



DÁIL ÉIREANN

AN BILLE UM STOCAIREACHT A CHLÁRÚ, 2014 REGISTRATION OF LOBBYING BILL 2014

LEASUITHE TUARASCÁLA REPORT AMENDMENTS

DÁIL ÉIREANN

AN BILLE UM STOCAIREACHT A CHLÁRÚ, 2014 —AN TUARASCÁIL

REGISTRATION OF LOBBYING BILL 2014 —REPORT

Leasuithe Amendments

1. In page 5, line 14, to delete “Registration” and substitute “Regulation”.

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

2. In page 6, between lines 29 and 30, 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.

3. In page 6, between lines 29 and 30, 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.

4. In page 6, between lines 29 and 30, 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.

5. In page 6, between lines 29 and 30, 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.

6. In page 6, between lines 29 and 30, 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.

7. In page 6, between lines 29 and 30, 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.

8. In page 6, between lines 29 and 30, 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.

9. In page 6, between lines 29 and 30, 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.

10. In page 6, between lines 29 and 30, 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.

11. In page 6, between lines 29 and 30, to insert the following:

“(a) lobbies EirGrid Plc and such person shall be required to be a registered person pursuant to *section 8*,”.

—Seán Fleming.

12. In page 6, between lines 29 and 30, 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.

13. In page 6, between lines 29 and 30, 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.

14. In page 6, between lines 29 and 30, 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.

15. In page 6, between lines 29 and 30, 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.

16. In page 6, between lines 36 and 37, 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.

17. In page 7, to delete lines 1 and 2 and substitute the following:

“(a) the person has one or more full-time employees and the relevant communications are made primarily to represent the interests of the employer,”.

—Mary Lou McDonald.

18. In page 7, between lines 8 and 9, to insert the following:

“(3) For the purposes of the operation of *subsection (1)(b)* in relation to a body in circumstances in which *paragraph (b)* or *(c)* of *subsection (2)* applies to the body, the body “makes” a relevant communication only—

(a) where it is made by an employee of the body, or

(b) where it is made by a person who holds, in the body, any office—

(i) in respect of which remuneration is payable, and

(ii) the functions of which relate to the affairs of the body as a whole,

in his or her capacity as such.”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

19. In page 7, lines 15 and 16, to delete “apart from the individual’s principal private residence”.

—Mary Lou McDonald.

20. In page 7, between lines 16 and 17, to insert the following:

“(b) communications by or on behalf of an employer, other than a registered person, with not more than 10 employees and less than €10 million of an annual turnover, relating to the affairs of the employer about any matter other than the development or zoning of land under the Planning and Development Acts 2000 to 2014;”.

—Seán Fleming.

21. In page 7, to delete lines 20 and 21 and substitute the following:

“(d) communications requesting factual information or providing factual information in response to a request for the information;”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

22. In page 7, to delete lines 26 and 27.

—Mary Lou McDonald.

23. In page 7, to delete lines 28 and 29.

—Mary Lou McDonald.

24. In page 7, to delete line 32.

—Seán Fleming, Mary Lou McDonald.

25. In page 7, to delete lines 33 to 38.

—Seán Fleming, Mary Lou McDonald.

26. In page 7, to delete line 39, and in page 8, to delete lines 1 to 7.

—Seán Fleming, Mary Lou McDonald.

27. In page 8, to delete lines 8 to 11.

—Mary Lou McDonald.

28. In page 8, to delete lines 12 to 15.

—Mary Lou McDonald.

29. In page 8, to delete lines 17 to 22.

—Mary Lou McDonald.

30. In page 8, to delete lines 23 to 27.

—Mary Lou McDonald.

31. In page 8, to delete lines 35 to 39.

—Mary Lou McDonald.

32. In page 9, to delete lines 4 and 5.

—Mary Lou McDonald.

33. In page 9, between lines 13 and 14, to insert the following:

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

—Seán Fleming.

34. In page 9, between lines 13 and 14, to insert the following:

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

—Seán Fleming.

35. In page 9, between lines 13 and 14, to insert the following:

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

—Seán Fleming.

36. In page 9, between lines 13 and 14, to insert the following:

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

—Seán Fleming.

37. In page 9, between lines 13 and 14, to insert the following:

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

—Seán Fleming.

38. In page 9, between lines 13 and 14, 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.

39. In page 9, between lines 26 and 27, 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 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.

40. In page 9, between lines 26 and 27, 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.

41. In page 9, between lines 28 and 29, 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.

42. In page 10, to delete lines 21 to 35, and in page 11, to delete lines 1 to 19.

—Mary Lou McDonald.

43. In page 10, between lines 32 and 33, to insert the following:

“(l) EirGrid Plc.,”.

—Seán Fleming.

44. In page 10, between lines 32 and 33, to insert the following:

“(l) the Revenue Commissioners,”.

—Seán Fleming.

45. In page 10, between lines 32 and 33, to insert the following:

“(l) Ervia,”.

—Seán Fleming.

46. In page 10, between lines 32 and 33, to insert the following:

“(l) the Revenue Appeals Commissioner,”.

—Seán Fleming.

47. In page 10, between lines 32 and 33, to insert the following:

“(l) An Post,”.

—Seán Fleming.

48. In page 10, between lines 32 and 33, to insert the following:

“(l) any position with the word Regulator in its title,”.

—Seán Fleming.

49. In page 10, between lines 32 and 33, to insert the following:

“(l) the Railway Procurement Agency,”.

—Seán Fleming.

50. In page 10, between lines 32 and 33, to insert the following:

“(l) An Bord Pleanála,”.

—Seán Fleming.

51. In page 10, between lines 32 and 33, to insert the following:

“(l) the Competition Authority,”.

—Seán Fleming.

52. In page 10, between lines 32 and 33, to insert the following:

“(l) the Environment Protection Agency,”.

—Seán Fleming.

53. In page 12, between lines 3 and 4, 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.

54. In page 13, between lines 3 and 4, to insert the following:

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

—Mary Lou McDonald.

55. In page 13, line 34, to delete “person” and substitute “individual”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

56. In page 13, between lines 38 and 39, 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)*, the costs associated with that lobbying action,”.

—Mary Lou McDonald.

57. In page 14, line 9, after “Office,” to insert “or any CHY number issued to the client by the Revenue Commissioners,”.

—Mary Lou McDonald.

58. In page 14, between lines 23 and 24, 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.

59. In page 15, to delete lines 10 to 39, to delete page 16, and in page 17, to delete lines 1 to 7.

—Mary Lou McDonald.

60. In page 15, line 29, to delete “14 days” and substitute “21 days”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

61. In page 21, line 35, to delete “*paragraph (a), (e) or (f) of*”.

—Mary Lou McDonald.

62. In page 22, line 1, to delete “one year” and substitute “two years”.

—Mary Lou McDonald.

63. In page 22, line 6, to delete “one year” and substitute “two years”.

—Mary Lou McDonald.

64. In page 24, line 3, to delete “*Registration*” and substitute “*Regulation*”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

65. In page 24, line 5, to delete “*Registration*” and substitute “*Regulation*”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

66. In page 24, line 7, to delete “*Registration*” and substitute “*Regulation*”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

67. In page 24, line 14, to delete “*Registration*” and substitute “*Regulation*”.

—An tAire Caiteachais Phoiblí agus Athchóirithe.

68. In page 25, to delete line 13.

—Seán Fleming.

69. In page 25, to delete line 15.

—Seán Fleming.

70. In page 25, to delete line 20.

—Seán Fleming.