8

From: Russell Steele - RSA Liquor Professionals
Sent: Sunday, 6 March 2011 2:13 PM
To: integrity.commissioner@qld.gov.au
Subject: Review Submissions

Dr David Solomon AM

Integrity Commissioner

PO Box 15290, City East Qld 4002

Dear Commissioner Solomon,

I refer to your request for submissions into a review of the operation of the lobbying provisions of the *Integrity Act 2009* dated 2 February 2011. I have relatively limited submissions, given in my view I am not a lobbyist, however my submissions are important in our view in that my company and the related small liquor licensing consultancy sector have been unnecessarily captured by the manner in which the Lobbyists Register has been implemented.

On 1 November 2010 the Integrity Reform (Miscellaneous Amendments) Act 2010 (the amending Act) came into force. The amending Act included the following amendments:

- **The examples provided for who may undertake 'incidental lobbying' were adjusted to clarify the position of entities delivering technical or professional services. If an entity undertakes a business primarily directed towards the delivery of such services, and the business operates under other regulatory frameworks, it is deemed to be 'incidental lobbying'.**
- **Contact between a lobbyist and a government representative only for the purpose of making a statutory application is inserted as an additional exclusion from 'lobbying activity'.**

Despite these amendments your office is yet to advise companies like mine that they are no longer required to be registered and we remain registered only because OLGR will not deal with us if we do not remain registered. I assist my clients in completing statutory applications under the Liquor Act 1992 and Wine Industry Act 1994. Almost without exception my contact with Government Officers is in relation to prescribed applications available under those Acts, responding to or providing additional information etc. Outside of responding to parliamentary public submission requests etc, we do not attempt to influence government policy or decisions in even remotely the same way a lobbyist might.

Any "lobbying" that may occur is not only rare, but wholly within both the letter and intent of the incidental lobbying provisions. It is our clear and unequivocal view that the obligations placed on OLGR to document and report each and every contact with my firm and others, under the lobbying provisions, place an unreasonable burden on the Department that is unjustified and in some cases increases relevant processing times for even the most simple of statutory applications.

The requirement to register and have published a list of clients is extremely onerous and leaves my firm and others open to corporate ambush marketing and client poaching as well as possible federal Privacy Act breaches for no measurable gain in transparency for Government. There are also anti-competitive implications whereby law firms and other professionals remain exempt yet non-professionally qualified industry experts remain

captured by your processes. The earlier this requirement is overturned and the effect of the November 2010 amendments advised to OLGR to allow their processes to be amended, and for my firm and other similar firms, to deregister, the better.

I trust this submission is considered in the positive manner it is intended.

Cheers

Russell Steele
Director

RSA Liquor Professionals
PO Box 3025
Chermside West Qld 4032

www.rsapro.com.au