**Lobbying Amendment Act 2023 Key Information**

**The Regulation of Lobbying and Oireachtas (Allowances to Members) (Amendment) Act 2023**

*The Regulation of Lobbying and Oireachtas (Allowances to Members) (Amendment) Act 2023* was passed into law on 22 June 2023.

The amendments to the Regulation of Lobbying Act 2015 aim to strengthen compliance and enforcement, most notably of the *‘cooling-off’* provision, and also through the insertion of an *‘anti-avoidance’* clause. With a view to bringing more transparency to lobbying activity and closing off unintended loopholes, it extends the Act’s provisions to lobbying activity by certain representative and issue-based bodies. The Amendment Act creates a system of administrative financial sanctions which can be imposed for some relevant contraventions, including for a breach of the cooling-off provision. The Amendment Act also increases the length of time that will elapse between statutory reviews to five years.

* Most provisions of *The Regulation of Lobbying and Oireachtas (Allowances to Members) (Amendment) Act 2023* commenced on 1 January 2024.
* Some provisions of *The Regulation of Lobbying and Oireachtas (Allowances to Members) (Amendment) Act 2023* will commence on 1 June 2024.

**The Principle Provisions in The Regulation of Lobbying and Oireachtas (Allowances to Members) (Amendment) Act 2023**

* Under Section 5 (1) (c) the scope of the Act is expanded to include any person who *‘makes, or manages or directs the making of any relevant communications about the development or zoning of land’*. **(Commenced on 1 January 2024)**
* A representative or issue-based organisation must have at least one employee in order to be in scope of the Act. The Amendment Bill extends this scope to include any representative or issue based organisation, with no full time employees, where at least one of the body’s members would fall within scope of the Act if such member or members were to carry on lobbying activities outside of the body. (Amending Sections 5(2) and 5(3) of the Act). **(Commenced on 1 January 2024)**
* A new exemption has been added under Section 5(5)(p) to include communications by a political party to its members who are designated public officials and which are made exclusively as members of the political party concerned. **(Commenced on 1 January 2024)**
* Under Section 8 of the Act any registered person whose entry on the register has been marked under Section 11(4) as ceased is prohibited from carrying on lobbying activities. **(Commenced on 1 January 2024)**
* Under Section 11 the address at which a person carries on business or carries on the person’s main activities, or the address at which the person normally resides, must be included in the details provided by the registrant. **(Commenced on 1 January 2024)**
* Under Section 22 (6) provision is made that every public service body must inform relevant designated public officials of their obligations under Section 22. Furthermore, under 22 (7) the public service body must inform the Standards in Public Office Commission when a relevant designated public official is leaving his or her employment. **(Commenced on 1 January 2024)**
* Under Section 18 a new contravention has been added. Under 18(f) it is a contravention if a person takes any action that has its intended purpose the avoidance or circumvention of the person’s obligations under the Act. **(Commences on 1 June 2024)**
* For a relevant contravention under Section 18 (f) (avoidance or circumvention of the person’s obligations under the Act) or under Section 22(1) (Not seeking a waiver of the cooling off period) a minor or a major sanction may be imposed. A Minor sanction will be advice, reprimand or caution. A Major sanction will be a financial sanction not exceeding €25,000, a prohibition on the person from registering on the Register for no more than two years, and a prohibition on the person from making or having a return made for no more than two years. **These sanctions will apply from 1 June 2024.**