SECTION 1
1. In page 5, line 14, to delete “Registration” and substitute “Regulation”.
—Mary Lou McDonald.

SECTION 2
2. In page 5, between lines 25 and 26, to insert the following:
“(2) Each review shall list the number of matters subject to delayed publication pursuant to section 14.”.
—Seán Fleming.

3. In page 6, line 1, to delete “5 years” and substitute “3 years”.
—An tAire Caiteachais Pbhlí agus Athchóirithe.

4. In page 6, line 3, to delete “5 years” and substitute “3 years”.
—An tAire Caiteachais Pbhlí agus Athchóirithe.

5. In page 6, to delete lines 7 to 10 and substitute the following:
“(4) In conducting a review the Minister shall—
(a) consult the Commission,
(b) take into account any relevant report of a committee appointed by either House of the Oireachtas or jointly by both Houses, and
(c) consult such persons carrying on lobbying activities and such bodies representing them, and such other persons, as the Minister considers appropriate.”.
—An tAire Caiteachais Pbhlí agus Athchóirithe.

SECTION 5
6. In page 6, lines 27 to 35, to delete all words from and including “(1) For” in line 27 down to and including line 35 and substitute the following:
“(1) For the purposes of this Act a person carries on lobbying activities if the person—
(a) makes, or manages or directs the making of, any relevant communications on behalf of another person in return for payment (in money or money’s worth) in any of the circumstances in which subsection (2)* applies to that other person,
(b) makes, or manages or directs the making of, any relevant communications in any of the circumstances in which subsection (2)* applies to the person, or

(c) makes any relevant communications about the development or zoning of land under the Planning and Development Acts 2000 to 2014.

(2) The circumstances in which this subsection applies to a person are that—

(a) the person has more than 10 full-time employees and the relevant communications are made on the person’s behalf,

(b) the person has one or more full-time employees and is a body which exists primarily to represent the interests of its members and the relevant communications are made on behalf of any of the members, or

(c) the person has one or more full-time employees and is a body which exists primarily to take up particular issues and the relevant communications are made in the furtherance of any of those issues.”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

[*This is a reference to the subsection proposed to be inserted this amendment.]

7. In page 6, between lines 27 and 28, to insert the following:

“(a) makes, manages or directs the making of any relevant communications to any member of Government in relation to appointments to State Boards.”.

—Seán Fleming.

8. In page 6, between lines 27 and 28, to insert the following:

“(a) lobbies a consultant employed to carry out work for or on behalf of a public body or Government Department.”.

—Seán Fleming.

9. In page 6, between lines 27 and 28, to insert the following:

“(a) lobbies Irish Rail and such person shall be required to be a registered person pursuant to section 8.”.

—Seán Fleming.

10. In page 6, between lines 27 and 28, to insert the following:

“(a) lobbies Irish Water and such person shall be required to be a registered person pursuant to section 8.”.

—Seán Fleming.

11. In page 6, between lines 27 and 28, to insert the following:

“(a) lobbies An Post and such person shall be required to be a registered person pursuant to section 8.”.

—Seán Fleming.
[SECTION 5]

12. In page 6, between lines 27 and 28, to insert the following:

“(a) lobbies Eirgrid and such person shall be required to be a registered person pursuant to section 8.”.

—Seán Fleming.

13. In page 6, between lines 27 and 28, to insert the following:

“(a) lobbies the Commission for Energy Regulation and such person shall be required to be a registered person pursuant to section 8.”.

—Seán Fleming.

14. In page 6, between lines 27 and 28, to insert the following:

“(a) lobbies the National Transport Authority and such person shall be required to be a registered person pursuant to section 8.”.

—Seán Fleming.

15. In page 6, between lines 27 and 28, to insert the following:

“(a) lobbies the Private Security Authority and such person shall be required to be a registered person pursuant to section 8.”.

—Seán Fleming.

16. In page 6, between lines 27 and 28, to insert the following:

“(a) lobbies Tourism Ireland and such person shall be required to be a registered person pursuant to section 8.”.

—Seán Fleming.

17. In page 6, between lines 27 and 28, to insert the following:

“(a) lobbies Waterways Ireland and such person shall be required to be a registered person pursuant to section 8.”.

—Seán Fleming.

18. In page 6, between lines 27 and 28, to insert the following:

“(a) lobbies bodies, whose funding is made up of in excess of 50 per cent of voted expenditure, and such person shall be required to be a registered person pursuant to section 8.”.

—Seán Fleming.

19. In page 6, between lines 27 and 28, to insert the following:

“(a) lobbies the Health Service Executive and such person shall be required to be a registered person pursuant to section 8.”.

—Seán Fleming.
[SECTION 5]

20. In page 6, between lines 27 and 28, to insert the following:

“(a) lobbies the Central Bank of Ireland and such person shall be required to be a registered person pursuant to section 8.”.

—Seán Fleming.

21. In page 6, between lines 27 and 28, to insert the following:

“(a) lobbies Education and Training Boards and such person shall be required to be a registered person pursuant to section 8.”.

—Seán Fleming.

22. In page 6, after line 35, to insert the following:

“(2) Such a person under section 5(1)(b), where the employer has been issued a CHY number by the Revenue Commissioners, provided that the relevant communications relate to relevant matters that concern the advocacy or other advancement of the employer’s main charitable purpose, such activity shall be considered to constitute “advocacy activities” and therefore will have no adverse consequence for the employer’s charitable status.”.

—Mary Lou McDonald.

23. In page 7, lines 7 and 8, to delete “apart from the individual’s principal private residence”.

—Mary Lou McDonald.

24. In page 7, to delete lines 9 to 12.

—An tAire Caiteachais Phoiblí agus Athchóirithe, Mary Lou McDonald.

25. In page 7, line 9, after “employer” to insert “, other than a registered person,”.

—Seán Fleming.

26. In page 7, line 9, after “employees” to insert “and less than €5,000,000 of an annual turnover”.

—Seán Fleming.

27. In page 7, to delete lines 16 and 17 and substitute the following:

“(c) communications of factual information made in response to a request for the information;”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

28. In page 7, to delete lines 22 and 23.

—Mary Lou McDonald.

29. In page 7, to delete lines 24 and 25.

—Mary Lou McDonald.

30. In page 7, to delete lines 28 to 30 and substitute the following:

“(k) communications by a designated public official in his or her capacity as such;
SECTION 5

(i) communications which—

(i) are made by a person who is employed by, or holds any office or other position in, a public service body in his or her capacity as such, or

(ii) are made by a person engaged for the purposes of a public service body in his or her capacity as such,

and which relate to the functions of the public service body;

(m) communications which—

(i) are made by a person who is employed by, or holds any office or other position in, a body which is not a public service body, but is a body by which a designated public official is employed or in which a designated public official holds any office or other position, in his or her capacity as such, or

(ii) are made by a person engaged for the purposes of such a body in his or her capacity as such,

and which relate to the functions of the body;’’.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

31. In page 7, to delete lines 28 to 30.

—Seán Fleming, Mary Lou McDonald.

32. In page 7, to delete lines 31 to 34.

—Mary Lou McDonald.

33. In page 7, line 32, after “in” to insert “, or has statutory functions in relation to,”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

34. In page 7, to delete lines 35 to 38.

—Mary Lou McDonald.

35. In page 7, to delete line 40, and in page 8, to delete lines 1 to 5.

—Mary Lou McDonald.

36. In page 8, to delete lines 6 to 10.

—Mary Lou McDonald.

37. In page 8, lines 14 and 15, to delete “of the relevant matters” and substitute “relevant matter”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

38. In page 8, to delete lines 18 to 22.

—Mary Lou McDonald.

39. In page 8, line 23, to delete “ “relevant matters” means any matters” and substitute “ “relevant matter” means any matter”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.
[SECTION 5]

40. In page 8, line 26, after “preparation” to insert “or amendment”.

        —An tAire Caiteachais Phoiblí agus Athchóirithe.

41. In page 8, to delete lines 29 and 30.

        —Mary Lou McDonald.

42. In page 8, line 29, to delete “matters” and substitute “any matter”.

        —An tAire Caiteachais Phoiblí agus Athchóirithe.

SECTION 6

43. In page 8, between lines 38 and 39, to insert the following:

        “(f) Secretaries General and Assistant Secretaries General;”.

        —Seán Fleming.

44. In page 8, between lines 38 and 39, to insert the following:

        “(f) Principal Officers and Assistant Principal Officers;”.

        —Seán Fleming.

45. In page 8, between lines 38 and 39, to insert the following:

        “(f) Private Secretaries to Ministers and Ministers of State;”.

        —Seán Fleming.

46. In page 8, between lines 38 and 39, to insert the following:

        “(f) Chief Executive Officers of local authorities;”.

        —Seán Fleming.

47. In page 8, between lines 38 and 39, to insert the following:

        “(f) Directors of Services of local authorities;”.

        —Seán Fleming.

48. In page 8, between lines 38 and 39, to insert the following:

        “(f) senior public servants between the ranks of secretaries general and principal officer;
        (g) regulators;
        (h) management boards of public bodies;”.

        —Mary Lou McDonald.

SECTION 7

49. In page 9, between lines 12 and 13, to insert the following:

        “7. (1) Where a designated public official is lobbied outside of the State, (in a manner to which
        section 5 would apply had the lobbying activities occurred within the State) such public official
        shall be obliged to register the fact that he or she had been so lobbied.”

        —Mary Lou McDonald.
lobbied and the public official shall provide the necessary information to the Standards in Public Office Commission for inclusion in the register.

(2) Provision for maintaining this category of information shall be kept in such form as the Commission consider appropriate.”.

—Seán Fleming.

50. In page 9, between lines 12 and 13, to insert the following:

“7. (1) Where a designated public official is lobbied by an organisation from outside of the State, the onus shall be on that public official to register the fact that he or she had been so lobbied and that public official shall provide the necessary information to the Standards in Public Office Commission for inclusion in the register.

(2) Provision for maintaining this category of information shall be kept in such form as the Commission consider appropriate.”.

—Seán Fleming.

51. In page 9, between lines 14 and 15, to insert the following:

“ ‘charitable organisation’ means a charitable organisation which is the holder of a CHY number issued by the Revenue Commissioners;”.

—Mary Lou McDonald.

52. In page 9, between lines 17 and 18, to insert the following:

“ ‘full-time employee’ has the meaning given by section 7 of the Protection of Employees (Part-Time Work) Act 2001;”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

53. In page 9, between lines 22 and 23, to insert the following:

“ ‘pre-existing public service pension scheme’ means an occupational pension scheme or pension arrangement, by whatever name called, for any part of the public service—

(a) provided for by or under—

(i) the Superannuation Acts (within the meaning of the Public Service Pensions (Single Scheme and Other Provisions) Act 2012), or

(ii) any enactment (other than the Public Service Pensions (Single Scheme and Other Provisions) Act 2012) or administrative measure for the like purpose and to the like effect as the Superannuation Acts and of either general or limited application,

or

(b) made by a relevant Minister (within the meaning of the Public Service Pensions (Single Scheme and Other Provisions) Act 2012) or which has been approved or requires the approval or consent, however expressed, of either or both a relevant Minister and the Minister;”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.
In page 9, to delete lines 26 to 28 and substitute the following:

““public service body” means—

(a) a Department of State,
(b) the Garda Síochána,
(c) the Permanent Defence Force,
(d) a local authority within the meaning of the Local Government Act 2001,
(e) the National Treasury Management Agency,
(f) the National Asset Management Agency,
(g) the National Pensions Reserve Fund Commission,
(h) the National Development Finance Agency,
(i) the Health Service Executive,
(j) an education and training board,
(k) the Central Bank of Ireland,
(l) any other body, other than a body specified or referred to in the Schedule*, which—

(i) is established by or under an enactment (other than the Companies Acts), or
(ii) is established under the Companies Acts in pursuance of powers conferred by or under another enactment, and financed wholly or partly by means of money provided, or loans made or guaranteed, by a Minister of the Government or the issue of shares held by or on behalf of a Minister of the Government,

and in respect of which a pre-existing public service pension scheme exists or applies or may be made or in respect of which the Single Public Service Pension Scheme is applicable,

(m) any other body, other than a body specified or referred to in the Schedule*, which is wholly or partly funded directly or indirectly out of monies provided by the Oireachtas or from the Central Fund or the growing produce of that Fund and in respect of which a pre-existing public service pension scheme exists or applies or may be made or in respect of which the Single Public Service Pension Scheme is applicable,

(n) any subsidiary of, or company controlled (within the meaning given by section 10 of the Taxes Consolidation Act 1997) by, a body to which any of the preceding paragraphs relates and in respect of which a pre-existing public service pension scheme exists or applies or may be made or in respect of which the Single Public Service Pension Scheme is applicable;”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

[*This is a reference to the Schedule proposed to be inserted by amendment No.98.]
[SECTION 7]

55. In page 9, to delete lines 26 to 28.  

—Mary Lou McDonald.

56. In page 9, line 28, after “Act” to insert the following:

“other than the Health Service Executive, the Central Bank of Ireland, Education and Training Boards and any other body (other than a body specified or referred to in the Schedule to that Act) that is wholly or partly funded directly or indirectly out of monies provided by the Oireachtas or from the Central Fund or the growing produce of that fund and in respect of which a pre-existing public service pension scheme exists or applies or may be made”.

—Seán Fleming.

57. In page 9, after line 36, to insert the following:

““Single Public Service Pension Scheme” means the scheme established by Chapter 2 of Part 2 of the Public Service Pensions (Single Scheme and Other Provisions) Act 2012;”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

SECTION 8

58. In page 10, between lines 11 and 12, to insert the following:

“(3) Compliance with the registration requirement by a charitable organisation issued with a CHY number by the Revenue Commissioners, or by an employee of such an organisation, shall not have any adverse impact on its charitable status, provided that the activities described in the returns under section 12 are consistent with advocacy or other advancement of its main charitable purpose.”.

—Mary Lou McDonald.

SECTION 10

59. In page 10, line 20, to delete “consider” and substitute “considers”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

60. In page 10, line 24, to delete “consider” and substitute “considers”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

SECTION 11

61. In page 11, lines 7 and 8, to delete “or (if there is no such address) the address at which the person ordinarily resides”.

—Mary Lou McDonald.

62. In page 11, between lines 14 and 15, to insert the following:

“(g) any CHY number issued to the charitable organisation by the Revenue Commissioners.”.

—Mary Lou McDonald.
SECTION 12

63. In page 11, line 36, to delete “a client” and substitute “another person (in this section referred to as a “client”)

—An tAire Caiteachais Phoiblí agus Athchóirithe.

64. In page 12, line 2, to delete “public service”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

65. In page 12, line 10, after “person” to insert “and”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

66. In page 12, between lines 11 and 12, to insert the following:

“(g) in the case of a lobbying activity by a person under section 5(1)(a), the overall amount spent on that lobbying action by the client, and in the case of a lobbying activity by a person under section 5(1)(b), an estimate of costs associated with that lobbying action,”.

—Mary Lou McDonald.

67. In page 12, line 22, after “Office” to insert “or any CHY number issued to the client by the Revenue Commissioners”.

—Mary Lou McDonald.

68. In page 12, between lines 36 and 37, to insert the following:

“(9) This section shall not apply to unpaid volunteers of an organisation that is otherwise a registered person for the purposes of this Act.”

—Seán Fleming.

SECTION 13

69. In page 12, line 38, to delete “consider” and substitute “considers”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

70. In page 13, line 12, to delete “registered”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

71. In page 13, line 16, to delete “consider” and substitute “considers”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

SECTION 14

Section opposed.

—Mary Lou McDonald.

72. In page 14, line 2, to delete “21 days” and substitute “14 days”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

73. In page 14, line 3, to delete “consider” and substitute “considers”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.
[SECTION 14]

74. In page 14, line 9, to delete “consider” and substitute “considers”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

75. In page 14, line 19, after “applicant” to insert the following:

“and any relevant Minister of the Government or Ministers of the Government consulted under subsection (2)”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

76. In page 14, to delete lines 26 and 27 and substitute the following:

“(b) any relevant Minister of the Government or Ministers of the Government consulted under subsection (2),”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

77. In page 14, line 30, to delete “have” and substitute “has”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

78. In page 14, line 32, to delete “have” and substitute “has”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

79. In page 14, line 37, to delete “have” and substitute “has”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

80. In page 15, between lines 9 and 10, to insert the following:

“(14) The Commission shall not make available for publication any information which is the subject of a decision of the Commission under this section—

(a) if no appeal is brought under section 23, until the end of the period specified in that section within which an appeal may be brought,

(b) if such appeal is brought but no further appeal is brought under section 24, until the end of the period specified in that section within which such further appeal may be brought, and

(c) if an appeal under section 23 and further appeal under section 24 are brought, until the further appeal is finally determined,

but, if such appeal or further appeal is at any point withdrawn, then such information may be made available for publication once the appeal has been withdrawn.”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

SECTION 16

81. In page 15, to delete lines 28 to 30 and substitute the following:

“(2) Before producing or revising the code of conduct the Commission shall consult such persons carrying on lobbying activities and such bodies representing them, and such other persons, as the Commission considers appropriate.”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.
[SECTION 16]

82. In page 15, line 34, to delete “consider” and substitute “considers”.

—An tAire Caiteachais Póiblí agus Athchóirithe.

SECTION 17

83. In page 16, line 5, to delete “consider” and substitute “considers”.

—An tAire Caiteachais Póiblí agus Athchóirithe.

84. In page 16, line 6, to delete “fostering” and substitute “promoting awareness and”.

—An tAire Caiteachais Póiblí agus Athchóirithe.

SECTION 19

85. In page 16, line 19, to delete “believe” and substitute “believes”.

—An tAire Caiteachais Póiblí agus Athchóirithe.

86. In page 16, line 22, to delete “they” and substitute “it”.

—An tAire Caiteachais Póiblí agus Athchóirithe.

SECTION 21

87. In page 19, between lines 10 and 11, to insert the following:

“(c) state that the person is not obliged to pay the fixed payment.”.

—An tAire Caiteachais Póiblí agus Athchóirithe.

88. In page 19, line 11, to delete “, accompanied by the notice,”.

—An tAire Caiteachais Póiblí agus Athchóirithe.

89. In page 19, line 13, after “initiated,” to insert “and”.

—An tAire Caiteachais Póiblí agus Athchóirithe.

90. In page 19, to delete line 14.

—An tAire Caiteachais Póiblí agus Athchóirithe.

SECTION 22

91. In page 20, line 4, to delete “paragraph (a), (e) or (f) of”.

—Mary Lou McDonald.

92. In page 20, line 5, to delete “one year” and substitute “two years”.

—Mary Lou McDonald.

93. In page 20, line 10, to delete “one year” and substitute “two years”.

—Mary Lou McDonald.

94. In page 20, lines 15 and 16, to delete “in or for the purposes of which the person held office or was employed” and substitute “by which the person was employed or in which the person held any office or other position”.

—An tAire Caiteachais Póiblí agus Athchóirithe.
[SECTION 22]

95. In page 20, line 17, to delete “to the Commission for consent” and substitute “for consent made to the Commission in such manner and form as the Commission may require,”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

SECTION 23

96. In page 20, line 25, to delete “30 days” and substitute “14 days”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

97. In page 21, line 13, to delete “30 days” and substitute “14 days”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

NEW SCHEDULE

98. In page 22, after line 17, to insert the following:

“SCHEDULE

Section 7

Bodies that are not Public Service Bodies

1. Any body corporate established by Act of Parliament before 6 December 1922 that, upon its establishment, was of a commercial character.

2. Bord na gCon.


5. Coillte Teoranta (being a company formed and registered under the Companies Acts as provided for by section 9 of the Forestry Act 1988).

6. Cork Airport Authority, public limited company.

7. daa, public limited company.

8. EirGrid Plc.

9. Electricity Supply Board.

10. Ervia.


12. Horse Racing Ireland.


15. An Post.


17. Shannon Airport Authority, public limited company.

18. Teilifís na Gaeilge.
[NEW SCHEDULE]


20. Voluntary Health Insurance Board.

21. A subsidiary of a body to which this Schedule relates, including a subsidiary of such a subsidiary.”

—An tAire Caiteachais Phoiblí agus Athchóirithe.