out several principles by which persons carrying on lobbying activities should govern themselves in the course of carrying out lobbying activities, namely:

1. Demonstrating respect for public bodies;
2. Acting with honesty and integrity;
3. Ensuring accuracy of information;
4. Disclosure of identity and purpose of lobbying activities;
5. Preserving confidentiality;
6. Avoiding improper influence;
7. Observing the provisions of the Regulation of Lobbying Act; and
8. Having regard to the Code of Conduct.

While the Act governs communications with Designated Public Officials (that is, Ministers, Ministers of State, and ministerial advisors, elected representatives and certain senior public servants), the principles of the Code should apply to all communications with persons in public office, whether prescribed for the purposes of the Act or not.

The Act, together with this Code of Conduct and associated regulations, guidelines and standards of conduct applicable to Office Holders, elected representatives and public servants, aims to ensure that lobbying activities are conducted in accordance with public expectations of transparency and integrity, and that decisions are made in the public interest. Persons carrying on lobbying activities may also wish to have regard to other guidance material published by the Standards Commission in relation to the Act; to the Transparency Code published by the Minister for Finance and Public Expenditure and Reform; to the Standards Commission's Data Protection Policy; and to the Ethics in Public Office Acts 1995 and 2001.

Code of Conduct

Persons carrying on lobbying activities shall have regard to the following principles:

1. Demonstrating Respect for Public Bodies

Persons carrying on lobbying activities should act in a manner that demonstrates respect for the democratic process; for democratic institutions and for public bodies, including the duty of elected and other public officials to serve the public interest. A person carrying on lobbying activities should not act in a manner that shows disrespect for the democratic process; for democratic institutions or for public bodies, and should refrain from directly or indirectly exerting undue pressure on an elected or appointed public official.

Persons carrying on lobbying activities should not expect preferential access or treatment from public officials based on the person's identity or on a former or existing relationship with the elected or appointed public official. Persons carrying on lobbying activities should not seek to abuse or exploit such relationships.

A person who, by virtue of their membership of a Committee, Advisory Group, Task Force etc. has preferential or exceptional access to elected or public officials, should not use their membership to seek preferential treatment for themselves or the organisation/body they may be representing.

2. Acting with Honesty and Integrity

Persons carrying on lobbying activities should conduct all relations with public bodies and elected or appointed public officials with honesty and integrity. Persons carrying on lobbying activities should not seek to obtain information or influence decisions dishonestly or by use of improper means or influence. Persons carrying on lobbying activities should make their case without manipulating or presenting information in ways that could be regarded as dishonest, misleading or false.

Persons carrying on lobbying activities should not knowingly make misleading, exaggerated or extravagant claims about, or otherwise misrepresent, the nature or extent of their access to elected or appointed public officials.

Persons carrying on lobbying activities should avoid any conduct or practices likely to bring discredit upon themselves, the persons they represent or the public bodies they are contacting. For example a personal or family relationship or having worked together on electoral campaigns.

3. Ensuring Accuracy of Information

Persons carrying on lobbying activities should take all reasonable measures to satisfy themselves that the information they are providing to public bodies or to elected or appointed public officials is accurate and factual.

If a person carrying on lobbying activities considers that there is a material change in factual information previously provided and the person believes that the public body or elected or appointed public official may still be relying on the previous information, the person should, insofar as is practicable, provide accurate and updated information to the public body or to the elected or appointed public official.

For the purposes of transparency, persons carrying on lobbying activities are encouraged to make public, where possible, any information used to support their lobbying activities.

4. Disclosure of Identity and Purpose of Lobbying Activities to Public Bodies and Elected or Appointed Officials

A person carrying on lobbying activities should always identify themselves by name and, where applicable, the body or bodies they work for. Where a person is carrying on lobbying activities on behalf of a client or other person, the person carrying on the lobbying activities should disclose the identity of the client or other person, the nature of their relationship with that person or organisation and the client's/organisation's interests in the matter.

A person carrying on lobbying activities must not conceal or try to conceal the identity of a client, business or organisation whose interests they are representing.

A person carrying on lobbying activities should always inform the elected or appointed public official of any personal interests they may have in the matter. They should also make clear the objectives or aims they promote (or those of the client they represent) and the purpose and intended results of the communication.

5. Preserving Confidentiality

A person carrying on lobbying activities should only use and disclose any confidential information received from a public body or an elected or appointed public official in the manner agreed with the body/official and which is consistent with the purpose for which it has been shared.

A professional lobbyist or third party carrying on lobbying activities on behalf of other persons should not use, for purposes other than those of their mandate, confidential information obtained in the course of their lobbying activities. They should not divulge confidential information relating to their clients unless they have obtained the informed consent of their client, or disclosure is required by law.

6. Avoiding Improper Influence

A person carrying on lobbying activities should not, in the course of their lobbying activities, seek to create a sense of obligation on the part of the elected or appointed official by making any offer of gifts or hospitality.

A person carrying on lobbying activities should not create a sense of obligation or place elected or appointed public officials in a conflict of interest situation by proposing any offer, inducement or reward (directly or indirectly) which might cause an elected or appointed public official to breach any law, regulation, rule or standard of conduct applicable to them. In that regard a person carrying on lobbying activities should be aware of any rule or code of conduct which might apply to the acceptance of gifts or hospitality by elected or appointed public officials.

A person carrying on lobbying activities should not seek to influence an elected or appointed public official other than by providing evidence, information, arguments and experiences which support their lobbying activities.

7. Observing the provisions of the Regulation of Lobbying Act

A. Registrations and Returns

A person carrying on lobbying activities should familiarise themselves with the provisions of the Act and with any relevant guidance material published by the Standards Commission. In particular a person carrying on lobbying activities must:

1. Comply with the requirement to register on the Register of Lobbying (the Register) in accordance with section 8 of the Act and provide the information required under section 11 of the Act in the manner and form required by the Standards Commission.
2. Comply with the requirement to submit regular returns of lobbying activities to the Register as provided for in section 12 of the Act in the manner and form required by the Standards Commission. This includes “nil” returns where relevant.
3. Comply with the requirement under section 13 of the Act to provide additional or corrected information if requested to by the Standards Commission.

A person carrying on lobbying activities should follow the Standards Commission’s guidance on submitting returns of lobbying activities to ensure that returns of lobbying activities are accurate, complete and submitted on time.

A person carrying on lobbying activities on behalf of a client or other person shall inform the client, business or organisation whose interests they are representing of their own requirements and the client’s or other person’s requirements under the Act.

The head of an organisation should ensure that employees or other persons who carry out lobbying activities on the organisation’s behalf are aware of the organisation’s requirements under the Act and are made aware of the requirements of this Code of Conduct.

B. "Cooling off" period

Section 22 of the Act provides that "relevant Designated Public Officials (DPOs)" (Ministers and Ministers of State, Special Advisers and Senior Public Servants) are subject to a one-year cooling-off period. During this period relevant DPOs cannot engage in lobbying activities in specific circumstances, or be employed by, or provide services to, a person carrying on lobbying activities in specific circumstances, namely.

The making of communications comprising the carrying on of lobbying activities (as defined in section 5 of the Act) which:

Involves any public service body with which the relevant DPO was connected, that is, employed or held an office or other position in the year prior to their leaving, or

Is to a person who was also a DPO who was employed or held an office or other position with that public service body in the year prior to the person's leaving.

A person subject to the one-year cooling-off period may apply to the Standards Commission for consent to undertake such activities or be employed by a person who is undertaking such activities. The Standards Commission may decide to give consent unconditionally or to give consent with conditions attached. The Standards Commission may also decide to refuse the application for all or part of the one-year "cooling off" period.

If seeking to employ or engage a person who may be subject to the provisions of section 22 of the Act, the employer should first establish whether the person has considered the requirements of section 22 and, if necessary, has sought and received the consent of the Standards Commission to carry on such lobbying activities.

8. Having regard for the Code of Conduct

Section 16(5) of the Act provides that a person carrying on lobbying activities shall have regard to this Code of Conduct. When engaging in lobbying activities, therefore, a person should, in addition to meeting their statutory obligations under the Act, seek to meet the standards set out in the principles and rules of this Code and should conform to the letter and spirit of this Code of Conduct.



Appendix Two:

Commission's
Supervisory Role
under the Regulation
of Lobbying Act 2015

Appendix Two

Commission's Supervisory Role under the Regulation of Lobbying Act 2015

General overview

The Act provides that a person who falls within the scope of the Act makes a relevant communication (is lobbying) if the person communicates with a DPO about a relevant matter. Anyone lobbying must register and submit regular online returns of their lobbying activity.

Sections 5(1) and (2) of the Act set out the categories of person who are within scope of the Act, namely:

- a person with more than 10 full-time employees;
- a person which has one or more full-time employees and is a body which exists primarily to represent the interests of its members (referred to as a “representative body”) and the relevant communications are made on behalf of any of the members;
- a person which has one or more full-time employees and is a body which exists primarily to take up particular issues (referred to as an “advocacy body”) and the relevant communications are made in the furtherance of any of those issues;
- any person (individual or organisation) making a “relevant communication” concerning the development or zoning of land which is not their principal private residence; and
- a “professional lobbyist” or third party who is paid to carry on lobbying activities on behalf of a person who fits within one of the categories of persons above.

DPOs 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. DPOs also include special advisers and the senior-most civil and public servants who have been prescribed 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 relating to the zoning and development of land are also relevant communications.

Section 5(5) of the Act provides for a number of exemptions to what is considered a relevant communication.

The Register

The Register itself is a web-based system. In addition to housing the online register, the website lobbying.ie includes information and guidance tools explaining the registration and return processes.

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 applications to register and returns submitted by registrants.

Anyone who is lobbying must register and submit returns three times per year, covering prescribed "relevant periods" (1 January - 30 April, 1 May - 31 August, and 1 September - 31 December). The returns must be submitted by the respective prescribed "relevant dates" (21 May, 21 September and 21 January, respectively).

The return must indicate who was lobbied, the subject matter of the lobbying activity and the results the person was seeking to secure. The returns must also indicate the type and extent of the lobbying activity. If the lobbying activity was carried out on behalf of a client, the return must provide details of the client.

Other provisions

Applications to delay publication under section 14 of the Act

Under section 14 of the Act, a person may apply to delay publication of the information contained in the person's application to register or in their return of lobbying activities if publishing the information could reasonably be expected to:

1. have a serious adverse effect on the financial interests of the State, the national economy or business interests generally or the business interests of any description of persons (an application made under section 14(1)(a) of the Act), or
2. cause a material financial loss to the person to whom the information relates or prejudice seriously the competitive position of that person in the conduct of the person's occupation, profession or business or the outcome of any contractual or other negotiations being conducted by that person (an application made under section 14(1)(b) of the Act).

If an application is made under section 14(1)(a), the Commission is required to consult with any relevant Minister(s) of the Government. The Commission is not required to consult with a Minister(s) if an application is made under section 14(1)(b). (The Commission may, however, consider it appropriate to consult with a Minister on a section 14(1)(b) application.)

Section 14(9) of the Act provides that when the returns are subsequently published the Commission must publish an explanation as to why publication of the information was delayed.

Section 14(11) of the Act provides that the Commission may make a determination to delay publication on more than one occasion in relation to information contained in a return of lobbying activities.

“Cooling-off” period provided for under section 22 of the Act

Section 22 of the Act provides that Ministers, Ministers of State, special advisers and senior public officials who have been prescribed for the purposes of section 6(1) of the Act are subject to a one year “cooling-off” period, during which time they cannot engage in lobbying activities in specific circumstances, or be employed by, or provide services to, a person carrying on lobbying activities in specific circumstances. The cooling-off period is the period of one year from the date the person ceased to be a DPO.

The circumstances in which section 22 of the Act applies are the making of communications comprising the carrying on of lobbying activities which:

1. involve any public service body with which the person was employed or held an office or other position in the year prior to his/her leaving, or
2. are to a person who was also a DPO who was employed or held an office or other position with that public service body in the year prior to the person's leaving.

A person subject to the one-year cooling-off period may apply to the Commission for a reduction or waiver of the cooling-off period.

The Commission may decide to give consent unconditionally to a reduction or waiver of the cooling-off period or may decide to give consent with conditions attached. The Commission may decide to refuse the application for all or part of the cooling-off period.

Appeals

Under section 23 of the Act a person who is aggrieved by a decision of the Commission under sections 10(5) (relating to reports of incorrect information on the Register), section 14 (delayed publication) or section 22 (cooling-off period) may appeal the Commission's decision. The Department of Public Expenditure and Reform has established panels of independent appeal officers to hear such appeals. Under section 23 the appeal is referred to an independent appeal officer who may uphold a decision of the Commission, or overturn it and replace it with another decision.

Section 24 of the Act provides that the appeal officer's decision may be appealed to the High Court.

Investigative and Enforcement provisions

The Act contains a number of investigative and enforcement provisions which were commenced on 1 January 2017.

Finally, section 2 of the Act provides for a legislative review. Following the review, the Minister may consider possible amendments to the Act. The Minister must report to the Houses of the Oireachtas on the outcome of the review and any recommendations for amendments to the Act.

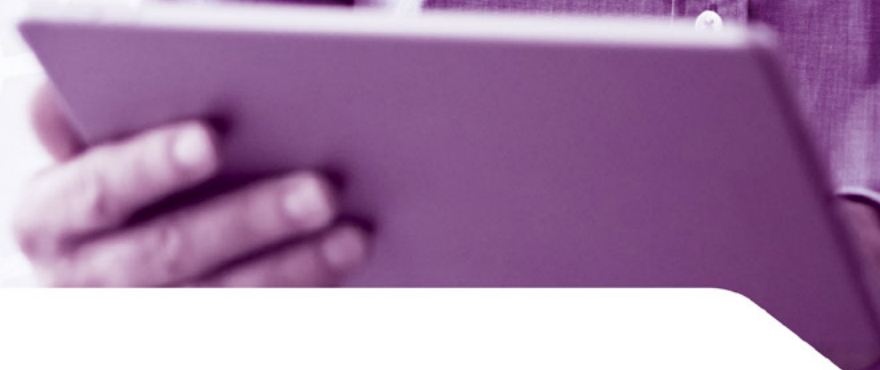
Statutory instruments under the Regulation of Lobbying Act

Six statutory instruments have been introduced under the Act, namely:

- Regulation of Lobbying Act 2015 (Commencement) Order (S.I. 152 of 2015);
- Regulation of Lobbying Act 2015 (Appeals) Regulations 2015 (S.I. 366 of 2015);
- Regulation of Lobbying Act 2015 (Designated Public Officials) Regulations (S.I. 367 of 2015);
- Regulation of Lobbying Act 2015 (Commencement) Order 2016 (S.I. 360 of 2016);
- Regulation of Lobbying Act 2015 (Fixed Payment Notice) Regulations 2016 (S.I. 361 of 2016); and
- Regulation of Lobbying Act 2015 (Designated Public Officials) Regulations 2016 (S.I. 362 of 2016).

Appendix Three:

Statistics



Appendix Three Statistics

Figure 1 – Total registrants by year

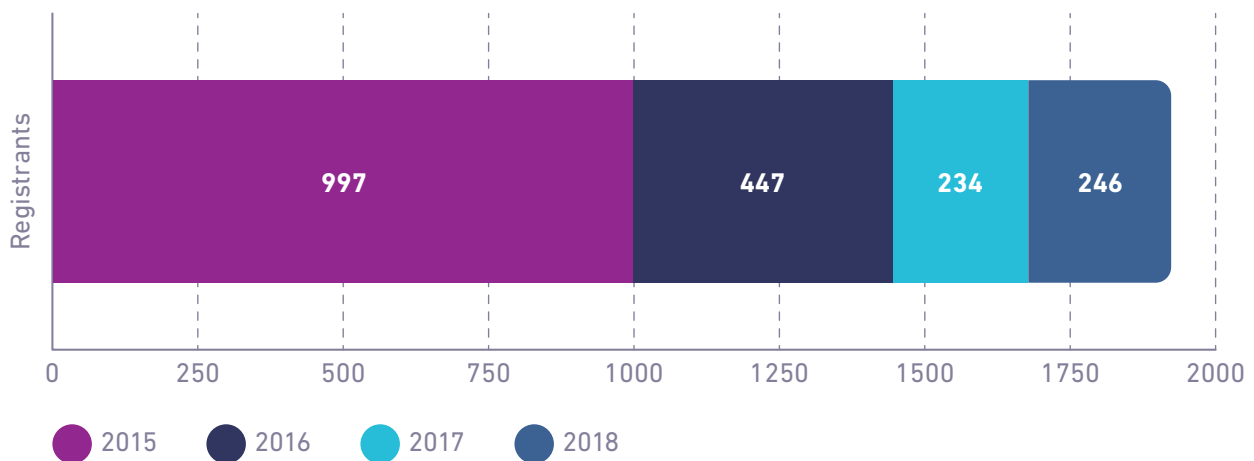


Figure 2 – Registrants by sector

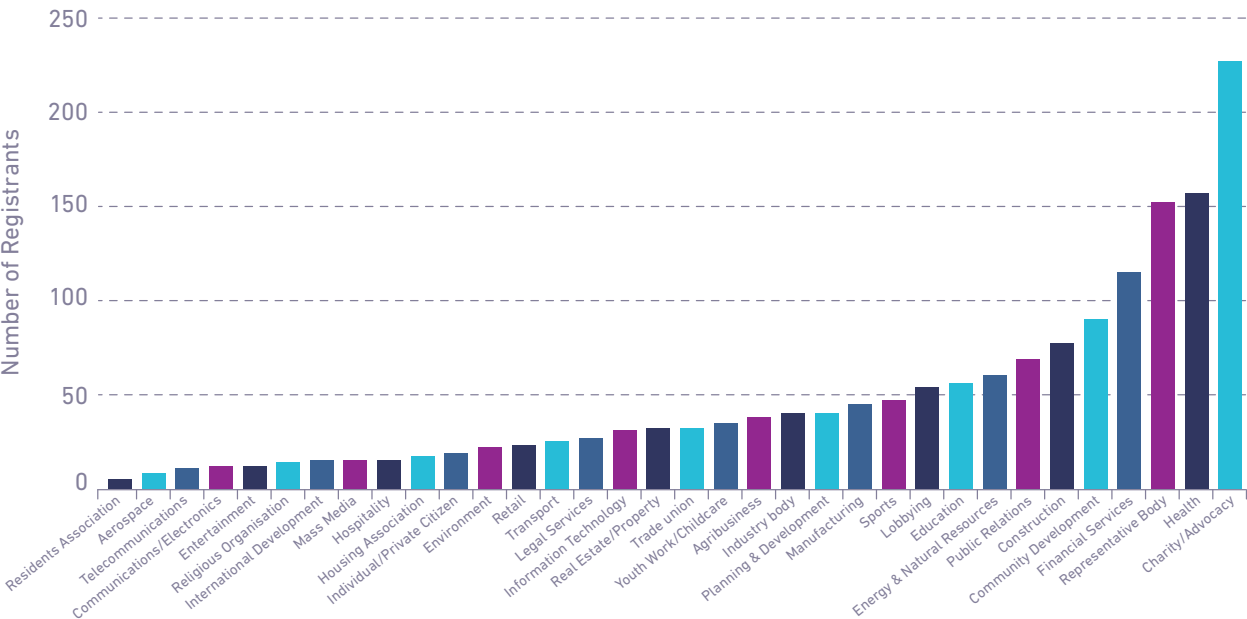


Figure 3 – Returns by reporting period in 2018

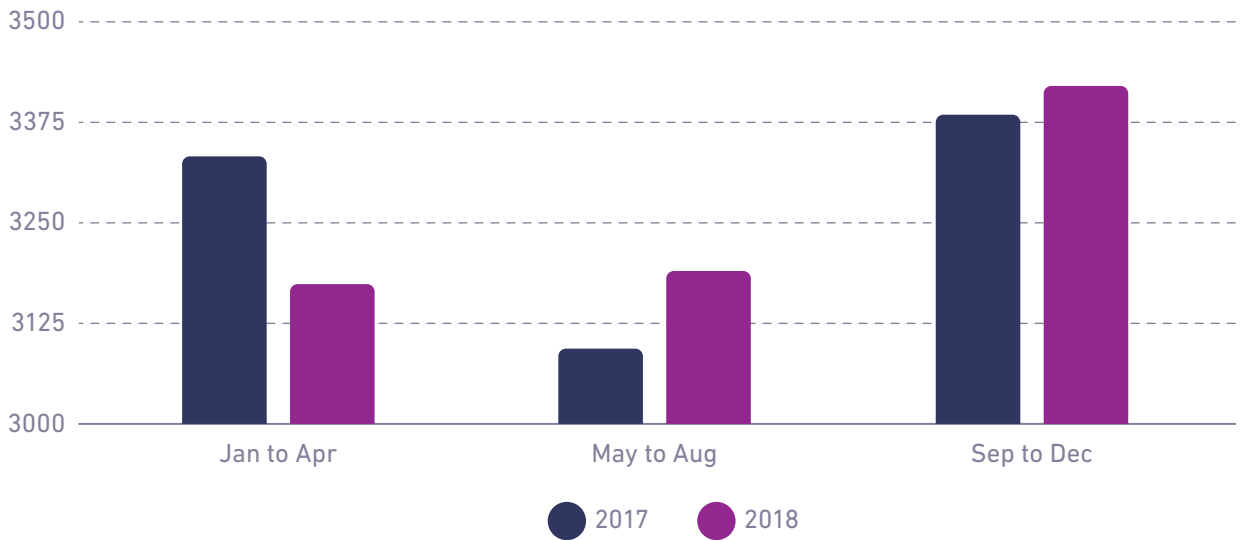


Figure 4 – Returns by Public Policy Area Jan - Dec 2018

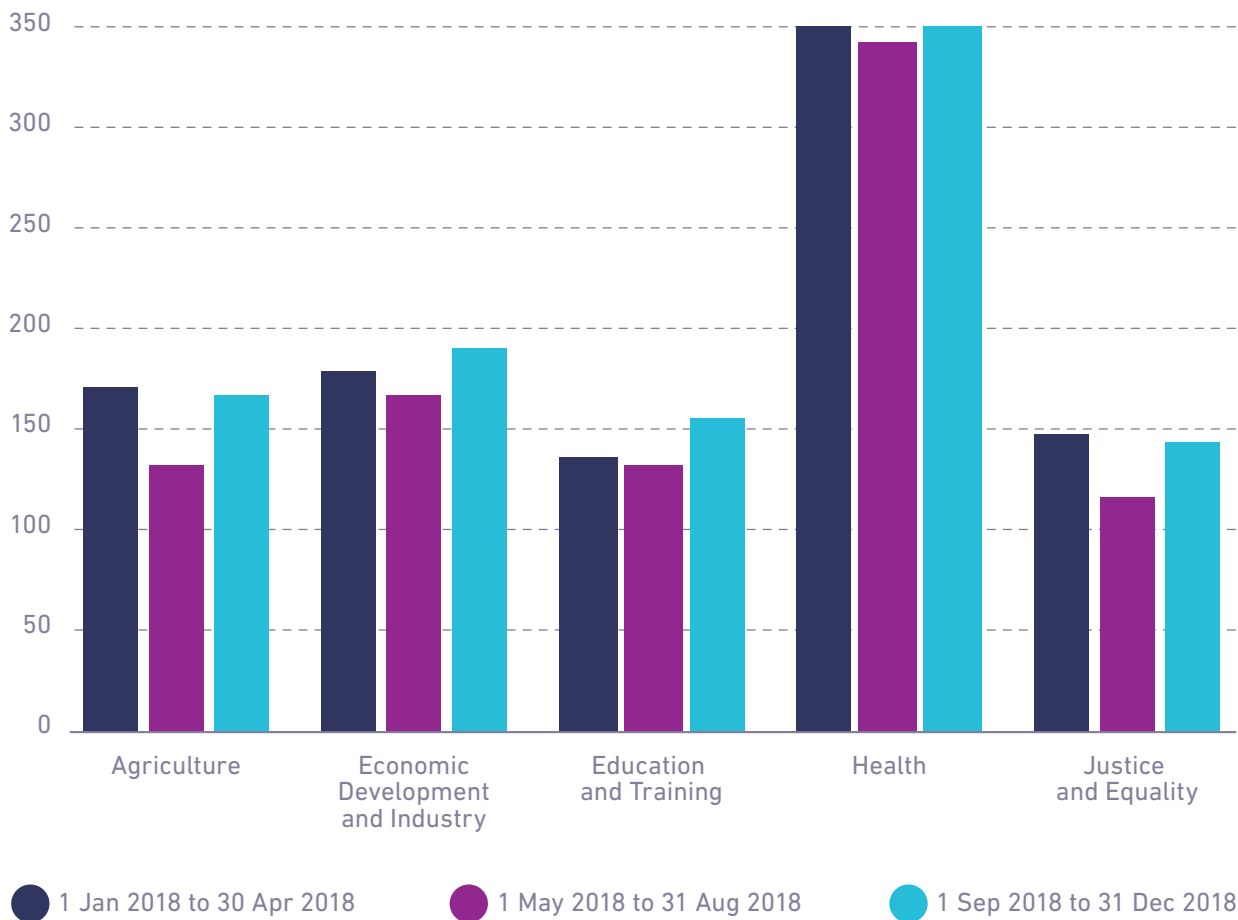


Figure 5 – Regional location of registrants

Great Britain: 58
Rest of Europe: 18
Rest of the World: 11

Total: 1742

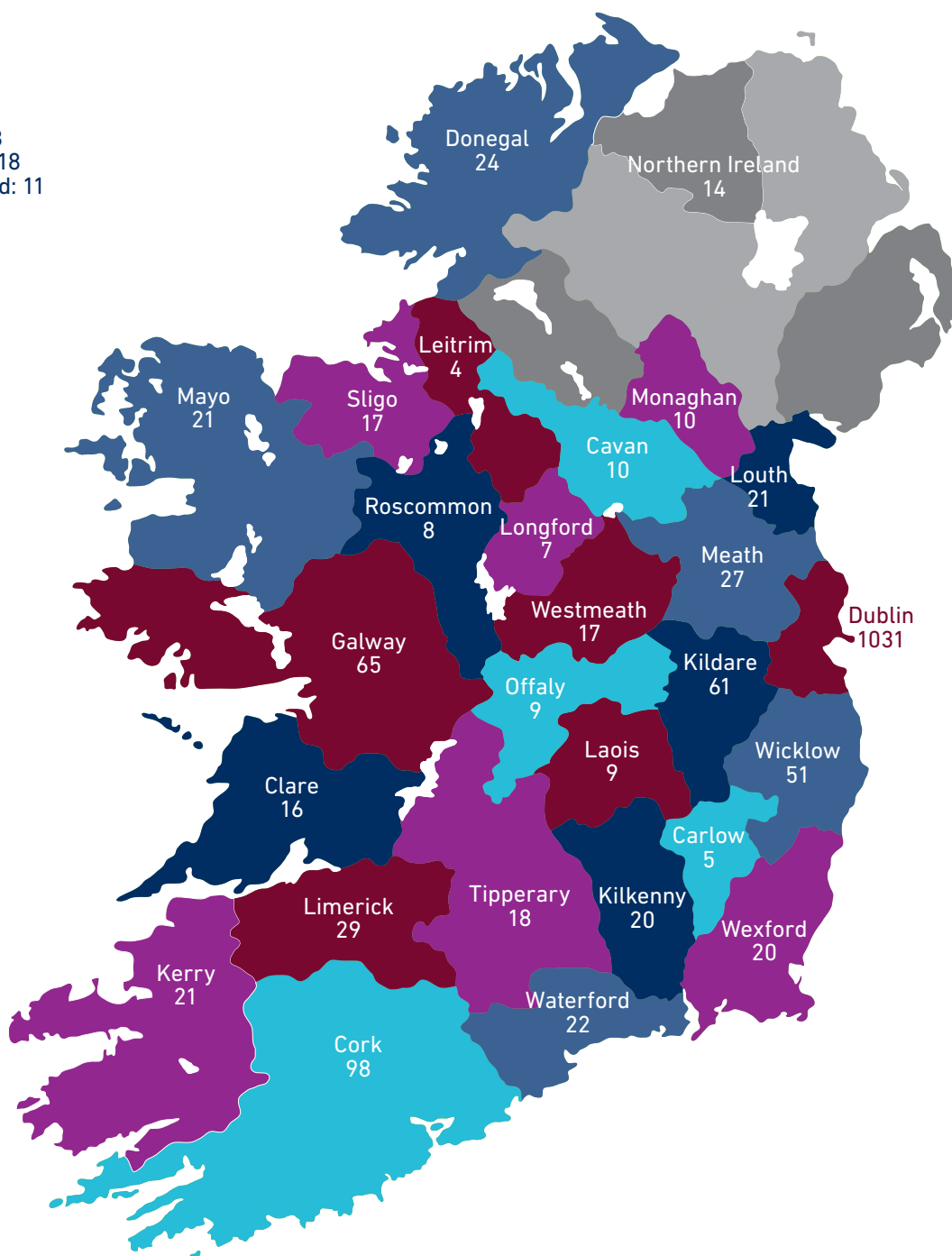


Figure 6 – Geographical breakdown of law firms on the Register of Lobbying

County	Firms registered with Law Society	Firms registered on lobbying.ie as “Legal Services”	Percentage
Dublin	949	20	2%
Cork	275	1	0%
Galway	148	1	1%
Limerick	97		0%
Kildare	85		0%
Tipperary	83		0%
Louth	73		0%
Kerry	69		0%
Mayo	63		0%
Donegal	56	1	2%
Clare	54		0%
Wicklow	49	1	2%
Wexford	48		0%
Meath	48		0%
Westmeath	43		0%
Sligo	41		0%
Waterford	37		0%
Cavan	34		0%
Roscommon	32		0%
Kilkenny	32		0%
Offaly	29		0%
Monaghan	26		0%
Longford	24		0%
Laois	24		0%
Carlow	21		0%
Leitrim	19		0%

