

1. PURPOSE

To provide employees with information about the role of lobbyists, the legislative obligations for lobbyists and the requirements when employees meet with lobbyists or people they suspect may be lobbyists.

2. SCOPE

This guideline applies to all DEEDI employees, and contractors. It incorporates information from the [Integrity Act 2009](#) and [Public Service Commission Policy - Post separation employment provisions](#).

3. DEFINITIONS

Business meetings	Meetings which have a commercial focus and have been convened to discuss matters which have a profit motive in mind.
Former senior government representative	Means any of the following and who are no longer a government representative - <ul style="list-style-type: none"> • the Premier or another Minister • a Parliamentary Secretary • a councillor • a public sector officer, who is a chief executive, senior executive or senior executive equivalent • a Ministerial staff member a parliamentary secretary staff member.
Lobbying activity	Contact with a 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 the Sustainable Planning Act 2009
Lobbyist	A person or a company that carries out lobbying activity on behalf of a third party client. They may be employees or contractors of the company i.e. commercial representatives.
Official dealings	Specific policies, procedures, transactions, negotiations or cases in which former senior government representatives previously acted for, or provided advice to, the government (either through the CEO or the Minister). Simply viewing documents, such as Cabinet submissions and decisions, would not constitute having had “official dealings” on a matter. However, the confidentiality provisions of the Queensland Cabinet Handbook and Public Service Commission Directive No. 2/09 - Employment Separation Procedures would still apply.

Related lobbying activity (for a former senior government representative)	A matter about which they had official dealings during their last two years as a government representative.
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4. DELEGATIONS

Delegations are to be exercised in accordance with the [DEEDI Human Resource Delegations Manual](#). Delegation Schedules are reviewed on a regular basis to ensure they remain current and relevant to the operational needs of the department. Please confirm delegate authority levels prior to exercising any powers.

5. POLICY

DEEDI 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 to the government, and so improve outcomes for the individual and the community as a whole.

DEEDI is committed to ensuring that all contact with lobbyists is carried out ethically and transparently as directed by relevant legislation and Whole of Government policies and directives.

5.1 Principles

- Employees 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.
- All interaction with lobbyists will occur ethically and transparently.
- DEEDI representatives who are approached by lobbyists must establish whose interests the lobbyists represent so that informed judgments can be made about the outcome they are seeking to achieve.
- All contact with lobbyists is to be documented and reported.
- Employees must report any attempt by an unregistered lobbyist to conduct lobbying activity with them or staff under their control the Director, Human Resources.

6. REQUIREMENTS OF A REGISTERED LOBBYIST

Lobbyists are required to comply with the [Integrity Act 2009](#) and the [Lobbyists Code of Conduct](#) when lobbying Queensland State or local government representatives.

Lobbyists who lobby government representatives are required to list their names and business details on the [Register of Lobbyists](#), administered by the Integrity Commissioner. Under the [Integrity Act 2009](#), the Integrity Commissioner became an independent statutory officer of the Parliament to ensure that the lobbyist registration process will be independent of the executive government.

An entity that is not a registered lobbyist may not carry out a lobbying activity for a third party client.

Under the [Lobbyists Code of Conduct](#) issued by the Integrity Commissioner when meeting with a government representative, a lobbyist must disclose:

- that they are a registered lobbyist and
- the identity of the client for whom they are acting.

7. CHECKING LOBBYIST'S REGISTRATION

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Under the *Integrity Act 2009*, employees 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.

The list of [Register of Lobbyists](#) can be viewed on the [Integrity Commissioner's website](#).

The Register of Lobbyists is a public document. It lists –

- the name of the entities that are registered as lobbyists and their business details
- the names of people who own or have shares in the entity
- the names of people employed or contracted by the entity
- whether any of the people listed are former government representatives
- a list of current clients for each entity
- a list of recent non-current clients for each entity.

8. LOBBYISTS WHO ARE FORMER SENIOR GOVERNMENT REPRESENTATIVES

For two years after becoming a former senior government representative, a former senior government representative must not carry out a related lobbying activity for a third party client.

There are also some restrictions on employees having business meetings with former senior government representatives (see section nine).

Former CEO/SES or equivalent officers may, after they cease employment -

- undertake lobbying on matters on which they had no official dealings within their last two years
- have business meetings with a Queensland Government representative on any matter in respect of which they did not have official dealings as a former senior government officer within their last 18 months of employment after they cease employment
- be an employee of an organisation or firm that represents their own interests to Government.

9. RESTRICTIONS FOR PUBLIC SERVICE EMPLOYEES IN DEALING WITH FORMER PUBLIC OFFICIALS

In accordance with the Queensland Contact with Lobbyists Code and government policy on [Post separation employment](#), employees are not to hold business meetings with the following former public officials that relate to the former official dealings of those former public officials:

- persons who have ceased to hold office as a Minister (within the last two years) on matters that they had official dealings with in their last two years in office
- persons who have ceased to hold office as a Parliamentary Secretary (within the last 18 months) on matters they had official dealings with in their last two years in office
- persons who have ceased employment as senior departmental employees or Ministerial employees (within the last 18 months) on matters they had official dealings with in their last 18 months of public sector employment.

Under the *Integrity Act 2009*, employees must not knowingly permit a former senior government representative of less than two years standing to carry out with the employee member lobbying for a third party client.

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Further, employees 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 and must report any attempt by such an entity to the Director, Human Resources.

10. REQUIREMENT FOR RECORDING CONTACT WITH LOBBYISTS

The [Public Records Act 2002](#) requires that departments keep full and accurate records with regard to its activities. Therefore, records must be kept of telephone calls, meetings and all emails or letters.

Information to be recorded with regard to meetings is:

- time, date and place of the meeting
- name of meeting attendees and capacity in which they attended
- the name of the lobbyist and the organisation for which they work
- name of the client they represent
- the representations put to the department and by whom
- the department's response and by whom.

Similar information must also be kept in relation to telephone calls. A record will also be required of questions asked under the Protocol and a copy of the lobbyist's registration from the Integrity Commissioner's [website](#).

In summary collate:

- copies of correspondence
- copies of emails
- notes of telephone conversations (signed)
- records of meetings (signed)
- answers to protocol questions (signed with a copy of the lobbyists registration)

Records are to be kept centrally in each business area of all lobbyist contacts. An officer has been nominated for each area to receive these records. The types of information to be collected include:

- Project or file details
- Name of registered lobbyist
- Client of lobbyist
- Method of Contact
- Purpose of Contact
- Outcome of Contact
- Type of Records held
- Senior Departmental Contact officer (name and details of unit)

Individual contact can be recorded by filling out the individual [contact with lobbyist register](#) giving details of the contact, including any relevant information, to the nominated officer in your area where it will be placed on the business area register. The name of your local nominated officer can be obtained from Workforce Integrity phone 3234 0346

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or email Ethics@deedi.qld.gov.au. Upon request, all records are to be sent to Workforce Integrity (to the above email address) by nominated officers quarterly.

For guidance on how to keep proper records, refer to the Queensland Ombudsman's [Good Decision Making Guide](#) which can be found on the Ombudsman's [website](#).

11. RESPONSIBILITIES

Employees are to -

- Ensure external clients are not representing the interests of a third party. If so establish if they are a former public official at either State or local level.
- 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.
- Check the registration of known lobbyists via the [Register of Lobbyists](#) held by the Integrity Commissioner.
- Keep full and accurate records in regard to all contact with lobbyists.
- Maintain a lobbyist register for contact with each individual lobbyist.
- Ensure ethical conduct is maintained as outlined in the [Code of Conduct](#).

Managers/Supervisors are to -

- Ensure employees, including themselves, are aware of their requirements when meeting with a lobbyist or person suspected of being a lobbyist
- Keep records of all contact with lobbyists centrally in the business unit and forward details (via the lobbyist register) to the unit's nominated officer. Details of your local nominated officer can be obtained from Human Resources.

12. REFERENCES

- [Integrity Act 2009](#)
- [Public Records Act 2002](#)
- [Public Sector Ethics Act 1994](#)
- [Lobbyists Code of Conduct](#)
- [Public Service Commission Policy – Post separation employment provisions](#)
- [Queensland Contact with Lobbyists Code](#)

13. CONSULTATION

In accordance with established HR policy development processes, review and formal consultation with respect to this policy has been undertaken with the following –

- Internal stakeholders – All Human Resource employees (including former agency HR client account managers); HR representatives from the nine former agencies (or parts of agencies) that now make up the department; and DEEDI Senior Executives.
- External stakeholders – QPSU, SSA Personnel and Payroll.

14. FURTHER INFORMATION

Should you require further advice regarding this policy, please contact your [HR Account Manager](#) as detailed on the DEEDI intranet or the Workforce Integrity Unit on (07) 323 40346 or ethics@deedi.qld.gov.au

15. PROCEDURES

When an employee suspects that a person is lobbying they are to follow the below steps:

Step 1 - Advise the person that the [Integrity Act 2009](#) requires State government representatives to ensure that their contact with lobbyists comply with its requirements.

Step 2 – Ask the person if he or she is representing the interests of a third party.

Step 3 - If the person does represent a third party's interests, establish whether or not they are registered on the [Register of Lobbyists](#). If not, ask them if they are aware of the need to be registered on the [Register of Lobbyists](#) with the Integrity Commissioner.

Advise them that further discussions can not proceed on the matter on which they are lobbying until they demonstrate they are registered with the Integrity Commissioner or show that they are not required to be registered as they fall outside the definition of a lobbyist. If questions still remain, refer them to your manager or Workforce Integrity.

Step 4 - Ask whether any representatives who will be in contact with the Government are a former public official at either State or local level. If they are, you must then establish whether they are captured by the post-separation employment restrictions. If there is any doubt about a person being subject to restrictions, it would be best to adjourn the meeting until the situation is clarified. Refer to the [former public official flow chart](#) that offers guidance if the representative is a former public official. Advice can also be sought from Workforce Integrity.

Step 5 - Record the contact made with a lobbyist in line with Section 10 of this policy.

16. RESOURCES

- [Contact with lobbyists case studies](#)
- [Contact with lobbyists frequently asked questions](#)
- [Contact with lobbyists recording sheet](#)
- [Contact with lobbyists flow chart 1](#)
- [Contact with lobbyists flow chart engaging with former CEO/SES officers](#)
- [Frequently asked questions – Integrity Commissioner](#)
- [Scenarios about lobbying – Integrity Commissioner](#)

APPROVAL DETAILS

Endorsed by – Director Human Resources

Approved by – Executive Director, Human Resources

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