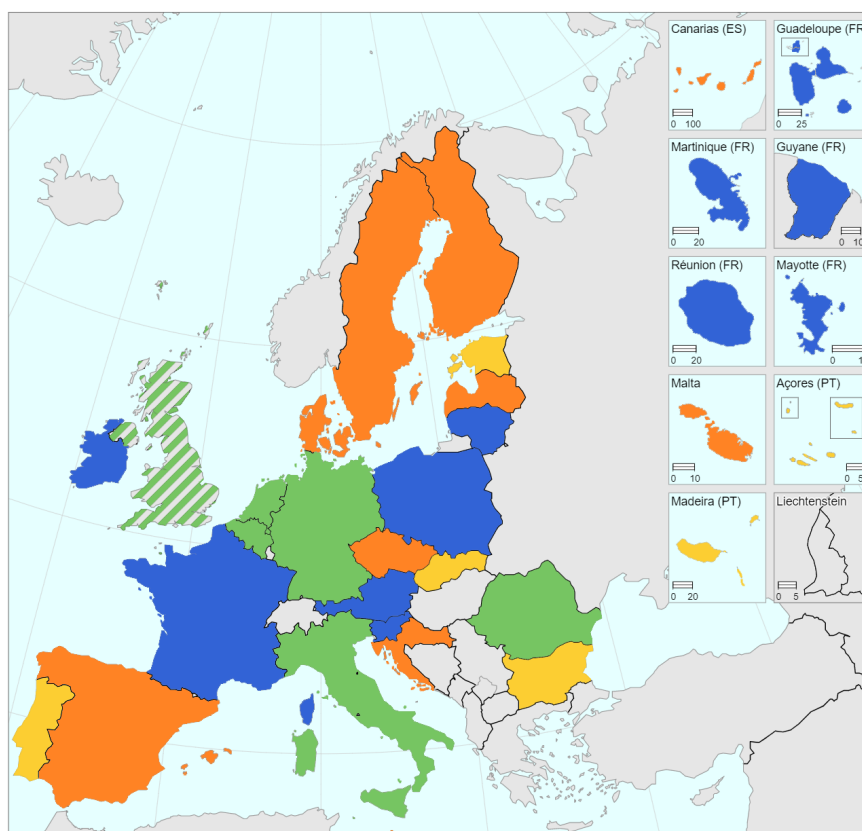


Transparency of lobbying in Member States and the UK

Comparative analysis



Administrative boundaries: © EuroGeographics © UN-FAO © Turkstat
Cartography: Eurostat – IMAGE, 05/2021

ABSTRACT

This comparative analysis tracks the growing number of EU Member States that are introducing or considering introducing lobbying regulations, with the aim of making public decision-making more accountable and transparent. Formats vary from statutory rules on lobbying (mandatory regulation) to voluntary systems of registration for lobbyists (soft regulation) to self-regulation by the public affairs sector. This analysis was first compiled in 2015 and has been updated periodically, with this most recent version completed in May 2021.

At European Union level, the Transparency Register, a public database, was set up by the European Parliament and the European Commission in 2011 in order to record the activities of interest groups trying to influence EU decision-making. The public register includes over 12 000 organisations to date and is jointly administered by Parliament and the Commission. The public register's 'joint secretariat' is made up of officials from both institutions.

<http://europa.eu/transparency-register>

Helpdesk:

Transparency-Register-Contact@europarl.europa.eu

SG-TRANSPARENCY-REGISTER-CONTACT@ec.europa.eu

AUTHORS

Elisabeth Bauer and Marie Thiel, with Irene Chiocchetti, Sebastian Kotyla and Camilla Sante
Transparency Unit, DG Presidency
European Parliament
B-1047 Brussels
E-mail: Trans-Register-Contact@europarl.europa.eu

Manuscript completed in May 2021.

Brussels, © European Union, 2021.

This document is available on the Internet at:

<http://www.europarl.europa.eu/EPRS/Lobbying-transparency-comparative-analysis-rev-FINAL.pdf>

DISCLAIMER AND COPYRIGHT

This document is prepared for, and addressed to, the Members and staff of the European Parliament as background material to assist them in their parliamentary work. The content of the document is the sole responsibility of its author(s) and any opinions expressed herein should not be taken to represent an official position of the Parliament.

Reproduction and translation for non-commercial purposes are authorised, provided the source is acknowledged and the European Parliament is given prior notice and sent a copy.

© European Union, 2021

Contents

Introduction	1
Overview of lobbying regulation in Member States and the UK	2
1. Member States with lobbying regulations (mandatory requirements)	4
AUSTRIA	4
FRANCE	6
IRELAND	8
LITHUANIA	10
POLAND	12
SLOVENIA	13
CATALONIA	15
2. Member States with soft regulation of lobbying (incentives)	17
BELGIUM	17
GERMANY	18
ITALY	20
THE NETHERLANDS	22
ROMANIA	23
3. Member States with no lobby regulation	25
3.1 Member States with self-regulation (self-imposed rules from within the sector)	25
CROATIA	25
CZECHIA	26
DENMARK	27
FINLAND	28
LATVIA	30
SPAIN	31
SWEDEN	33
3.2 Lobby regulation under discussion	34
4. United Kingdom	35
SCOTLAND	37
Official references	39

Introduction

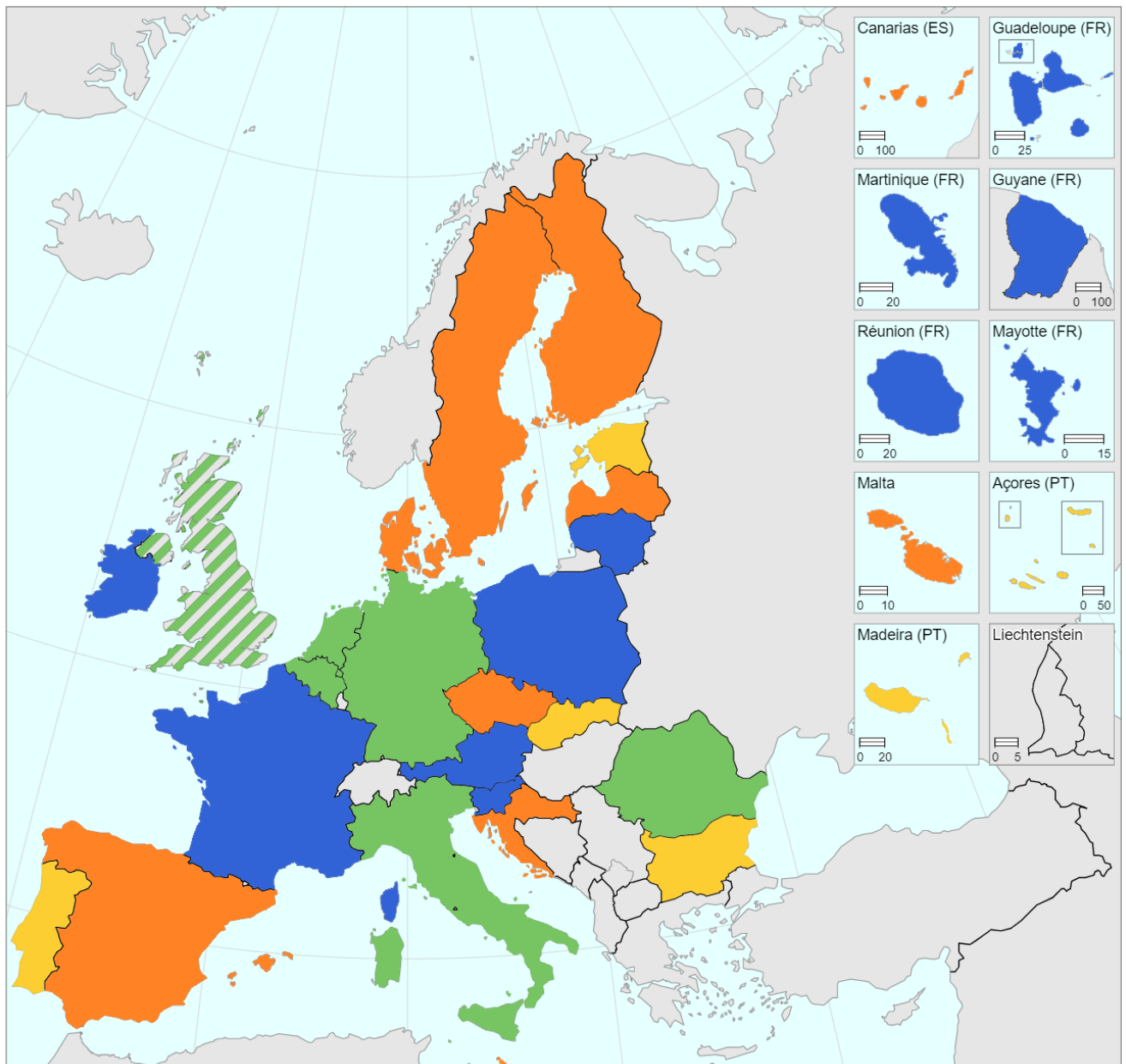
This comparative analysis has been compiled in order to track the growing number of EU Member States that are introducing or considering the introduction of lobbying regulations. Lobbying regulations can be understood as rules with regard to lobbying activities that aim to influence public authorities' decision-making. Such rules come in many different forms, from mandatory requirements set out in an act of law, to softer variants introducing incentives to increase transparency. In some countries, the push for transparency comes from the public affairs sector itself, which chooses to self-regulate its activities in order to preserve the reputation of both lobbying and the sector.

While the scope of coverage and format vary – for example, there is not always a public register of lobbyists – the aim remains the same: to increase the accountability of public decision making and promote transparent and ethical lobbying. All forms of lobbying regulation try to respond to growing public concern about the way that policy is influenced. This study does not aim to assess models based on how successful they are, but only to describe them.

The European Parliament's Transparency Unit started compiling this information after receiving several requests for information about various lobbying regulation systems in the Member States. There has been considerable movement in this domain over the past few years; the most recent laws having been passed in Lithuania (2020), Slovenia (2020) and France (2017). This research was first compiled in 2015, then updated in 2019 and in 2021, through the use of public sources of information, consultations with the European Centre for Parliamentary Research and Documentation (ECPRD) and help from the European Parliamentary Research Service (EPRS).

As described in the following chapters, six Member States (cf. Chapter 1) have introduced statutory rules on lobbying (mandatory regulation). Five Member States have introduced voluntary systems of registration for lobbyists (soft regulation) (cf. Chapter 2). Of the Member States with no lobbying rules, seven have self-regulation mechanisms, set up by the public affairs community to promote the transparency of their lobbying activities; discussions are ongoing in several other Member States on whether to introduce regulations (cf. Chapter 3). Finally, this overview includes a chapter on lobbying regulation in the United Kingdom, including Scotland, as well as in the Spanish region of Catalonia.

Overview of lobbying regulation in Member States and the UK



Administrative boundaries: © EuroGeographics © UN-FAO © Turkstat
Cartography: Eurostat – IMAGE, 05/2021

	Legislation	Register	Code of Conduct	N. of registrants
Austria	Transparency Package (2013)	mandatory	self-regulation	345
Belgium	soft regulation	voluntary	legislation	-
Bulgaria	under discussion	under discussion	none	-
Catalonia	Catalan Transparency Act (2017)	voluntary	self-regulation	79
Croatia	self-regulation	voluntary	self-regulation	64
Czechia	self-regulation	none	self-regulation	-
Denmark	self-regulation	none	self-regulation	-
Estonia	under discussion	under discussion	none	-
Finland	self-regulation	none	self-regulation	-
France	'Loi Sapin II' (2017)	mandatory	legislation	2210
Germany	soft regulation	voluntary	none	2285
Ireland	Regulation of Lobbying Act (2015)	mandatory	legislation	2110
Italy	soft regulation	voluntary	self-regulation	140
Latvia	self-regulation	none	self-regulation	-
Lithuania	Law on Lobbying Activities (2021)	mandatory	legislation	151
Malta	under discussion	none	none	-
Poland	Act on Legislative and Regulatory Lobbying (2006)	mandatory	self-regulation	507
Portugal	under discussion	under discussion	none	-
Romania	soft regulation	voluntary	legislation	241
Slovakia	under discussion	under discussion	none	-
Slovenia	Integrity and Prevention of Corruption Act (2020)	mandatory	self-regulation	82
Spain	self-regulation	voluntary	self-regulation	579
Sweden	self-regulation	none	self-regulation	
The Netherlands	soft regulation	mandatory	legislation	114
United Kingdom	Transparency of Lobbying Act (2014)	mandatory	self-regulation	166
Scotland	Lobbying (Scotland) Act (2016)	voluntary	self-regulation	1366

1. Member States with lobbying regulations (mandatory requirements)

AUSTRIA

2013



Specific legislation on lobbying

The Austrian *Bundesrat*, the Federal Council, passed the '*Transparenzpaket*' (transparency package) on 28 June 2012, and it took effect on 1 January 2013. This package comprises a series of transparency-related laws, among them the '*LobbyG*' regulating lobbying activities and introducing a register for lobbyists.

A register for lobbyists

Before starting lobbying activities, lobbyists are required to register in the 'Lobbying and Special Interest Group Register' (*Lobbying- und Interessenvertretungsregister*) operated by the Ministry of Justice.

This register is public, and organisations have to pay a one-time registration fee of €105-630; as of 1 February 2021, 345 entries were registered.

Mandatory

Scope of coverage

Different categories in the register require different levels of disclosure, but the majority of requirements are addressed essentially at specialised lobbying firms (third-party representation). Political parties, officially recognised churches and social security institutions are excluded. Law firms are excluded inasmuch as they provide legal counsel; as soon as they act on behalf of a third party trying to influence legislation, they do need to register. Organisations must provide the following information: name of the organisation, trade register number if applicable, business address, start of financial year, description of activities, website, details of lobbyists.

Access to parliamentary buildings and other incentives

Lobbyists have access to those parts of the buildings that are open to the public, for example, the parliamentary library. They can watch parliamentary debates under the same conditions as other visitors. They can move freely around the building but cannot attend any sessions or committee meetings and may only enter members' offices upon prior appointment.

Body responsible

Ministry of Justice (BMJ)

Sanctions and enforcement

Violations of the law entail administrative penalties of up to €60 000. Furthermore, entities can be removed from the list by the federal justice minister if they have committed serious and sustainable breaches of the rules on conduct and registration. In this case, a new registration is only possible

after three years. Finally, violation of the rules of behaviour may also result in the invalidity of certain contracts.

Code of conduct for lobbyists

All organisations that lobby or that employ lobbyists must have a code of conduct. They have to provide information about the code both on their website and upon request.

References

In July 2012, the Austrian Parliament voted to adopt the transparency package. The main impulse for this reform was a GRECO report on political party funding in Austria and a series of political scandals and criminal proceedings related to party funding. One element of the transparency package was the Lobbying and Special Interest Group Transparency Law (*Bundesgesetz zur Sicherung der Transparenz bei der Wahrnehmung politischer und wirtschaftlicher Interessen BGBl. I 2012/64*).

Ongoing discussions

The transparency package was drafted under high political and public pressure and there was little time for expert debates. While the package received general public and academic recognition, the pace of its drafting and the lack of clarity of many provisions have since been criticised. An initiative for revision was introduced in 2017 in order to abolish the exception provided for lawyers and notaries, and to include a cooling-off period for former government officials by barring them from taking up lobby activities for two years after the end of their government appointment. The initiative was transmitted to the justice committee, with no effect so far.

Official links

➤ <https://lobbyreg.justiz.gv.at>

FRANCE

2017



Specific legislation on lobbying

Part of the law of 9 December 2016, the '*Loi Sapin II*' or '*loi relative à la transparence, à la lutte contre la corruption et à la modernisation de la vie économique*' establishes a regulatory framework for interest representation activities and a mandatory national register, the '*répertoire*', for interest representatives in contact with designated public officials. The *Loi Sapin II* has been fully in force since 1 May 2018.

A register for lobbyists

The '*répertoire*' was created by the *Loi Sapin II* replacing the previous registers held by the National Assembly and the Senate respectively. The *répertoire* is managed by the High Authority for the Transparency of the Public Sector (Haute Autorité pour la Transparence de la Vie Publique, HATVP). As of 1 February 2021, the register had 2 210 registrants.

Mandatory

Scope of coverage

The *Loi Sapin II* requires all organisations engaged in industrial or commercial activity, as well as all chambers of commerce/industry/trades and crafts ('*chambres de métiers et de l'artisanat*') to register, if the principal or regular activity of at least one executive, employee, or member is to influence the decisions of government bodies. The law provides an exception for certain parties from the lobbying registration requirements, notably elected officials acting within their official capacity, political parties acting within their constitutional roles, labour unions, religious organisations and chambers of agriculture.

Registrants need to declare lobbying activities for the previous year, with a reference to the type of file lobbied on and the level of public official or government representative contacted.

Lobbyists need to communicate their identity to the HATVP, in case of a natural person, or that of the persons with legal responsibility, in case of a legal person; their activities and related expenditures; turnover and resources.

Access to parliamentary buildings and other incentives

Registered entities receive a 'registered interest representative' card facilitating their access to the parliamentary buildings. It is publicly announced in committee meetings whether interest representatives invited to speak are registered or not. Registrants receive alerts about upcoming legislation and can publish contributions on the Parliament's website.

Body responsible

The HATVP is an independent public authority created in October 2013 to oversee the publication and transparency of financial declarations of government members and other high-ranking officials. Since the setting up of the '*repertoire*', this body has also been responsible for the register itself and the declarations of lobbyists.

Sanctions and enforcement

If the HATVP becomes aware (through its own initiative or through a third party) of any breach of the codes, the registrant concerned will receive formal notice and be asked to respond to the allegations. The formal notice can be made public. Any repeat of a breach during a three-year period can lead to up to a year's imprisonment and a €15 000 fine.

Both in the National Assembly and in the Senate, non-compliance with the codes by registered lobbyists or their representatives may lead the two houses' Bureaus, after instruction, to suspend or remove these from the register; this decision may be published on the two houses' websites.

Code of conduct for lobbyists

Both houses of the National Assembly have codes of conduct containing detailed rules for lobbyists and their ethical behaviour. The Senate adopted its code of conduct in 2017, while that of the Bureau of the National Assembly was adopted on 13 July 2016 and revised on 20 January 2021. The new version now includes 15 points (as opposed to 13) and takes into account the changes linked to the Loi Sapin II, the reform of the 2019 Assembly regulations and the General Data Protection Regulation (GDPR). Lobbyists are now required to disclose, upon request by Members of Parliament (MPs), any data concerning their lobbying activities.

Related rules

The HATVP also oversees the financial declaration requirements for ministers and members of the French National Assembly and Senate. Stricter rules on access for 'collaborateurs' of elected representatives were introduced in 2016.

A draft resolution (No 1882) to reform the National Assembly's Rules of Procedure was submitted on 29 April 2019. The new rules include a section on ethics that is the final step in the implementation of the law on the moral standards of public life and the *Loi Sapin II*. These rules entered into force on 1 September 2019 (Resolution No 281).

Resolution No 281 introduces voluntary mechanisms for the prevention of conflicts of interest and strengthens the role of the Assembly's ethics officer, *Déontologue de l'Assemblée nationale*. (Cfr. Articles 18, 19, 20 and 25) More specifically, in the case of a conflict of interest related to the Assembly's work, MPs shall inform the Bureau, which is in turn responsible for recording the matter in a public register.

Ongoing discussions

In 2016, discussions arose as to the extension of the scope of the lobby register to actions targeting local decision-makers. The measure is due to take place in July 2022.

Official links

- <https://www.hatvp.fr/le-repertoire/liste-des-entites-enregistrees/>
- <http://www.assemblee-nationale.fr/dyn/15/dossiers/reforme-reglement?etape=15-ANLUNI>
- https://www2.assemblee-nationale.fr/14/representant-d-interets/repre_interet
- https://www.senat.fr/fileadmin/Fichiers/Images/sgp/Code_de_conduite.pdf
- https://www2.assemblee-nationale.fr/static/15/reforme_reglement/synthese_reforme_reglement2019.pdf
- https://www.assemblee-nationale.fr/dyn/15/textes/l15t0281_texte-adopte-seance#B3248057509

IRELAND

2015



Specific legislation on lobbying

The Regulation of Lobbying Act 2015, enacted in March 2015, came into effect on 1 September 2015 after a trial period. A review of the act takes place every three years.

A register for lobbyists

The register is a public online database, with 2 110 organisations or individuals registered by 1 February 2021. The information contained in the register is updated three times a year, when lobbyists file their returns.

Mandatory

Registration became a legal requirement on 1 September 2015. The enforcement provisions took effect on 1 January 2017.

Scope of coverage

The following can be lobbyists: employers, staff and third-party lobbyists, as well as anyone lobbying about land development. An individual's communication concerning his or her private affairs is excluded from registration with the exception of matters relating to planning and re-zoning of land. Communication by employers with 10 employees or fewer (i.e. small businesses) is also excluded. Every group that engages in lobbying, must disclose its activities on a quarterly basis, including information on who was lobbied, the subject matter, the type and extent of the lobbying activity, the results it was seeking to obtain and, if relevant, information about any client on whose behalf they are lobbying.

Communication made to senior civil servants, or elected politicians relating to 'the initiation, development or modification of any public policy or of any public programme, the preparation of an enactment, or the award of any grant, loan or other financial support, contract or other agreement, or of any licence or other authorisation involving public funds' has to be registered.

Access to parliamentary buildings and other incentives

Access to the parliament (*Oireachtas*) at Leinster House is not linked to the register. Anyone wishing to obtain access to parliamentary committee hearings needs a Member of the *Oireachtas* to sign in

for them. There is no requirement placed on public officials or members to interact only with registered entities or individuals.

Body responsible

The Standards in Public Office Commission is the Registrar. It oversees the implementation of the register, monitors compliance, provides guidance and assistance and where necessary investigates and pursues breaches of legal requirements.

Sanctions and enforcement

Provision is made for various sanctions, from naming and shaming to contraventions and fines (administrative penalties of up to €25 000), and in serious cases, court proceedings (which could lead to two years' imprisonment). The lobbying registrar has the power of investigation.

Code of conduct for lobbyists

Section 16(1) of the Regulation of Lobbying Act 2015 provides that 'The Commission may produce, and from time to time revise, a code of conduct for persons carrying on lobbying activities with a view to promoting high professional standards and good practice'.

The code applies to anyone communicating with designated public officials, with no distinction made between different lobbyists, but since it is not mandatory, there are no sanctions for failure to comply.

The code seeks to provide guidance to those lobbying, to do so in an ethical and transparent way and to ensure that lobbying is conducted with honesty, integrity and respect for the institutions and people being lobbied.

References

The OECD principles and the Canadian model were the main references used.

Ongoing discussions

The Second Statutory Review of the Lobbying Act by the Department of Public Expenditure and Reform was concluded in 2020 without a recommendation to amend the law.

Related rules

The act also requires that all former public officials request the approval of the Registrar to perform lobbying activities during a one-year cooling off period, when they seek to lobby in areas in which they have previously worked. Under the Ethics in Public Office Act, 1995 TDs, Senators and civil servants are expected to declare financial and other interests including any remunerated position as lobbyist, consultant and so on. Similar provisions apply under Part 15 of the Local Government Act, 2001 to local government employees and councillors.

Official links

- www.per.gov.ie/regulation-of-lobbying
- www.lobbying.ie
- [Directory of registrants](#)

LITHUANIA

2020



Specific legislation on lobbying

The Law on Lobbying Activities (LLA) – *Lietuvos Respublikos Lobistinės Veiklos Įstatymas* – came into force in 2001 and was amended in 2017 and 2020. The reform of the LLA, approved on 26 June 2020, entered into force on 1 January 2021 and covers lobbying relating to legislative acts irrespective of branch or level of government.

A register for lobbyists

The law requires all individual lobbyists to register in a publicly available database – the *Skaidris*. On 1 February 2021, the list contained 151 registered lobbyists. Once registered, a person may perform lobbying activities permanently.

The latest amendments to the Law on Lobbying Activities (LLA) introduce a 'cross-referenced declaration' system that obliges lobbyists, as well as public officials, who have contacts with lobbyists to declare lobbying activities. All applications and declarations are grouped within the *Skaidris*.

Mandatory

Lobbying activities can be conducted only by registered persons.

Scope of coverage

The Register now covers both natural persons acting on behalf of their clients, and legal persons, i.e. in-house lobbyists and non-profit organisations. Formerly, it included only contract lobbyists who attempt to influence the legislative branch of the government for the purpose of modifying or repealing legal acts or administrative decisions.

Disclosure requirements for applicants to the Register differ depending on whether the application is lodged by a natural person or a legal person. When submitting the application form, legal persons are required to identify all natural persons who will carry out lobbying activities.

Also, a lobbyist must present a lobbying report electronically for every legal act or draft legal act targeted within seven days of the commencement of their lobbying activities. This report must indicate the lobbyist's name and surname and the number of their certificate, the name of the client and their registration number. If lobbying is carried out on behalf of a third-party, lobbyists must disclose the relevant natural or legal person; a title of a legal act or a draft of a legal act with respect to which the lobbyist is acting; a brief description of the specific subject matter; the names of departments or agencies contacted; and the name, surname and occupation of the lobbied person. These reports are public.

The following activities are not considered lobbying: journalism, providing expertise, official activities of politicians and civil servants related to their respective roles, public consultations and opinions of natural persons.

Access to parliamentary buildings and other incentives

Registered lobbyists can participate in the formulation and implementation of legislation, amendments and in consultations. Having a lobbying certificate also gives its holder access to buildings of public authorities and entitles them to attend meetings.

Body responsible

The Chief Official Ethics Commission (COEC) – *Vyriausiosios tarnybinės etikos komisija (VTEK)* – is charged with supervising adherence to institutional ethical standards, regulating public and private interests in the civil service, and controlling certain lobbying activities. It can cross-reference the declarations of lobbyists and public officials but has not been tasked with reporting on any findings.

Sanctions and enforcement

Sanctions include suspension of lobbyists, possible legal action and/or fines relating to 'illegal lobbying activities' as defined under Article 6 of the law (by a non-registered person, in the name of a non-existent client, etc.) There is no mechanism in place for enforcement of public officials' disclosure obligations, but a reminder mechanism is planned.

Code of conduct for lobbyists

Lobbyists' Code of Ethics

Ongoing discussions

The COEC is developing implementing guidelines for lobbyists and training for public officials, following the latest reform of the law.

Related rules

There is a one-year cooling off period for politicians leaving office. The following are prohibited from being clients of lobbying activities: state politicians; state officials; civil servants or judges; state and municipal institutions or establishments; state or municipal enterprises.

Official links

- <http://www.vtek.lt/#lobistams> (VTEK website in Lithuanian)
- <https://www.vtek.lt/index.php/en> (VTEK website in English)
- <https://skaidris.vtek.lt/public/home/main> (Skaidris lobby register)
- <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/9473b770a2a311e7a65c90dfe4655c64?jfwid=-1c4zljrejch> (2017 LLA – English version), 2017-06-20 No VIII-1749.
- <https://www.e-tar.lt/portal/en/legalAct/da0fef90c26e11ea9815f635b9c0dcef> (2020 LLA - Lithuanian version), 26 June 2020 No XIII-3170

POLAND

2006



Specific legislation on lobbying

The Act on Legislative and Regulatory Lobbying passed by the Polish Sejm in July 2005 came into force on 7 March 2006 (*ustawy z dnia 7 lipca 2005 r. o działalności lobbingsowej w procesie stanowienia prawa*), in the aftermath of several very topical corruption cases that triggered the setting up of parliamentary investigative committees. The act promotes transparency in the law-making process and was amended in 2011 and 2015.

A register for lobbyists

All entities performing professional lobbying activities must be entered into a public register (*rejestr podmiotów wykonujących zawodową działalność lobbingsową*). The Ministry of Internal Affairs and Administration makes the register accessible on its website, in the form of a pdf file that is updated annually. Entry in the register entails a €25 fee. Entities that declare an interest in specific legislation can participate in public hearings. The register included 507 entries on 1 February 2021. The upper and lower houses of Parliament operate their own registers.

Mandatory

Scope of coverage

The activities defined are broadly defined; professional lobbying is defined as lobbying activities pursued for a fee on behalf of third parties. NGOs are not covered by the provisions.

Access to parliamentary buildings and other incentives

Registered lobbyists are issued a special red badge to access the Sejm premises. Passes must be visible at all times. Lobbyists have to declare what legislation they are lobbying for. They cannot attend subcommittee meetings without an invitation.

Body responsible

The Ministry of Internal Affairs and Administration (MSWiA) is tasked with maintaining the register and producing an annual report.

Sanctions and enforcement

Entities performing professional lobbying activities without recording them in the register are subject to a fine ranging from PLN3 000 to PLN 50 000 (€700-12 000). Complaints about lobbying by non-registered entities are submitted by officials in the lobbied ministries.

Code of conduct for lobbyists

There is no *stricto sensu* code of conduct concerning the ethical behaviour of lobbyists. A code is provided by the Association of Professional Lobbyists in Poland (Stowarzyszenie Profesjonalnych Lobbystów w Polsce, SPLP) as a standard.

Ongoing discussions

There are extensive discussions ongoing on the need to amend the regulation, notably with regard to limiting the possibilities of circumventing it. One of the key problems concerns the way lobbying is defined in the act, namely as any activity carried out with legal means that aims to exert influence on a state institution during the law-making process. A 2017 proposal for a law on transparency of public life (Ustawa o jawności życia publicznego) has not yet been adopted.

The Law on Lobbying Activity regulates 'revolving doors' with a cooling-off period of one year but this is limited to organisations for whom an official issued specific decisions.

Related rules

Public authorities (except members of Parliament) have to publish all of the information related to the professional lobbying activities of which they are the subject (legislative footprint) in the Public Information Bulletin.

Official links

- <https://bip.mswia.gov.pl/bip/rejestr-podmiotow-wykon/23846,Rejestr-podmiotow-wykonujacych>
- <https://www.gov.pl/web/mswia/dzialalnosc-lobbingowa>
- <https://www.rpo.gov.pl/sites/default/files/ustawa-o-jawnosci-zycia-publicznego-projekt-z%208-stycznia-2018.pdf>

SLOVENIA

2020



Specific legislation on lobbying

Lobbying activities are governed by the Integrity and Prevention of Corruption Act of 2010 (*Zakona o integriteti in preprečevanju korupcije*), which was amended in 2011 and 2020.

A register for lobbyists

A register of lobbyists (*Register lobistov*) is accessible to the public and 82 individuals were registered on 1 February 2021. The registrants must provide contact details and indicate their fields of interest. Only individuals (natural persons) can register, but they must provide information about the company or organisation on whose behalf they lobby.

Mandatory

Any professional lobbyist wishing to undertake lobbying activities needs to first register in the register of lobbyists, a step that is required by law. An administrative tax has to be paid when applying to join the register. Lobbyists must report to the Commission for the Prevention of Corruption of the Republic of Slovenia (CPC) at the latest by 31 January of the current year for the previous year.

Scope of coverage

The law covers non-public contacts made by consultant lobbyists with lobbied persons, with the aim of influencing the policy-making process. Legislative and executive lobbying are covered,

whereas issues of rule of law, democracy and protection of human rights and fundamental freedoms are not defined as lobbying under the act.

The lobbyist must draw up a record of any contact with whom they intend to lobby and forward it within eight days to the Commission. The lobbyist shall not create a record for an attempt to establish contact in writing.

Article 32 of the latest revised act excludes non-profit interest organisations of the private sector that have no employees from the obligation to report on lobbying.

Access to parliamentary buildings and other incentives

A registered lobbyist has the right to be invited to all public presentations and all forms of public consultations; information thereon must be provided by state bodies and local communities. The lobbyist may communicate to the lobbied person written and oral information and materials relating to cases that he/she is lobbying on. Lobbyists may meet with the persons they are lobbying, and the latter are obliged to draw up a record of any such contact and send a copy of it within three days to their Head of Department and to the Commission.

Body responsible

The Commission for the Prevention of Corruption of the Republic of Slovenia (CPC), *Komisija za preprečevanje korupcije*, is an independent state body with a mandate in the field of preventing and investigating corruption, breaches of ethics and integrity of public office. Its tasks include conducting administrative investigations into allegations of corruption, conflicts of interest and illegal lobbying; protecting whistle-blowers; monitoring the financial status of high-level public officials in the executive, legislature and judiciary through an assets declaration and monitoring system; and maintaining the central register of lobbyists.

Sanctions and enforcement

The Commission may (depending on the gravity of the violation, on consequences that ensue, and on whether the violation is a first-time or a repeat violation) apply the following sanctions: written reprimand, prohibition of lobbying in specific cases, prohibition of lobbying for a specific period of time (for at least three and no more than 24 months), removal from the register, fines of €400 to €100 000.

Code of conduct for lobbyists

Pursuant to the act, the Association of Professional Lobbyists (20 Members) has established a code of ethics.

Ongoing discussions

Public officials may agree to lobbying only if the lobbyist is entered in the register and must decline contact if there are conflicts of interest. However, it has been recommended that the implementation of rules on contacts with lobbyists by members of the National Assembly and the National Council be subjected to a thorough assessment.

Related rules

The Commission has published a guide for civil servants and officials, with instructions on how to proceed when they hold meetings with lobbyists.

Official links

- <https://www.kpk-rs.si/nadzor-in-preiskave-2/nasprotje-interesov/obdobna-porocila/>
- <https://www.kpk-rs.si/nadzor-in-preiskave-2/lobiranje-2/register-lobistov/>
- <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52020SC0323&from=EN>
- <https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/2020-01-2765?sop=2020-01-2765>

CATALONIA

2017



Specific legislation on lobbying

This is a pioneering initiative in Spain, which is part of the Catalan Transparency Act passed in December 2014 by the Parliament with the aim of providing the public administration with a tool to boost transparency in lobbying activities. In February 2017, a decree-law was passed, transforming a voluntary register of interest groups into a mandatory register covering contacts with the Generalitat Administration, local entities and other institutions and entities in the public sector in Catalonia.

A register for lobbyists

The register for lobbyists is the Registro de Lobbies de la Generalitat de Catalunya. On 1 February 2021, the total number of interest groups registered was 3 823, with an additional 79 registration requests being processed (still pending).

Mandatory

Scope of coverage

Any organisation, foundation, professional office, company or private person wishing to contact a public official in the Catalan administration or in the public sector, or a Member of Congress in order to 'engage, review or influence' any initiatives or public decision.

An interest group is defined as 'any person, company, organisation or private entity that interacts with the public sector to influence public policies or decision-making processes in defence of its interests'.

Body responsible

The Department of Justice of Catalonia.

Code of conduct for lobbyists

Lobbyists must sign a code of conduct subject to administrative sanctions and update their meetings and contacts every six months.

Related rules

On 21 June 2016, a new code of conduct was introduced for high-ranking officials and managing staff of the Generalitat Administration and public sector entities, and other measures regarding transparency, interest groups and public ethics (ACUERDO GOV/82/2016).

The Area Metropolitana de Barcelona (AMB) is using the register of the Generalitat Administration for its own transparency rules. In Barcelona, a Transparency Agency was set up in July 2015. The Transparency Agency established a code of ethics and uses the Generalitat Administration register for all the interest groups carrying out interest representation activities in its jurisdiction.

A computer tool (SERGI) has also been set up to help register meetings of any senior officials and executives with organisations that may be considered as interest groups. When an interest group requests a meeting with senior official of the AMB or one of its linked entities, this request must be registered in the SERGI application. Through its application, the Transparency Agency reviews and validates the information entered and manages its publication in the Transparency Portal. The Government of Catalonia (Generalitat) organises and manages the register. All other functions, monitoring, inspection, management and sanctions may correspond to the Transparency Agency of the AMB using this tool.

Official links

- [http://www.transparenciacatalunya.cat/es/Portals-de-transparencia/grups-dinteres-/](http://www.transparenciacatalunya.cat/es/Portals-de-transparencia/grups-dinteres/)
- https://portaljuridic.gencat.cat/ca/pjur_ocults/pjur_resultats_fitxa/?action=fitxa&mode=single&docum
- [http://justicia.gencat.cat/ca/ambits/grups_interes/consulta_grups_interes/index.html#googtrans\(ca|en\)](http://justicia.gencat.cat/ca/ambits/grups_interes/consulta_grups_interes/index.html#googtrans(ca|en))

2. Member States with soft regulation of lobbying (incentives)

BELGIUM



Specific legislation on lobbying

On 19 July 2018, the Belgian Chamber of Representatives introduced a lobby register in its Rules of Procedure. This new Chapter III ter, Article 163ter, is named *Le registre des lobbies*. Since 1 January 2019, interest representatives have been able to register in this lobby register.

A register for lobbyists

The register lists organisations and their representatives engaged in activities designed to directly or indirectly influence the development or the implementation of policies or the Chamber's decision-making process.

The lobby register is public and voluntary, and a regularly updated list is published on the Chamber's website. In addition to the organisation name, the names of representatives and (personal) contact information, legal status, business information and subject matter and the names of the clients represented are also listed. As of 1 February 2021, 139 entries had been registered.

Voluntary

Scope of coverage

The register covers all activities (already underway or in preparation) carried out with the aim of influencing directly or indirectly the Chamber's legislative development, policy implementation or decision-making processes. Direct influence refers to any direct communication with the Chamber, its members and components. Indirect influence refers, for example, to influence exerted through the media or public opinion.

The entities targeted are specialised consulting firms, law firms, consultants acting as self-employed, internal representatives, professional groups, trade union and professional associations, non-governmental organisations, think tanks, research bodies and academic institutions, organisations representing churches and religious communities, and organisations representing local, regional and municipal authorities and other public or mixed entities.

Some exceptions exist: contacts between interest representatives and Members of the Chamber concerning the provision of legal and other professional advice are not covered by the register. In addition, any entity to which the law assigns an institutional role is not covered by Rule 163ter. Finally, activities responding to a direct request from the Chamber, or a Member (requests for information, data or expertise), are not covered by the register.

Access to parliamentary buildings and other incentives

So far, registered lobbyists do not benefit from any privileges.

Body responsible

The lobby register is managed by a designated secretariat of the Chamber administration.

Code of conduct for lobbyists

By registering, companies, institutions, organisations and natural persons concerned agree to act in accordance with Article 163ter of the Chamber's Rules of Procedure and the annexed code of conduct. Thus, in their relations with the Chamber, registered organisations must comply with the following rules: ensure that the information provided at the time of registration and afterwards is complete, correct and not misleading, accept that it may be examined for reliability, respond to requests from the competent department for additional information and updates, not attempt to obtain information in a dishonest manner or by using improper pressure or inappropriate behaviour, etc. However, there is currently no sanction for non-compliance with the obligations defined in this code of conduct.

Ongoing discussion

Extension of the register to ministers and their cabinets. The Chamber authorities are discussing the possibility of giving registered bodies simplified access to the Chamber's premises.

Official links

- <http://www.lachambre.be/FLWB/PDF/54/2803/54K2803003.pdf>
- <https://www.lachambre.be/kvvcr/showpage.cfm?section=/lobby&language=fr&story=general.xml>
- https://www.lachambre.be/kvvcr/pdf_sections/lobby/lobbyisten.pdf

GERMANY



Specific legislation on lobbying

The German *Bundestag* was the first parliament in EU to adopt internal rules requiring the registration of interest representatives, in 1972 (Annex 2 to its Rules of Procedure). On 25 March 2021, the *Bundestag* approved a new law, which will create a mandatory online lobby register covering both the parliament and the government.

A register for lobbyists

The *Bundestag* has a public register (or list) for trade and industry associations representing interests vis-à-vis the *Bundestag* (Parliament) and the Federal Government. The German *Bundesrat* (Federal Council) does not dispose of a similar register. According to Annex 2 of the Rules of Procedure of the *Bundestag*, an annual public list of all groups wishing to express or defend interests before the *Bundestag* or the Federal Government is drawn up and published. The voluntary record of lobby associations kept by the President of the Parliament used to be published annually in the Federal Gazette. Since 2012, the register has been kept and published solely online where it is updated on a more frequent basis. The list of entities is publicly available, and 2 285 organisations were registered as of 1 February 2021.

Voluntary

Entry on the register is voluntary. In principle, lobbyists cannot be heard by a parliamentary committee if they are not on the register, but committees and the *Bundestag* may still invite associations and experts not on the list to present information.

Scope of coverage

Individual lobbyists, lobbying offices, companies or lawyers and law firms are not expected to register. Public entities are not registered, nor are regional authorities. Members of the Parliament are not obliged to disclose their communications with lobbyists, and there is no such obligation for lobbyists.

Access to parliamentary buildings and other incentives

Representatives of pressure groups must be entered in the register before they can be issued with a non-transferable pass admitting them to parliamentary buildings. The following information must be provided: name and seat of the group; composition of the board of directors and the board of management; area of interest; number of members; names of appointed representatives; office address. No more than five persons from a single organisation can be present inside the Parliament at the same time.

Body responsible

President of the German *Bundestag*.

Sanctions and enforcement

There are no sanctions, except the loss of opportunity to be heard in the *Bundestag* committees. The public list does not have any legal force.

Code of conduct for lobbyists

There is no code of conduct *stricto sensu* prescribing an ethical behaviour for lobbyists.

Ongoing discussions

On 25 March 2021, the *Bundestag* approved a new law, which will create a mandatory online lobby register covering both the Parliament and the Government. Lobbyists will be required to enter their names and provide details about their employers or commissioning agents and can also provide information about the number of people involved and expenses. False entries or failing to register at all will be punishable by a fine of up to €50 000.

At the state (*Bundesländer*) level, discussions are also ongoing regarding the introduction of a lobbying regulation. For example, in 2014, the State Parliament of Saxony-Anhalt amended its Rules of Procedure to require all lobbyists from associations that lobby the state parliament to register (representatives from associations that are not included in the mandatory lobby register will not be heard in the Saxony-Anhalt State Parliament). In 2021, Baden-Württemberg began discussions on a state-level lobby register, with other *Länder*, such as like Mecklenburg-Vorpommern and Thüringen, also considering similar steps.

Related rules

Members of the *Bundestag* must declare any side jobs upon taking up their duties or within three months of changes, according to the Rules of Procedure. Since 2015, Members of the Federal Government and Parliamentary Secretaries of State have been required to report any positions

outside the public administration that they intend to take up within 18 months after their resignation. Such jobs may be prohibited to them if the public interest is likely to be compromised.

Since 2018, the German Government has been required to make the legislative process transparent and publish draft laws on ministry websites, including the respective position of federal-level lobbying organisations. This is outlined in the Joint Rules of Procedure of the federal ministries (GGO) (see in particular § 41, § 44 paragraphs 3 and 5, § 47 paragraph 3, and §74 paragraph 5).

Official links

- <http://www.bundestag.de/parlament/lobbyliste>
- <https://dip21.bundestag.de/dip21/btd/19/221/1922179.pdf>
- https://www.bundestag.de/parlament/aufgaben/rechtsgrundlagen/go_btg/anlage1-245178
- <https://www.bmi.bund.de/DE/themen/moderne-verwaltung/verwaltungsmodernisierung/geschaeftsordnung-bundesministerien/geschaeftsordnung-bundesministerien-node.html>

ITALY



Specific legislation on lobbying

There is no specific legislation at national level, but there are some internal regulations for one branch of the Parliament, five regions and three ministries. These regulations are not generally mandatory, at least for lobbyists, while they can place some obligations on members of the administration that adopted the regulation (e.g. they cannot meet someone who is not on the register, and they have the obligation to report on whom they met with, etc.).

However, these regulations differ in scope and instruments and have been very unevenly implemented. The Chamber of Deputies (but not the Senate), for example, approved an internal regulation in April 2016, which, together with a code of conduct of the members, regulates the activity of lobbying in this chamber; so far, however, these provisions are not included in the Rules of Procedure. It provides for the establishment of a public registry, an obligation to register and the obligation of the registered subjects to present an annual report of the contacts they have had in the year and the objectives pursued and attained. As of 1 February 2021 the register featured 140 registrants.

Voluntary

A register for lobbyists

At the level of the central administration, some ministries have established some sort of register:

The ministry for economic development (*Ministero dello Sviluppo Economico*) established a non-mandatory transparency register in September 2016. On 1 February 2021, the number of registered organisations was 2 057.

The agriculture ministry (*Ministero delle politiche agricole*) established in 2012, removed and then re-established in May 2015, three public lists of companies, customers associations and subjects active or interested in the agricultural and food sector. On 1 February 2021, 270 entities were registered on these three lists.

On 24 September 2018, the Ministry of Labour and Social Policies (*Ministero del Lavoro e delle Politiche sociali*) set up a register of its own. Through the dedicated website, all citizens are able to consult the agenda of meetings and the public register of organisations allowed to meet the minister and high-level officials of the ministry. As of 1 February 2021, the number of registered organisations was 72.

Scope of coverage

There is no unified definition of lobbying. The regional regulation does not provide a specific definition of lobbying.

Access to parliamentary buildings and other incentives

Access to the buildings of the Chamber of Deputies and the Senate is still regulated by Article 144 and Article 48 of the respective Rules of Procedure. The adopted regulation regarding lobbyists does not seem to bring any changes, as it excludes in any case lobbying activities in the context of parliamentary committee hearings.

Body responsible

There is no specific body responsible for the enforcement of the initiatives.

Code of conduct for lobbyists

There is some self-regulation by public affairs associations with their own codes of conduct for members, 'Il Chiostro' and 'Ferpi'.

References

Regional laws: Toscana (L.R. 18 January 2002, No 5), Molise (L.R. 22 October 2004, No 24), Abruzzo (L.R. 22 December 2010, No 61), Calabria (L.R. 12 February 2016, No 4) and Lombardia (L.R. No 280).

Ongoing discussions

More than 50 lobbying regulation bills have been introduced to the Parliament since 1945.

In May 2019, MPs from the Five Star Movement and Partito Democratico submitted three complementary draft laws to introduce a compulsory lobbying register and strengthen the rules in force (Bill No 196, Bill No 721 and Bill No 1827).

The three bills are currently under discussion in the Constitutional Affairs Committee of the Italian Chamber of Deputies, but none of them has been discussed at Assembly level.

Official links

- Chamber of Deputies: <https://www.camera.it/leg18/1306>
- Ministero dello Sviluppo Economico: <http://registrottrasparenza.mise.gov.it/>
- Ministero delle politiche agricole alimentari, forestali e del turismo (lists of companies, consumer associations and subjects active or interested in the agricultural and food sector): <https://www.politicheagricole.it/flex/cm/pages/ServeBLOB.php/L/IT/IDPagina/8702>

- Ministero del Lavoro e delle Politiche sociali:
<https://www.camera.it/leg18/126?tab=8&leg=18&idDocumento=196&sede=&tipo=>
- <https://www.politicheagricole.it/flex/cm/pages/ServeBLOB.php/L/IT/IDPagina/8702>
- <http://registrotrasparenza.mise.gov.it/index.php>
- <https://rappresentantiinteressi.camera.it/sito/>
- <https://registrotrasparenza.lavoro.gov.it/>

THE NETHERLANDS



Specific legislation on lobbying

There is no specific legislation on lobbying. That said, a lobby registry was introduced on 1 July 2012 (as part of the Rules of Procedure), applicable to individual interest representatives entering the Dutch Parliament. Since December 2019, Members of the Lower House in the Netherlands have revised their integrity rules, to now include a mention of lobbying, reminding MPs to maintain their independence.

A register for lobbyists

There is a publicly accessible list of persons and entities requesting access to Parliament (per month). The Dutch Senate does not have a register, but lobbyists who are registered with the House (and have a security pass provided by the House) have access to the building of the Senate as well. As of February 2021, the Register numbered 114 organisations.

Voluntary

Scope of coverage

There are three categories of lobbyists:

- 1 employees of public affairs and public relations agencies,
- 2 representatives of civil society organisations / associations,
- 3 representatives of municipalities and provinces.

The internal rules state that the term 'lobbyist' must be interpreted broadly. Not only people who work for lobby offices, but also others who ask an MP to stand up for certain interests can be considered lobbyists.

Access to parliamentary buildings and other incentives

Since 2018, registration for entry into the 'secure zone' of Parliament has been mandatory, i.e. MPs or staff are accessed by appointment only.

Body responsible

The General Secretariat. Requests are made to the Secretariat to enter the building and are accepted depending on the organisation and request.

Sanctions and enforcement

There is an informal sanction for unacceptable behaviour, removing access to the building.

Code of conduct for lobbyists

No related code exists. The Dutch organisation for people employed in public affairs organisations does however have a lobbying code of conduct for its members, but it is not endorsed by the Government authorities. In 2019, the Senate adopted a code of conduct for its members that provides guidelines on contacts with third parties, including lobbyists.

References

Openbaar register van belangenbehartigers/lobbyisten, Tweede Kamer

Ongoing discussions

Initial discussions on regulating lobbying began with the introduction of an own-initiative proposal by Dutch MPs Lea Bouwmeester and Astrid Oosenbrug (both PvdA, Labour) in December 2015. The proposal included publishing ministers' diaries, making internet-consultations public and adding a standard lobby paragraph in all legislation. The MPs also suggested setting up a mandatory register for lobbyists (34 376, No 2, 24/12/2015). The legislative proposal was passed by the House in April 2016 and is still under discussion at the Senate. However, the proposals concerning a lobbyist register are not included.

Official links

- www.tweedekamer.nl/over_de_tweede_kamer/lobbyistenregister
- <https://zoek.officielebekendmakingen.nl/kst-34376-2.html>
- <https://www.tweedekamer.nl/kamerstukken/detail?id=2019Z23593&did=2019D48830>

ROMANIA



Specific legislation on lobbying

There are no statutory rules, but the Government introduced a Single Register of Interest Transparency, *Registrului Unic al Transparenței Intereselor* (RUTI), based on a memorandum issued in September 2016. RUTI is a public register that lists meetings of (government) decision-makers with interest representatives, and also serves as a voluntary register for interest groups. High-ranking decision-makers publish meetings with interest groups and state whether they are registered or not in the voluntary register for lobbyists.

A register for lobbyists

The government's public register introduced in September 2016 lists meetings between interest representatives (or special interests) and decision-makers (prime minister, cabinet, ministers and high officials). As of 1 February 2021, there were 241 registered specialised groups and 307 registered decision-makers.

Voluntary

Scope of coverage

Specialised groups cover any legally constituted group: companies with legal personality; associations, foundations and federations; religious organisations / or cults; trade union organisations; employers' organisations; chambers of commerce; and associative structures of local government. The following are also included: authorised individuals; individual or family enterprises; individual law offices, associated law offices, and professional lawyers' societies.

Access to parliamentary buildings and other incentives

The Bureau of each parliamentary committee may invite representatives of civil society, owners' associations, vocational associations or trade unions to participate to the sittings of the relevant committee.

Body responsible

Ministry for Public Consultation and Civic Dialogue (MCPDC)

Code of conduct for lobbyists

The Romanian Lobbying Association (RLRA) set up a voluntary system of registration in 2010 with an ethics code for all members of the association. Furthermore, Article 6 of the *Memorandum privind instituirea RUTI* includes a code of conduct for interest representatives.

Related rules

The mechanism established by the memorandum is not in conflict with Law No 52/2003 (amended in 2013), which governs transparency in the public decision-making process. The law protects any citizen's right to participate in public consultations on legislation. Conversely, RUTI covers activities carried out during all the stages of the policy cycle.

Ongoing discussions

In September 2018, two similar bills were published: a draft government emergency decree drawn up by the Ministry of Business Environment, Commerce and Entrepreneurship and a legislative proposal put forward by ALDE and based on the Austrian model. The latter was approved by the Romanian Senate on 11 March 2019. The bill is now under discussion in the Parliament.

Official links

- <http://ruti.gov.ro/>
- <http://ruti.gov.ro/ce-este-registrul/>
- <http://legislatie.just.ro/Public/DetaliiDocument/41571>
- <https://sgg.gov.ro/1/invitatie-adresata-grupurilor-specializate-de-a-se-inscrie-in-platforma-ruti-si-de-a-consulta-ghidul-de-informare-privind-importanta-ruti-si-a-principiilor-codului-de-conducta-prevazute-de-memorandumu/>

3. Member States with no lobby regulation

3.1 Member States with self-regulation (self-imposed rules from within the sector)

CROATIA



Specific legislation on lobbying

There are no statutory rules.

A register for lobbyists

Established in June 2008, the Croatian Society of Lobbyists (CSL) provides a voluntary register for professionals in the public affairs/ consultancy sector (64 members as of 1 February 2021).

Voluntary

Ongoing discussions

The CSL are pushing for lobbying to be regulated. They have drafted a proposal for a law on interest representation in 2015 and have held a series of meetings in the Croatian Parliament. In the autumn of 2015, a formal partnership was formed between Transparency International Croatia and the Croatian Society of Lobbyists, to promote lobbying transparency in Croatia.

Rules on how to engage with lobbyists and other third parties seeking to influence the Government's decision-making were recognised in anti-corruption plans, and the latest plan was to draft a framework regulating lobbying in 2020.

Code of conduct for lobbyists

Members of the Croatian Society of Lobbyists sign a code of ethics upon registration. Registration requires an annual fee of €200 for a natural person and around €550 for legal persons.

Official links

- <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52020SC0310&from=EN>
- <https://hdl.hr/en/>

CZECHIA



In August 2019, two bills were sent to the Chamber of Deputies for discussion. The first was Parliamentary Press No 565, regulating lobbying activities; the second was Parliamentary Press No 566, a so-called 'amending law' modifying other laws, in particular Law No 222/2016 on the Official Journal and publication of international agreements, in order to specify how the legislative footprint should appear in the Official Journal and how it should be updated.

A register for lobbyists

No

Voluntary

A voluntary code of ethics, designed to help elected officials in their relationship with interest groups, was introduced in 2005.

Code of conduct for lobbyists

The Czech Lobbying Association adopted a code of conduct in 2012.

Ongoing discussions

Proposed Bill No 565 defines lobbying as '(i) a communication made to influence legislative process and/or public decision-making and/or a strategic document, (ii) an activity, which is perpetual, organised and systematic, (iii) done for remuneration and that (iv) is done to represent interests of third parties'. For example, a one-sided contact in the form of an e-mail may be considered as lobbying. However, lobbying does not include communication through the media, interdepartmental cooperation or communication within one office and communication within a political party.

In order to give the public greater control over who influences the drafting process for a piece of legislation, the proposal envisages setting up a transparency register. Not only the lobbyists but also MPs, senators and certain categories of government officials who could influence the law-making process would be required to enrol. Indeed, the scope with regard to non-elected officials and their obligations is very broad.

Registered lobbyists would have to declare what legislative initiatives they are trying to influence and who they are trying to convince. The mandatory registration of lobbyists will include a list with information on who is lobbying the Czech government, and also information on meetings held. Furthermore, this law would increase restrictions regarding gifts and income disclosure requirements for government officials. In attempting to make registration more appealing to lobbyists, granting access passes to Parliament premises would be made conditional upon registration.

According to the latest version of the bill, in their compulsory quarterly reports, lobbyists and those on whose behalf they lobbied would have to provide: the name and surname of the person who was lobbied and the person on whose behalf they lobbied, the name of a public body or state entity

in which the person who is being lobbied works, the name of the intermediary, the subject matter of the lobbying activities, and the date of the lobbying.

Bill No 565 does not specify who will manage the transparency register. Nevertheless, as the explanatory statement indicates, this task is to be entrusted to the 'Office for the supervision of the financial management of the political parties and political movements'. The first reading of the bill took place [on 10 December 2020](#) at the 75th meeting. The bill was ordered to be discussed by the committees within 80 days, but neither the Constitutional nor the Legal Committee, or the Standing Committee on the Constitution of the Czech Republic, have discussed the bill. The same applies to Bill No 566.

Official links

- <https://apps.odok.cz/veklep-detail?pid=KORNB4B9CNQE>
- <http://www.transparency.cz/wp-content/uploads/V-%C4%8D%C3%ADm-z%C3%A1jmu-a-jak-funguje-lobbing.pdf>
- <https://www.ceska-justice.cz/2018/09/nova-pravidla-lobbingu-registrovat-se-budou-muset-asistenti>
- <https://www.ceska-justice.cz/2019/04/lobbisticka-stop-a-zahlti-novy-zakon-soudy/>
- <https://www.psp.cz/sqw/text/tiskt.sqw?O=8&CT=565&CT1=0>.
- <https://www.psp.cz/sqw/historie.sqw?o=8&t=565>

DENMARK



Although the introduction of a lobby register is often discussed in the public arena, there are no plans to do so currently. There is also strong self-regulation from the sector itself.

A register for lobbyists

In October 2012, MPs were given the possibility to register contacts with lobbyists, organisations, businesses, etc. under a specific category in the voluntary register of financial interests. Several MPs found it excessively burdensome to record such contacts and difficult to determine which were significant. The system was abandoned shortly afterwards. Instead, MPs now have a link on the parliamentary website to personal or party websites where they describe contacts with lobbyists on a voluntary basis.

Voluntary

Access to parliamentary buildings and other incentives

Interest groups and others may attend parliamentary committee meetings and express opinions about issues or bills on the agenda. Committees also receive written opinions and inquiries, which are distributed to all committee members and registered as committee documents (deputations from individuals, organisations, associations, etc. on specific legislation). A deputation may also be granted an audience to discuss a subject of a more general nature within a committee's remit.

Code of conduct for lobbyists

The Danish PR association (Public Relations *Foreningen*) has established an ethics code.

Ongoing discussions

There was a legislative proposal from the Left Party to regulate lobbying of ministers, but the term used is 'external actors'. The proposal was discussed in the Parliament in April 2016 and sent back to the committee, which did not take it up again.

Related rules

The code of conduct concerning registration of Members of Parliament, work and economic interests contains rules about economic support, presents, shareholding, etc., but does not mention lobbying specifically.

The names of interest groups or persons who are granted an audience with the *Folketing* standing committees are recorded in minutes of meetings and working documents, which are submitted to the respective committee and registered, as well as being made available on the Parliament website. Requests for audiences with the committees are also published on the website (legislative footprint).

Official links

➤ <https://www.ft.dk/da/medlemmer>

FINLAND



Specific legislation on lobbying

For the time being, there is no legislation governing lobbying in Finland. A law on the transparency register should come into force in 2023.

A register for lobbyists

No. Voluntary registers are kept, for instance, by ProCom, a Finnish organisation for professionals in the field of communication: as of 29 January 2021, some 50 MPs were, in cooperation with the Finnish Broadcasting Company, keeping a 'diary' on lobbyists they met.

Access to parliamentary buildings and other incentives

Lobbyists are given daily access badges and are not allowed to be in parliamentary buildings unaccompanied; however, they can be invited to MPs' offices.

Ongoing discussions

The possibility of regulating lobbying activities is being discussed. The Standing Advisory Committee on matters pertaining to civil servants' ethics has made recommendations on cooling off periods for senior politicians in post-government employment. Moreover, in 2018, a government

analysis, assessment and research project studied international models for a register of lobbyists. Between June and September 2019, the government announced that it would begin work on a new democracy programme inviting all parliamentary parties to prepare a lobby register.

As part of the democracy programme, on 12 March 2020 the Finnish Government appointed a Parliamentary steering group and a workgroup operating under its authority to prepare a proposal for a national register of lobbyists. The following will be defined during the legislative project: a definition of lobbying; the scope of the register; the information included in the registrations; technical implementation and monitoring. The register was originally conceived to apply only to decision-making at central government level, but its scope of application may later be extended to local and regional authorities. The law on the transparency register should come into force in 2023, with the aim of introducing an electronic register when it does.

Code of conduct for lobbyists

Most public affairs organisations and PR agencies have their own codes. The Finnish Association of Marketing Communication Agencies, Procom, the Finnish Association of Communication Professionals and the professional lobbyist association, Edunvalvontafoorumi, have all adopted their own ethics codes.

Related rules

Under Rule 37 of the Rules of Procedure of the Eduskunta, representatives of public and private interests (e.g. trade unions and employers' organisations) or experts may be heard by parliamentary committees in the preparatory stages of drafting legislation.

The names of experts heard in parliamentary committees and the organisations they represent are made public. After the submission of a committee report or statement, written statements submitted to committees are also made public.

National references

- https://www.eduskunta.fi/EN/naineduskuntatoimii/Documents/RulesofProcedure_20150416.pdf
- <https://procom.fi/procom/lobbarirekisteri/selaa-rekisterin-tietoja/>
- <https://finlandabroad.fi/web/eu/meetings>
- <https://eu2019.fi/en/presidency/openness-and-transparency/meetings>
- Report 'Registers for Lobbyists: International Examples' (in Finnish) by Associate Professor Emilia Korkeaaho (from the University of Eastern Finland) and researcher Paul Tiensuu <http://julkaisut.valtioneuvosto.fi/handle/10024/161047>

LATVIA



Specific legislation on lobbying

There are no statutory rules but strong self-regulation from the sector itself.

A register for lobbyists

No

Access to parliamentary buildings and other incentives

The Ministry of Environmental Protection and Regional Development and several other agencies publish basic information on contacts with lobbyists online, based on internal codes of ethics.

Ongoing discussions

Despite attempts to regulate lobbying since 2008, there are still several uncertainties regarding how lobbying is defined and how lobbyists operate in Latvia.

Latvia rejected a draft law on transparency of lobbying that was submitted to the government for approval in December 2013. The bill was drafted by the 'Corruption Prevention and Combating Bureau' (KNAB) and had a very wide scope. A draft law has been under discussion since 2012.

In 2016, the President of Latvia also set up an expert group on the issue and presented its recommendations to the Parliament. Yet, despite these efforts and promises, few improvements have been made.

A code of ethics, which had been under discussion for several years, was adopted by the Cabinet of Ministers on 21 November 2018. However, the draft does not cover politically appointed persons. Discussions on a law regulating lobbying have been dragging on for several years.

On 10 December 2018, Transparency International Latvia (Delna) organised an event for MPs to discuss the implementation of a balanced regulation on lobbying. In cooperation with Parliament's Defence, Internal Affairs and Corruption Prevention Committee and two other experts on constitutional law, a discussion took place in 2019 on the need for Parliament to take action and pass legislation in line with international standards and best practices. However, no decision has been taken so far.

Code of conduct for lobbyists

Self-regulation: Latvian lobbying companies founded an association in 2012 and adopted an ethics code (Latvian Lobbying Association).

Related rules

Annotations accompanying draft legislation provide information about consultations held.

Official links

- www.knab.gov.lv/en/knab
- www.varam.gov.lv/lat/lidzd/informacija_par_lobijiem

SPAIN



Specific legislation on lobbying

Lobbying is not regulated in Spain, but discussions about the possible introduction of regulation are ongoing.

In addition, in 2016 the Spanish National Commission for Markets and Competition (CNMC) introduced a voluntary register where organisations and interest groups that meet with national authorities can sign up and adhere to an ethics code issued by the regulator.

A register for lobbyists

The total number of interest groups in the CNMC register on 1 February 2021 was 579, taking into account overlaps between different categories.

Voluntary

Scope of coverage

The parliamentary debate about the scope of coverage is still open.

Code of conduct for lobbyists

APRI (*Asociacion de Profesionales de las Relacio Institucional*) has adopted a code of conduct for its members in the sector, and is pushing for regulation.

References

The register is very similar to the EU Transparency Register.

Ongoing discussions

In the past legislature (2011-2015), some initiatives were proposed to regulate lobbying in Spain; the government mentioned an intention to create an obligatory register of lobbyists – to cover only the upper and lower houses of Parliament, and several proposals were presented to the Parliament by different parties.

A proposal to reform the Spanish Congress Rules of Procedure (410/000001) was presented by the Partido Popular in March 2017 and has been approved by Congress. The proposal is currently in the amendment tabling phase. The proposal is to set up a mandatory register for all interest groups in contact with Members of Parliament or staff involved in the legislative process, with reference to definitions provided for the EU Transparency Register. No concrete regulatory proposals have been adopted as yet.

Related rules

The Law on Transparency, Access to Information and Good Governance (Law 19/2013, of 9 December 2013, enhances the transparency of public activities, recognises the right to access

information, and sets out good governance obligations for public officials, including corresponding sanctions.

On 29 October 2020, the Spanish government issued a four-year open government action plan, including a reform of the 2013 Transparency Law and new laws to govern lobbying.

The plan envisages a regulation on a compulsory register of lobbyists and relations of interest groups with public officials, in the attempt to fill a regulatory gap highlighted by international organisations and civil society. The establishment of a code of conduct for interest representatives is also contemplated in the 256-page report. New measures will also be introduced to regulate conflicts of interest for public administrators and officials.

At local level, in July 2016 the Madrid City Council approved a Transparency Ordinance that meets with civil society demands in areas such as proactive publication obligations, the right of access to information, and a lobby regulation that requires the registration of lobbyists before they meet with public officials. For instance, elected deputies publish their diaries and tax information. All gifts of over €50 must be declared. Madrid is the first city in Spain to have a lobby register. As of 1 February 2021, there were 465 registered lobbyists.

Official links

- <https://rgi.cnmc.es/>
- www.congreso.es/backoffice_doc/prensa/notas_prensa/18520_1361968355833.pdf
- http://www.congreso.es/public_oficiales/L12/CONG/BOCG/B/BOCG-12-B-96-1.PDF
- https://tomadedecisiones.madrid.es/registration_lobbies/index
- <https://www.access-info.org/blog/2020/10/30/spain-ogp-action-plan-adopted/>
- https://transparencia.gob.es/transparencia/dam/jcr:d306cd62-cc0f-40a1-9be8-fe24e10d/IVPlanGobiernoAbierto_ES_vdef.pdf
- https://www.congreso.es/web/guest/busqueda-de-iniciativas?p_p_id=iniciativas&p_p_lifecycle=0&p_p_state=normal&p_p_mode=view&iniciativas_mode=mostrarDetalle&iniciativas_legislatura=XI&iniciativas_id=410%2F000001
- [https://www.congreso.es/web/guest/busqueda-de-publicaciones?p_p_id=publicaciones&p_p_lifecycle=0&p_p_state=normal&p_p_mode=view&publicaciones_mode=mostrarTextoIntegro&publicaciones_legislatura=XIV&publicaciones_id_texto=BOCG-14-D-185.CODI.#\(P%C3%A1gina](https://www.congreso.es/web/guest/busqueda-de-publicaciones?p_p_id=publicaciones&p_p_lifecycle=0&p_p_state=normal&p_p_mode=view&publicaciones_mode=mostrarTextoIntegro&publicaciones_legislatura=XIV&publicaciones_id_texto=BOCG-14-D-185.CODI.#(P%C3%A1gina)
- <https://rgi.cnmc.es/>

SWEDEN



Specific legislation on lobbying

There are no statutory rules but there is strong self-regulation from the sector itself.

A register for lobbyists

No

Sanctions and enforcement

No

Code of conduct for lobbyists

Most public affairs organisations produce their own codes. Since 2005, the Swedish Association of Communication Professionals (Sveriges Kommunikatörer) has operated under a self-regulatory ethics code: the 'professional standards of Swedish public relations'.

Ongoing discussions

The issue of introducing legislation to regulate lobbying has been discussed for many years in several Swedish government committee reports (published as SOU) as well as in the Parliament's Constitutional Committee (following up on MPs' proposals). The introduction of a compulsory or voluntary register in Sweden is, however, in view of the SOU Committee (Committee for a strengthened civil society) neither appropriate from a democratic perspective nor realistic from a legal perspective. Some of the problems of a compulsory or voluntary register mentioned are difficulties in determining what should be defined as lobbying, ensuring consistency with constitutional laws, and the possibility that organisations who choose to register would gain an advantage thus increasing political inequality. Contact between decision-makers and interest organisations should not be regulated. Currently, lobbying – in the form of informal contacts between decision-makers and organisations and interest groups – does not pose a direct threat to democracy. Therefore, the Commission does not propose any rules or regulations that change the conditions for contact between decision-makers and organisations and interest groups, such as registering lobbyists. It is difficult to design these types of rules in an appropriate manner that does not entail negative consequences for democracy.

Related rules

A new act on restrictions concerning ministers and secretaries of State who transition to the private sector (2018:676) was adopted by Parliament on 23 May 2018 and came into force on 1 July 2018. Declarations shall be submitted to a body authorised to impose a cooling-off period and restrictions for a maximum of one year if a risk is clearly identified with regard to financial damage to the State, unfair advantage for a private party, or loss of public trust in the State.

3.2 Lobby regulation under discussion

	Ongoing discussion	Official links
BULGARIA 	- There have been many attempts to formulate regulation since the late 1990s. - The latest attempt was a fifth bill in 2015. It was discussed by Parliament but has not yet been adopted. - A register of lobbyists was proposed as part of this bill.	https://dv.parliament.bg/DVWeb/index.faces
ESTONIA 	- In March 2016, the Parliament (<i>Riigikogu</i>) special anti-corruption committee proposed to add rules on lobbying the <i>Riigikogu</i> to the document on 'good practice of members of the <i>Riigikogu</i>'. - The Ministry of Justice is making preparations to regulate lobbying in Estonia, but no guidelines are currently available.	
MALTA 	- The Standards in Public Life Act came into force on 30 October 2018, setting out instructions for the appointment of a commissioner for standards in public life by the country's president. - The commissioner must define lobbying activities; issue guidelines; and make recommendations on regulation of lobbying activities. - Thanks to a 2019 Group of States Against Corruption (Greco) report, new rules on lobbying, gifts, the misuse of public resources and insider information are being considered by the Commissioner for Standards in Public Life.	http://justiceservices.gov.mt/DownloadDocument.aspx?app=law&item=12650&l=1
PORTUGAL 	On 15 January 2021, three legislative initiatives on lobbying activities were presented: - Bill No 30/XIV/1^a on lobbying activities (CDS-PP) - Bill No 181/XIV/1^a creating a Transparency Register and a Legislative Footprint Mechanism (PAN) - Bill No 253/XIV on a transparency register and interest representation activities (PS).	Projeto de Lei n.º 30/XIV/1^a Projeto de Lei n.º 181/XIV/1^a Projeto de Lei n.º 253/XIV https://transparencia.pt/parecer-projetos-lei-lobbying/
SLOVAKIA 	In October 2016, Parliament voted against the proposal on the lobbying act.	

4. United Kingdom

2014



Specific legislation on lobbying

Transparency of Lobbying, Non-party Campaigning and Trade Union Administration Act, 30 January 2014

A register for lobbyists

On 25 March 2015, the UK Government established the Office of the Registrar of Consultant Lobbyists to address the issue of transparency in lobbying. An organisation is required to join the statutory register if they engage in lobbying activities, as defined by the Transparency of Lobbying, Non-party Campaigning and Trade Union Administration Act 2014. In other words, this statutory register has been created in order to register all 'direct communications' to ministers or permanent secretaries relating to legislation or government functions by consultant lobbyists. An annual subscription fee has been introduced for registrants. The current amount payable for a full 12-month renewal is £1 000 (a £950 registration fee plus £12.50 for each of the four quarterly information returns). Renewal fees are payable at the start of each calendar year. If a new registrant joins midyear, the amount payable for the first year will be pro-rata in respect of the period from the effective date of joining the register up to the following 31 December. Client information is to be updated on a quarterly basis. As of 1 February 2021, there were 166 registrants representing 2 859 clients.

Mandatory

There is a prohibition on consultant lobbying unless registered. The narrow scope of the legislation means that those required to register constitute a very small proportion of the UK's lobbying industry.

Scope of coverage

Consultant lobbyists are the only entities concerned by the register and must disclose clients whether or not they subscribe to a relevant code.

Access to parliamentary buildings and other incentives

Various physical lobbies exist where MPs can meet their constituents; lobbyists can also access these areas independently of whether they are registered.

Body responsible

The independent statutory office of the registrar (office of the registrar of consultant lobbyists) has a duty to monitor compliance with the requirement to register and the power to undertake enforcement action in instances of non-compliance; it also gives guidance to registrants.

Sanctions and enforcement

The registrar serves information notices on persons needing updates or on persons not registered, with a deadline. A person on whom an information notice has been served may appeal against it to

the Tribunal. The registrar may impose a civil penalty on a person if satisfied that the person's conduct amounts to an offence under any subsection. Penalty notices may not exceed £7 500.

Code of conduct for lobbyists

When joining the register, registrants should declare whether they subscribe to a code. It may be the case that an organisation subscribes to multiple codes of conduct. In this case, declaring one code of conduct is sufficient and the registrant can choose which one they feel is most relevant. The registrar provides guidance.

Related rules

The Register of Consultant Lobbyists aims to complement the Government's transparency initiatives – which include the quarterly publication of details of ministers and permanent secretaries' meetings with organisations – and the industry's existing self-regulatory regime. Part 2 of the 2014 act covers party financing for elections, and Part 3 covers trade unions.

In addition to this register, and in order to deliver greater transparency and raise professional standards of practice, in July 2015 the sector itself, represented by the Chartered Institute of Public Relations (CIPR), launched a new universal voluntary register: the UK Lobbying Register (UKLR), available to all professionals engaged in lobbying within the UK. The UKLR, which is free of charge to search and register, is intended to create a publicly available resource on lobbying that provides a broader range of information than any other current statutory or voluntary register and provides a channel to complain about the conduct of a registered lobbyist. As of 1 February 2021, there were 128 organisations, 1 178 clients, and 50 662 individuals.

Individuals and organisations registered with the UKLR are bound by a code of conduct. The CIPR code of conduct requires members to operate with due regard to transparency, which the authors of the present study interpret in the context of lobbying as disclosure of clients (for agencies and freelancers) and the names of all staff who lobby (for all corporate entities engaged in lobbying activity, including in-house). Failure to register as a lobbyist may be considered a disciplinary matter under the code of conduct.

Official links

- <http://www.legislation.gov.uk/ukpga/2014/4/contents/enacted/data.htm>
- <http://registrarofconsultantlobbyists.org.uk/>
- <https://www.lobbying-register.uk/>
- <https://www.cipr.co.uk/sites/default/files/UKLR%20FAQs.pdf>

SCOTLAND

2018



Specific legislation on lobbying

The Lobbying (Scotland) Act was adopted on 10 March 2016 and received Royal Assent on 14 April 2016. The Lobbying (Scotland) Act 2016 entered into full force on 12 March 2018. From that date on, all instances of regulated lobbying have to be entered in the Lobbying Register by law.

A register for lobbyists

The Lobbying Register was launched on 12 March 2018. On 1 February 2021, the register had 1 366 entries. The register covers lobbying by paid consultant and in-house lobbyists and lists active, non-active and voluntary registrants in three sections. It contains the name of the person lobbied, the date on which the person was lobbied, the location, a description of the meeting, event or other circumstances in which the lobbying occurred, the name of the individual who made the communication, a statement of lobbying on own behalf or the name of the person on whose behalf the lobbying was undertaken, and the purpose of the lobbying activity.

Mandatory

Mandatory for face-to-face communication with Members of the Scottish Parliament (MSPs), special advisers and civil servants, and for campaign expenditure.

Scope of coverage

Defines 'regulated lobbying' as oral, face-to-face engagement with MSPs and ministers in relation to their government or parliamentary functions. This would include 'in person' meetings, events and other hospitality but exclude all other forms of communication such as letters, emails, telephone calls and video conferences. Exemptions for meetings initiated by MSPs (on request), for trade unions, constituency-based engagement (local) and communication by individuals to MSPs (i.e. one person or SMEs with under 10 employees).

Body responsible

The Clerk of the Parliament (the Clerk) maintains the register and is tasked with monitoring compliance, including powers to require information (by serving an 'information notice') relating to compliance.

Sanctions and enforcement

Failure to provide the required information on or before the date specified for those served with an information notice creates a criminal offence. Appeals against information notices are to be made to the sheriff appeal court. There is a complaint procedure for breaches to the code of conduct.

Code of conduct for lobbyists

The 2016 Lobbying (Scotland) Act requires the Scottish Parliament to publish a code of conduct for persons lobbying members of the Scottish Parliament. It covers communication of any kind with Scottish MPs in relation to their functions. It does not relate solely to 'regulated lobbying' as defined in Section 1 of the act.

When entities register an account in the Lobbying Register, they are also required to provide information about any other code of conduct that governs regulated lobbying (whether or not it also governs other activities), to which they subscribe.

Related rules

Section 39 of the Scotland Act 1998 requires that provision be made for the registration and declaration of members' interests. It also prohibits members from advocating any matter on behalf of a person by specified means or urging other members to do so in return for any remuneration. Accordingly, Section 14 of the Act prohibits paid advocacy. Failure to observe the requirements of the act may constitute a breach of the act or a criminal offence. Thus, the act already provides a mechanism for the Parliament to regulate the way members relate to others, including all lobbyists.

Ongoing discussions

A review of the law was carried out two years after implementation, between July and August 2020.

Official links

- <http://www.parliament.scot/msps/register-of-interests.aspx>
- <https://lobbying.scot>
- <https://www.parliament.scot/get-involved/lobbying/code-of-conduct-for-lobbying-msps>
- <https://yourviews.parliament.scot/papls/lobbying-act-review/>
- <https://www.parliament.scot/parliamentarybusiness/CurrentCommittees/115336.aspx>
- <https://lobbying.scot/SPS/LobbyingRegister/SearchLobbyingRegister>

Official references

Bitonti A. & Harris, P. (2017), Lobbying in Europe - Public Affairs and the Lobbying Industry in 28 EU Countries, Palgrave Macmillan UK. DOI: 10.1057/978-1-137-55256-3

Chari R., et al. (2019). Regulating lobbying: a global comparison, 2nd edition, MUP. DOI: DOI: 10.7765/9781526117243

European Commission (2020), Rule of law report - Communication and country chapters. Retrieved at: https://ec.europa.eu/info/publications/2020-rule-law-report-communication-and-country-chapters_en

OECD (2014), Lobbyists, Governments and Public Trust, Volume 3: Implementing the OECD Principles for Transparency and Integrity in Lobbying. Retrieved at: <http://www.oecd.org/gov/lobbyists-governments-and-public-trust-volume-3-9789264214224-en.htm>

Venice Commission (2012), Report on the legal framework for the regulation of lobbying in the Council of Europe member states. Retrieved at: [http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2013\)011-e](http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2013)011-e)

This comparative analysis tracks the growing number of EU Member States that are introducing or considering the introduction of lobbying regulations with the aim of making public decision-making more accountable and transparent. Formats vary from statutory rules on lobbying (mandatory regulation) to voluntary systems of registration for lobbyists (soft regulation) and self-regulation by the public affairs sector. This analysis was first compiled in 2015 and has been updated periodically, with this the most recent version updated in May 2021.

At European Union level, the Transparency Register, a public database, was set up by the European Parliament and the European Commission in 2011 in order to record the activities of interest representatives trying to influence EU decision-making. The public register includes over 12 000 organisations to date and is jointly administered by Parliament and the Commission. The public register's 'joint secretariat' is made up of officials from both institutions.

This is a publication of the Transparency Unit, DG Presidency
Published by EPRS | European Parliamentary Research Service

This document is prepared for, and addressed to, the Members and staff of the European Parliament as background material to assist them in their parliamentary work. The content of the document is the sole responsibility of its author(s) and any opinions expressed herein should not be taken to represent an official position of the Parliament.

