

# Submission on Tasmania's Model for Reform of Lobbying Oversight

## Introduction:

This submission aims to provide suggestions for the improvement of the Integrity Commission's proposed reforms. We acknowledge the efforts made by the Tasmanian Commission to address the need for reform in lobbying oversight. We believe there are certain areas of concern that need to be addressed in order to ensure a robust and transparent regulatory system.

## Areas of Concern:

1. **Inadequate Disclosure Requirements:** The current proposal lacks sufficient details in the lobbyist register and disclosure log. Including the main area of lobbying activity and the topic being discussed would enhance transparency. Additionally, the publication of Ministerial Diaries would provide Tasmanians with more information about government ministers' activities.
2. **Insufficient Cooling-off Period:** The proposed 12-month cooling-off period for lobbyists does not adequately address the issue of potential indebtedness. To minimize this influence, a significantly longer period, possibly matching the entire term in office, should be considered.
3. **Resourcing and Independence:** The effectiveness of the Commission relies on appropriate resourcing. To build public trust in politics, funding for the Commission should be guaranteed by law, and the government's ability to interfere in its functioning should be limited.
4. **Fit-for-Purpose Processes:** While it is essential to minimize administrative burden, the proposed processes should be carefully evaluated to ensure they adequately serve their purpose without compromising the integrity of the system.
5. **Strengthened Cooling-off Period:** The cooling-off period should not be solely based on the difficulty of finding employment for former public officials. To address the influence advantage, a cooling-off period of at least two to five years should be implemented. Canada serves as an example, with a cooling-off period of five years.
6. **Legislative Enforcement:** Instead of relying on voluntary compliance, the code of conduct and requirements should be legislated, enabling stricter sanctions for non-compliance, such as multi-year bans and fines. Tasmania's size should not be a barrier to implementing legislation, as countries like Canada, Ireland, and Scotland have successfully adopted this approach.
7. **Transparent Donations Disclosure:** While the acknowledgement of donations in the previous 12 months is commendable, more information should be included. Lobbyists should be required to

disclose to whom the donation was made, the date, and preferably the amount donated. The threshold

for disclosure should be lowered, with consideration for a value closer to \$1,000.

8. Regular Updating of Lobbyist Register: The proposed reforms lack clarity regarding the frequency of updates to the lobbyist register. It should be mandatory for lobbyists to update the register at regular, relatively short intervals and after any relevant change in circumstances.

9. Inclusion of Local Government: The Integrity Commission should advocate for the inclusion of the local government sector in its remit to ensure comprehensive lobbying regulation.

10. Gift Ban: Prohibition of lobbyists from giving gifts to public officials should be explicitly stated to maintain the integrity of the system.

### **Recommendations:**

Based on the concerns raised, we recommend the following:

- Enhance disclosure requirements by including main lobbying activity and topic in the lobbyist register and disclosure log.
- Implement a cooling-off period for lobbyists that aligns with the entire term in office.
- Guarantee sufficient and independent funding for the Commission through legislation.
- Ensure that proposed processes strike a balance between minimizing administrative burden and fulfilling their purpose.
- Increase the cooling-off period to at least two to five years to address the influence advantage.
- Enforce the code of conduct and requirements through legislation to allow for stricter sanctions.
- Expand the information disclosed about donations, including the recipient, date, and preferably the amount donated.
- Set a lower threshold for donation disclosure, considering a value closer to \$1,000.
- Clarify the frequency of updating the lobbyist register, mandating regular, relatively short intervals and updates after relevant changes.
- Advocate for the inclusion of the local government sector in the Commission's remit to ensure comprehensive lobbying regulation.
- Explicitly ban lobbyists from giving gifts to public officials.

**Conclusion:**

If the above concerns are addressed and the recommendations implemented, Tasmania can establish a robust and transparent lobbying oversight system, fostering public trust in politics. We urge the Commission to consider these suggestions and continue working towards a best-practice model of lobbying regulation.