

**Inquiry into arrangements for  
lobbying and influence in  
government in the ACT**

**Discussion Paper**

March 2026

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### **Acknowledgement of Country**

The ACT Integrity Commission acknowledges the Ngunnawal people as the traditional owners and custodians of the Canberra region. We pay our respects to Elders past, present, and emerging and extend our respects to all Aboriginal and Torres Strait Islander people.

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## The need for an inquiry

The Scheme regulating lobbying activities in the Australian Capital Territory (ACT) was implemented in 2014.

The Scheme was designed and implemented prior to the establishment of the ACT Integrity Commission (the **Commission**).

An inquiry by the Standing Committee on Administration into the ACT Register of Lobbyists in March 2019 made the following recommendation:

*The Committee recommends that the expansion of the ACT Register of Lobbyists be reconsidered at least 12 months after the commencement of the ACT Integrity Commission and not before the beginning of the 10<sup>th</sup> Assembly.*

The ACT Legislative Assembly (**Assembly**) has not yet commissioned a further inquiry following its review.

Anti-corruption commissions in Australia and elsewhere have conducted inquiries into or examined the efficacy of regulating lobbying activities.

In evidence given to the Select Committee on Estimates on 26 July 2024, the ACT Integrity Commissioner indicated his desire to conduct an inquiry into lobbying.

The ACT Labor Party, as part of its policy platform for the 2024 election, included in its integrity policy the following statement:

*Fund the Integrity Commissioner to undertake a piece of work in relation to lobbying with a key outcome being an education piece aimed at providing education and support to Members of the Legislative Assembly and their staff.*

On 4 February 2025 a motion was passed in the Assembly relating to lobbying as follows:

*That this Assembly:*

*(1) notes:*

*(a) public confidence in the ACT Government hinges on a community belief that the Government and the Assembly are acting with integrity, honesty, and fairness;*

*(b) continuing resolution 8AC defines a lobbyist as ‘any person, company or organisation who conducts lobbying activities on behalf of a third party, or whose employees or other personnel conduct lobbying activities on behalf of a third party, where such lobbying activities are ordinarily carried out in the expectation of receiving direct or indirect financial reward or other valuable consideration whether or not the amount thereof is ascertainable at the time such activities are conducted.’;*

*(c) this definition places lobbying by an entity on behalf of itself outside of the scope of the ACT’s lobbying regulations, presenting potentially significant gaps which should be of interest to any lobbying inquiry;*

*(d) the Integrity Commissioner has told the Assembly that he believes there is a need for a Commission inquiry into lobbying in the ACT, and requested financial support from the Government, which was not agreed;*



*(e) Mr Barr subsequently told The Canberra Times he would ‘give serious consideration to any request’ from the Commission for resourcing to undertake the inquiry and that ‘I think there is a pathway forward on that’;*

*(f) under the Integrity Commission Act and other Territory laws, the Commission has complete discretion in the exercise of the Commission’s functions;*

*(g) the Assembly unanimously supported a motion moved by Ms Castley calling for the Government to provide the Commission with ‘sufficient funding to investigate potential integrity, misconduct and corruption issues in a timely manner’; and*

*(h) no additional funding has been provided to date;*

*(2) calls on all Members of the Legislative Assembly to:*

*(a) support the Integrity Commission in holding a suitable inquiry into lobbying in the ACT; and*

*(b) fully cooperate with the inquiry in whatever form is required, including the full participation of Ministers, MLAs, executive and non-executive staff, and ACT Public Service officials;*

*(3) further calls on the Government to:*

*(a) provide additional resourcing so the Integrity Commission could as appropriate initiate a suitable inquiry, ideally during 2025, without adversely impacting the Commission’s other tasks and priorities; and*

*(b) commit to tabling a formal response to the inquiry within eight weeks of receiving its final report; and*

*(4) calls on the Speaker to refer a copy of this resolution to the Integrity Commissioner, so as to show the Assembly’s support for a suitable inquiry into lobbying in the ACT in accordance with terms of reference that the Integrity Commissioner may establish at his discretion.<sup>1</sup>*

The Commission achieved 7 additional permanently funded Full Time Equivalent (FTE) to increase the resourcing for the Commission in the 2025-26 Budget process.

Recently, the Standing Committee on the Integrity Commission and Statutory Office Holders inquired into the effectiveness of transparency arrangements for members of the Assembly.<sup>2</sup> Their interim report made one finding and 4 recommendations, including a recommendation that as part of the Commission’s inquiry into lobbying, the feasibility of requiring registered lobbyists to report on their meetings with both executive and non-executive Members should be examined. The report noted the resolution of the Assembly on 9 April 2025 and the previous motion that called for the Integrity Commissioner to undertake an inquiry into lobbying and for the Government to ensure appropriate funding be provided for this work. The Commissioner determined to commence his inquiry into lobbying in late 2025. The inquiry’s terms of reference are at **Appendix 1**. This discussion paper provides an opportunity for interested parties to get involved and provide input into the inquiry’s deliberations by making a submission.

<sup>1</sup> ACT Legislative Assembly for the Australian Capital Territory, [Hansard - 4 February 2025](#) (ACT Integrity Commission—proposed inquiry), 2025, pp 76-79 (accessed 22 March 2026).

<sup>2</sup> ACT Legislative Assembly Standing Committee on the Integrity Commission and Statutory Office Holders, [Interim report - transparency arrangements for members](#), September 2025 (accessed 22 March 2026).



# 1. What is lobbying?

Lobbying is when a person or group of people attempt to influence government decision-makers to benefit their area of interest. Lobbying can seek to influence decisions relating to:

- the making or amending of legislation
- land use and development
- the awarding of contracts and grants
- regulatory regimes, including who and what is regulated.

Lobbying allows individuals, organisations, and communities to present their views to decision-makers to enable diverse perspectives to be considered in decision-making – it is a legitimate and important part of democratic processes. However, lobbying can create a risk of inappropriate influence where people with the most resources or closest connections with decision-makers exert undue influence over decision-makers. This undue influence can result in decisions that skew the ‘public interest’ toward the benefit of the particular interest group in a way that would otherwise not have occurred and in ways that are not transparent.

This risk was well described by Stephen Skehill to the then Assembly Standing Committee on Administration and Procedure in May 2014.

*Lobbying, while currently the subject to much controversy and critical comment in Australia, plays a vital and beneficial role in any democracy and can ensure that public officials are fully informed to make decisions in the best interests of the community they serve. At the same time, however, lobbying has the clear potential to lead, intentionally or inadvertently, to distorted outcomes unduly favourable to particular members or groups of members within a community without regard to the overall public interest. In a worst scenario it may involve corruption of and by public officials.<sup>3</sup>*

One way in which the risks associated with lobbying have been mitigated is to implement schemes that regulate, administer and/or provide oversight of lobbying activities. Most schemes are underpinned by the principle of transparency, by making publicly available records of those who lobby and on whose behalf they do so. Lobbying regulatory schemes in some form are in place in all Australian States and Territories and the Commonwealth.

<sup>3</sup> ACT Legislative Assembly for the Australian Capital Territory, [Lobbyist Regulation](#), June 2014, p 10 (accessed 22 March 2026).



## 2. The ACT lobbying Scheme

In 2014, the Assembly implemented the Lobbyist Register – ACT Lobbying Code of Conduct and ACT Lobbying Regulation Guidelines as continuing resolution, 8AB and 8AC (respectively) of the *Standing orders and continuing resolutions of the Assembly*.

For the purposes of this document, the Lobbying Code of Conduct and Lobbying Regulation Guidelines are collectively referred to as the **Scheme**. This Scheme is administrative in nature and defines and specifies:

- Persons and entities required to be registered
- What constitutes lobbying activities
- Persons and entities ineligible to be registered
- Who is a public official for the purposes of the Scheme
- Persons and entities not required to be registered
- Prohibition on contact with unregistered lobbyists
- Public content of the ACT Register of Lobbyists
- Registration forms and registration decisions
- Handling of complaints.

8AB and 8AC of the *Standing orders and continuing resolutions of the Assembly* can be found at **Appendix 2**.

### 2.1. Important concepts under the Scheme

#### 2.1.1. Who is a lobbyist?

The ACT Lobbyist Regulation Guidelines define a lobbyist as:

*Any person, company or organisation who conducts lobbying activities on behalf of a third-party, or whose employees or other personnel conduct lobbying activities on behalf of a third-party, where such lobbying activities are ordinarily carried out in the expectation of receiving direct or indirect financial reward or other valuable consideration whether or not the amount thereof is ascertainable at the time such activities are conducted.*<sup>4</sup>

#### 2.1.2. What is a lobbying activity?

The Scheme defines lobbying activities as:

*Any oral or written (including electronic) communication with a public official to influence legislation or policy, regulatory or administrative decisions of the public official or another public official other than a communication:*

*(a) with a committee of the Assembly;*

<sup>4</sup> ACT Legislative Assembly for the Australian Capital Territory, [Standing orders and continuing resolutions of the Legislative Assembly for the Australian Capital Territory, Continuing Resolution 8AC](#), p 137 (further footnoted as Standing orders 8AC or other relevant section of the Standing orders and continuing resolutions), (accessed 22 March 2026).



*(b) with a Minister in their capacity as a local Member and in relation to matters falling outside their ministerial responsibilities;*

*(c) in response to a coercive requirement by a public official for information;*

*(d) in response to a request by a public official for information or the submission of view;*

*(e) in response to a request for tender, expression of interest, etc;*

*(f) protected by a government-endorsed whistle-blower regime;*

*(g) that is only an approach to a public official for publicly available information without any attempt to influence;*

*(h) as part of a grassroots campaign;*

*(i) made in a public forum; or*

*(j) for the avoidance of doubt:*

*(i) by one government to another government; or*

*(ii) by one government official to another government official in the course of the official duties of the former.*

### **2.1.3. What is excluded as a lobbying activity?**

As can be seen from the definition above, several interactions between lobbyists and public officials, including Members of the Legislative Assembly (MLAs) and Ministers, are excluded from the Scheme.

### **2.1.4. Who is not required to be registered under the Scheme?**

The Scheme identifies several categories of persons and entities who are not required to be registered even though their lobbying activities might otherwise fall within the definition of a lobbyist as follows.

*(1) religious bodies;*

*(2) charities;*

*(3) not-for-profit organisations that represent the interests of their members, such as trade unions, trade and industry associations, etc;*

*(4) members of foreign trade delegations;*

*(5) persons/bodies registered under government laws where dealings with government are part of the normal day-to-day work of people in their profession, for example, architects, customs brokers, etc;*

*(6) members of professions who make occasional representations to government on behalf of others in a way that is incidental to the provision of their professional services, for example, doctors, accountants, lawyers; and*



*(7) persons who conduct lobbying activities only for relatives or friends provided that such are only in respect of the personal rather than business or commercial affairs of such persons.<sup>5</sup>*

### **2.1.5. Public officials covered under the Scheme**

The Scheme defines public officials as follows:

*A “public official” means:*

*(a) a Member of the Legislative Assembly;*

*(b) any person employed by such a person under the Legislative Assembly (Members’ Staff) Act 1989; and*

*(c) any person employed under the Public Sector Management Act 1994.<sup>6</sup>*

Public officials must not entertain lobbying activities by a person required to be, but not registered as, a lobbyist. Specifically, under the Lobbyist Regulation Guidelines:

*Members/Ministers agree, and their personal staff and all ACT public service officers shall be directed, not to knowingly or intentionally entertain any non-exempted communication from:*

- *a lobbyist not registered on the ACT Register of Lobbyists;*
- *an employee, contractor or other person authorised to carry out lobbying activities on behalf of a registered lobbyist where that person’s name does not appear on the Register in the details recorded for that registered lobbyist; or*
- *any registered lobbyist or employee, contractor or other person authorised to carry out lobbying activities on behalf of that registered lobbyist who in their opinion has failed to comply with the Lobbying Code of Conduct;*

*and shall immediately advise the Registrar if they became aware or reasonably suspected that a registered lobbyist or authorised person had contravened the ACT Lobbying Code of Conduct.<sup>7</sup>*

### **2.1.6. Standards of conduct**

The Scheme requires lobbyists, when engaging with a public official, to observe certain standards of conduct, including acting with honesty, integrity and good faith and not engaging in conduct that is corrupt, dishonest or illegal.<sup>8</sup>

### **2.1.7. Disclosure requirements and public reporting**

The Scheme requires 6 monthly returns from registered lobbyists, including the requirement to disclose the persons or entities on whose behalf lobbying has been conducted in the preceding 12 months.

The current register of lobbyists can be found [here](#). As of 20 March 2026, there are 65 lobbyists registered.

<sup>5</sup> [Standing orders 8AC](#) p 137.

<sup>6</sup> [Standing orders 8AC](#) (3), p 138.

<sup>7</sup> [Standing orders 8AC](#) p 139.

<sup>8</sup> [Standing orders 8AB](#) (3)(b)(c), p 135.



### 2.1.8. Who administers the Scheme?

The Scheme is administered by the Clerk of the Assembly (the **Clerk**) who is empowered to register or deregister lobbyists.

The ACT Integrity Commission does not have a role in managing the existing Scheme or providing oversight of regulatory arrangements applying to lobbying activities in the ACT.

## 2.2 Other mechanisms to protect the integrity of government and government decision-making

The Scheme exists within a broad framework of measures that collectively operate to protect the integrity of government decision-making and prevent corruption. These measures include:

- codes of conduct that apply to MLAs, staff of MLAs<sup>9</sup> and public servants, that set out behavioural requirements for ethical conduct and include mechanisms for investigations of breaches and sanctions for non-compliance<sup>10</sup>;
- disclosure requirements to make transparent certain interests, including disclosures of personal and pecuniary interests<sup>11</sup>;
- 'open access' arrangements, that enable government documents to be accessed on request under the *Freedom of Information Act 2016* (FOI Act) or otherwise made available, including the disclosure of full Cabinet records after 10 years and publishing accessible summaries of Cabinet decisions and Wellbeing Impact Assessments shortly after Cabinet meetings under s 23 of the FOI Act;
- the disclosure of certain activities, including diary entry disclosures by executive members of government, and information about Ministers and ministerial staff travel and hospitality expenses and gifts and benefits disclosures;
- for public servants employed under the *Public Sector Management Act 1994*, requirements to comply with the ACT Public Service Integrity Framework, ACT Public Service Code of Conduct, ACT Public Service Gifts, Benefits and Hospitality Policy, and disclosure and management of conflicts of interest;
- the existence of oversight and integrity bodies, such as the ACT Audit Office and the ACT Integrity Commission;
- measures to protect the integrity of the electoral process, including disclosures of political donations, prohibitions on receiving donations from certain donors, and requirements for annual returns from political parties in receipt of donations.

Any review into lobbying arrangements needs to be considered within this broad framework of measures designed to ensure the integrity and probity of government and public administration.

<sup>9</sup> Staff of MLAs are employed under the [Legislative Assembly \(Members' Staff\) Act 1989](#).

<sup>10</sup> ACT Legislative Assembly for the Australian Capital Territory, [Standing orders](#) Continuing resolution 5 - Code of Conduct for all members of the Legislative Assembly for the Australian Capital Territory, p 114 and Continuing resolution 5AA - Commissioner for Standards, p 119, (accessed 22 March 2026).

<sup>11</sup> ACT Legislative Assembly for the Australian Capital Territory, [Standing orders](#) Continuing resolution 6 - Declarations of private interests of Members, p 123, Continuing resolution 6A - Ethics and Integrity Adviser, p 124, Conflict of Interest, p 52 and Pecuniary Interest, p 73, (accessed 22 March 2026).



## 3. Key issues for discussion

This section outlines key issues for consideration when assessing the efficacy of the Scheme. This includes a description about why lobbying activity can create risks, including corruption risks, to the integrity of government decision-making.

### 3.1. What is at risk from lobbying activity?

While it is expected that citizens have a right to lobby elected officials for certain outcomes, lobbying that occurs without ethical guard rails and guidance can distort government decision-making and create private benefits at the expense of the public interest. Secret meetings between lobbyists and public officials; lack of transparency in recording discussions and outcomes of meetings; justifications in decision documents that obfuscate the truth about who influenced the decision create risks, including corruption risks to the integrity of public administration and government.

The potential benefits and harms of lobbying were succinctly outlined by the Tasmanian Integrity Commission in its research report on reforming oversight of lobbying in Tasmania, reproduced below.

#### *Potential benefits of lobbying:*

- *a useful tool for political participation*
- *contribution to society by making insightful contributions to policy-making. Lobbyists can offer valuable expertise based on extensive skill and experience in specific areas*
- *provides a more balanced political dialogue by providing perspectives to public officers who may not have comprehensive access to public service advice.*

#### *Potential harms of lobbying:*

- *creates the opportunity for misuse of public powers for the advancement of private interests*
- *inhibits inclusiveness as audiences are granted based on financial or political influence instead of potential merit*
- *leads to a lack of transparency*
- *inhibits impartiality in decision-making. Lobbyists who have developed relationships with decision-makers may secure favourable outcomes that may not be egalitarian in nature*
- *undermines public confidence in government institutions and those acting on behalf of government<sup>12</sup>.*

This research report also recognises the not unsurprising connection between the incidence of lobbying and the enterprises that have the most to gain or lose from government decisions and notes there is a heightened risk of improper lobbying where:

- *entities operate in areas that are heavily regulated and where a government licence or authorisation is required to commence and operate a business*
- *entities rely on government patronage (for example, defence contractors and firms that specialise in building public infrastructure)*
- *operations in a particular area are mainly conducted by large, well-resourced firms that are better funded and organised than their customers or other affected parties*
- *public officials exercise a high degree of discretionary power; for example, planning and development applications*

<sup>12</sup> Tasmanian Integrity Commission, [Research Report – Reforming oversight of lobbying in Tasmania](#), May 2022, p 5 (accessed 22 March 2026).



- significant windfall gains or losses flow from a single decision; for example, rezoning a parcel of land
- a lobbying entity has made donations to a particular political party, and
- there is a personal or other relationship between persons associated with an entity pursuing a proposal and public officials in a position to influence the outcome<sup>13</sup>.

How corruption manifests itself within the exercise of lobbying activities was examined by the Independent Commission Against Corruption, South Australia in its 2024 report on lobbying, titled 'The Room Where It Happens'<sup>14</sup>. That report made the following key observations:

*One thing that is clear from these examples is that lobbying gives rise to the risk of corruption on the part of both those seeking to influence, and those to whom the lobbying is directed; that is, both lobbyists and public officials.*

*The corruption risks of lobbying can manifest in what might be thought of as straightforward corruption or bribery; that is, public officials receiving direct personal benefits for exercising public power in a particular way – 'money in brown paper bags'. A somewhat more subtle way is where those seeking to influence public decisions make 'donations' to causes associated with relevant public officials – for example, electoral campaigns – to curry favour either explicitly or subconsciously.*

*Corruption can also occur when those seeking to influence government trade on personal relationships or their own status to gain preferential access to, and treatment from, decision-makers or those in a position to influence decision-makers. In such cases, the influencer's trustworthiness or impartiality might be assumed and proposals may be given a tick of approval without the ordinary processes of scrutiny and assessment being applied. Alternatively, submissions might be given undue weight due to the status of the person making the submission (for example, friend, relative or former colleague) or the position of authority they occupy (for example, officeholder within a political party). In other cases, favouritism may be shown to friends, family members or those in positions of power, without any tangible benefit for the decision-maker personally.<sup>15</sup>*

Put simply, lobbying may lead to misconduct if it sways public officials to decide issues for reasons other than merit, or it leads to the dishonest or partial exercise of public officials' functions, in breach of public trust.<sup>16</sup>

Lobbying is a legitimate activity and an important part of the democratic process, but it must be conducted in accordance with public expectations of transparency, integrity, and honesty.<sup>17</sup>

*Lobbying and influence activities play a central role in shaping public policies, and are legitimate acts of political participation. Lobbying and influence, when carried out in the context of a legal framework that prioritises integrity, transparency and equity, can bring the expertise and insights to policymaking that enables better policies.*

*In many cases, lobbying and influence activities are too open to abuse. Where guidelines exist, they often lack comprehensive coverage across all government branches and levels of government. Frequently, information regarding the identities of lobbying and influence actors, on*

<sup>13</sup> Ibid., p 6.

<sup>14</sup> Independent Commission Against Corruption, [The room where it happens – lobbying and influence in South Australia](#), August 2024 (accessed 22 March 2026).

<sup>15</sup> Ibid., pp 26-27.

<sup>16</sup> Yee-Fui Ng, [Regulating the influencers: The Evolution of Lobbying Regulation in Australia](#) (2020) 41(2), Adelaide Law Review, p 510 (accessed 22 March 2026).

<sup>17</sup> The Senate, Finance and Public Administration References Committee, [Chapter 2 - The regulatory challenge: Defining lobbying and lobbyists](#), May 2024 (accessed 21 March 2026).



*whose behalf of they are conducting their activities, the decisions they engage on, and the ways in which they impact government decisions is either incomplete or inadequately scrutinised. And while rules addressing conflicts of interest practices are generally present, there is a need for more specific integrity standards for the interactions between policymakers and lobbyists, including on the “revolving door” and when lobbyists engage in advisory and expert groups.*<sup>18</sup>

## 3.2. Regulating lobbying

The Scheme also recognises lobbying as a legitimate process. The Scheme’s preamble notes that free and open access to the institutions of government is a vital element of democracy; that ethical lobbying is a legitimate activity and an important part of the democratic process; and lobbyists can enhance the strength of our democracy by assisting individuals and organisations with advice on public policy processes and facilitating contact with public officials.<sup>19</sup>

The regulation of lobbying is designed to prevent improper behaviour by lobbyists and public officials, enhance fairness and transparency in government policy and decision-making, and improve the quality of government decisions by ensuring decisions are made on merit and for the broader public good, and not skewed towards narrow sectional interests.

Approaches to regulating lobbying activities include administrative or statutory regimes that require lobbyists to be registered; codes of conduct; disclosures of lobbying activity (usually in the form of published annual returns of registered lobbyists); and prohibitions on public officials engaging with unregistered lobbyists.

The Organisation for Economic Co-operation and Development (OECD) adopted in 2010 several recommendations on the principles for transparency and integrity in lobbying. It adopted 10 principles and 4 main objectives designed to build an effective and fair framework for equal access to policy discussions for all parties concerned, enhance transparency, foster a culture of integrity and create mechanisms for effective implementation, compliance and review.<sup>20</sup>

The most significant criticisms of the regulation of lobbying in Australia are that the regulatory systems:

- only include lobbyists who act for third-party clients in their registration systems, therefore excluding lobbyists working as employees for corporations or other in-house lobbyists
- exclude non-profit entities constituted to represent the interests of their members
- do not provide for adequate disclosure of the subject matter, purpose, timing, and parties involved in lobbying communications, and
- have non-existent or weak enforcement mechanisms.

The extent to which the Scheme is effective in regulating lobbying activity to prevent misconduct by public officials and enhance the efficacy and transparency of government decision-making will be explored in this inquiry.

Key policy issues that arise for the regulation of lobbying are explored below.

<sup>18</sup> OECD, [Lobbying and influence](#), subtopic *In many cases, lobbying and influence activities are too open to abuse*, (accessed 22 March 2026).

<sup>19</sup> [Standing orders](#) 8AB (1), p 134.

<sup>20</sup> OECD (2021), *op. cit.*



### 3.3. Should the ACT adopt a statutory Scheme to regulate lobbying?

The lobbying regime in the ACT is an administrative Scheme, not a statutory scheme that exists in New South Wales (NSW), Queensland, South Australia and Western Australia. It operates under the standing orders of the Assembly, with the role of administering the Scheme given to the Clerk. It does not have the force of legislation.

This approach can be contrasted with statute-based lobbying regulation that exists in some other Australian jurisdictions, including NSW. The regulation of lobbying in NSW first occurred as an administrative Scheme under the *Lobbyist Code of Conduct* issued under a Premier's Memorandum. However, in response to a report released by the NSW Independent Commission Against Corruption (ICAC) in November 2010, the *Lobbying of Government Officials Act 2011* was enacted, which strengthened the regulation of lobbying by introducing legislation to ban success fees and restrict lobbying by former Ministers and Parliamentary Secretaries. In May 2014, a package of reforms was announced and implemented in December 2014, involving:

- establishing the NSW Electoral Commission as an independent regulator of lobbyists
- applying a set of ethical standards to all third-party lobbyists and other organisations that lobby government
- empowering the independent regulator to investigate alleged breaches and impose sanctions which could result in third-party lobbyists being removed from the Lobbyist Register and other organisations being placed on a Watch List and their access to government restricted
- requiring Ministers to publish quarterly diary summaries of scheduled meetings with external organisations on portfolio-related activities, and
- making the NSW Ministerial Code of Conduct an applicable code under the *Independent Commission Against Corruption Act 1988* (NSW), giving the ICAC the power to investigate and make findings on a Minister's compliance with the Code.<sup>21</sup>

Lobbying regulation is created under legislation in NSW, Queensland, South Australia and Western Australia. Hybrid arrangements exist for the Commonwealth and Tasmania where some elements of lobbying regulation are regulated by administrative and legal arrangements. Victoria's model is administrative in nature.

Enshrining the Scheme in legislation may incentivise compliance, deter breaches, increase the transparency of lobbying activities and align it with arrangements in other Australian jurisdictions.

#### Focus questions

1. Should the Scheme move to a statute-based model?
2. What aspects of the Scheme would be strengthened through implementation of a statutory model?

<sup>21</sup> NSW Premier & Cabinet, [Statutory review of the Lobbying of Government Officials Act 2011](#), June 2017, p 5 (accessed 22 March 2026).



## 3.4. Who and what should be covered by lobbying regulation

Administrative or statute-based schemes for the regulation of lobbying need to specify who and what is 'caught' within the operation of the scheme. This can include definitions of who is a lobbyist, with whom they interact (for the purposes of the application of the scheme) and what 'interactions' are captured. Schemes can therefore be structured around roles, activities or a combination of both.

These issues are discussed below.

### 3.4.1. Those being lobbied

The Scheme requires 'public officials' to operate in accordance with the Scheme. The definition, as described in section 1 of this paper, is broad and covers executive members of the Assembly, all other MLAs, those who work for MLAs and public sector employees. It is comprehensive in its definition of a public official.

Public officials covered under the Scheme are required to comply with the Scheme, including not knowingly or intentionally entertaining communications from unregistered lobbyists and notifying the Registrar if they became aware or reasonably suspect that a registered lobbyist or authorised person has contravened the ACT Lobbying Code of Conduct.

### 3.4.2. Those doing the lobbying

The Scheme defines a lobbyist as:

*Any person, company or organisation who conducts lobbying activities on behalf of a third party, or whose employees or other personnel conduct lobbying activities on behalf of a third party, where such lobbying activities are ordinarily carried out in the expectation of receiving direct or indirect financial reward or other valuable consideration whether or not the amount thereof is ascertainable at the time such activities are conducted.<sup>22</sup>*

Professional lobbyists are categorised into 2 types: third-party and in-house. A third-party lobbyist is a professional lobbyist that anyone can hire and pay a fee for undertaking lobbying activities. They may work for a professional lobbying firm and represent various clients. An in-house lobbyist is someone communicating with and seeking to influence public officials on behalf of their immediate employer. In an inquiry into access to Australian Parliament House by lobbyists, it was observed that:

*This category of lobbyists is less easily identified as they are often employed in executive, company director or government relations roles that potentially obscure the realities of their professional duties to lobby public officials.<sup>23</sup>*

It was further observed that only third-party lobbyists, estimated to represent less than 20 per cent of lobbying activity, are captured under Australia's current regulatory framework.<sup>24</sup>

The Scheme only captures within its definition third-party lobbyists. The Scheme also excludes several persons and entities from being required to register before conducting defined lobbying activities even though they might otherwise fall within the definition of lobbyist. These exclusions include religious bodies, charities, and not-for-profit organisations representing the interests of their members, such as trade unions, trade and industry associations and others.

<sup>22</sup> [Standing orders](#) 8AC (1), p 137.

<sup>23</sup> The Senate, [Finance and Public Administration References Committee – Access to Australian Parliament House by lobbyists](#), May 2024, p 9 (accessed 22 March 2026).

<sup>24</sup> *Ibid.*, p 10.



Members of professions who make occasional representations to government on behalf of others in a way that is incidental to the provision of their professional services are not required to be registered. The full list of excluded persons and entities is in the Lobbying Register – ACT Lobbyist Regulation Guidelines.<sup>25</sup>

These exclusions are consistent with regulatory arrangements for lobbying in other Australian States and Territories.

### 3.5. What activities should constitute lobbying?

Lobbying is understood to refer to communication with a public official with the objective of influencing legislative, policy or administrative decisions. A recent inquiry into access by lobbyists to Parliament House noted the wide scope of modern-day lobbying activities.

*Contemporary lobbying practices encompass a broad and combined range of activities and tactics, including:*

- *direct lobbying, where an interested party transparently advocates for its own preferred outcome through the use of in-house lobbyists;*
- *the use of specialised lobbying firms, or 'third-party' lobbyists to advocate on behalf of an interested party;*
- *collective lobbying through unions, peak bodies, industry associations and trade associations;*
- *media lobbying, including media appearances, sponsored journalism, advertising and social media campaigning to shape public discourse;*
- *exerting influence over public discourse through the use of academics, consultants, think tanks, experts or others to produce research or evidence to support a preferred outcome;*
- *'astroturf campaigning', where a private interest covertly or discreetly funds an organisation presenting as a grassroots civic organisation to advocate for its own preferred outcome;*
- *political donations, gifting, bribing and bestowing honours or cachet in exchange for influence; and*
- *professional mobility between the political, public, and private sectors, also known as the 'revolving door' phenomenon.<sup>26</sup>*

The Scheme defines 'lobbyist activities' as:

*Any oral or written (including electronic) communication with a public official to influence legislation or policy, regulatory or administrative decisions of the public official or another public official **other than** (emphasis added) a communication:*

- *with a committee of the Legislative Assembly*
- *with a Minister in their capacity as a local Member and in relation to matters falling outside their ministerial responsibilities*
- *in response to a coercive requirement by a public official for information*
- *in response to a request by a public official for information or the submission of view*
- *in response to a request for tender, expression of interest, etc*
- *protected by a government-endorsed whistle blower regime*
- *that is only an approach to a public official for publicly available information without any attempt to influence*
- *as part of a grassroots campaign*
- *made in a public forum or*

<sup>25</sup> [Standing orders](#) 8AC, p 137.

<sup>26</sup> The Senate, op. cit., p 7.



- *for the avoidance of doubt, by one government to another government or by one government official to another government official in the course of the official duties of the former.*<sup>27</sup>

The Scheme therefore excludes from its scope several categories of communications with public officials, such as communications with committees of the Assembly, with Ministers in their capacity as a local Member and in relation to matters falling outside their ministerial responsibilities, as part of a grassroots campaign, in response to a request by a public official for information or the submission of a view<sup>28</sup>. These activities are viewed as normal processes for citizens to interact with governments to put forward their views of matters of interest and without the need for regulatory oversight.

The Scheme excludes from its operation certain groups and entities, including trade unions and industry associations (excluded groups) who can undertake lobbying activities without any of the obligations required under the Scheme. These groups can interact with public officials with the intention of influencing legislation, policy, regulatory or administrative decisions, without requiring registration as a lobbyist.

Absent any other statutory or administrative requirements imposed on those being lobbied, by these excluded groups for example, diary disclosures or conflict of interest disclosures, there is no mechanism for members of the public to become aware of these interactions. The impact of the activities of excluded groups on critical decision-making, including whether successful in swaying the views of public officials to the benefit of that group, remains opaque.

### 3.5.1. Activity-based regimes

An alternative model of regulation to one based on describing who is and is not covered by lobbying regulation, is an activity-based approach. An activity-based model of regulating lobbying focuses on the activity (of lobbying) being undertaken, not who is undertaking the lobbying activity. This was a model recommended by the Independent Broad-based Anti-corruption Commission (IBAC) in its October 2022<sup>29</sup> special report on corruption risks associated with donations and lobbying. It called for the adoption of legislation that defines lobbying activity that captures any contact with government representatives that is made in relation to government or parliamentary functions and decision-making at a local level.

More recently, a submission to the ACT's transparency inquiry supported the regulation of lobbying that is focused on the activity being undertaken, with in-house lobbyists being covered. In its submission to that inquiry, Hawker Britton, a firm on the ACT Lobbyist Register, advocated for the expansion of the definition of a lobbyist to include both 'in-house' lobbyists and the activities and services of professionals as such lawyers and planners offering government relations services, whose activities can be viewed as akin to lobbying activities.<sup>30</sup>

<sup>27</sup> [Standing orders](#) 8AC (2), p 137.

<sup>28</sup> *Ibid.*

<sup>29</sup> Independent Broad-based Anti-corruption Commission Victoria, [Special report on corruption risks associated with donations and lobbying](#), October 2022, (accessed 22 March 2026)

<sup>30</sup> Hawker Britton, *Inquiry into the effectiveness of transparency arrangements for Members of the Legislative Assembly – Interim Report, Submission 11*, September 2025, (accessed 22 March 2026).



### Focus questions

3. Should the definition of persons and entities required to be registered under the Scheme be expanded to include other persons and entities whose activities would constitute lobbying activities?
4. Should the Scheme adopt an 'activity based' model, such that any activity that falls within the definition of lobbying activity is covered under the Scheme, regardless of who is conducting the lobbying?

## 3.6. Unregulated lobbying undertaken by MLAs

An MLA's responsibilities involve advocating on behalf of their constituents. As noted in IBAC's report, it is clear that members of parliament are targeted by lobbyists and other interested parties to promote decisions. In IBAC's view:

*This suggests that regulation is required to ensure an MP's role as elected advocate is not misused by people with money and/or power to indirectly influence a minister, particularly in circumstances where an MP has received a benefit (such as a donation) from the individual.*

*The current constraints on an MP are those stipulated in the Members of Parliament (Standards) Act 1978 (Vic) (Members of Parliament (Standards) Act) and include obligations to*

- *avoid any actual or perceived conflict of interests with their private interests*
- *exercise their influence responsibly and not use their influence to improperly further their private interests or the private interests of a specified person.*<sup>31</sup>

Similarly, arrangements in the ACT rely on the operation of the Ministerial Code of Conduct, overseen by the Chief Minister, the Code of Conduct for MLAs and Code of Conduct for staff of MLAs, to ensure conflicts of interest and private interests are disclosed and effectively managed.

Specifically, standing order 156 of the Assembly's continuing resolutions on conflicts of interest require that:

*A Member who is a party to, or has a direct or indirect interest in, a contract made by or on behalf of the Territory or a Territory authority shall not take part in a discussion of a matter, or vote on a question, in a meeting of the Assembly where the matter or question relates directly or indirectly to that contract. Any question concerning the application of this standing order shall be decided by the Assembly.*<sup>32</sup>

Further standing order 224 of the Assembly's continuing resolutions on pecuniary interests require that:

*A Member may not sit on a committee if that Member has any direct pecuniary interest in the inquiry before such committee.*<sup>33</sup>

<sup>31</sup> Independent Broad-based Anti-corruption Commission Victoria, [Special report on corruption risks associated with donations and lobbying](#), October 2022, (accessed 22 March 2026).

<sup>32</sup> [Standing orders](#) Chapter 14, *Conflict of interest* (156), p 52.

<sup>33</sup> [Standing orders](#) Chapter 20, *Pecuniary interest* (224), p 73.



### Focus questions

5. Should 'influencing' activities that fall outside the definition of lobbying under the Scheme between interest groups and public officials be subject to public disclosure and if so, in what circumstances and in what form?
6. Where significant representations to public officials have been made by excluded groups, should these be recorded and made known publicly?
7. Are there circumstances and/or types of information brought to the attention of public officials by lobbyists that ought to be kept confidential, e.g. commercially sensitive data or matters impinging on personal privacy?

## 3.7. What standards of conduct should apply to lobbyists?

The ACT Lobbying Code of Conduct (the Code), amongst other conditions, requires a registered lobbyist when engaging with a public official, to observe the following principles:

- *To conduct their business to the highest professional and ethical standards, and in accordance with all relevant requirements with respect to lobbying activities*
- *To act with honesty, integrity and good faith and avoid conduct or practices likely to bring discredit upon themselves, public officials or those whose interests they represent*
- *Not engage in any conduct that is corrupt, dishonest or illegal, or unlawfully cause or threaten any detriment*
- *Use all reasonable endeavours to satisfy themselves of the trust and accuracy of all statements and information provided to them to clients whom they represent, to the wider public, or to public officials<sup>34</sup>*
- *Not make misleading, exaggerated or extravagant claims about, or otherwise misrepresent, the nature and extent of their access to public officials, members of political parties or any other person*
- *Keep strictly separate from their duties and activities as lobbyists any personal activity or involvement as a member of or on behalf of a political party*
- *Not disclose confidential information of another party unless they have obtained the informed consent of that party, or they are required to do so by law*
- *Not represent conflicting or competing interests without having obtained the informed consent of the parties whose interests are involved*
- *Take all reasonable steps to ensure that their details as recorded on the ACT Register of Lobbyists*

These principles are not dissimilar to those prescribed by other Australian jurisdictions.

The Code also imposes restrictions on registered lobbyists focused on minimising conflicts of interest for an individual who is a former public official ('revolving door' bans), who may be convicted of an offence involving dishonesty or who becomes a member of a federal, state or territory political party executive or administrative committee. There is also provision for a lobbyist to advise any interested party in the management of the business of the lobbyist that they do not occupy or act as a member of a federal, state or territory political party executive or administrative committee.

Standards of conduct for public officials are not specified in the Code, presumably because other rules exist to bind public officials to standards of conduct. The proposed Tasmania model does contain explicit standards of conduct for public officials when interacting with lobbyists as follows:

<sup>34</sup> A lobbyist who becomes aware that information they have previously provided to a public official was or is now inaccurate shall provide accurate and updated information if they believe the official may be relying on the accuracy of information previously provided.



- Any contact that involves lobbying activities must be documented.
- Preferential treatment and/or preferential access to particular individuals or groups must not be given.
- Any lobbying activity – regardless of the level of formality or the location of the contact – must be disclosed.
- Information that would produce unfair advantage must not be divulged.<sup>35</sup>

### Focus question

8. Should the Scheme be amended to set out standards of conduct by public officials when interacting with lobbyists?

## 3.8. Disclosure obligations on lobbyists and those being lobbied

The Scheme requires lobbyists, when conducting lobbying activities, to disclose to the public official with whom they are interacting that they are a lobbyist; whether they are currently listed on the ACT Register of Lobbyists; the name of the client and the nature of the matters they wish to raise<sup>36</sup>. This is designed to ensure that public officials are clear about who is lobbying them and whether they are entitled to engage with that lobbyist (noting that knowingly engaging with unregistered lobbyists is prohibited under the Code).

The Scheme also requires registered lobbyists to furnish a six-monthly report within 15 working days of 30 June and 31 December in each year confirming all registration details on the ACT Register of Lobbyists (the **'Register'**) is accurate and listing the name and address of each client on whose behalf lobbying activity is, or may be, conducted.

The Scheme does not require the disclosure of communications with lobbyists by public officials covered under the Scheme. However, Ministers are required to disclose meetings with lobbyists in diaries that are published on a quarterly basis. Ministerial Diary Publications disclose the date, type of activity (e.g. briefing, meeting, event, public hearing) and with whom the activity took place.

### 3.8.1. Best practice principles for disclosures of lobbying activities

The OECD has developed what it considers to be the minimum disclosure requirements to maintain transparency of lobbying activities and for a lobbying register to be meaningful as follows:

- The interests represented (e.g. who is the client)
- The objective of the lobbying activity
- The government entity or person being lobbied.<sup>37</sup>

The Scheme only meets the requirements to disclose who is being lobbied and who the lobbyist is. It does not require disclosure of the objective of the lobbying activity. This can be contrasted with disclosure requirements in other jurisdictions. For example, in Queensland lobbyists are required to regularly report each lobbying 'contact', including the date, client, government representatives, mode of communication, purpose of communication and policy portfolio with whom the contact relates.<sup>38</sup>

<sup>35</sup> Tasmanian Integrity Commission, [Recommended model for lobbying oversight](#), April 2025, p 7 (accessed 22 March 2026).

<sup>36</sup> [Standing orders](#) 8AB (2), p 134.

<sup>37</sup> OECD (2009), [Lobbyists, Governments and Public Trust, Volume 1: Increasing Transparency through Legislation](#), OECD Publishing, Paris, p 58, <https://doi.org/10.1787/9789264073371-en>, (accessed 22 March 2026).

<sup>38</sup> Office of the Queensland Integrity Commissioner, [Lobbying Register](#), (accessed 22 March 2026).



The proposed Tasmanian regulatory model includes a Contact Disclosure Log and requires public officials to record certain information, as follows, on that Log within five working days of the contact:

- *the public official's name and role*
- *if meeting or phone call, other public officials who were present, if applicable*
- *the name of the lobbyist*
- *the client's name (in the case of third-party lobbyists)*
- *the date of the lobbying activity contact*
- *the nature of the lobbying activity – that is, an effort to influence decision-making regarding any of the following:*
  - *the making or amending of legislation*
  - *the development or amendment of a government or non-government policy or program*
  - *the awarding of a government contract or grant*
  - *the allocation of funding*
  - *other (please specify)*
- *the form of the contact – for example, a meeting, phone call, text message, or written submission or proposal.*<sup>39</sup>

### **3.8.2. Consideration of disclosure obligations by the Standing Committee on the Integrity Commission and Statutory Office Holders**

The recent inquiry into transparency arrangements for members, by the Assembly's Standing Committee on the Integrity Commission and Statutory Office Holders, examined whether publication of non-executive Member diaries should be required. It noted that no other Australian jurisdiction requires publication of non-executive members' diaries, although the Queensland parliament had a sessional order that requires shadow ministers to publish diary information relating to their shadow portfolios including meetings with lobbyists. Submissions by the Clerk to the inquiry suggested that:

*Greater transparency of lobbying activities in the ACT could be achieved by an amendment to continuing resolution 8AC requiring lobbyists to declare in their annual return 'whether they have lobbied a member (whether a minister or non-executive MLA), the date the meeting occurred and the subject matter of the meeting.*

The Clerk further noted in his submission that transparency of lobbying activities could be achieved as follows:

*If the aim of publishing diaries is to determine whether non-executive members are being lobbied by lobbyists, the Assembly may wish to consider whether it should amend continuing resolution 8AC (Lobbyist Register – ACT Lobbyist Regulation Guidelines) to require lobbyists to provide in their return whether they have lobbied a member (whether a minister or non-executive MLA), the date the meeting occurred and the subject matter of the meeting. In that way there can be a greater level of transparency of lobbying activities.*<sup>40</sup>

The committee found that no case has been made for the publication of non-executive Members diaries. In forming this view, concerns were expressed about the impact such disclosure requirements might have on the willingness of constituents to interact with their local member and on members undertaking their role of scrutinising legislation and making government accountable and transparent.

<sup>39</sup>Tasmanian Integrity Commission, op. cit., p 7.

<sup>40</sup> Clerk of the Legislative Assembly of the Australian Capital Territory, *ACT Legislative Assembly Standing Committee of the Integrity Commission and Statutory Office Holders Inquiry into the effectiveness of transparency arrangements for Members of the Legislative Assembly – Interim Report, Submission 10*, September 2025, p 5 (accessed 22 March 2026).



### 3.8.3. Disclosures of lobbying activities by public servants and staff of MLAs

In the context of addressing lobbying risks, it is well known that Ministerial staff play an important role in and thus become ‘targets’ of advocacy and influence by interest groups. IBAC addressed this issue by recommending that disclosure obligations would ensure that interactions between a lobbyist and a minister or their staff are transparent, including requiring:

*i) the creation and maintenance of records in relation to requests to meet, any associated approvals, and formal meetings between a minister or their staff and any person lobbying the minister or their staff (with reference to the approaches taken in Queensland, Scotland and Ireland)*

*ii) the inclusion in ministerial diaries and ministerial staff diaries of details of contacts with people undertaking lobbying activity to support the monitoring and compliance activities of the lobbying regulator (with reference to the NSW and Queensland approaches)*

*iii) the publication of a uniform Ministerial Staff Code of Conduct required under legislation, which obliges ministerial staff to comply with lobbying regulations*

*iv) training for ministerial advisers to raise awareness of risks associated with lobbyists.<sup>41</sup>*

In summary, gaps exist in the existing regimes relating to the disclosures of lobbying activities. No requirement exists for the purpose of the lobbying to be publicly recorded, including the area of policy or interest being lobbied, nor is there an express requirement, under the Scheme, on public servants and members of staff of MLAs to record engagements with or by lobbyists.

#### Focus questions

9. Should the Scheme require public officials to maintain disclosure logs of contact with lobbyists?
10. Should lobbyists be required to specify the purpose of the contact with the public official?
11. Should Ministers be required to disclose, as part of the publication of diaries, the purpose of any engagement with a registered lobbyist?
12. Should non-executive MLAs also be required to publish their diaries in accordance with existing ACT Government Open Access Information arrangements applying to executive MLAs?
13. Are code of conduct requirements on MLAs and their staff, including disclosures of conflicts of interest, sufficient and effective to make transparent any relationships with interest groups, whether represented by a registered lobbyist or other individual, to promote probity and integrity in government decision-making?
14. Should the Scheme require public officials, including public servants employed under the *Public Sector Management Act 1994* to record, on a public contact log, interactions with persons undertaking lobbying activities?
15. Should former MLAs, staff of MLAs, and senior public servants be prohibited from undertaking lobbying activities, in any form, for periods longer than those currently specified?

<sup>41</sup> Independent Broad-based Anti-Corruption Commission Victoria, [Special report on corruption risks associated with donations and lobbying](#), October 2022, p 12 (accessed 22 March 2026).



### 3.9. Who should regulate lobbying activities?

The Scheme is administered by the Clerk. The Clerk relies on the resources of his office to administer the Scheme and address complaints and issues of non-compliance. No statutory powers to independently investigate alleged breaches of the Scheme are available to the Clerk.

Other States and Territories adopt different approaches. In NSW, the NSW Electoral Commission is the independent regulator of lobbying activities; in Queensland, it is the Queensland Integrity Commissioner; in Victoria, the Public Sector Standards Commissioner; and in Western Australia, the Chief Executive of the Department of Premier and Cabinet. In 2022, responsibility for administering that States' lobbying register and lobbying code of conduct transferred from the Department of Premier and Cabinet to the Tasmanian Integrity Commission.

The question of who should administer the lobbying Scheme in the ACT was considered in Report 10 of the Standing Committee of Administration and Procedure (9<sup>th</sup> Assembly) entitled *Inquiry into the ACT Register of Lobbyists* ("Lobbyists Report"). A submission from Mr Stephen Skehill, Ethics and Integrity Advisor, on balance favoured the moving of the administration of the Register from the Clerk to the Integrity Commission "to reinforce the importance of lobbyist regulation as an important element in the broader network of integrity assurance."<sup>42</sup>

The Government's submission to that inquiry supported the continuation of the administration of the Scheme by the Clerk, emphasising a focus on preventative and educative role in fostering ethical practices.<sup>43</sup> Correspondence from the ACT Integrity Commissioner to the Speaker in response to a request for his views on issues raised in that inquiry argued against a shift in responsibilities to the Commission, on the grounds of keeping separate core functions of the Commission to detect and investigate corruption allegations from the administrative and regulatory functions required by the Register of the Scheme.

#### 3.9.1. Complaints, compliance and sanctions

The Scheme authorises the Clerk to make registration decisions, including to deny registration or remove currently registered lobbyists from the register and to administer the complaints handling processes set out in the Code. This includes referral of a complaint to the relevant MLA and, in the case of persons employed under the *Public Sector Management Act 1994*, the Head of Service. The Scheme empowers the Clerk deny registration and/or remove any lobbyists or authorised persons in certain circumstances and provides the Clerk with a general discretion to refuse (or remove) registration of an otherwise eligible lobbyist where there are reasonable grounds to believe that the lobbyist has acted, or cannot be relied upon to act, in a manner consistent with general standards of ethical behaviour.

Since inception in 2015, no complaints have been made about non-compliance with the Scheme. As part of the ongoing management of the Register, the Registrar has removed 10 lobbyists from the Register due to not complying with the requirement to lodge 6 monthly returns, with one of those lobbyists subsequently re-registered.

Some lobbying regulators in other States and Territories have powers to compel the production of documents. Sanction arrangements for breaches of lobbying codes in Australian jurisdictions include the ability to remove or de-registrar lobbyists, impose fines for unregistered lobbying and in the case of NSW, the ability to place persons and entities on a Lobbyist Watch List.

The question of the sufficiency and appropriateness of regulatory powers and sanctions is tied to the question of the form of the regulatory Scheme (discussed in section 3.3 above). Legislation would be

<sup>42</sup> Standing Committee of Administration and Procedure (9<sup>th</sup> Assembly), [Inquiry into the ACT Register of Lobbyists – Report 10](#), March 2019, p 4, (accessed 22 March 2026).

<sup>43</sup> *Ibid.*, p 5.



required to enable the enforcement of regulatory powers, such as the ability to compel the production of information and documents and to provide a wide range of responses and sanctions to non-compliance with the Scheme.

#### Focus questions

16. Can a case be made for the transfer of the administration of the Scheme from the Clerk to another body?
17. Should the Scheme be enhanced through the broadening of regulatory powers and sanctions for non-compliance?

### 3.10. The treatment of success fees

A 'success fee' is a fee given to a lobbyist for successfully achieving the desired outcome for a third party. The NSW *Lobbying of Government Officials Act 2011 No 5* provides the following meaning:

*...a **success fee** for the lobbying of a government official is an amount of money or other valuable consideration, the giving or receipt of which is contingent on the outcome of the lobbying of the Government official by or on behalf of a lobbyist or on the outcome of a matter about which such lobbying is carried out.*

Prohibitions of the payment of success fees generally operate to ban both the payment of a success fee by the client and a ban on receiving a success fee by the lobbyist.

Various forms of success fees are prohibited in Victoria, NSW, Queensland, South Australia and Western Australia. The Commonwealth and Tasmanian regimes contain no prohibition on giving or receiving success fees, nor does the ACT. The policy rationale for banning success fees is to remove the financial incentive associated with achieving the desired outcome by the lobbyist and thereby removes an incentive, on both the lobbyist and its client, to engage in conduct at odds with the relevant lobbying code of conduct.

The extent of the payment of success fees to lobbyists on the ACT register is unknown. Regardless, given widespread recognition in other jurisdictions to address lobbying risks by removing financial incentives, the imposition of a prohibition of success fees is an issue within scope of consideration by this inquiry.

#### Focus question

18. Should the ACT lobbying regime be changed to prohibit the receiving or paying of success fees between registered lobbyists and their clients?



### 3.11. Revolving door bans

The 'revolving door' refers to elected officials and public officers moving to roles as lobbyists. The 'revolving door' from public office to lobbyist is seen to threaten the integrity of government in 3 ways:

1. Public officers could be influenced by the implicit or explicit promise of a lucrative job in the private sector with an entity seeking a government contract or to shape public policy.
2. Public officers-turned lobbyists may have access to important government representatives that is not available to others.
3. Public officers-turned lobbyists may have access to specialist knowledge gained during their time in government.

The ACT Lobbying Code of Conduct deals with these issues in the following ways:

- A lobbyist who was previously a Member of the Assembly shall not, within 18 months of ceasing to hold that office, engage in lobbying activities relating to any matter that they had official dealings with in their last 18 months in office.
- A lobbyist who was previously employed under the *Legislative Assembly (Members' Staff) Act 1989* shall not, within 12 months of ceasing to be so employed, engage in lobbying activities relating to any matter that they had official dealings with in their last 12 months in such employment.
- A lobbyist who was previously employed under the *Public Sector Management Act 1994* as a Head of Service, Director-General or executive shall not, within 12 months of ceasing to be so employed, engage in lobbying activities relating to any matter that they had official dealings with in their last 12 months in such employment.<sup>44</sup>

The registration form to apply to be registered on the ACT Register of Lobbyists requires the applicant to disclose whether they fall within the above categories and to confirm that they will not engage in lobbying activities until the relevant time has expired.

#### Focus questions

19. Should the timeframes that prohibit the registration of former elected and public officials be extended?
20. Should public servants employed under the *Public Sector Management Act 1994* at classifications below the level of executives (or those performing roles in areas known to be high risk from corruption influences) be prohibited from being registered as a lobbyist for certain periods of time?

<sup>44</sup> [Standing orders](#) 8AB (3)(k)(l)(m), p. 136.



### 3.12. Other issues for consideration

Submissions to the Inquiry into the effectiveness of transparency arrangements for MLAs (interim report) released on 25 September 2025 raised the following issues in relation to lobbying arrangements in the ACT:

- Difficulty maintaining lobbyist registration across multiple jurisdictions.
- The current definition of lobbyist under continuing resolution 8AC is restricted to third-party lobbyists; the definition should be expanded to include 'in-house' lobbyists.
- The activities and services of professionals such as lawyers and planners offering government relations services were like those of third-party and in-house lobbyists and should also be considered lobbying.
- Calls to ban 'success fees', suggesting an approach like those in NSW and Queensland, where such fees are prohibited by legislation.
- Advocating for a legislative framework with a formalised reporting system for lobbying activities, in the interest of greater consistency and transparency.

Apart from the first point above, each of these issues is explored in this paper.

In summary, the regulation of lobbying in the ACT is a non-statute-based Scheme with significant exclusions about who is defined as a lobbyist and what constitutes lobbying activity.

The purpose of this inquiry is to explore whether enhancements can be made to the existing Scheme to improve the transparency of decision-making in government and to insulate the territory against corrupting influences on government policy setting and decision-making.

#### Focus questions

21. Does the current Scheme provide adequate transparency to inform the public, in a meaningful way, of the influence of lobbying activities on government decision-making?
22. What additional mechanisms are available to make transparent any critical influence over significant decisions so that the community can be satisfied that decisions are being made 'for the right reasons' and in the public interest?
23. Are there interactions between interest groups and public officials not captured as lobbying activities that nevertheless should be 'captured' and form part of the public record?
24. What other improvements can be made to the Scheme to promote public confidence and trust in government?



## 4. How to have your say

We are interested in hearing your experiences of lobbying in the ACT and your opinion on whether and how the current Scheme arrangements should change. The focus questions are there to assist you in preparing a submission, you do not need to address any or all of them.

We want your views on gaps that exist in current arrangements that create corruption risks. Our objective is to strengthen frameworks to mitigate corruption risks associated with influencing activities between interest groups and government and strengthen public trust in government.

The Commission is seeking submissions until 25 May 2026.

You can provide your submission in writing via:

- the ACT Integrity Commission's website at: [www.integrity.act.gov.au/lobbying-consultation](http://www.integrity.act.gov.au/lobbying-consultation)
- Email at: [governance@integrity.act.gov.au](mailto:governance@integrity.act.gov.au)
- Post to:  
Chief Executive Officer  
ACT Integrity Commission  
GPO Box 1949  
Canberra ACT 2601

In addition to this discussion paper, the Commission may hold open forums, inviting submitters, experts and other interested parties to engage in the process.

**It should be noted this Inquiry is not an investigation to detect breaches of existing frameworks and/or potential corrupt conduct. It will be open to those making submissions to identify concerns about the efficacy of existing arrangements and/or to raise concerns about non-compliance with existing arrangements to improve arrangements at the policy level.**

Anyone wanting to make a report of potential corrupt conduct relating to lobbying activities is encouraged to do so using existing channels outlined on our website. The preferred method for submission is via [the online form](#).

Phone and email enquiries about this discussion paper and consultation can be directed to (02) 6205 9899 or [governance@integrity.act.gov.au](mailto:governance@integrity.act.gov.au).

### 4.1. Accessibility of submissions

If you wish to make a submission, but making a written one is not accessible to you, please phone (02) 6205 9899 to get advice on other ways to participate.

Where possible, written submissions should be provided in Microsoft Word or PDF format or equivalent. The easiest way for lodging your submissions is via the [online portal](#).

The Commission does not take responsibility for the accessibility of submissions or documents provided by other parties as part of this consultation process.



## **4.2. Submissions are considered public**

All submissions received will be treated as public unless you ask for your submission to be treated confidentially or for your name and/or your organisation not to be published.

Submissions considered to be offensive will not be published. Submissions that may include information that can identify other people may be published in part.

The submission's writer will retain copyright over their submission.



## Appendix 1: Inquiry Terms of Reference

### Scope of the Inquiry

This Inquiry is an independent inquiry to:

- examine the existing lobbying arrangements in the ACT to identify whether gaps exist in current arrangements that create corruption risks,
- develop recommendations about how gaps and/or risks can be mitigated, and
- advise MLAs and public officials about corruption risks that arise from lobbying and practical steps to mitigate those risks.

The Inquiry's overarching objective is to strengthen frameworks to mitigate corruption risks associated with influencing activities between interest groups and government and to strengthen public trust in government.

Issues that can relevantly be explored during the inquiry include the following:

- Should the definition of persons and entities required to be registered as lobbyists be expanded to include other persons and entities whose activities would constitute lobbying activities?
- Are existing disclosure regimes, both for lobbying activities and more broadly in relation to government activities and decision making sufficient to provide adequate transparency of government decision making, and promote public confidence and trust in government?
- Are there interactions between interest groups and public officials not currently within the definition of lobbying activities be subject to additional and specific record keeping and disclosure requirements?
- Is sufficient information required to be disclosed from ministerial diaries to identify who is influencing Ministers and for what purpose?
- Are conflict of interest disclosure and management arrangements for MLAs and their staffers effective to ensure influence from interest groups, not otherwise covered under the Scheme are recorded and made transparent?
- Should the same mechanisms for transparency and accountability apply equally to non-Executive MLAs as those applied to Ministers and the Executive, including by understanding:
  - the nature and extent of lobbying directed at non-Executive MLAs and their staff
  - the transparency and reporting obligations that apply (or should apply) to such lobbying
  - the potential risks and vulnerabilities in the current system regarding non-Executive MLAs
  - how public trust can be enhanced by extending lobbying oversight beyond the Executive.
- What additional mechanisms are available to expose or make transparent critical influence over significant decisions so that the community can be satisfied that decisions are being made 'for the right reasons' and in the public interest?

For full Terms of Reference, visit the ACT Integrity Commission's website:

[www.integrity.act.gov.au/lobbying-consultation](http://www.integrity.act.gov.au/lobbying-consultation)



## **Appendix 2: Standing orders and continuing resolutions of the Assembly**

**8AB ([page 134](#))**

**8AC ([page 137](#))**

## Continuing resolution 8AB

### Lobbyist Register— ACT Lobbying Code of Conduct



#### Resolution agreed by the Assembly

5 August 2014

- (1) Preamble:
  - (a) Free and open access to the institutions of government is a vital element of our democracy.
  - (b) Ethical lobbying is a legitimate activity and an important part of the democratic process.
  - (c) Lobbyists can enhance the strength of our democracy by assisting individuals and organisations with advice on public policy processes and facilitating contact with public officials.
  - (d) In performing this role, there is a public expectation that lobbyists will be individuals of strong moral calibre who operate according to the highest standards of professional conduct.
  - (e) This Code of Conduct is designed to ensure that contact between lobbyists and public officials is conducted in accordance with public expectations of transparency, integrity and honesty.
- (2) When making initial contact with public officials with the intention of conducting lobbying activities, a lobbyist who is proposing to conduct lobbying activities must inform the public official:
  - (a) that they are a lobbyist or a person engaged by a lobbyist to conduct lobbying activities;
  - (b) whether or not they are currently listed on the ACT Register of Lobbyists;

- (c) the name of the person(s) on whose behalf they seek to conduct those lobbying activities; and
  - (d) the nature of the matters that they wish to raise in those lobbying activities.
- (3) When engaging with a public official, a lobbyist must observe the following principles:
- (a) a lobbyist shall conduct their business to the highest professional and ethical standards, and in accordance with all relevant requirements with respect to lobbying activities;
  - (b) a lobbyist shall act with honesty, integrity and good faith and avoid conduct or practices likely to bring discredit upon themselves, public officials or those whose interests they represent;
  - (c) a lobbyist shall not engage in any conduct that is corrupt, dishonest or illegal, or unlawfully cause or threaten any detriment;
  - (d) a lobbyist shall use all reasonable endeavours to satisfy themselves of the truth and accuracy of all statements and information provided by them to clients whom they represent, to the wider public, or to public officials;
  - (e) a lobbyist who becomes aware that information they have previously provided to a public official was or is now inaccurate shall provide accurate and updated information to that public official if they believe that the official may be relying on the accuracy of the information previously provided;
  - (f) a lobbyist shall not make misleading, exaggerated or extravagant claims about, or otherwise misrepresent, the nature and extent of their access to public officials, members of political parties or any other person;
  - (g) a lobbyist shall keep strictly separate from their duties and activities as lobbyists any personal activity or involvement as a Member of or on behalf of a political party;
  - (h) a lobbyist shall not disclose confidential information of another party unless they have obtained the informed consent of that party, or they are required to do so by law;
  - (i) a lobbyist shall not represent conflicting or competing interests without having obtained the informed consent of the parties whose interests are involved;
  - (j) a lobbyist shall take all reasonable steps to ensure that their details as recorded on the ACT Register of Lobbyists are and remain correct from time to time;

- (k) a lobbyist who was previously a Member of the ACT Legislative Assembly shall not, within 18 months of ceasing to hold that office, engage in lobbying activities relating to any matter that they had official dealings with in their last 18 months in office;
- (l) a lobbyist who was previously employed under the Legislative Assembly (Members' Staff) Act 1989 shall not, within 12 months of ceasing to be so employed, engage in lobbying activities relating to any matter that they had official dealings with in their last 12 months in such employment;
- (m) a lobbyist who was previously employed under the Public Sector Management Act 1994 as a Head of Service, Director-General or Executive shall not, within 12 months of ceasing to be so employed, engage in lobbying activities relating to any matter that they had official dealings with in their last 12 months in such employment;
- (n) a lobbyist who is appointed to a Government board, committee or other entity must not represent the interests of a third party to a public official in relation to any matter that relates to the functions of entity and must, where they have made such representations prior to that appointment, ensure that they comply with all honesty, integrity and conflict of interest provisions and procedures applicable to appointees to that entity;
- (o) a lobbyist who:
  - (i) is sentenced to a term of imprisonment of 30 months or more;
  - (ii) is convicted of an offence, one element of which involves dishonesty, such as theft or fraud; or
  - (iii) becomes or commences to act as a member of a federal, state or territory political party executive or administrative committee, or similar;shall thereupon cease to engage in lobbying activities and shall so advise the Clerk of the ACT Legislative Assembly; and
- (p) a lobbyist shall ensure that any owner, partner, shareholder or other individual involved in the management of the business of the lobbyist does not occupy or act as a member of a federal, state or territory political party executive or administrative committee, or similar.

## Continuing resolution 8AC

### Lobbyist Register— ACT Lobbyist Regulation Guidelines



#### Resolution agreed by the Assembly

25 September 2014 (amended 21 March 2019 and 31 August 2023)

#### Persons/Entities required to be registered

(1) A “lobbyist” is defined as:

Any person, company or organisation who conducts lobbying activities on behalf of a third party, or whose employees or other personnel conduct lobbying activities on behalf of a third party, where such lobbying activities are ordinarily carried out in the expectation of receiving direct or indirect financial reward or other valuable consideration whether or not the amount thereof is ascertainable at the time such activities are conducted.

(2) In relation to part (1), “lobbying activities” are defined as:

Any oral or written (including electronic) communication with a public official to influence legislation or policy, regulatory or administrative decisions of the public official or another public official other than a communication:

- (a) with a committee of the Assembly;
- (b) with a Minister in their capacity as a local Member and in relation to matters falling outside their ministerial responsibilities;
- (c) in response to a coercive requirement by a public official for information;
- (d) in response to a request by a public official for information or the submission of view;
- (e) in response to a request for tender, expression of interest, etc;

- (f) protected by a government-endorsed whistle-blower regime;
  - (g) that is only an approach to a public official for publicly available information without any attempt to influence;
  - (h) as part of a grassroots campaign;
  - (i) made in a public forum; or
  - (j) for the avoidance of doubt:
    - (i) by one government to another government; or
    - (ii) by one government official to another government official in the course of the official duties of the former.
- (3) A “public official” means:
- (a) a Member of the Legislative Assembly;
  - (b) any person employed by such a person under the Legislative Assembly (Members’ Staff) Act 1989; and
  - (c) any person employed under the Public Sector Management Act 1994.

### **Persons/Entities ineligible to be registered**

The following persons are ineligible to be registered as a lobbyist or authorised person:

- (1) a person who has ever been sentenced to a term of imprisonment of 30 months or more;
- (2) a person who has been convicted, as an adult, in the last 10 years, of an offence, one element of which involves dishonesty, such as theft or fraud;
- (3) a person who is, or acts as, a member of a federal, state or territory political party executive or administrative committee, or similar;
- (4) a person whose name has been previously removed from the Register because of a contravention of the ACT Lobbying Code of Conduct; and
- (5) a person who, in the opinion of the Clerk, has not acted, or cannot be relied upon to act, in a manner consistent with general standards of ethical behaviour.

### **Persons/Entities not required to be registered**

The following categories of persons/entities are not required to be registered before conducting defined lobbying activities even though they might otherwise fall within the definition of lobbyist:

- (1) religious bodies;
- (2) charities;
- (3) not-for-profit organisations that represent the interests of their members, such as trade unions, trade and industry associations, etc;
- (4) members of foreign trade delegations;
- (5) persons/bodies registered under government laws where dealings with government are part of the normal day-to-day work of people in their profession, for example, architects, customs brokers, etc;
- (6) members of professions who make occasional representations to government on behalf of others in a way that is incidental to the provision of their professional services, for example, doctors, accountants, lawyers; and
- (7) persons who conduct lobbying activities only for relatives or friends provided that such are only in respect of the personal rather than business or commercial affairs of such persons.

### **Prohibition on contact with unregistered Lobbyists**

Members/Ministers agree, and their personal staff and all ACT public service officers shall be directed, not to knowingly or intentionally entertain any non-exempted communication from:

- a lobbyist not registered on the ACT Register of Lobbyists;
- an employee, contractor or other person authorised to carry out lobbying activities on behalf of a registered lobbyist where that person's name does not appear on the Register in the details recorded for that registered lobbyist; or
- any registered lobbyist or employee, contractor or other person authorised to carry out lobbying activities on behalf of that registered lobbyist who in their opinion has failed to comply with the Lobbying Code of Conduct;

and shall immediately advise the Registrar if they became aware or reasonably suspected that a registered lobbyist or authorised person had contravened the ACT Lobbying Code of Conduct.

### **Public content of the ACT Register of Lobbyists**

The public section of the Register is to contain the following detail for each registrant:

- (1) For a natural person:
  - (a) full name;
  - (b) trading name, if applicable;
  - (c) business address;
  - (d) contact details;
  - (e) ABN, if applicable;
  - (f) full name and address of any other person authorised to conduct lobbying activity on behalf of the registrant;
  - (g) for the registrant and any other named person, place of and title in previous public sector employment and date of separation; and
  - (h) name and address of each client on whose behalf lobbying activity is or may be conducted.
  
- (2) For a partnership:
  - (a) full name of each partner;
  - (b) trading name of partnership, if applicable;
  - (c) business address of partnership;
  - (d) name and contact details for partner principally responsible for registration;
  - (e) ABN of partnership, if applicable;
  - (f) full name of any person authorised to conduct lobbying activity on behalf of the partnership;
  - (g) for each partner and any other named person, place of and title in previous public sector employment and date of separation; and
  - (h) name and address of each client on whose behalf lobbying activity is, or may be, conducted.
  
- (3) For a company:
  - (a) registered company name;
  - (b) trading name of company, if applicable;

- (c) business address of company;
- (d) name and address of each director of the company;
- (e) name and address of any entity or other person holding 10% or more of the issued capital of the company;
- (f) name and contact details for company officer principally responsible for registration;
- (g) ACN/ABN of company;
- (h) full name of any person authorised to conduct lobbying activity on behalf of the company;
- (i) for each director and any other named person, place of and title in previous public sector employment and date of separation; and
- (j) name and address of each client on whose behalf lobbying activity is, or may be, conducted.

### **Registration Forms**

In addition to providing the information required to be shown on the public ACT Register of Lobbyists, applications for registration must declare on the Registration Form that they:

- (1) has never been sentenced to a term of imprisonment of 30 months or more;
- (2) has not been convicted, as an adult, in the last 10 years, of an offence, one element of which involves dishonesty, such as theft or fraud;
- (3) is not and does not act as a member of a federal, state or territory political party executive or administrative committee, or similar; and
- (4) gives an undertaking to comply with the ACT Lobbying Code of Conduct, separately signed by each person whose name will appear on the Register.

### **Changes to registered details**

- (1) A registered lobbyist is required to advise the Clerk of any change to any detail appearing on the public register within 10 days of that change occurring.
- (2) A registered lobbyist is additionally required to advise the Clerk within 10 days of becoming aware that any person named on the Register has:
  - (a) been sentenced to a term of imprisonment of 30 months or more;

- (b) been convicted of an offence, one element of which involves dishonesty, such as theft or fraud; or
- (c) become or is acting as a member of a federal, state or territory political party executive or administrative committee, or similar.

### **Maintaining accuracy of the Register**

In addition to providing notification of changes in registered details, a registered lobbyist is required to provide the Clerk with a six monthly return, within 15 working days of 30 June and 31 December in each year, which return is required to:

- (1) confirm that their registered details are accurate; and
- (2) update the listing of each person or entity on whose behalf lobbying has been conducted in the preceding 12 months, whether or not for reward.

### **Registration decisions**

- (1) The Clerk is precluded from placing on the Register a lobbyist or authorised person who has not provided all required documents.
- (2) The Clerk is also:
  - (a) empowered to deny registration where they believe that registration documents provided are false or misleading;
  - (b) empowered to remove from the Register any currently registered lobbyist or authorised person who the Clerk considers has since become ineligible for registration;
  - (c) empowered to remove from the Register any lobbyist or authorised person who the Clerk considers has acted in contravention of the ACT Lobbying Code of Conduct unless satisfied that the contravention was unintentional and that adequate steps have been implemented to render any further contravention unlikely;
  - (d) required to remove from the Register any lobbyist or authorised person who, once registered, does not provide all required change notification or confirmation documents; and
  - (e) has a general discretion to refuse (or remove) registration of an otherwise eligible lobbyist or person authorised to lobby on their behalf where the registering authority considers that there are reasonable grounds to believe that that lobbyist or person has acted, or cannot be relied upon to act, in a manner consistent with general standards of ethical behaviour.

- (3) Before exercising any of these listed powers, the Clerk is required to offer the lobbyist and any authorised person in question a reasonable opportunity to make a submission in relation to the proposed decision and should be required to have regard to any submission made before taking a final decision.

### **Access to the Register**

Internet access to the Register is to be available to the public free of any charge.

### **Timing of entries on or changes to the Register**

To avoid any unwarranted delay in the conduct of the business of a lobbyist, new entries or changes to existing entries should be available on the Register webpage on average within two (2) business days of the receipt of properly completed registration forms.

### **Handling of Complaints**

- (1) If the Clerk receives a complaint that lobbying activities have been conducted by a person required to be registered but not registered on the Register, they are to contact that person and ensure that they are aware of the registration requirements. If that person does not become registered within a reasonable period, the Clerk is to advise all Members and the Head of Service that the person in question is not registered and that Members, their staff, consultants and contractors and persons employed under the Public Sector Management Act 1994 are not permitted to knowingly entertain lobbying activities from that person.
- (2) If the Clerk receives a complaint that a person registered on the Register has breached the ACT Lobbying Code of Conduct, the Clerk is to consider whether or not that person should be removed from the Register. Before taking any such action the Clerk is required to offer the lobbyist or authorised person in question a reasonable opportunity to make a submission in relation to the proposed decision.
- (3) If the Clerk receives a complaint that a Member has entertained lobbying activities by a person required to be but not registered on the Register, the Clerk should refer that matter to the Member in question for their consideration, and copy that referral to the Speaker.
- (4) If the Clerk receives a complaint that a staff member of or contractor or consultant to a Member has entertained lobbying activities by a person required to be but not registered on the Register, the Clerk should refer that matter to the Member in question for their consideration of any necessary further direction to or other action in respect of that staff member or contractor or consultant, and copy that referral to the Speaker.

- (5) If the Clerk receives a complaint that a person employed under the *Public Sector Management Act 1994* has entertained lobbying activities by a person required to be but not registered on the Register, the Clerk should refer that matter to the Head of Service for their consideration of any necessary further direction to or other action in respect of that person, and copy that referral to the Chief Minister.

This resolution has effect from 1 January 2015 and continues in force unless amended or repealed by this or a subsequent Assembly.



## Appendix 3: Focus questions

1. Should the Scheme move to a statute-based model?
2. What aspects of the Scheme would be strengthened through implementation of a statutory model?
3. Should the definition of persons/entities required to be registered under the Scheme be expanded to include other persons and entities whose activities would constitute lobbying activities?
4. Should the Scheme adopt an 'activity based' model, such that any activity that falls within the definition of lobbying activity is covered under the Scheme, regardless of who is conducting the lobbying?
5. Should 'influencing' activities that fall outside the definition of lobbying under the Scheme between interest groups and public officials be subject to public disclosure and if so, in what circumstances and in what form?
6. Where significant representations to public officials have been made by excluded groups should be recorded and made known publicly?
7. Are there circumstances and/or types of information brought to the attention of public officials by lobbyists, that ought to be kept confidential, e.g. commercially sensitive data or matters impinging on personal privacy?
8. Should the Scheme be amended to set out standards of conduct by public officials when interacting with lobbyists?
9. Should the Scheme require public officials to maintain disclosure logs of contact with lobbyists?
10. Should lobbyists be required to specify the purpose of the contact with the public official?
11. Should Ministers be required to disclose, as part of the publication of diaries, the purpose of any engagement with a registered lobbyist?
12. Should non-executive MLAs also be required to publish their diaries in accordance with existing ACT Government Open Access Information arrangements applying to executive MLAs?
13. Are code of conduct requirements on MLAs and their staff, including disclosures of conflicts of interest, sufficient and effective to make transparency relationships with interest groups, whether represented by a registered lobbyist or other individual, to promote probity and integrity in government decision-making?
14. Should the Scheme require public officials, including public servants employed under the Public Sector Management Act, to record, on a public contact log, interactions with persons undertaking lobbying activities?
15. Should former MLAs, staff of MLAs and senior public servants be prohibited from undertaking lobbying activities, in any form, for periods longer than those currently specified?
16. Can a case be made for the transfer of the administration of the Scheme from the Clerk to another body?



17. Should the Scheme be enhanced through the broadening of regulatory powers and sanctions for non-compliance?
18. Should the ACT lobbying regime be changed to prohibit the receiving or paying of success fees between registered lobbyists and their clients?
19. Should the timeframes that prohibit the registration of former elected and public officials be extended?
20. Should public servants employed under the Public Sector Management Act at classifications below the level of executives (or those performing roles in areas known to be high risk from corruption influences) be prohibited from being registered as a lobbyist for certain periods of time?
21. Does the current Scheme provide adequate transparency to inform the public, in a meaningful way, of the influence of lobbying activities on government decision-making?
22. What additional mechanisms are available to make transparent any critical influence over significant decisions so that the community can be satisfied that decisions are being made 'for the right reasons' and in the public interest?
23. Are there interactions between interest groups and public officials not captured as lobbying activities that nevertheless should be 'captured' and form part of the public record?
24. What other improvements can be made to the Scheme to promote public confidence and trust in government?