

**Investigation into corruption risks involved in lobbying****ICAC INVESTIGATION**

- The ICAC undertook a corruption prevention-based investigation that examined the corruption risks involved in the lobbying of public authorities and officials.
- Its aim was to examine whether such relationships may allow, encourage or cause the occurrence of corrupt conduct, and to identify whether any laws governing any NSW public authority or public official could allow, encourage, or cause the occurrence of corrupt conduct and, if so, what changes should be made.
- The Commission was assisted in formulating recommendations to reform the current lobbying regulatory system through the public inquiry, a call for submissions, research and interviews. Forty-eight witnesses from a range of sectors voluntarily appeared and gave evidence at the public inquiry including:
  - Registered lobbyists – Bruce Hawker, Chairman, Hawker Britton and Annabelle Warren, National Chairman, Public Relations Institute of Australia Registered Consultancies Group
  - Politicians – The Hon Nathan Rees, MP former Premier of NSW and originator of the NSW Register of Lobbyists and Lobbyists Code of Conduct
  - Regulators – Deirdre O'Donnell, NSW Information Commissioner
  - Private Sector – Peter Shmigel, General Manager, Sustainability and Strategy, Veolia Environment Services
  - Peak bodies – Aaron Gadiel, Chief Executive Officer, Urban Taskforce
  - Academics – Professor Adam Graycar, Professor of Public Policy, Australian National University
  - Journalists – Julian Fitzgerald and Alex Mitchell

**ICAC RECOMMENDATIONS**

The ICAC has made 17 recommendations to improve the regulation of lobbying in NSW, including that:

- the NSW Government enacts legislation to provide for the regulation of lobbyists, including the establishment and management of a new Lobbyists Register
- all third party lobbyists and lobbying entities be required to register before they can lobby any government representative
- the NSW Government develops a new code of conduct for lobbyists, which sets out mandatory standards of conduct and procedures to be observed when contacting a government representative, based on the current NSW Government Lobbyist Code of Conduct, and containing a clear statement prohibiting a lobbyist or a lobbyist's client from offering, promising or giving any gift or benefit to a government representative that has been, is being, or is likely to be lobbied by the lobbyist
- an independent government entity maintains and monitors the Lobbyists Register, and that sanctions be imposed on third party lobbyists and lobbying entities for failure to comply with entry requirements.
- the NSW Government amends the *Model Code of Conduct for Local Councils*, or otherwise introduces a protocol, to regulate contact between council staff and applicants for development proposals (including those acting for applicants)
- the NSW Government amends procedures for the making of applications to councils that require approval or determination to include provision for a declaration by applicants of affiliation with any council officers.

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