



Reporting contact with lobbyists procedure

Version: 4.0 | Version effective: 17/04/2023

Audience

Department-wide

Purpose

To outline the process to be followed when an employee of the Department of Education (the department) has contact with a lobbyist in relation to lobbying activity and meet obligations under the [Integrity Act 2009 \(Qld\)](#) (the Act).

Overview

Ethical lobbying is a legitimate activity and an important part of the democratic process. Lobbyists can help individuals and organisations communicate their views on matters of public interest to the government and opposition and, in doing so, improve outcomes for the community as a whole.

Having contact with a lobbyist is not unusual or wrong but failing to report all contact, declare and manage any conflict of interest appropriately, and determine whether the lobbying activity is permitted or prohibited may result in disciplinary action and expose the employee and the department to risk.

Permitted lobbying activity requires both the lobbyist and the lobbying entity to be on the [Register of Lobbyists](#) (maintained by the Queensland Integrity Commissioner), and the lobbying activity is not related lobbying.

Prohibited lobbying activity is where the lobbyist and/or lobbying entity is not on the [Register of Lobbyists](#), or they are a registered lobbyist and lobbying entity, however, are engaging in related lobbying.

Related lobbying is where the lobbyist is a former senior government representative or opposition representative, who left their government or opposition position less than two years previously, and the lobbying activity for a third party relates to their former government or opposition role.

Responsibilities

All employees

- Report any contact with a lobbyist, whether permitted or prohibited lobbying activity occurred, by completing the [Declaration of contact with a lobbyist form](#).

- Check the [Register of Lobbyists](#) to determine the registration status of both the lobbyist/s and the lobbying entity.
- Identify, disclose and manage any actual, perceived or potential conflict of interest in relation to the lobbyist/s, lobbying entity and/or lobbying activity in accordance with the department's [Conflict of interest procedure](#).

Managers

- Ensure employees are aware of their obligations to report any contact with lobbyists
- Ensure conflicts of interest are declared, documented and managed as per the [Conflict of interest procedure](#).

Assistant Director-Generals/Deputy Director-Generals/Associate Director-General/Director General

- Review and certify [Declaration of contact with a lobbyist](#) forms as soon as practicable.

Integrity and Enterprise Bargaining (Integrity)

- Provide advice relating to the department's protocols for reporting contact with lobbyists.
- Receive certified Declaration of contact with a lobbyist forms and associated documents.
- Maintain the department's register for recording contact with lobbyists, and associated records.
- Report lobbying activity to the Queensland Integrity Commissioner (QIC).

Process

1. Identify

When an employee has contact with a possible lobbyist they must complete the following steps as soon as practicable:

- determine whether the contact is for the purpose of lobbying activity by:
 - confirming if the contact is on behalf of a third party client
 - confirming they are not any of the entities identified in sections 41(3) or 41(4) of the Act (i.e. a non-profit entity, an entity constituted to represent the interest of its members such as a union, an entity carrying out lobbying activity only for the purpose of representing the entity's own interests)

The Public Sector Commission's [Post separation employment provisions](#) policy provides guidance on questions to determine the purpose of the contact at Appendix 2.

- determine whether the lobbying activity is permitted or prohibited under the Act by:
 - accessing the [Register of lobbying contacts](#)
 - confirming that the entity that the lobbyist is engaged by is a registered lobbying entity
 - confirming the lobbyist/s is a registered lobbyist for that lobbying entity

- confirming if any lobbyist attending the meeting is a former senior government representative or opposition representative, who left their government or opposition position less than two years previously
- confirming if the lobbying activity relates to the former role (less than two years previously) of any former senior government representative or opposition representative lobbyist attending the meeting.
- discontinue lobbying activity if the lobbying is prohibited.
- identify if a conflict of interest exists between the employee and the lobbyist, lobbying entity and/or the lobbying activity.

2. Declare

When an employee has contact with a lobbyist for the purpose of lobbying activity, both permitted and prohibited, the following steps must be completed as soon as practicable:

1. Employee declares the contact on the [Declaration of contact with a lobbyist form](#).
2. Employee declares and manages any identified conflict of interest in accordance with the department's [Conflict of interest procedure](#).
3. Manager manages any identified conflict of interest in accordance with the department's [Conflict of interest procedure](#).
4. Where the lobbying activity is prohibited, the employee includes all available information within and/or attached to the declaration form, and discontinues contact.
5. Employee facilitates the completion, signature and movement of the declaration of contact with a lobbyist form and relevant attachments to their relevant Assistant Director-General (ADG), Deputy Director-General (DDG), the Associate Director-General (Assoc DG) or the Director-General (DG) (appropriate level of approval to be determined by circumstances i.e. if the contact is with an employee below ADG level, then ADG approval would be appropriate. If the contact is with the ADG, then DDG approval would be appropriate. Additionally, if an ADG had a conflict of interest, they may choose to refer the matter to the DDG for review and certification).
6. ADG, DDG, Assoc DG or DG reviews [Declaration of contact with a lobbyist](#) forms and associated documentation as soon as practicable.
7. ADG, DDG, Assoc DG or DG certifies and signs [Declaration of contact with a lobbyist](#) forms where appropriate.
8. ADG, DDG, Assoc DG or DG returns completed [Declaration of contact with a lobbyist](#) forms and associated documentation to the responsible officer for further action.
9. Employee immediately on return of the completed form and attachments from their relevant ADG, DDG, Assoc DG or the DG, provides to Integrity and Enterprise Bargaining (Integrity) by email integrity@qed.qld.gov.au.
 - Where lobbying activity is permitted, and where relevant the employee's manager has determined that any identified conflict of interest is able to be managed, the employee may continue lobbying activity in accordance with their [Conflict of interest declaration and management plan](#).

Note – Where permitted lobbying is continued by the employee after the initial contact, each subsequent contact with the lobbyist requires completion of this procedure, including completion of a new [Declaration of contact with a lobbyist form](#), and new [Conflict of interest declaration and management plan form](#) where previously no conflicts were identified, and/or review of any existing management plan..

3. Report

On receipt of a certified declaration of contact with lobbyist form, Integrity and Enterprise Bargaining (Integrity) must:

- record all lobbying contact in the department's Register of lobbying contact (maintained and secured by the Integrity team).
- immediately report all prohibited lobbying activity to the Queensland Integrity Commissioner by formal written correspondence.
- provide record of permitted lobbying activity to the Queensland Integrity Commissioner on request.

Definitions

Term	Definition
Contact	Includes telephone, email or other electronic means of contact, written mail contact and face-to-face interactions or meetings.
Conflict of interest	<p>In accordance with s89 of the Public Sector Act 2022 (Qld) :</p> <p>Involves an interest that conflicts or may conflict with the discharge of the employee's duties.</p> <p>In accordance with the department's Standard of Practice:</p> <p>A conflict of interest (COI) can occur when an employee has, or is seen to have, a private interest, either financial (pecuniary) or non-financial (non-pecuniary), which conflicts or may conflict with the discharge of the employee's official duties.</p> <p>Types of COI:</p> <ul style="list-style-type: none"> • An actual COI involves a direct conflict between a public sector employee's current duties and responsibilities and existing private interests • A perceived or apparent COI can exist where it could be perceived, or it appears, that a public official's private interests could improperly influence the performance of their duties – whether or not this is in fact the case • A potential COI arises when a public sector employee has a private interest that could conflict with their official duties in the future.
Former senior government representative	<p>A person is a former senior government representative if the person was one of the following:</p> <ul style="list-style-type: none"> • Premier or another Minister • an Assistant Minister • a councillor • a public sector officer who was a chief executive, senior executive or senior executive equivalent

Term	Definition
	<ul style="list-style-type: none"> • ministerial staff member • an assistant minister staff member, and • that person is no longer a government representative and is not an Opposition representative. <p>Under the Act, former senior government representatives are prohibited from carrying out lobbying activities related to their official dealings as a government representative, for two years after ceasing employment.</p>
Former opposition representative	<p>A person who was one of the following:</p> <ul style="list-style-type: none"> • the Leader of the Opposition • the Deputy Leader of the Opposition • a staff member in the office of the Leader of the Opposition, and • is no longer an Opposition representative and is not a government representative. <p>Under the Act, former Opposition representatives are prohibited from carrying out lobbying activities related to their official dealings as an opposition representative, for two years after ceasing employment.</p>
Government representative	<p>A person who currently holds one of the following positions:</p> <ul style="list-style-type: none"> • Premier or another Minister • an Assistant Minister • a councillor • a public sector officer • a ministerial staff member • an assistant minister staff member.
Lobbying	<p>Lobbying means any attempt to influence the decision making of a government or opposition representative in the exercise of their official functions on behalf of a third party, for a fee or other reward.</p> <p>Lobbying does not include contact:</p> <ul style="list-style-type: none"> • with a committee of the Legislative Assembly or a local government • with a member of the Legislative Assembly or a councillor in their capacity as a local representative on a constituency matter • in response to a call for submissions • as a result of a petition or a grassroots campaign • in response to a request for tender

Term	Definition
	<ul style="list-style-type: none"> • in response to a request by government representatives or Opposition representatives for information • on non-business issues • only for the purpose of making a statutory application • during incidental meetings beyond the control of a government representative e.g. at a conference or seminar; or • via statements made in a public forum.
Lobbying entity	A lobbying entity is an entity that carries out a lobbying activity for a third party client or whose employees or contractors carry out a lobbying activity for a third party client. Lobbying entities must be registered with the QIC before their lobbyists contact a government representative for the purpose of lobbying activities.
Lobbyist	A person who carries out a lobbying activity on behalf of a third party. Under the Act, lobbyists must be registered with the QIC before they contact a government representative for the purpose of lobbying activities.
Officer responsible for lobbying contact	<p>The officer responsible for the lobbying contact is to coordinate the process of completing and submitting the declaration of contact with a lobbyist form.</p> <p>In relation to a meeting or teleconference, the responsible officer is the person who hosted or coordinated the contact. In relation to an email or letter, the responsible officer is the person who signed the letter or whose signature block appeared on the email.</p>
Opposition representative	<p>A person who is one of the following:</p> <ul style="list-style-type: none"> • the Leader of the Opposition • the Deputy Leader of the Opposition • a staff member in the office of the Leader of the Opposition.
Permitted lobbying	Permitted lobbying activity requires both the lobbyist and the lobbying entity to be on the Register of Lobbyists (maintained by the Queensland Integrity Commissioner), and the lobbying activity is not related lobbying.
Prohibited lobbying	Prohibited lobbying activity is where the lobbyist and/or lobbying entity is not on the Register of lobbying contacts, or they are a registered lobbyist and lobbying entity, however, are engaging in related lobbying.
Related lobbying	Under section 70 of the Act, related lobbying is where the lobbyist is a former senior government representative or opposition representative, who left their government or opposition position less than two years previously, and the lobbying activity for a third party relates to their former government or opposition role.

Term	Definition
Third party client	An entity that engages another entity to provide services constituting, or including, a lobbying activity for a fee or other reward that is agreed to before the other entity provides the services.

Legislation

- [Crime and Corruption Act 2001 \(Qld\)](#)
- [Criminal Code Act 1899 \(Qld\)](#)
- [Integrity Act 2009 \(Qld\)](#)
- [Judicial Review Act 1991 \(Qld\)](#)
- [Public Sector Ethics Act 1994 \(Qld\)](#)
- [Public Sector Act 2022 \(Qld\)](#)
- [Public Records Act 2002 \(Qld\)](#)
- [Right to Information Act 2009 \(Qld\)](#)

Delegations/Authorisations

- [HR delegations manual](#) (DoE employees only)

Policies and procedures in this group

- [Conflict of interest policy](#)
- [Conflict of interest procedure](#)
- [Gifts and benefits procedure](#)
- [Notification of other employment procedure](#)

Supporting information for this procedure

- [Declaration of contact with a lobbyist](#)

Other resources

- [Code of Conduct for the Queensland public service](#)
- [Standard of Practice](#)
- [General Retention and Disposal Schedule \(GRDS\)](#)
- [Lobbyists code of conduct](#)
- [Register of lobbying contacts](#) (maintained by QIC)

- [Post separation employment provisions](#) (Public Sector Commission)

Contact

For further information, please contact:

Integrity unit

Email: integrity@qed.qld.gov.au

Review date

17/04/2026

Superseded versions

Previous seven years shown. Minor version updates not included.

3.0 Reporting contact with lobbyists procedure

2.0 Contact with Lobbyists and Former Senior Government or Opposition Representatives

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