

28 August 2026

The Hon Meg Webb MLC
Independent Member for Nelson

Via: nelson@parliament.tas.gov.au

Dear Ms Webb,

Submission on the Exposure Draft *Political Lobbying (Integrity and Transparency) Bill 2026*

The Australian Professional Government Relations Association (APGRA) welcomes the opportunity to comment on the exposure draft *Political Lobbying (Integrity and Transparency) Bill 2026* (Bill). APGRA consents to publication of this submission.

APGRA represents government relations practitioners working across consultancies, businesses, industry associations and other organisations. APGRA supports ethical, transparent and professional engagement with government. Legitimate advocacy gives decision-makers access to practical experience, evidence and perspectives that can inform policy and administrative decision-making.

The Bill proposes a substantial expansion of Tasmania's lobbying framework. Its objective of improving public confidence in government decision-making is understandable. However, several measures require further refinement to ensure the framework is clear, proportionate and workable in practice.

APGRA's comments are directed towards ensuring that the Bill addresses genuine integrity risks while preserving legitimate participation in public policy processes and access to diverse, informed input for government decision-makers.

Summary of recommendations

APGRA recommends that:

1. Further consideration be given to the scope and design of the proposed public contact disclosure log in clause 20 to ensure the framework is practical, proportionate and appropriately targeted.
2. The definition of “in-house lobbyist” be revised to capture only employees whose principal role is lobbying, rather than those for whom government engagement is one element of a broader role.
3. The different treatment of commercial entities, unions and not-for-profit organisations be reconsidered and supported by a clear, coherent policy rationale.
4. The Bill provide greater clarity regarding the scope of regulated lobbying activity, particularly for routine stakeholder engagement, regulatory interactions, meetings, electronic communications and communications made in response to government requests.
5. Registration and public disclosure requirements be limited to information necessary for a clearly articulated transparency purpose, with appropriate protections for personal privacy, confidentiality and commercial sensitivity.
6. The enforcement framework be made more proportionate and supported by clear procedural safeguards, reasonable timeframes and meaningful review rights.
7. The scope of the post-employment restriction be clarified, including the meaning of “official dealings”.
8. Draft regulations, guidance, forms and reporting systems be released for public consultation before commencement.
9. Any new framework be subject to staged implementation, education and an early implementation review.

1. General observations

Lobbying is a legitimate component of democratic participation. Government representatives make better decisions when they can hear from people and organisations with direct knowledge of policy problems, service delivery, commercial realities, community needs and potential unintended consequences.

Appropriate regulation can promote integrity. However, regulation should be targeted at identified risks and should not treat ordinary engagement with government as inherently suspect. It should also be clear, proportionate and practical to administer.

The Bill would impose new registration, disclosure and conduct obligations on third-party lobbyists and on employees of commercial entities whose government engagement may form only part of a wider policy, regulatory, operational or executive role. It would also create serious offences and potential consequences for both lobbyists and public officials.

These obligations warrant careful scrutiny. In APGRA's view, the Bill does not yet strike an appropriate balance between transparency, privacy, administrative workability and the public interest in informed decision-making.

2. The public contact disclosure log — clauses 18 and 20

APGRA acknowledges the policy objective of increased transparency but has concerns regarding the proposed disclosure model.

APGRA supports measures that enhance transparency and public confidence in government decision-making. We recognise that the proposed public contact disclosure log is intended to provide greater visibility of lobbying activity and strengthen public accountability.

However, APGRA has some concerns about the practical operation of the proposed model and whether it can be implemented in a way that achieves its transparency objectives without creating disproportionate administrative burden or discouraging legitimate engagement between stakeholders and government.

Practical implementation considerations

Under clauses 18 and 20, public officials would be required to record and report a broad range of interactions involving registered lobbyists and lobbying activity. Depending on how these provisions are interpreted and administered, the framework may require significant judgement calls by public officials regarding:

- whether a particular communication constitutes lobbying activity;
- the level of detail required for reporting;
- how to categorise subject matter and participants;
- whether an interaction falls within an exemption; and
- how to manage communications involving multiple issues or stakeholders.

The breadth of clause 18(a) is particularly concerning. It applies regardless of how formal or informal the contact is, and regardless of where it occurs. Read with clause 20, it may require public officials to make and publish detailed records of a wide range of interactions, including unscheduled discussions, events, calls and electronic communications. Each record must remain publicly available for at least six years.

APGRA's concern is not with transparency itself, but with ensuring that any reporting framework is practical, proportionate and capable of being administered consistently across government.

Particular implementation challenges may arise in relation to:

- stakeholder roundtables and consultation processes;
- technical or informational briefings;
- routine regulatory compliance and approvals process engagements;
- attendance at events by stakeholders and public officials;
- communications involving multiple participants or agencies;
- ongoing policy discussions over extended periods;
- electronic communications involving numerous recipients; and
- interactions initiated by government officials seeking information or expertise.

Potential impacts on stakeholder engagement

APGRA also notes that some organisations may become more cautious about engaging with government if detailed information about every interaction is publicly disclosed.

While transparency is an important objective, consideration should also be given to ensuring that disclosure requirements do not inadvertently discourage constructive participation in policy development, particularly where issues are commercially sensitive, preliminary in nature or subject to ongoing consultation.

Government benefits from receiving a broad range of perspectives from businesses, community organisations, professional associations, unions, charities and advocacy groups. Any disclosure regime should seek to maintain that flow of information while providing appropriate transparency to the public.

Recommendation

APGRA recommends that further consideration be undertaken to the design and scope of the proposed disclosure framework to ensure that it is practical, proportionate and targeted to achieving its stated transparency objectives.

If the disclosure log is retained, APGRA recommends that consideration be given to:

1. clearly defining the interactions that must be reported;
2. excluding routine stakeholder engagement, consultation and technical briefings where appropriate;
3. providing clear guidance for public officials on reporting obligations;
4. protecting confidential, commercially sensitive and personal information;
5. allowing corrections to disclosure records where errors occur;
6. ensuring compliance obligations are proportionate and supported by appropriate administrative processes; and

7. undertaking periodic review of the scheme to assess its effectiveness and any unintended consequences.

APGRA would welcome further consultation on how a disclosure framework can balance transparency objectives with the practical realities of engagement between stakeholders and public officials.

3. Scope of lobbying activity — clause 4

Clause 4 defines lobbying activity as communicating with a public official to influence decision-making on legislation, government policy or programs, contracts or grants, and government funding.

While this approach is broadly understandable, the scope remains uncertain in practice. The definition may capture a wide range of normal interactions between government and stakeholders, including communications that are not conventionally understood as lobbying.

Further clarity is needed regarding:

- communications about implementation, interpretation or administration of existing policies and programs;
- licensing, approvals, compliance and regulatory interactions;
- technical briefings and factual updates;
- communications made in response to a government request;
- communications with departmental officials concerning operational matters;
- participation in stakeholder roundtables and industry forums;
- communications about a proposed government procurement process before a formal tender is issued; and
- informal or incidental discussions.

The exclusions in clause 4(2) are helpful but limited. They do not adequately address the range of routine interactions that may occur outside formal public consultations, hearings, committee processes or tender responses.

APGRA recommends that the Bill include a clearer, more targeted definition of lobbying, supported by comprehensive statutory or regulatory exclusions and examples.

4. Definition of in-house lobbyist — clause 5

Clause 5 defines an in-house lobbyist as a person directly employed to undertake lobbying activities as “a significant part” of their duties.

The phrase “a significant part” is uncertain and risks capturing employees whose interaction with government is only one component of a much broader role. This could include chief executives, policy directors, regulatory managers, technical experts, legal advisers, communications staff, executive assistants and association executives.

A person should not be required to register as a political lobbyist merely because engagement with government occurs periodically as part of their employment.

APGRA recommends that the threshold apply only where lobbying is the person's principal purpose or primary function. Alternatively, the Bill could adopt a defined and objectively assessable threshold.

The legislation or accompanying guidance should also provide practical examples of roles that are included and excluded.

Differential treatment of unions and not-for-profits

Clause 5 excludes employees of not-for-profit organisations, public authorities and unions from the definition of in-house lobbyist, while including employees of commercial businesses.

APGRA notes that this distinction may create an uneven framework. The Bill should explain the policy basis on which a person undertaking the same type of activity is regulated differently depending on the legal structure or purpose of their employer.

If the relevant concern is transparency about sustained, paid efforts to influence government decision-making, the regulatory approach should be based on the activity being undertaken and the level of responsibility involved, rather than the category of organisation alone.

5. Registration and public register — clauses 7 to 13

APGRA supports a clear and workable register for third-party lobbyists. However, the proposed registration requirements should be carefully limited to information necessary to achieve a defined transparency purpose.

Clause 7 requires extensive information to be entered on the register, and clause 12 requires a public version of that register to be made available online, excluding only addresses, telephone numbers and email addresses. The registration and publication requirements should be confined to information necessary to achieve a clearly articulated transparency purpose.

Further work is needed to clarify:

- the meaning of “major shareholder”;
- the relevance and scope of disclosure concerning advice to a candidate or political party;
- whether the scope of information required to be published under clause 12 is necessary and proportionate, noting that the only express exclusions are addresses, telephone numbers and email addresses;
- how commercially sensitive information will be handled; and
- whether the burden is proportionate for small consultancies and businesses.

The Bill should distinguish more carefully between information required to establish eligibility for registration and information that must be published. Clause 12 should expressly limit public disclosure to information necessary to achieve the Bill's transparency objective, with appropriate protections for commercially sensitive and personal information.

The obligation to update information within 10 working days is also likely to be difficult in some circumstances, particularly for complex corporate structures or changing client arrangements. A more flexible approach should be considered, supported by guidance on when an obligation to update is triggered.

6. Suitability requirements and de-registration — clauses 8 to 11

The Bill creates substantial consequences for inaccurate information, alleged breaches of conduct standards and failures to meet administrative requirements.

APGRA supports appropriate action in cases of serious misconduct. However, the proposed framework should differentiate between:

- deliberate or serious misconduct;
- repeated non-compliance;
- disputed interpretation of an obligation;
- inadvertent administrative errors; and
- minor or promptly corrected omissions.

De-registration can have significant professional and commercial consequences. The Bill should therefore provide clearer criteria for de-registration, adequate time to respond to allegations, and a proportionate compliance pathway that gives priority to education, correction and warnings where appropriate.

The proposed 10 working day period for a lobbyist to make submissions before de-registration, and to apply for Tribunal review, may be insufficient in complex matters. The Bill should also clarify whether de-registration is stayed pending review.

The suitability declaration in clause 8 should address spent convictions, rehabilitation and the relevance of historic matters to the person's proposed activities. A blanket approach may be disproportionate where past conduct is unrelated to lobbying integrity.

7. Conduct obligations — clauses 14 and 15

APGRA supports ethical obligations that require honesty, accuracy, disclosure of relevant conflicts and appropriate separation between personal political activity and professional duties.

However, several standards would benefit from clearer drafting and guidance. For example, the requirements to act "in good faith", avoid conduct likely to "bring discredit", and use all reasonable efforts to verify information may be open to broad interpretation.

Guidance should explain how these standards will be applied and distinguish between professional misconduct and legitimate differences of opinion, robust policy advocacy or inadvertent error.

Clause 15 requires political lobbyists to provide specified information before commencing lobbying activity. APGRA supports appropriate disclosure of identity and interests. However, the Bill should clarify how the obligation applies in recurring meetings, meetings with multiple participants, written communications and situations where the relevant public official already knows the lobbyist and their client or employer.

8. Success fees — clause 16

APGRA supports a prohibition on remuneration that is directly contingent on the outcome of lobbying activity.

However, the definition of "success fee" should be clarified to ensure it does not inadvertently capture legitimate commercial arrangements, including fixed fees, retainers, staged project fees, performance measures unrelated to a government decision, or remuneration connected with services other than lobbying.

Given the potential criminal penalties, mandatory de-registration and forfeiture provisions, certainty is essential.

9. Post-employment restrictions — clause 17

APGRA recognises the importance of managing real or perceived conflicts that can arise when former senior public officials move into advocacy roles.

Clause 17 should be clarified to ensure that restrictions are appropriately targeted. In particular, the Bill should define “official dealings” and distinguish between matters in which an individual had direct and substantial involvement and matters that merely fell within a broad agency, departmental or portfolio remit.

The Bill should also address:

- whether the restriction applies to new or materially changed matters;
- the commencement date of the two-year period;
- whether former officials may provide internal advice that does not involve contacting public officials; and
- whether an advisory, waiver or exemption process is available in appropriate circumstances.

10. Gifts — clause 21

APGRA supports clear limits on gifts that may create actual or perceived obligations between lobbyists and public officials.

The phrase “small token” should be defined in legislation, regulations or guidance. This should include examples covering promotional items, modest hospitality, cultural gifts and attendance at events. Clear rules will assist public officials and practitioners to comply consistently.

11. Implementation, regulations and review

The Bill provides for commencement by proclamation, but no later than 12 months after Royal Assent. Given the scale and complexity of the proposed framework, this period may be insufficient if it is to include new registration systems, public reporting infrastructure, public-official training, guidance, data management arrangements and compliance processes.

Before commencement, the following should be released for consultation:

- draft regulations;
- registration forms and criteria;
- public register design;
- conduct guidance;
- any proposed reporting forms or systems;
- privacy and confidentiality protections;
- enforcement and de-registration guidelines; and
- education and implementation materials.

APGRA also recommends an implementation review within 12 months of commencement, in addition to the independent three-year review proposed by clause 23. An early review would help identify unintended effects, burdens on public officials and stakeholders, and areas requiring amendment.

Conclusion

APGRA supports regulation that promotes ethical conduct, appropriate transparency and public confidence in government decision-making. However, any regulatory framework should be clearly drafted, proportionate to identified risks and capable of practical implementation.

The Bill contains a number of measures that warrant further refinement before it proceeds. In particular, APGRA considers that the proposed public contact disclosure log requires further consultation and substantial redesign. In its current form, the model may impose a significant administrative burden on public officials, create uncertainty about reporting obligations and discourage legitimate engagement with government.

A disclosure mechanism should be targeted, workable and designed to provide useful transparency without unnecessarily capturing routine stakeholder engagement or disclosing confidential, commercially sensitive or preliminary matters. It should also avoid unnecessary duplication and ensure that inadvertent administrative errors do not attract disproportionate consequences.

APGRA encourages further consultation with practitioners, public officials, businesses, civil society organisations and integrity stakeholders before the Bill is finalised. This would assist in developing a framework that addresses genuine integrity risks while preserving legitimate democratic participation and access to informed, diverse policy input.

Yours sincerely,



Sally Mackenzie

President

Australian Professional Government Relations Association