SEANAD ÉIREANN

AN BILLE UM BRÚSTOCAIREACHT A RIALÁIL, 2014
—AN COISTE

REGULATION OF LOBBYING BILL 2014
—COMMITTEE STAGE

Leasuithe
Amendments

*Government amendments are denoted by an asterisk

SECTION 5

1. 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,”.

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

2. 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,”.

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

3. 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,”.

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

4. 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,”.

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.
5. 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.”.

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

6. 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.”.

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

7. 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.”.

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

8. 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.”.

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

9. 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.”.

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

10. 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.”.

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.
11. 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.”.

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O’Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

12. 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.”.

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O’Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

13. 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.”.

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O’Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

14. 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.”.

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O’Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

15. 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.”.

—Senator Kathryn Reilly.

16. In page 7, between lines 24 and 25, 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;”.

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O’Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.
17. In page 7, line 27, after “organisation” to insert “including international non-governmental organisation”.

—Senators Rónán Mullen, Fidelma Healy Eames.

18. In page 8, to delete lines 1 to 15.

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O’Brien, Denis O’Donovan, Ned O’Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

19. In page 8, between lines 24 and 25, to insert the following:

“(p) any communication, howsoever made, by a person specified in subsection 2(b) and 2(c) where the purpose of that communication is to disclose relevant wrongdoings.”.

—Senators Rónán Mullen, Fidelma Healy Eames.

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

“relevant wrongdoings” are defined exclusively as follows:

(a) the commission of an offence;
(b) a miscarriage of justice;
(c) non-compliance with a legal obligation;
(d) health and safety threats;
(e) misuse of public monies;
(f) mismanagement by a public official;
(g) damage to the environment;
(h) abuses of constitutionally protected rights or
(i) concealment or destruction of information relating to any of the foregoing.”.

—Senators Rónán Mullen, Fidelma Healy Eames.

21. In page 9, to delete lines 13 and 14.

—Senator Kathryn Reilly.

SECTION 6

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

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

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O’Brien, Denis O’Donovan, Ned O’Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

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

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

—Senator Kathryn Reilly.
[SECTION 6]

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O’Brien, Denis O’Donovan, Ned O’Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

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

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

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O’Brien, Denis O’Donovan, Ned O’Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

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

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

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O’Brien, Denis O’Donovan, Ned O’Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

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

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

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O’Brien, Denis O’Donovan, Ned O’Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

27. In page 9, between lines 22 and 23, 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.”.

—Senator Kathryn Reilly.

28. In page 9, after line 35, 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.”.

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O’Brien, Denis O’Donovan, Ned O’Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

29. In page 9, after line 35, to insert the following:

“7. (1) Where a designated public official is lobbied by an organisation from outside of the
[SECTION 6]

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.”.

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

SECTION 7

30. In page 11, between lines 4 and 5, to insert the following:

“(l) EirGrid Plc.,”.

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

31. In page 11, between lines 4 and 5, to insert the following:

“(l) Ervia.”.

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

32. In page 11, between lines 4 and 5, to insert the following:

“(l) An Post.”.

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

33. In page 11, between lines 4 and 5, to insert the following:

“(l) the Railway Procurement Agency.”.

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

34. In page 11, between lines 4 and 5, to insert the following:

“(l) a member of An Bord Pleanála.”.

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

35. In page 11, between lines 4 and 5, to insert the following:

“(l) a member of the Competition Authority.”.

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney,
[SECTION 7]


36. In page 11, between lines 4 and 5, to insert the following:

“(l) a Director of the Environmental Protection Agency,”.

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O’Brien, Denis O’Donovan, Ned O’Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

37. In page 11, between lines 4 and 5, to insert the following:

“(l) a Revenue Commissioner,”.

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O’Brien, Denis O’Donovan, Ned O’Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

38. In page 11, between lines 4 and 5, to insert the following:

“(l) a Revenue Appeals Commissioner.”.

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O’Brien, Denis O’Donovan, Ned O’Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

39. In page 11, between lines 4 and 5, to insert the following:

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

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O’Brien, Denis O’Donovan, Ned O’Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

SECTION 9

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

“(2) Inclusion in the Register established under this Section shall not be construed by any Minister of the Government or any public body as extinguishing or limiting or otherwise affecting in a negative manner the entitlement of any person or body so included to apply for or to be considered for any of the matters referred to in section 5(9)(c).”.

—Senator Jillian van Turnhout.

SECTION 12

41. In page 14, between lines 8 and 9, to insert the following:

“(g) in the case of a lobbying activity by a person under section 5(1)(a) or (c) 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) or (c) the costs associated with that lobbying action.”.

—Senator Kathryn Reilly.
[SECTION 12]

42. In page 14, between lines 33 and 34, 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.”.

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O’Brien, Denis O’Donovan, Ned O’Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

SECTION 14
Section opposed.

—Senator Kathryn Reilly.

SECTION 22
43. In page 22, line 11, to delete “paragraph (a), (e) or (f) of”.

—Senator Kathryn Reilly.

44. In page 22, line 12, to delete “one year” and substitute “two years”.

—Senator Kathryn Reilly.

45. In page 22, line 17, to delete “one year” and substitute “two years”.

—Senator Kathryn Reilly.

SECTION 26

*46. In page 24, between lines 12 and 13, to insert the following:

“Delegation of functions by Commission

26. Such functions of the Commission under this Act as may be specified by the Commission may be performed, under the supervision and subject to the general direction of the Commission, by members of the staff of the Commission duly authorised in that behalf by the Commission.”.

NEW SECTION
47. In page 24, after line 26, to insert the following:

“27. In any meetings between lobbyists and Ministers/Officials it shall be required that detailed minutes be kept of the content of the discussion of the meetings.”.

—Senator David Norris.

SCHEDULE

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O’Brien, Denis O’Donovan, Ned O’Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.
49. In page 25, to delete line 15.

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.

50. In page 25, to delete line 20.

—Senators Thomas Byrne, Mark Daly, Terry Leyden, Marc Mac Sharry, Paschal Mooney, Brian Ó Domhnaill, Labhrás Ó Murchú, Darragh O'Brien, Denis O'Donovan, Ned O'Sullivan, Averil Power, Jim Walsh, Mary M. White, Diarmuid Wilson.