

Review of the Regulation of Lobbying Act 2015

Focus Ireland Submission

Focus Ireland welcomes the opportunity to contribute to the second review of the Regulation of Lobbying Act 2015. Focus Ireland is registered as a lobbyist and has been submitting lobbying reports since the first reporting period in January 2016. We have submitted over 100 returns and have developed internal processes to ensure that all lobbying activity is captured.

As an organisation, we believe that the Act and the Regulator are important functions which bring transparency and clarity to lobbying activities in the State. We support the work of the Regulator and we continue to work to ensure we are fully compliant with the provisions of the legislation.

However we do believe that there are areas of regulation which could be improved and in this short submission we will outline some practical steps we believe could be taken to improve the impact and effectiveness of the regulation of lobbying regime.

Reporting & Feedback

While we are aware that the records submitted to the regulator are published on the lobbying.ie website, these now number in the thousands. This makes it difficult to ascertain issue areas being lobbied on and undermines the pursuit of transparency.

While some journalists have produced reports based on the contents of lobbying records, these are limited. We believe that regular reports from the office of the Regulator would provide insight into the activities of those lobbying and would emphasise the importance of the regulatory regime.

We believe that such reports should also include details of enforcement proceedings brought under the Regulation of Lobbying Act. It is unclear whether organisations are being pursued by the Regulator for failing to make reports.

Designated Public Officials

Related to the above point, we are concerned that the process of reporting lobbying activities is burdensome only on those who are committed to compliance.

In particular, we would advise that DPOs be brought within the remit of the legislation. We believe that this corroboration would better flag non-compliant organisations and would

ensure that those being lobbied also have a statutory obligation to disclose this. As many DPOs already maintain records and require individuals and organisations to sign-in prior to any meetings, this would not be a particularly arduous ask.

Guidance from the Regulator

The guidance prepared by the Regulator to date has been useful, and has provided a comprehensive overview of the legislation and the obligations on lobbying organisations.

However, instances will naturally arise which are not neatly covered by the provisions of the Act or by guidance notes. In such instances many organisations will contact the Regulator for guidance in an attempt to ensure compliance. The office has been reluctant to issue substantive advice on particular activities and whether they constitute lobbying. We believe that the office of the regulator should play a role in supporting and advising organisations on their compliance queries.