



4 March 2011

Dr David Solomon AM  
Queensland Integrity Commissioner  
PO Box 15290  
CITY EAST QLD 4002

Dear Dr Solomon

### **REVIEW OF QUEENSLAND *INTEGRITY ACT 2009* LOBBYING PROVISIONS**

Thank you for the invitation to provide a submission to the review of the operation of the lobbying provisions prescribed in the Queensland *Integrity Act 2009*.

To assist in the review I provide the following information on the current arrangements the Western Australian Government has for ensuring transparency and accountability in the communication between government representatives and lobbyists, as well as its proposed legislation.

#### **Current arrangements in Western Australia**

##### *Contact with Lobbyists Code*

In 2007, the *Contact with Lobbyists Code* (the Code) was established. This required all lobbyists engaged to represent the interests of a third party to government to be listed in the Register for Lobbyists. The Code primarily provides for and defines the following:

- term 'lobbyist'
- appropriate and permissible contact between lobbyists and government representatives
- registration and updating requirements
- principles of engagement between lobbyists and government representatives.

##### *Register of Lobbyists*

As the Public Sector Commissioner I am responsible for the administration of the Register. The Register is available online and the following information is published:

- business name and ABN
- names of lobbyists and their positions in the business
- names of current clients and clients for whom the business has provided lobbying services in the past three months, both paid and unpaid
- names of owners, partners or major shareholders as applicable
- date when details were last updated or confirmed.

### *Compliance*

Upon finalisation of the Code in 2007, Chief Executive Officers of public sector agencies were required to amend their agency codes of conduct to include the Contact with Lobbyists Code. Public sector employees, including ministerial office staff, are required to comply with any applicable code of conduct under the *Public Sector Management Act 1994*.

As the Code and Register are currently administrative instruments there is no mechanism to compel registration by lobbyists. Rather enforcement is through the requirement for government representatives not to permit lobbying by a lobbyist who is not on the Register of Lobbyists.

### **Proposed legislation**

Prior to the 2008 state election, a commitment was given by the then Leader of the Opposition, Hon. Colin Barnett MLA, to legislate to register and monitor the activities of consultant lobbyists. Following the election of the current Government, consultation and development of a legislative framework progressed and on 15 February 2011 the Premier reconfirmed the commitment, announcing the progression of the legislation was a priority for the Parliamentary year.

The purpose of the legislation is to establish the existing Code as a statute and to strengthen compliance mechanisms. The Government is still to decide upon the details of the preferred legislation, but once these are known I will be happy to provide you with the details of the Bill and its progression.

All information, including the current Code and Register are available at the following address: <http://www.lobbyistsregister.dpc.wa.gov.au>.

If you require further information regarding the arrangements for lobbying activity in Western Australia please contact me on (08) 9219 6101 or Ms Ruth Young, Acting Director on (08) 9219 6107 or [RuthZ.Young@psc.wa.gov.au](mailto:RuthZ.Young@psc.wa.gov.au).

Yours sincerely



M C Wauchope  
PUBLIC SECTOR COMMISSIONER