



NCWNZ Action Item Response Sheet

Please send your responses

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Document	Lobbying Disclosure Bill no. 15-1
Committee/Writer	Public Issues – Beryl Anderson
Action Item due date	14 September 2012
Responder, eg Name of Branch, NOS, individual	
Number of people contributing to response	

This is a Member's Bill, promoted by Green Party MP Holly Walker. Its intention is to introduce transparency to the lobbying activity directed at members of Parliament and their staff by having paid lobbyists register, comply with a code of conduct, and disclose their lobbying interactions. The Bill is available at <http://www.legislation.govt.nz/bill/member/2012/0015/latest/versions.aspx>

There is some confusion in the Bill in the way it refers to whom it covers. It also provides a definition of lobbying activity and a paid lobbyist. Public Issues Standing Committee is seeking your opinion on these issues.

1. The purpose of the proposed legislation is given as "to increase the transparency of decision making by executive government by creating a Register of Lobbyists and developing a Code of Conduct for Lobbyists". Elsewhere it states that engagement in lobbying occurs if someone "undertakes to communicate with any public office holder". Your opinion is sought on whom the legislation should cover: eg should it be constrained to executive government (ie the Prime Minister and Ministers of the Crown) or also cover lobbying of all members of parliament and public servants? Should it cover lobbying of Ministers by MPs and local authorities?
2. A lobbyist is defined as someone who receives payment for their activity, or is an individual employed or who works under a contract for services. This definition does not include people who lobby on their own behalf or voluntarily on behalf of an organisation. Why should the Bill only be limited to those who receive payment for their lobbying activities?
3. The Bill uses the phrase "an individual or company or firm or organisation" to cover those engaged in lobbying activity. Organisation is very broadly defined as:
 - a) a business, trade, industry, professional, or voluntary organisation:
 - b) a trade union or labour organisation:
 - c) a chamber of commerce or board of trade:

- d) a partnership, trust, association, charitable society, coalition, or interest group:
- e) a group of persons acting together to pursue objects of a national, patriotic, religious, philanthropic, charitable, scientific, artistic, social, professional, or sporting character, or other similar objects

Should any groups be excluded from this definition? If so, which category? How would this definition affect any organisation that you belong to?

4. When a lobbyist is suspended or removed from the Register of Lobbyists, the Bill identifies that every Member of Parliament and every Chief Executive of a government department must be informed. Who should be informed, and what does the phrase “government department” mean to you?
5. The Bill states that all suspension or removals of an individual from the Register is at the absolute discretion of the Auditor-General. The Auditor-General is an officer of Parliament, a position that provides a check on the arbitrary use of power by the executive. Is this power of the Auditor-General immutable, and why?