

Changes to lobbying regulation in Queensland

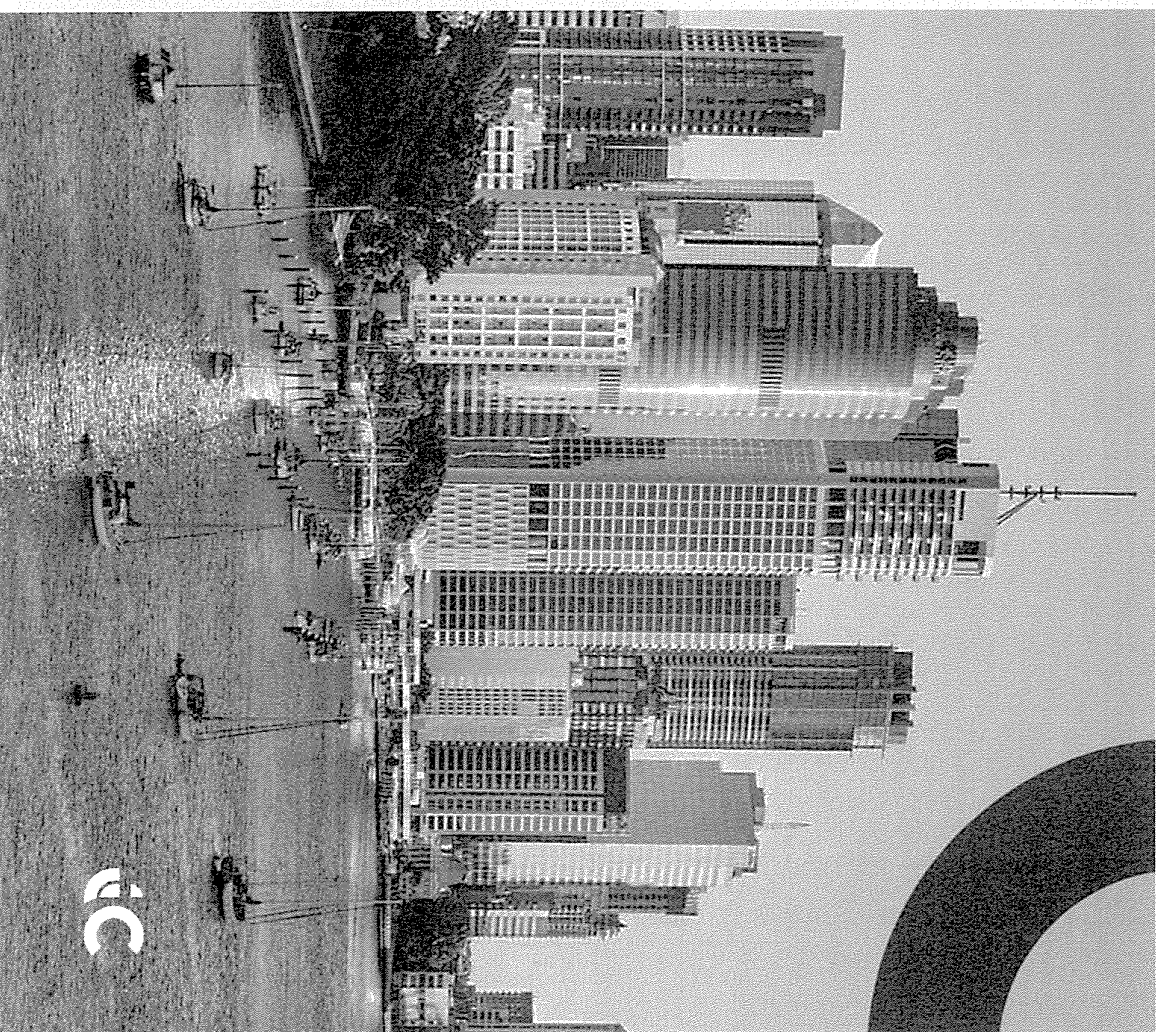
Forbes Smith

A/Deputy Integrity Commissioner

18 July 2024

Today's session

- Changes to lobbying regulation
- Amending Act
- Key amendments relevant to lobbyists and government and Opposition representatives



Amending legislation

- *Integrity & Other Legislation Amendment Act 2024*
- Passed 15 February 2024
- Some commenced 19 April 2024
 - Dual hatting provisions
- Balance commenced 28 May 2024
 - Including a new Chapter 4 (Lobbying activity)



Strategic Review of the Integrity Commissioner's Functions

Kevin Yearbury PSM

30 September 2021



Let the sunshine in

Review of culture and accountability in the Queensland public sector

FINAL REPORT
28 June 2022

Professor Peter Coaldrake AO

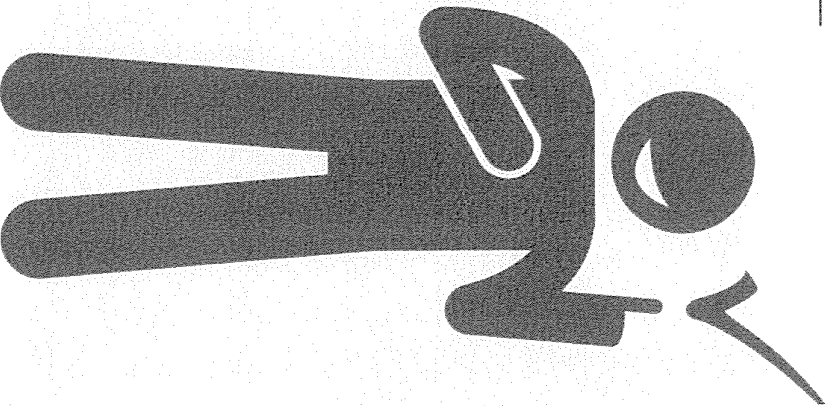


Chapter 4 replaced

- Many concepts remain the same
- Some new concepts
- Definition changes/clarifications
- Renumbering and moving sections around

Chapter 4	Lobbying activity
Part 1	Preliminary
41	Definitions for chapter
42	What is a lobbying activity
43	What is not a lobbying activity
44	Who is a government representative
45	Who is an Opposition representative
Part 2	Requirement for registration
46	Lobbying activity by unregistered entity prohibited ..
47	Particular entities not required to be registered
Part 3	Applying for registration
48	Who may apply
49	Disqualification of individual engaged in dual hatting

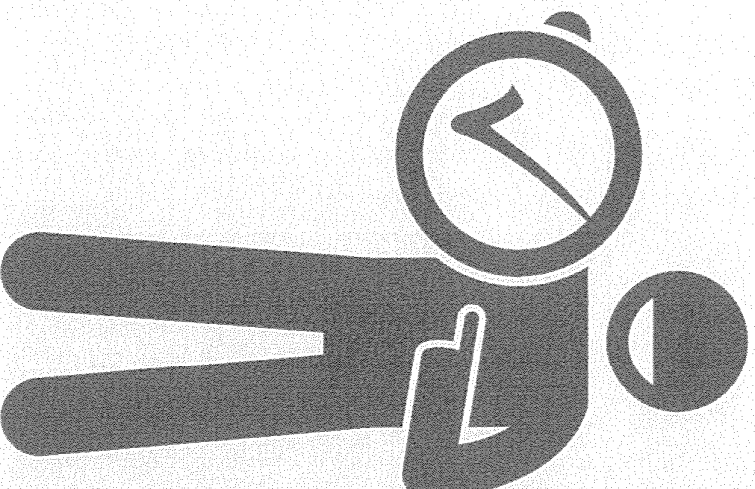
QIC may issue compliance notices



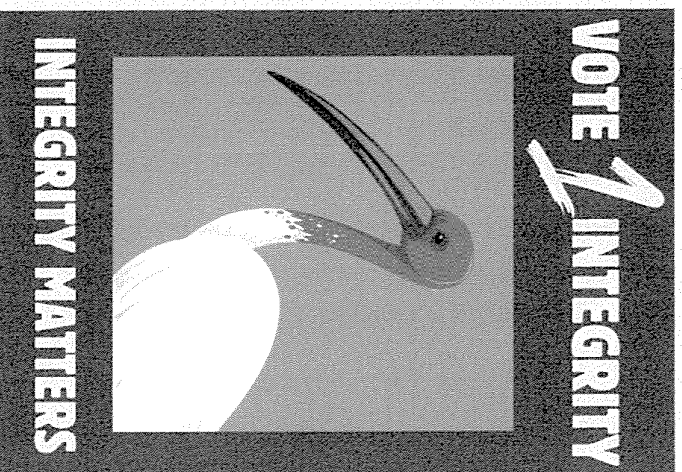
- If QIC suspects failure to comply with:
 - Condition
 - Code of conduct
 - Directive
 - Certain restrictions (Ch 4, Pt 5)
 - E.g. dual hatting, related lobbying activity
 - Information disclosure to QIC
- QIC may issue a compliance notice requiring rectification

QIC may issue directives

- QIC can make directives about Chapter 4 and the Code of Conduct
- Procedural matters
- Mandatory for lobbyists to comply



Dual hatting is prohibited



- Qld general election (eg October 2024)
- Cannot be a registered lobbyist and perform a substantial role in the election campaign of a political party at the same time
- If the party wins, cannot be a registered lobbyist in the next term of government

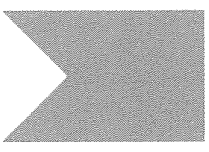
"Substantial role"

Substantial role in the election campaign of a political party means a role at a senior level, whether paid or unpaid that:

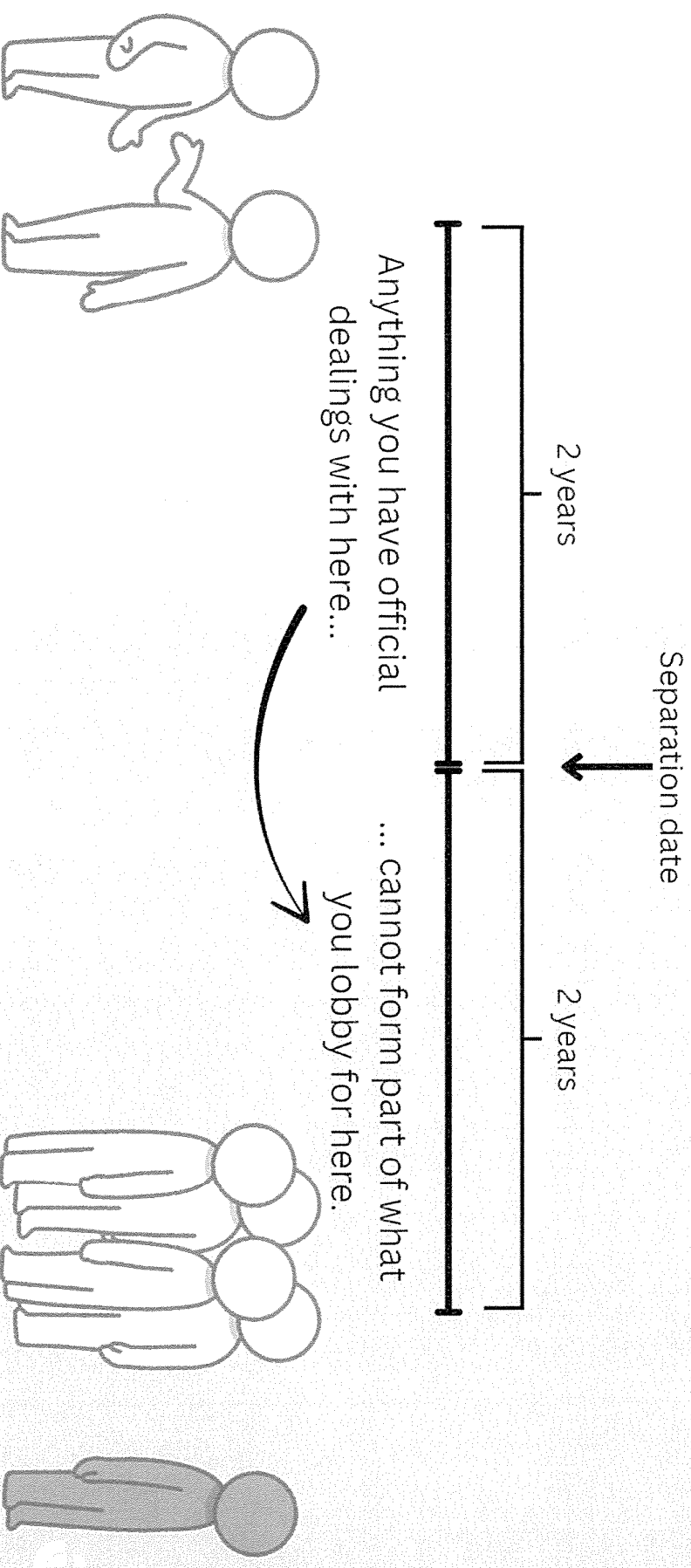
- involves employment or engagement by the party; and
- incorporates significant involvement in the party's election strategy or policy development.

It does **not** include any of the following:

- general membership of the party;
- volunteering for, or advising, a particular candidate;
- door knocking, placing documents in letter boxes or other campaign communications;
- media liaison;
- handing out how to vote material



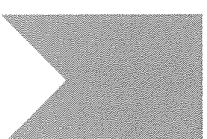
Prohibition regarding "Official Dealings"

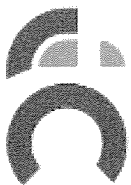


"Official dealings"

Any of the following dealings that the person engaged in as part of the person's ordinary duties on a regular basis:

- government or Opposition business or activities;
- negotiations, briefings, contracts and the making or receipt of representations relating to government or Opposition business or activities.





Former Senior Government or Opposition Representative?

No Yes

Public official cease date
13/10/2023

Portfolio/Policy Area

Employment, Small Business, Training and Skills

Details of Official Dealings

Queensland Workforce Strategy (QWS): Strategy Development and delivery: QWS Roundtable;
Workforce Connect Fund delivery of 33 Strategy actions
Manufacturing Skills Queensland (MSQ): Establishment, board appointments and development

Previous Positions in Government

Role / Position Title	Department or Office	Start Date	End Date
Senior Policy Advisor	Office of Hon. Minister for Employment and Small Business, Minister for Training and S	26/07/2021	13/12/2022

Code of Conduct

- Review of the Code of Conduct
- Consultation with lobbyists and key stakeholders
- Draft conflict of interest policy

Lobbyists Code of Conduct *

[Integrity Act 2009, s 68]

Preamble

Free and open access to the institutions of government is a vital element of our democracy.

Lobbying is undertaken by many people in the community in relation to a broad range of matters. In effect, lobbying can be any communication by a member of the community seeking to express their views or interests to a government representative on a matter that is subject to a decision of the Government.

Professional lobbyists are a legitimate part of, and make a legitimate contribution to, the democratic process by assisting individuals and organisations to communicate their views on matters of public interest to the government, and so improve outcomes for the individual and the community as a whole.

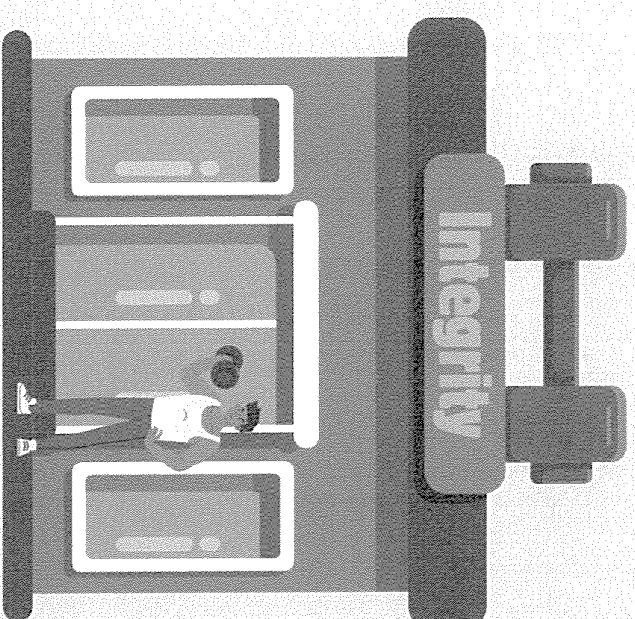
The public has a clear expectation that lobbying activities will be carried out ethically and transparently, and that government representatives who are approached by lobbyists are able to establish whose interests the lobbyists represent so that informed judgments can be made about the outcome they are seeking to achieve.

Queensland Lobbying Register

- Additional information on the register
- Employees (who are not lobbyists)
- Details of 'official dealings'
- Contact details for all current and previous clients

Mandatory training

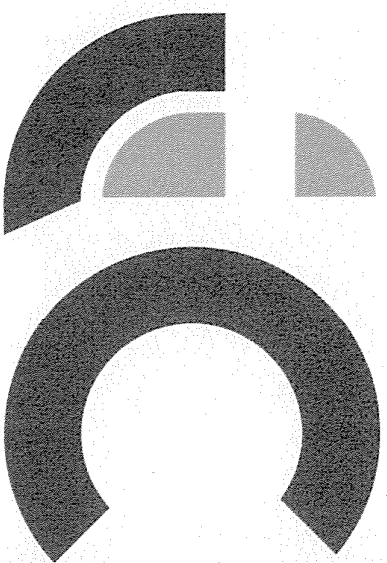
- Condition of registration for registered lobbyists
- Done at intervals of no longer than every 12 months
- Aim to start late 2024





Office of the Queensland Integrity Commissioner

- From 1 July, OQIC is an independent statutory body
- New brand



OFFICE OF
THE QUEENSLAND

Integrity
Commissioner

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