

2001 Contact with a Lobbyist

Governance Policy



PURPOSE

- 1) This policy is intended to provide guidance for Council representatives when dealing with a Lobbyist.
- 2) This policy has been drafted in compliance with the *Integrity Act 2009* which regulates contact between lobbyists and local government representatives.

SCOPE

- 3) This policy applies to all representatives of the North Burnett Regional Council.
- 4) This policy also applies to contractors and their employees whilst engaged to perform works or services on behalf of the North Burnett Regional Council.
- 5) This policy should be read in conjunction with Council's Planning Policy framework.
- 6) The following entities, or an employee or contractor of, or person otherwise engaged by such entities, are not considered Lobbyists:
 - a) A non-profit entity;
 - b) An entity constituted to represent the interests of its members (for example, an employer group, a trade union, a professional body such as the Queensland Law Society);
 - c) Members of trade delegations visiting the North Burnett Region;
 - d) An entity carrying out incidental lobbying activities;
 - e) An entity carrying out a lobbying activity only for the purpose of representing that entity's own interests.

DEFINITIONS

For the purposes of the *Integrity Act 2009*, the following definitions apply:

Term	Definition
Contact	Means telephone contact, email contact, written mail contact or face-to-face meetings.
Former senior government representative	A person is a former senior government representative if the person— <ol style="list-style-type: none">(a) was 1 of the following people—<ol style="list-style-type: none">(i) the Premier or another Minister;(ii) an Assistant Minister;(iii) a Councillor;(iv) a public sector officer, who was a chief executive, senior executive or senior executive equivalent;(v) a ministerial staff member;(vi) an assistant minister staff member; and(b) is no longer a government representative and is not an Opposition representative.
Incidental lobbying activity	Means an entity that undertakes or carries on a business primarily intended to allow individuals to undertake, a technical or professional occupation in which lobbying activities are occasional only.
Council Representative	Means a Councillor, the Chief Executive Officer and any other person employed or as engaged to perform works or services on behalf of the local government.
Lobbying activity	Means contact with a local government representative in an effort to influence decision making, including – <ul style="list-style-type: none">• the making or amendment of legislation• the development or amendment of a government policy or program• the awarding of a government contract or grant• the allocation of funding• the making of a decision about planning or giving a development approval under Planning legislation.

Term	Definition
Lobbyist	Means an entity such as a body corporate, partnership, unincorporated body, individual or trustee that carries out a lobbying activity for a third-party client or whose employees or contractors carry out a lobbying activity for a third-party client.
Lobbyists Register	Means the Register of Lobbyists kept by the Integrity Commissioner, in accordance with section 49 of the <i>Integrity Act 2009</i> .
Related Lobbying Activity	Means a lobbying activity relating to the person's official dealings as a government representative in the 2 years before becoming a former senior government representative
Third Party Client	Means an entity that engages another entity to provide services constituting, or including, a lobbying activity for a fee or other reward that is agreed to before the other entity provides the services.

POLICY

- 7) Council acknowledges that 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
- 8) Council expects high standards of professional and ethical conduct from its employees and agents, as well as those individuals and organisations that carry out lobbying activities.
- 9) Council endeavours to ensure all decisions are legal, ethical and impartial in line with the local government principles, the responsibilities of Councillors and local government employees, as outlined in the *Local Government Act 2009*.

OBJECTIVES

- 10) The objectives of this policy are:
 - a) To regulate the activities of professional Lobbyists via the *Integrity Act 2009* which defines lobbying and related concepts, places limitations on lobbying activities and also requires the registration of professional Lobbyists with the Integrity Commissioner.
 - b) To ensure that contact between Lobbyists and a Council representative is conducted in accordance with public expectations of transparency and integrity, and in the public interest.

PRINCIPLES

- 11) This policy is based on the following principle:
 - a) A consistent and transparent approach in any contact with Lobbyists to ensure that the public's expectations of transparency and integrity are upheld.

POLICY STATEMENT

- 12) Free and open access to Councillors, and Council itself, is vital to efficient and effective local government. It is accepted that Councillors and employees may be approached or lobbied by members of the community on a broad range of issues. However, there is a difference between the type of lobbying carried out by members of the community representing their own interests and professional Lobbyists engaged by a third-party client for a fee or reward to influence local government decision-making.

ROLES AND RESPONSIBILITIES

- 13) Councillors, Senior Executives and Managers
 - Ensure employees, including themselves, are aware of their requirements when meeting with a lobbyist or person who they believe may be a lobbyist
 - Advise the Governance Policy and Risk Advisor of any contact with lobbyists or persons believed to be lobbyists
- 14) Governance Policy and Risk Advisor
 - Record any reported lobbying activity in the Lobbyist Register
 - Provide the Integrity Commissioner with statistical details annually or as otherwise requested
- 15) All employees
 - Advise the Governance Policy and Risk Advisor of any contact with Lobbyists or persons believed to be Lobbyists

- Must not knowingly permit an entity that is not a registered Lobbyist to carry out a lobbying activity for a third-party client with them.
- Ensure ethical conduct is maintained as outlined in the Code of Conduct

16) Lobbyists

- It is the responsibility of Lobbyists to register on the Lobbyists' Register held by the Integrity Commissioner and to ensure that all lobbying is conducted in accordance with the Lobbyists Code of Conduct, as approved by the Commissioner.

APPLICABLE LEGISLATION AND REGULATION

17) Applicable legislation and regulation:

- Integrity Act 2009*
- Local Government Act 2009*
- Public Records Act 2002*

RELATED DOCUMENTS

18) Related documents are:

- Contact with a Lobbyist Procedures
- Councillors Code of Conduct
- Employee Code of Conduct
- Procurement Policy
- Planning Policy and Procedures Framework
- Register of Contact with Lobbyists #1056506

RESPONSIBLE OFFICER

Chief Executive Officer

APPROVAL DATE

22 September 2021

REVIEW DATE

September 2025 (Standard four year term)

REVISION HISTORY

Version	Meeting	Approval Date	History
1	General	22 September 2021	New