



Regulation of Lobbying Act 2015:
Presentation to members
of the media

Sherry Perreault
Head of Lobbying Regulation
Standards in Public Office Commission
26 November 2015

Purpose of presentation

- Overview of *Regulation of Lobbying Act 2015*
- Standards in Public Office Commission's role in regulating lobbying
- Overview of Online Registration System
- Information for media

LEGISLATIVE FRAMEWORK

Lobbying regulation: The Irish Model

- Web-based public registry
- Independent lobbying registrar
- Requires registration of lobbyists and regular submission of returns (3 times/year)
- Broad scope of registerable matters
- Post-employment restrictions for some public officials
- Investigation and enforcement provisions
- Approach based on promoting compliance
- Regular reports to parliament
- Legislative review

What is lobbying? The Three-Step Test

- Communication must meet the “three step test” to be considered lobbying - communication by:
 1. Persons within the scope of the Act
 2. With Designated Public Officials
 3. On relevant matters
- Act makes no distinction regarding method, venue or formality of communication
 - Mail, telephone, in-person, electronic, social media
 - Office, social setting, casual encounter, other

Step 1: Persons within scope

- Persons with more than 10 employees
- Representative bodies and advocacy bodies with at least 1 employee
- Third party lobbyists paid by a client (who fits one of the above criteria) to lobby on the client's behalf
- Anyone lobbying about the development or zoning of land

Only if the communications are with Designated Public Officials and relate to “relevant matters”

Step 2: Designated Public Officials

- Ministers, Ministers of State
- Members of Dáil Éireann, Seanad Éireann
- Members of the European Parliament for Irish constituencies
- Members of Local Authorities
- Special Advisors
- Senior Civil and Public Servants
 - Civil service: Secretaries General, Assistant Secretaries, Director grades and equivalent
 - Local authorities: CEs , Directors of Service, Heads of Finance
 - Minister may expand group in future

Step 3: Relevant matters

- 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...

Apart from matters relating only to the **implementation** of any such policy, programme, enactment or award **or of a technical nature**

Exemptions (s.5(5))

Several types of communications are exempt from requirement to register:

- Private affairs
- Principal private residence
- Diplomatic context
- Between public officials
- Strictly factual information
- Trade union negotiations
- Threat to life or safety
- Security of the State
- Shareholder of State body
- Within proceedings of Oireachtas Committee
- Information requested and published by public body
- Groups established by Public Body where Transparency Code applies

Registration requirements

- Register after first communication with DPO
- Include in registration:
 - Organisation Name
 - Business address and contact details
 - Main business activities
 - Identify person with primary responsibility for lobbying
 - Company Registration Office Number or Charitable Registration Number

Return requirements

- 3 Returns periods per year
 - 1 Sept–31 Dec; 1 Jan–30 Apr; 1 May–31 Aug
 - Must submit return within 21 days of end of relevant period
- Include in return:
 - Who was lobbied
 - Subject matter of lobbying activity and intended results
 - Type and extent of activity
 - Name of any person in your organisation who is or was a designated official and carried out lobbying activity
 - Client information (if relevant)

ROLES AND RESPONSIBILITIES

Role of Government

- Minister of Public Expenditure and Reform has policy lead on lobbying regulation
- Minister and his department responsible for:
 - Developing legislation and regulations
 - Leading consultation and review processes
 - Determining commencement dates
 - Development and oversight of Transparency Code
 - Establishment of Advisory Group on Regulation of Lobbying

Role of Standards in Public Office Commission

- Serve as Registrar, administer Act and regulations
 - Website and register
 - Decisions on matters under Act (delayed publication, removal of information, post-employment)
- Develop Code of Conduct for lobbyists
- Provide guidance, promote understanding of Act
- Investigation and enforcement powers
- Reports to Oireachtas

Key milestones

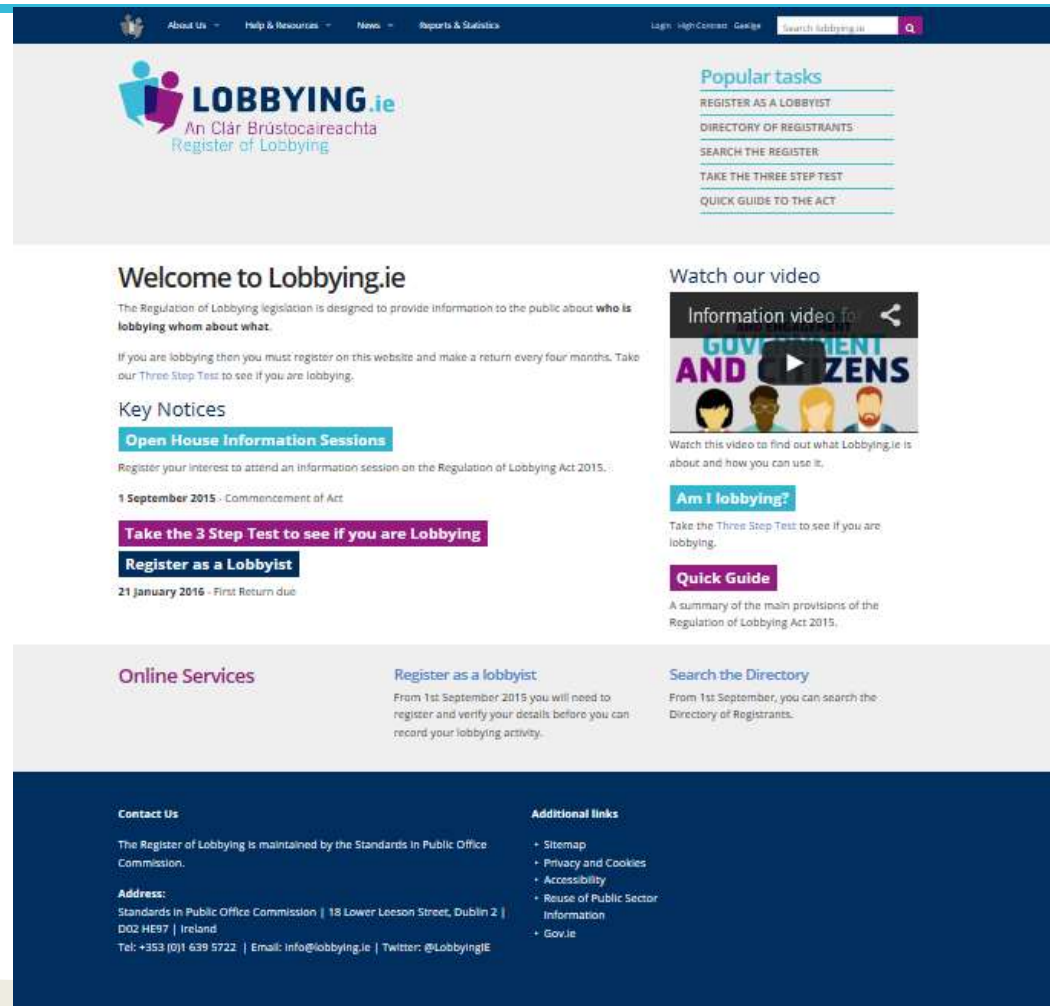
1. Regulatory unit established
2. Advisory Group in place
3. Website and online registration system developed
4. Communications and outreach campaign
5. Guidance and information material published
6. Commencement of legislation – 1 September 2015
7. First returns due – 21 January 2016

USING THE REGISTER

Online Registration System

Website:

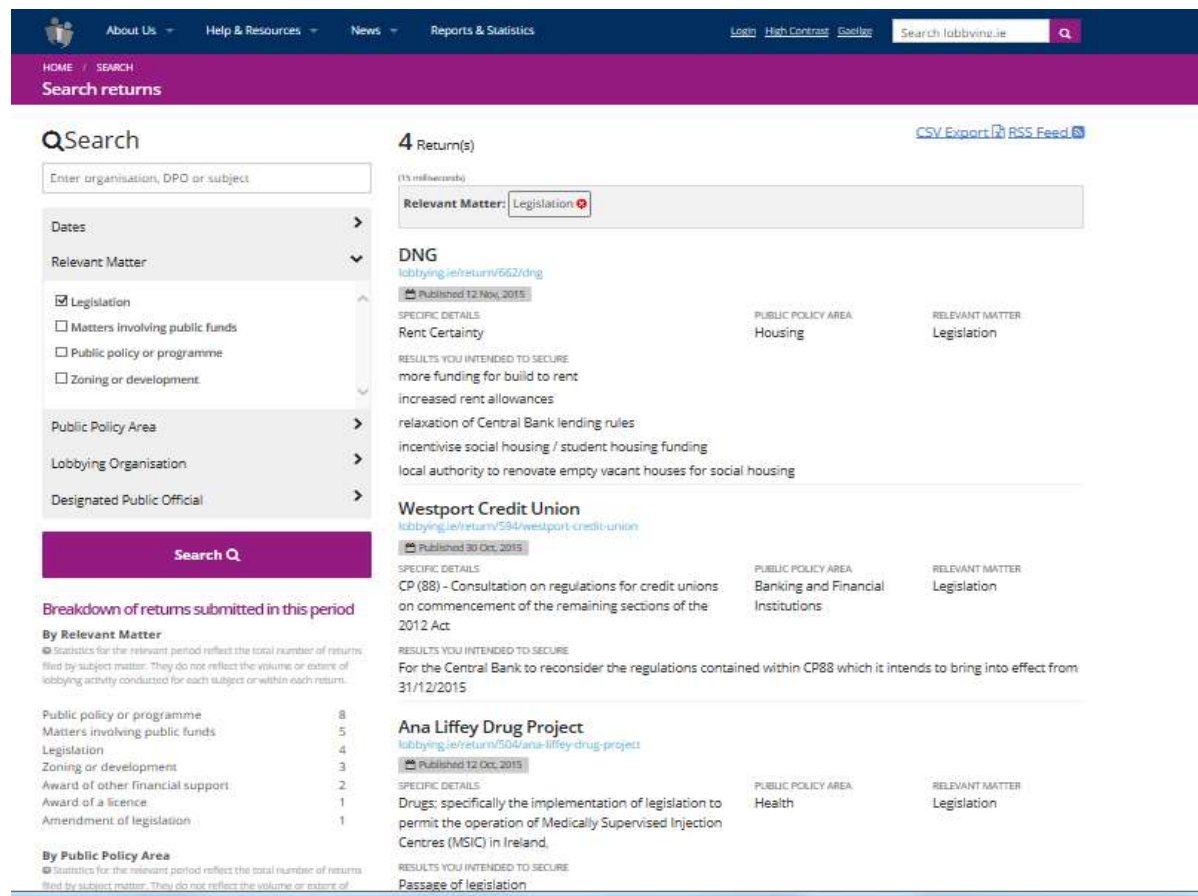
www.LOBBYING.ie



The screenshot shows the homepage of the LOBBYING.ie website. At the top, there is a navigation menu with links for 'About Us', 'Help & Resources', 'News', and 'Reports & Statistics'. A search bar is located on the right side of the header. Below the navigation, the LOBBYING.ie logo is displayed on the left, and a 'Popular tasks' section is on the right, listing: 'REGISTER AS A LOBBYIST', 'DIRECTORY OF REGISTRANTS', 'SEARCH THE REGISTER', 'TAKE THE THREE STEP TEST', and 'QUICK GUIDE TO THE ACT'. The main content area features a 'Welcome to Lobbying.ie' section with introductory text and a 'Key Notices' section with highlighted items: 'Open House Information Sessions', '1 September 2015 - Commencement of Act', 'Take the 3 Step Test to see if you are Lobbying', and 'Register as a Lobbyist'. To the right, there is a 'Watch our video' section with a video player and a 'Quick Guide' section. At the bottom, there are sections for 'Online Services' (including 'Register as a lobbyist' and 'Search the Directory'), 'Contact Us', and 'Additional links'.

Search

- Comprehensive search facility
- Open text
- Key fields
- RSS feed



The screenshot shows the search results page on the LOBBYING.ie website. The page features a navigation bar at the top with links for 'About Us', 'Help & Resources', 'News', and 'Reports & Statistics'. A search bar is located in the top right corner. Below the navigation bar, the page is titled 'Search returns' and includes a 'QSearch' section with a search input field and various filters such as 'Dates', 'Relevant Matter', 'Public Policy Area', 'Lobbying Organisation', and 'Designated Public Official'. A 'Search Q' button is positioned below the filters. To the right of the search filters, there are links for 'CSV Export' and 'RSS Feed'. The main content area displays four search results, each with a title, a link to the full report, a publication date, and a table of specific details. The first result is 'DNG' (DNG) published on 12 Nov 2015, with a relevant matter of 'Legislation' and a public policy area of 'Housing'. The second result is 'Westport Credit Union' published on 30 Oct 2015, with a relevant matter of 'Legislation' and a public policy area of 'Banking and Financial Institutions'. The third result is 'Ana Liffey Drug Project' published on 12 Oct 2015, with a relevant matter of 'Legislation' and a public policy area of 'Health'. The fourth result is 'CP (88) - Consultation on regulations for credit unions' published on 30 Oct 2015, with a relevant matter of 'Legislation' and a public policy area of 'Banking and Financial Institutions'. Below the search results, there is a section titled 'Breakdown of returns submitted in this period' which provides a summary of returns by relevant matter and public policy area.

QSearch

Enter organisation, DPD or subject

Dates >

Relevant Matter >

Legislation

Matters involving public funds

Public policy or programme

Zoning or development

Public Policy Area >

Lobbying Organisation >

Designated Public Official >

Search Q

4 Return(s) [CSV Export](#) [RSS Feed](#)

(15 milliseconds)

Relevant Matter: Legislation

DNG
[lobbying.ie/return/662/dng](#)
Published 12 Nov 2015

SPECIFIC DETAILS	PUBLIC POLICY AREA	RELEVANT MATTER
Rent Certainty	Housing	Legislation

RESULTS YOU INTENDED TO SECURE
more funding for build to rent
increased rent allowances
relaxation of Central Bank lending rules
incentivise social housing / student housing funding
local authority to renovate empty vacant houses for social housing

Westport Credit Union
[lobbying.ie/return/594/westport-credit-union](#)
Published 30 Oct 2015

SPECIFIC DETAILS	PUBLIC POLICY AREA	RELEVANT MATTER
CP (88) - Consultation on regulations for credit unions: on commencement of the remaining sections of the 2012 Act	Banking and Financial Institutions	Legislation

RESULTS YOU INTENDED TO SECURE
For the Central Bank to reconsider the regulations contained within CP88 which it intends to bring into effect from 31/12/2015

Ana Liffey Drug Project
[lobbying.ie/return/504/ana-liffey-drug-project](#)
Published 12 Oct 2015

SPECIFIC DETAILS	PUBLIC POLICY AREA	RELEVANT MATTER
Drugs: specifically the implementation of legislation to permit the operation of Medically Supervised Injection Centres (MSIC) in Ireland.	Health	Legislation

RESULTS YOU INTENDED TO SECURE
Passage of legislation

Breakdown of returns submitted in this period

By Relevant Matter

Statistics for the relevant period reflect the total number of returns filed by subject matter. They do not reflect the volume or extent of lobbying activity conducted for each subject or within each return.

Relevant Matter	Count
Public policy or programme	8
Matters involving public funds	5
Legislation	4
Zoning or development	3
Award of other financial support	2
Award of a licence	1
Amendment of legislation	1

By Public Policy Area

Statistics for the relevant period reflect the total number of returns filed by subject matter. They do not reflect the volume or extent of

Search Results

- Details of returns
- Explanatory text
- Report inaccurate information

HOME / RETURN DETAILS

[About Us](#) | [Help & Resources](#) | [News](#) | [Reports & Statistics](#) | [Login](#) | [High Contrast](#) | [Gaeilge](#) | Search lobbying.ie

DNG

Lobbying Organisation: [DNG](#) Date created: 12 Nov, 2015 [Report inaccurate information](#)

Relevant Matter Legislation	Public Policy Area Housing	Period 1 Sep, 2015 to 31 Dec, 2015
Specific Details Rent Certainty	Intended results more funding for build to rent increased rent allowances relaxation of Central Bank lending rules incentivise social housing / student housing funding local authority to renovate empty vacant houses for social housing	

Name of person primarily responsible for lobbying on this activity
Keith Lowe

Is or was there any Designated Public Officials or former Designated Public Officials who carried out lobbying activities related to this return on your behalf? [\(What is a Designated Public Official?\)](#)
No

Did you manage or direct a grassroots campaign?
No

Was this lobbying done on behalf of a client?
No

Lobbying activity

The following activities occurred for this specific Subject Matter Area.

Email (1)

Designated public officials lobbied

The following DPOs were lobbied during this return period on this specific Subject Matter Area. These DPOs were involved in at least one of the Lobbying Activities listed above, but not necessarily all of them. As returns are specific to a Subject Matter Area the above Lobbying Activities may be associated with multiple returns.

Michael Noonan | Alan Kelly

Information for media

- Website:
 - News, announcements, media statements, presentations
 - Online register
 - Copies of Act, regulations, guidelines, frequently asked questions
- Please direct media inquiries to:

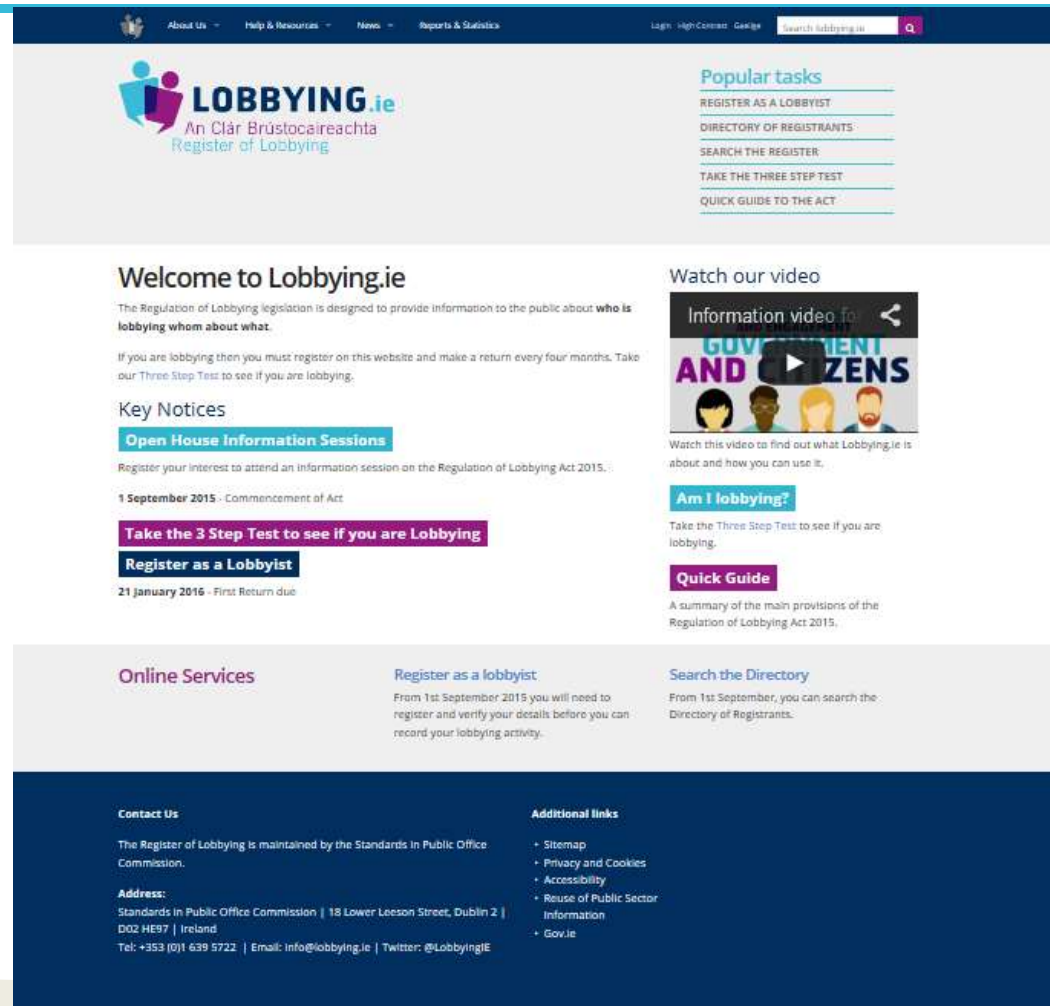
Sherry Perreault
Head of Lobbying Regulation
Standards in Public Office Commission
18 Lower Leeson Street
Sherry.perreault@sipo.ie
(01) 639-5715 or 639-5722

Questions?

Thank you!

Please visit our
website:

www.LOBBYING.ie



The screenshot shows the homepage of LOBBYING.ie. At the top, there is a navigation menu with links for 'About Us', 'Help & Resources', 'News', and 'Reports & Statistics'. A search bar is located on the right side of the header. Below the header, the LOBBYING.ie logo is displayed on the left, and a 'Popular tasks' section lists: 'REGISTER AS A LOBBYIST', 'DIRECTORY OF REGISTRANTS', 'SEARCH THE REGISTER', 'TAKE THE THREE STEP TEST', and 'QUICK GUIDE TO THE ACT'. The main content area features a 'Welcome to Lobbying.ie' section with introductory text and a 'Key Notices' section with links for 'Open House Information Sessions', 'Take the 3 Step Test to see if you are Lobbying', and 'Register as a Lobbyist'. To the right, there is a 'Watch our video' section with a video player for 'Information video for GOVERNMENT AND CITIZENS'. Below this, there are sections for 'Am I lobbying?' and 'Quick Guide'. The footer contains 'Online Services' (Register as a lobbyist, Search the Directory), 'Contact Us' (address, phone, email, and social media), and 'Additional links' (Sitemap, Privacy and Cookies, Accessibility, Reuse of Public Sector Information, Gov.ie).