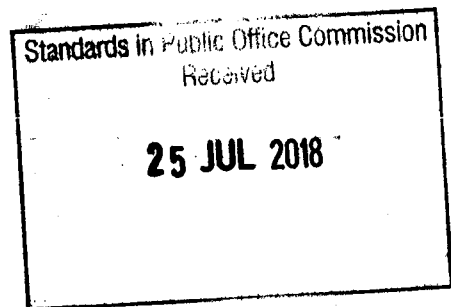


Ms. Sherry Perreault
Head of Ethics and Lobbying Regulation
Standards in Public Office Commission
18 Lower Leeson Street
Dublin 2



24 July 2018

RE: Submission of the Department of Public Expenditure and Reform in relation to the Public Consultation by the Standards in Public Office Commission on a Code of Conduct for Persons carrying on lobbying activities

Dear Sherry

I refer to your letter of 19 June 2018 to Mr. Robert Watt, Secretary General of this Department in the above.

Please find attached the submission from this Department in relation to the Public Consultation by the Standards in Public Office Commission on a Code of Conduct for Persons carrying on lobbying activities.

Yours sincerely



Dr Lucy Fallon Byrne

Assistant Secretary General

**Submission of the Department of Public Expenditure and Reform in relation to the
Public Consultation by the Standards in Public Office Commission on a Code of
Conduct for Persons carrying on lobbying activities**

This Department would like to make the following comments to the Standards in Public Office Commission (SIPOC) in relation to the public consultation on a Code of Conduct for Persons carrying on lobbying activities:

- the Dept. is pleased that SIPOC is developing a code of conduct for persons carrying on lobbying activities which will seek to ensure that lobbyists carry out their work with professionalism and integrity when engaging with the lobbied. This will lead to enhanced public confidence and trust in the veracity and transparency of government decision making.
- the Dept. notes and agrees with SIPOC that given the diversity and range of persons captured by the scope of the Regulation of Lobbying Act 2015, a shared principles and standards format to be applied equally to all lobbyists is the correct approach to adopt at this point. This allows for an appropriate balance between ease of understanding and completeness, leading to an easily comprehended code and consequently higher compliance by all lobbyists;
- the Dept. notes and agrees with SIPOC that, again given the wide variance in the types of people potentially required to register as lobbyists under the Act, a principles rather than a rules based code of conduct is most suitable initially;
- the Dept. notes and agrees with the suggested nine areas for inclusion in the code as principles by which persons carrying out lobbying activities should govern themselves in the course of carrying out lobbying activities. These principles are wide ranging and comprehensive;
- the Dept. believes that these nine overarching principles will effectively complement the registration and 'cooling off' period requirements of the Act;
- the Dept. recommends that a review clause be included in the code to allow for the review and updating of the code following a suitable period of operation. This would allow for the examination of, in particular, the shared principles and standards approach, in the event that amendments or updates to the code are required if it is deemed necessary to fine tune requirements for particular categories of lobbyists. A review would also allow for analysis of the principles rather than rules based approach. Codes embedded in a set of core principles and values can often be regarded as vague and open to interpretation. A review would allow for amendment should it be found that a set of rules or guidelines to accompany the code are required to overcome any ambiguity around the principles;
- the Dept. recommends that SIPOC ensure that all those registering on the lobbying register must verify through the online registration process that they have read and will have regard to the code before the registration process can be completed;

- the Dept. recommends that SIPOC ensure that those already registered on the lobbying register must verify through the online return system that they have read and will have regard to the code before they can submit their next return;
- the Dept. recommends that SIPOC should ensure that all designated public officials under the Act receive a copy of the code via their Departments/Offices as it will be important to ensure that they are aware of how lobbyists should operate/conduct their business.

