

COUNCIL

Council

**REPORT ON THE IMPLEMENTATION OF THE OECD RECOMMENDATION ON
PRINCIPLES FOR TRANSPARENCY AND INTEGRITY IN LOBBYING [OECD/LEGAL/0379]**

Lobbying in the 21st Century: Transparency, Integrity and Access

(Note by the Secretary-General)

JT03475214

1. This document presents a Report by the Public Governance Committee (PGC) on the implementation, dissemination and continued relevance of the Recommendation of the Council on Principles for Transparency and Integrity in Lobbying [[OECD/LEGAL/0379](#)] (hereafter, the “Recommendation”) and its conclusions on whether it requires an update. The Report, which is reproduced in the Appendix to this document, was developed by the Working Party of Senior Public Integrity Officials (SPIO), a sub-committee of the PGC, and was approved by the PGC by written procedure on 16 April 2021 [[GOV/PGC/INT\(2020\)9/FINAL](#)].

Background

2. The Council adopted the Recommendation on 18 February 2010 [[C\(2010\)16](#) and [C/M\(2010\)3/PROV](#)] to provide decision-makers with directions and guidance in order to meet public expectations for transparency and integrity. The Recommendation recognises that lobbying in all its forms, including advocacy and other ways of influencing public policies, is a legitimate act of political participation, and grants stakeholders access to the development and implementation of public policies. Lobbyists, as well as advocates and all those influencing governments, represent valid interests and bring to the attention of policy-makers much needed insights and data on all policy issues. It is this variety of interests and stakeholders that allow policy makers to learn about options and trade-offs. Such an inclusive policy-making process leads to more informed and ultimately better policies.

3. However, evidence has shown that policy-making is not always inclusive and at times may only consider the interests of a few, usually those that are more financially and politically powerful, at the expense of the public interest. The Recommendation was the first international standard to address transparency and integrity risks related to lobbying practices. It was part of a broad set of OECD initiatives triggered by the 2008 financial crisis to set standards for a stronger, cleaner and fairer economy, and avoid that policy choices are exclusively driven by the interests of the more financially and politically powerful.

4. Evidence had shown that dishonest and non-transparent lobbying, as well as revolving door practices that led to deregulation, were partly at the origin of the 2008 financial crisis (Igan and Lambert, 2019^[1]; Igan and Mishra, 2014^[2]). A sound framework for regulating lobbying was considered vital to fostering transparency, integrity and accountability in the recovery phase. The Recommendation thus provides decision-makers within Members and non-Members having adhered to it (hereafter “Adherents”) with directions and guidance on how to promote equal access to policy discussions for all parties concerned, and how to enhance transparency, integrity and mechanisms for effective implementation.

5. The principles embedded in the Recommendation were developed by the PGC on the basis of reviewed data and experiences of government regulation (OECD, 2009^[3]) and self-regulation by lobbyists [[GOV/PGC\(2009\)9](#)]. It also reflected the views of a wide range of OECD bodies and stakeholders consulted by the PGC, including legislators, representatives of the private sector, lobbying associations, civil society organisations, trade unions, think tanks and international organisations [[GOV/PGC\(2009\)14](#)]. The Recommendation became applicable to all OECD Member countries through its adoption by the Council, but also open to non-Members’ adherence. To date, one non-Member, Peru, has adhered to the Recommendation.

6. When adopting the Recommendation, the Council instructed the PGC to report back on progress made in implementing the Recommendation within three years of its

adoption and regularly thereafter. This resulted in the 2014 Report on the Implementation of the Recommendation of the Council on Principles for Transparency and Integrity in Lobbying [[C\(2014\)7](#)] (hereafter, the “2014 Report”), also published as “Lobbyists, Governments and Public Trust, Volume 3: Implementing the OECD Principles for Transparency and Integrity in Lobbying” (OECD, 2014_[4]). The 2014 Report concluded that lobbying was receiving increased attention and some Adherents were adopting relevant regulations or policies. However, while these efforts had resulted in more risk awareness and openness on lobbying practices, the approach had been too often driven by the pressure of addressing public and political scandals, leaving room for loopholes and weak transparency mechanisms, or at times resulting in overshooting, by which countries have gone above and beyond what is needed to address the concerns. The 2014 Report also showed uneven compliance concerning regulations and policies, and that providing access to the decision-making process to all stakeholders from the private sector and the public at large, beyond specific interests, remained a challenge.

7. When noting and declassifying the 2014 Report, the Council invited the PGC to pursue its work on transparency and integrity in lobbying, and to report back on the implementation of the Recommendation in three years’ time. In its Standard-Setting Action Plan [[GOV/PGC\(2017\)4/FINAL](#)], the PGC confirmed that the Recommendation “still remains the sole global legal instrument to provide guidance on how to ensure transparency and integrity in lobbying activities” and scheduled the second report to the Council. The present document responds to the Council’s request and the Report in the Appendix takes stock of the progress made in implementation. The discussions at the SPIO have demonstrated a strong interest from non-Adherents to implement the Recommendation without formal adherence to it. Accordingly, in addition to OECD Members and Peru, the Report in the Appendix also features good practices from non-Adherents such as Brazil, Costa Rica and Romania.

8. The key role of lobbying as a legitimate tool to influence public policies and concerns on transparency and integrity risk associated with it, remain as high as ever. As the COVID-19 crisis has demonstrated, lobbying risks persist, in particular when there is a need for rapid decision-making and high public spending, and is also changing in nature and format with wider societal evolutions (digitalisation, globalisation, etc.). Thus, the Report also reflects on new challenges and risks related to the many ways that special interest groups attempt to influence public policies, including through political finance, and reviews tools adopted by governments to effectively safeguard impartiality and fairness in the public decision-making process.

Methodology

9. The Secretariat used several tools to collect extensive evidence since the adoption of the Recommendation. To reduce unnecessary duplication and burden on Adherents, the present Report builds on existing analysis developed by the OECD, notably the 2014 Report “*Lobbying, Governments and Public Trust, Volume 3: Implementing the OECD Principles for Transparency and Integrity in Lobbying*” (OECD, 2014_[4]), “*Financing Democracy*” (OECD, 2016_[5]), “*Preventing Policy Capture*” (OECD, 2017_[6]), and the “*OECD Public Integrity Handbook*” (OECD, 2020_[7]).

10. The Report follows a similar methodology to the one used for the 2014 Report. Two approaches were applied to assess the level of implementation of the Recommendation:

- **Consulting stakeholders:** views were collected through relevant sessions of the annual OECD Global Anti-Corruption and Integrity Forum, and meetings of the

Coalition of Influencers on Integrity in Decision-Making held on 28 March 2018 and 22 March 2019. The Coalition brings together experts from government, business, academia and civil society to examine the mechanisms by which interests influence policy-makers, and serves as a collaborative platform to identify and develop practical solutions to ensure integrity in public decision-making and promote better policies.

- **Benchmarking** based on comparative evidence and lessons learned in specific country contexts. This included desk research and existing data on lobbying regulations, notably through the 2018 OECD Product Market Regulation (PMR) indicators. New data was also collected through three separate OECD surveys addressed to public officials, legislators, lobbying associations and lobbyists, and through the analysis of peer-reviewed research papers on influence in the health, environment, finance and technology policy areas.

11. The three OECD Surveys on Lobbying took stock of regulations and collected experiences of public officials from the executive and legislative branches, as well as lobbyists. Respondents to the 2020 OECD Survey on Lobbying for public officials in the executive branch were country delegates responsible for integrity policies and/or lobbying-related rules and their implementation in central governments. Respondents from a total of 30 Adherents – Australia, Austria, Canada, Chile, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Korea, Latvia, Lithuania, Luxembourg, Mexico, the Netherlands, Norway, Peru, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Turkey and the United States – completed the survey. Italy responded to selected questions. Belgium, Colombia, Estonia, Israel, Japan, New Zealand, and the United Kingdom did not respond. The United Kingdom provided information through written procedure, and information on the remaining Adherents was collected through desk research. To disseminate and promote the use of the Recommendation beyond its Adherents, the survey was also distributed to Costa Rica, the Key Partners and the Group of States against Corruption (GRECO), the anti-corruption body of the Council of Europe. Brazil, Costa Rica and Romania completed the Survey. Given the expansion of lobbying activities at the European level, the “Joint Transparency Register Secretariat”, which manages the Transparency Register of the European Commission and the European Parliament, also responded to the survey.

12. The 2020 OECD Survey on Lobbying for lobbyists was distributed to individual public affairs professionals and lobbyists through national and international lobbyists’ associations. A total of 157 responses were collected, anonymously, from 34 Adherents and selected non-Adherents.

13. Lastly, the 2020 OECD Survey on Lobbying for legislators was distributed to individual legislators through the OECD Global Parliamentary Network and OECD delegations. In total, 116 responses were collected from legislators in 31 Adherents and selected non-Adherents.

Process

14. The process for the development of the present Report began in November 2018. The Secretariat, presented a first draft outline of the Report during the March 2019 meeting of the SPIO. Feedback and comments that were received from delegates served as a basis to design the surveys. These were used to gather information that would not otherwise be obtained through desk research, or that was not yet collected through other OECD surveys.

15. A second draft outline, along with the surveys, were discussed during the SPIO meeting of November 2019, which featured a session in which four roundtables of

delegates discussed topics related to transparency, emerging threats to integrity in decision-making, the integrity of data and evidence, as well as transnational lobbying. Surveys were disseminated through and thanks to the support of SPIO delegates, permanent delegations and parliamentary networks.

16. The inputs from discussions and comments received from the aforementioned stakeholders served as a basis for the preparation of the first draft of the Report [[GOV/PGC/INT\(2020\)9](#)]. The draft Report was discussed at the meeting of the SPIO on 30 November 2020, and revised on the basis of comments received. Delegates voiced strong support for the draft Report, welcomed the in-depth analysis it provided, and highlighted its timeliness in the crisis currently facing governments and for their national contexts, as many Adherents are currently discussing lobbying bills or are in the process of revising existing regulations.

17. The Public Governance Committee discussed the draft Report during the PGC Symposium “Reinforcing Democracy: 21st Century Governance Challenges” on 19 March 2021 and at its 63rd session on 22 March 2021. The draft Report was also submitted to selected stakeholders for a targeted consultation, namely Ethical Systems, the Good Lobby; Influence Map; Political Intelligence EPACA; Preventable Surprises; and Principles for Responsible Investment. In line with the provisions of the Recommendation, the Regulatory Policy Committee and the Secretariats of other relevant OECD bodies have been consulted on the draft Report.

18. Comments received during the consultation, discussions and additional written comments by SPIO and PGC delegates informed a second and final revision of the Report, which has been approved by the PGC via written procedure on 16 April 2021 [[GOV/PGC/INT\(2020\)9/REV2](#)]. The Report set out in Appendix includes corrections requested by two Adherents on the description of their national information [see also [GOV/PGC/INT\(2020\)9/FINAL](#)].

19. The Council is now invited to note and declassify the Report. Thereafter, a link to the Report will be included in the public webpage of the Recommendation on the [online Compendium of OECD legal instruments](#). In order to support the implementation and dissemination of the Recommendation, the Report will also be presented at a launch event and a publication prepared focusing on the implementation section.

Dissemination

20. The Recommendation invited the Secretary-General to “support, as appropriate, Members in taking steps to foster transparency and integrity in lobbying”, and “disseminate the Principles to non-Members and to promote good governance through encouraging them to use the Principles in their efforts to enhance transparency and integrity in public decision-making”. This has taken place in various ways:

- Policy dialogues in meetings of the SPIO and the Coalition of Influencers on Integrity in Decision-Making.
- A global policy debate during the OECD Forum on Transparency and Integrity in Lobbying held on 27-28 June 2013, which brought together more than 100 senior representatives from the executive and legislative branches of governments, the private sector and civil society.
- Dedicated discussions at relevant sessions of the annual OECD Global Anti-Corruption and Integrity Forum, including a session on “Responsible Lobbying: Aligning Profit with the Public Good” in 2019, in which panellists from the public

sector, the private sector, and civil society identified critical principles that should guide responsible lobbying practices.

- Policy dialogues that took place during the OECD High Level Parliamentary Seminars held in Santiago, Chile in March 2012 and in Paris, France in October 2013, as well as the February 2019 meeting of the OECD Parliamentary Network.
- Presentation of the Recommendation in OECD regional networks, including the 10th Regional Conference of the Anti-Corruption Initiative for Asia and the Pacific in December 2020, which addressed, for the first time, the issue of undue influence in the early stages of the public investment cycle.
- Presentation of the Recommendation in international conferences (e.g. Transparency International's International Anti-Corruption Conference).
- Dissemination and promotion of the Recommendation by Adherents at the national and regional levels.

21. The Recommendation has been key in raising awareness and promoting the relevance of lobbying standards among Adherents, encouraging them to use it in their efforts to enhance transparency and integrity in public decision-making. It has proved to be a valuable instrument in shaping policy debates at national and supranational levels and guiding the many Adherents that since 2010 have adopted regulations or policies on lobbying. Austria, Chile, the European Union, France and Ireland reported having used the Recommendation as a source for their regulations. It has proven influential in framing and informing debates in Adherents and selected non-Adherents currently designing or revising lobbying regulations, such as Brazil, Costa Rica, the Czech Republic and Germany.

22. The Recommendation has also been disseminated successfully to non-Adherents. In particular:

- Whenever the Secretariat conducts reviews of integrity systems (“Integrity Reviews”) in OECD Member and non-Member countries, the Recommendation constitutes the key reference for the chapter on ensuring transparency and integrity in public decision-making processes (e.g. Argentina, Thailand, Slovak Republic);
- One non-Member, Peru, adhered to the Recommendation, and this Report includes findings on its implementation in Peru. Kazakhstan has requested adherence to the Recommendation.

23. The Recommendation has also informed the Council of Europe Recommendation of the Committee of Ministers to member States on the legal regulation of lobbying activities in the context of public decision making (Council of Europe, 2017^[8]). Similarly, business representatives as well as non-governmental organisations have built on the Recommendation in their efforts related to lobbying. Academics have also used the Recommendation to establish standards to measure the robustness of lobbying regulations (Chari et al., 2019^[9]).

24. The dissemination activities developed by Adherents and the OECD Secretariat under the auspices of the SPIO have been important in explaining the rationale and the value of the Recommendation to key actors – namely governments, lobbyists and legislators – from Adherents and non-Adherents and in increasing their understanding of the various pillars of the Recommendation.

Summary and conclusions

25. More than ten years after the adoption of the Recommendation, this Report highlights the main trends and developments concerning its implementation across Adherents and selected non-Adherents (Brazil, Costa Rica, Romania).

26. Adherents and selected non-Adherents have advanced in providing transparency, integrity, and access, but at different speeds and in a continuously evolving lobbying landscape. In particular, the key results from the PGC assessment of the implementation of the Recommendation are:

- **Lobbying is more complex than the way it has been traditionally defined in regulations, usually as a direct communication between a lobbyist and a public official. Lobbying should be interpreted in a broader sense to avoid loopholes, prevent opaque practices and increase trust in the policy-making process.** The 21st century context, with the advent of social media, has made the lobbying and influence phenomena more complex than ever before. Mechanisms and ways to influence are nowadays more diverse, which can lead to abuse. This new context includes the increasing influence of government policies by and through NGOs, research centres and think tanks, and the use of social media strategies to inform, misinform or change public perceptions. The latter can damage trust in both governments and those influencing the policy-making process, particularly companies.
- **The central role played by lobbying in major global challenges remains underestimated,** despite increasing evidence showing that the abuse of lobbying and other influence practices can have a profound impact on the progress (or lack thereof) in many policy areas. The COVID-19 crisis has exacerbated these risks, and lessons learned from previous shock events show that lobbying activities from powerful interests with closer connections to policy-makers can lead to biased stimulus packages and responses, with a negative impact on the resilience of societies and economies in the longer term.
- **In the majority of Adherents and selected non-Adherents surveyed, there is limited transparency on the targets of lobbying activities (across branches and levels of government) and who is conducting lobbying activities.** Certain actors that are *de facto* lobbyists are not always covered by transparency requirements. Equally applying transparency measures to all actors aiming to influence decision-making processes remains one of the practical solutions to increase the scrutiny of public decisions. In addition, the influence of foreign government interests through lobbyists and lobbying firms is raising increasing concerns, yet remains largely out of the scope of transparency requirements.
- **A comprehensive approach to defining lobbying is necessary to cover the influence of the policy-making process in all its forms.** Common exemptions from disclosure requirements, for example communications made in response to a request by a public official, may create significant loopholes. More transparency is needed on who funds research, think tanks and grassroots organisations, as well as on the use of social media as a lobbying tool. While transparency of political finance is high, some grey areas remain, such as the funding of digital advertisements for political parties and candidates. Lastly, transparency over the composition and functioning of advisory and expert groups remains a challenge.
- **Information disclosed over lobbying and other influence practices is usually incomplete and does not allow for public scrutiny.** Disclosures tend to focus on

“who” is conducting lobbying activities and on whose behalf, and less on “what” decisions and public organisations were specifically targeted. In addition, the infrequent disclosures may affect the proper scrutiny of lobbying activities.

- **Compliance with transparency requirements can be further promoted through engagement with lobbyists and the use of digital tools.** Adherents and selected non-Adherents surveyed use several measures such as providing a convenient electronic registration and report-filing system, raising awareness of expected rules, verifying disclosures on lobbying, and applying visible and proportional sanctions. Regular communications with lobbyists and public officials on potential breaches encourage compliance without the need to initiate enforcement actions. A key challenge remains in strengthening the use of digital tools that facilitate data collection, enable publication in an open data format, and increase interoperability between databases to crosscheck information.
- **In the majority of Adherents and selected non-Adherents surveyed, public officials need an integrity framework tailored to the specific risks of lobbying and other influence practices.** While rules on gifts, invitations and hospitalities are robust, standards, guidance and capacity-building specifically addressing lobbying activities and other influence practices can be enhanced. Despite strong standards for managing conflict of interests, the revolving door between private and public office remains a concern.
- **Lobbyists and companies are under an increasingly high degree of scrutiny and need a clearer integrity framework when engaging with the policy-making process.** Codes of conduct continue to remain the main tool to support integrity for lobbyists, but challenges of coherence and interpretation can arise. It is therefore essential to improve standards and guidance across the range of measures that are available to influence public policy, to help lobbyists engage in a way that does not raise concerns over the integrity and inclusiveness of policy-making processes. In particular, more detailed integrity standards may be needed to specify the due diligence requirements companies should undertake to ensure that they, as well as the lobbying and industry associations they participate in, are aligned in terms of their government affairs and sustainability agendas.
- **While the principles embedded in the Recommendation remain relevant, the monitoring of their implementation reveals that they are not entirely adequate,** as the focus is largely confined to lobbying registries, with little consideration given to the whole spectrum of practices, risks and options that countries can use and have used for mitigation. A more comprehensive consideration of lobbying activities may be needed.

27. As a result, the Report, as approved by the PGC, includes a proposal **to review and prepare for the Council an update of the Recommendation through the SPIO, within two years**, to reflect the evolving lobbying and influence landscape, and to guide efforts by all actors, across government, business and civil society, in reinforcing the frameworks for transparency and integrity in policymaking.

Proposed Action

28. In the light of the preceding, the Secretary-General invites the Council to adopt the following draft conclusions:

THE COUNCIL

- a) noted document [C\(2021\)74](#), in particular the Report set out in its Appendix, and agreed to its declassification;
- b) encouraged Adherents to the Recommendation to continue their efforts to implement and disseminate the Recommendation and to address the main findings and challenges identified in the Report and summarised in paragraph 26 of document [C\(2021\)74](#);
- c) invited the Public Governance Committee, through the Working Party of Senior Public Integrity Officials, to:
 - i) review and prepare an update of the Recommendation, within two years;
 - ii) support Adherents in addressing the findings and challenges identified in the Report.

Appendix. Report on the Implementation of the OECD Recommendation on Principles for Transparency and Integrity in Lobbying [[OECD/LEGAL/0379](#)]

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1. DEFINITION OF TERMS

1. **Adherents:** OECD Members and non-Members having adhered to an OECD Recommendation. There is an expectation that Adherents will do their utmost to fully implement a Recommendation. In this Report Adherents makes reference to all OECD Members and Peru with respect to the OECD Recommendation on Principles for Transparency and Integrity in Lobbying
2. **Advisory or expert groups:** any committee, board, commission, council, conference, panel, task force, or similar group, or any subcommittee or other subgroup thereof that provides governments with advice, expertise, or recommendations. They are made up of public and/or private-sector members and/or representatives from civil society and may be put in place by the executive, legislative or judicial branches of government or government subdivisions, either on an ad hoc or standing basis (OECD, 2014^[4]).
3. **Conflict of interest:** A ‘conflict of interest’ involves a conflict between the public duty and private interests of a public official, in which the public official has private-capacity interests which could improperly influence the performance of their official duties and responsibilities (OECD, 2003^[10]).
4. **Cooling-off period:** time limits for managing the contacts of former officials with public sector organisations and warding off post-public employment offences (OECD, 2010^[11]).
5. **Countries:** for the purpose of this Report the term ‘countries’ makes reference to those that are Adherents to the OECD Recommendation on Principles for Transparency and Integrity in Lobbying (all OECD Members and Peru), Brazil, Costa Rica and Romania. Unless otherwise specified, in the case of federal countries, all information provided concerns the federal level only.
6. **Legislative/regulatory footprint:** a comprehensive public record of private parties’ influence on a piece of regulation.
7. **Lobbying:** the act of lawfully attempting to influence the design, implementation, execution and evaluation of public policies and regulations administered by executive, legislative or judicial public officials at the local, regional or national level.
8. **Open government:** a culture of governance that promotes the principles of transparency, integrity, accountability and stakeholder participation in support of democracy and inclusive growth (OECD, 2017^[12]).
9. **Policy capture:** a broad term encompassing any situation where the decisions taken throughout a policy cycle mainly reflect the interests of a narrow interest group (OECD, 2017^[6]).
10. **Public integrity:** consistent alignment of, and adherence to, shared ethical values, principles and norms for upholding and prioritising the public interest over private interests in the public sector (OECD, 2017^[13]).
11. **Public official:** elected or non-elected individuals carrying out duties in the public sector, whether appointed or elected, paid or unpaid, in a permanent or temporary position at the central and subnational levels of government (OECD, 2017^[13]).
12. **Public sector:** Public sector includes the legislative, executive, administrative, and judicial bodies, and their public officials whether appointed or elected, paid or unpaid, in a permanent or temporary position at the central and subnational levels of government. It can

include public corporations, state-owned enterprises and public-private partnerships and their officials, as well as officials and entities that deliver public services (e.g. health, education and public transport), which can be contracted out or privately funded in some countries (OECD, 2017^[13]).

13. **Recommendations:** OECD legal instruments that are not legally binding but practice accords them great moral force as representing the political will of countries who have adhered to it.

14. **Special interest groups:** are groups that are usually small in number relative to the population, but well organised and with significant financial resources focused on a specific issue. The term has a negative connotation and denotes actions by these groups that benefit only the groups at the expense of society as a whole.

15. **Stakeholder participation:** all the ways in which stakeholders can be involved in the policy cycle and in service design and delivery. This includes information, consultation and engagement (OECD, 2017^[14]).

16. **Undue influence:** the act of attempting to influence the design, implementation, execution and evaluation of public policies and regulations administered by public officials, through the provision of covert, deceptive and misleading evidence or data, through the manipulation of public opinion and through other practices aimed at manipulating public officials.

2. BACKGROUND

17. On 18 February 2010, the OECD Council adopted the Recommendation on Principles for Transparency and Integrity in Lobbying [[OECD/LEGAL/0379](#) and [C/M\(2010\)3/PROV](#)] (OECD, 2010^[15]) (hereafter ‘the Recommendation’). The Recommendation recognises that lobbying in all its forms, including advocacy and other ways of influencing public policies, is a legitimate act of political participation, and grants stakeholders access to the development and implementation of public policies. Lobbyists, as well as advocates and all those influencing governments, represent valid interests and bring to the attention of policy makers much needed insights and data on all policy issues. It is this variety of interests and stakeholders that allow policy makers to learn about options and trade-offs. Such an inclusive policy-making process leads to more informed and ultimately better policies.

18. However, evidence has shown that policy-making is not always inclusive and at times may only consider the interests of a few, usually those that are more financially and politically powerful, at the expense of the public interest. The Recommendation was the first international guidelines for governments to address transparency and integrity risks related to lobbying practices. It was part of a broad set of OECD initiatives triggered by the 2008 financial crisis to set standards and principles for a stronger, cleaner and fairer economy, and avoid that policy choices be made in the interests of the more financially and politically powerful.

19. Evidence had shown that dishonest and non-transparent lobbying, as well as revolving door practices that led to deregulation, were partly at the origin of the 2008 financial crisis (Igan and Lambert, 2019^[1]; Igan and Mishra, 2014^[2]). A sound framework for regulating lobbying was considered vital to fostering transparency, integrity and accountability in the recovery phase. The Recommendation thus provides decision-makers within Members and non-Members having adhered to it (hereafter ‘Adherents’) with directions and guidance on how to promote equal access to policy discussions for all parties

concerned, and how to enhance transparency, integrity and mechanisms for effective implementation based on 10 principles and four main objectives:

- Building an effective and fair framework for equal access to policy discussions for all parties concerned.
- Enhancing transparency.
- Fostering a culture of integrity.
- Creating mechanisms for effective implementation, compliance and review.

20. The principles embedded in the Recommendation were developed by the Public Governance Committee (PGC) on the basis of reviewed data and experiences of government regulation (OECD, 2009^[3]) and self-regulation by lobbyists [[GOV/PGC\(2009\)9](#)]. It also reflected the views of a wide range of OECD bodies and stakeholders consulted by the PGC, including legislators, representatives of the private sector, lobbying associations, civil society organisations, trade unions, think tanks and international organisations [[GOV/PGC\(2009\)14](#)].

21. The Recommendation became applicable to all OECD Member countries through Council's adoption, but also open to non-Members' adherence. To date, Peru has adhered to the Recommendation. When adopting the Recommendation, the OECD Council instructed the PGC to report back on progress made in implementing the Recommendation within three years of its adoption and regularly thereafter. This resulted in the 2014 Report on the Implementation of the Recommendation of the Council on Principles for Transparency and Integrity in Lobbying [[C\(2014\)7](#)], also published as "Lobbyists, Governments and Public Trust, Volume 3: Implementing the OECD Principles for Transparency and Integrity in Lobbying" (OECD, 2014^[4]). The implementation report concluded that lobbying was receiving increased attention and some Adherents were adopting relevant regulations or policies. However, while these efforts had resulted in more risk awareness and openness on lobbying practices, the approach had been too often driven by the pressure of addressing public and political scandals, leaving room for loopholes and weak transparency mechanisms, or at times resulting in overshooting, by which countries have gone above and beyond what is needed to address the concerns. The report also showed uneven compliance concerning regulations and policies, and that providing access to the decision-making process to all stakeholders from the private sector and the public at large, beyond specific interests, remained a challenge.

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3. METHODOLOGY

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25. The report follows a similar methodology to the one used for the 2014 monitoring report. Two approaches were applied to assess the level of implementation of the Recommendation:

- Consulting stakeholders: views were collected through relevant sessions of the annual OECD Global Anti-Corruption and Integrity Forum, and meetings of the OECD Coalition of Influencers held on 28 March 2018 and 22 March 2019. The Coalition brings together key stakeholders from government, business, academia and civil society to examine the mechanisms by which interests influence policy makers, and serves as a collaborative platform to identify and develop practical solutions to ensure integrity in public decision making and promote better policies.
- Benchmarking based on comparative evidence and lessons learned in specific country contexts. This included desk research and existing data on lobbying regulations, notably through the 2018 OECD Product Market Regulation indicators (PMR). New data was also collected through three separate OECD surveys addressed to public officials, legislators, lobbying associations and lobbyists, and through the analysis of peer-reviewed research papers on influence in the health, environment, finance and technology policy areas.

26. The three OECD Surveys on Lobbying took stock of regulations and collected experiences of public officials from the executive and legislative branches, as well as lobbyists. Respondents to the 2020 OECD Survey on Lobbying for public officials in the executive branch were country delegates responsible for integrity policies and/or lobbying-related rules and their implementation in central governments. Respondents from a total of 30 OECD Adherents – Australia, Austria, Canada, Chile, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Korea, Latvia, Lithuania, Luxembourg, Mexico, the Netherlands, Norway, Peru, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Turkey and the United States – completed the survey. Italy responded to selected questions. Belgium, Colombia, Estonia, Israel, Japan, New Zealand, and the United Kingdom did not respond. The United Kingdom provided information through written procedure, and information on the remaining Adherents was collected through desk research. To disseminate and promote the use of the Recommendation beyond its Adherents, the survey was also distributed to Key Partners, as well as Costa Rica, and members of the Group of States against Corruption (GRECO), the

anti-corruption body of the Council of Europe. Brazil, Costa Rica and Romania completed the Survey. and given the expansion of lobbying activities at the European level, the “Joint Transparency Register Secretariat”, which manages the Transparency Register of the European Commission and the European Parliament, also responded to the survey.

27. The 2020 OECD Survey on Lobbying for lobbyists was distributed to individual public affairs professionals and lobbyists through national and international lobbyists’ associations. A total of 157 responses were collected, anonymously, from 34 Adherents and selected non-Adherents.

28. Lastly, the 2020 OECD Survey on Lobbying for legislators was distributed to individual legislators through the OECD Global Parliamentary Network and OECD delegations. In total, 116 responses were collected from legislators in 31 Adherents and selected non-Adherents.

4. PROCESS

29. The process for the development of the present report began in November 2018. The Secretariat, presented a first draft outline of the report during the March 2019 meeting of the Working Party of Senior Public Integrity Officials (SPIO). Feedback and comments that were received from delegates served as a basis to design the surveys. These were used to gather information that would not otherwise be obtained through desk research, or that was not yet collected through other OECD surveys.

30. A second draft outline, along with the surveys, were discussed during the SPIO meeting of November 2019, which featured a session in which four roundtables of delegates discussed topics related to transparency, emerging threats to integrity in decision making, the integrity of data and evidence, as well as transnational lobbying. Surveys were disseminated through and thanks to the support of the delegates, OECD delegations and parliamentary networks.

31. The inputs from discussions and comments received from the aforementioned stakeholders served as a basis for the preparation of the first draft of the report. The draft report was discussed at the meeting of the SPIO on 30 November 2020, and revised on the basis of comments received. Delegates voiced strong support for the report, welcomed the in-depth analysis it provided, and highlighted its timeliness in the crisis currently facing governments and for their national contexts, as many Adherents are currently discussing lobbying bills or are in the process of revising existing regulations.

32. The Public Governance Committee discussed the draft Report during the PGC Symposium “Reinforcing Democracy: 21st Century Governance Challenges” on 19 March 2021 and at its 63rd session on 22 March 2021. The report was also submitted to select stakeholders for a targeted consultation, namely Ethical Systems, the Good Lobby; Influence Map; Political Intelligence EPACA; Preventable Surprises; and Principles for Responsible Investment. Comments received during the consultation, discussions and additional written comments by SPIO and PGC delegates informed this second and final revision of the draft Report.

33. In line with the provisions of the Recommendation, the Regulatory Policy Committee has been consulted on the draft Report as well as the following Directorates within the OECD Secretariat: Centre for Tax Policy Administration, Directorate for Financial and Enterprise Affairs, Economics Department, Directorate for Employment, Labour and Social Affairs, Environment Directorate, Public Affairs and Communications

Directorate, Directorate for Science, Technology and Innovation, Trade and Agriculture Directorate.

34. The Public Governance Committee approved the final draft Report as well as its transmission to the Council by written procedure on 16 April 2021 [[GOV/PGC/INT\(2020\)9/FINAL](#)]. The Council noted and declassified the Report at its meeting on 6-7 May 2021 [[C\(2021\)74](#)] (*to be confirmed*). A link to the Report will be included in the public webpage of the Recommendation on the [online Compendium of OECD legal instruments](#). In order to support the implementation and dissemination of the Recommendation, the report will also be presented at a launch event and a publication prepared focusing on the implementation section.

5. DISSEMINATION

35. The Recommendation invites the Secretary-General to “support, as appropriate, Members in taking steps to foster transparency and integrity in lobbying”, and “disseminate the Principles to non-Members and to promote good governance through encouraging them to use the Principles in their efforts to enhance transparency and integrity in public decision-making”. This has taken place in various ways:

- Policy dialogues in meetings of the SPIO and the Coalition of Influencers on Integrity in Decision-Making.
- A global policy debate during the OECD Forum on Transparency and Integrity in Lobbying held on 27-28 June 2013, which brought together more than 100 senior representatives from the executive and legislative branches of governments, the private sector and civil society.
- Dedicated discussions at relevant sessions of the annual OECD Global Anti-Corruption and Integrity Forum, including a session on “Responsible Lobbying: Aligning Profit with the Public Good” in 2019, in which panellists from the public sector, the private sector, and civil society organisations identified critical principles to that should guide responsible lobbying practices.
- Policy dialogues that took place during the OECD High Level Parliamentary Seminars held in Santiago, Chile in March 2012 and in Paris in October 2013, France, as well as the February 2019 meeting of the OECD Parliamentary Network in Paris, France.
- Presentation of the Recommendation in OECD regional networks, including the 10th Regional Conference of the Anti-Corruption Initiative for Asia and the Pacific in December, which addressed, for the first time, the issue of undue influence in the early stages of the public investment cycle.
- Presentation of the Recommendation in international conferences (e.g. Transparency International’s International Anti-Corruption Conference).
- Dissemination and promotion of the Recommendation by Adherents at the national and regional levels.

36. The Recommendation has been key to raise awareness and promote the relevance of lobbying standards among Adherents, encouraging them to use the Recommendation in their efforts to enhance transparency and integrity in public decision-making. It has proved to be a valuable instrument in shaping policy debates at national and supranational levels and guiding the many Adherents that since 2010 have adopted regulations or policies on

lobbying. Austria, Chile, Ireland, and France reported to have used the Recommendation as a source for their regulations. It has also proven influential in framing and informing debates in Adherents and selected non-Adherents currently designing or revising lobbying regulations, such as Costa Rica, the Czech Republic and Germany (Box 5.1).

Box 5.1. Countries currently designing or revising lobbying regulations

Czech Republic

In Czech Republic, three bills have been introduced since 2004 but failed to be passed into law. A poll conducted by the Ministry of Justice among members of law schools in 2018 highlighted that 79% of respondents considered that lobbying can significantly influence the outcome of decision-making processes in the public sector, while 98% responded that lobbying should be regulated in Czech Republic. A Bill on Lobbying in the legislative process – already approved by the Czech government – is currently subject to proceedings in the Parliament. The new bill provides for a mandatory transparency register, the publication of meeting records with lobbyists, as well as a legislative footprint.

Germany

A draft lobbying bill was introduced by governing “grand coalition” parties in 2020. The bill applies to public officials from both the executive and legislative branches, and proposes the creation of a registration obligation for those who seek influence on the decision-making process. The final draft bill was adopted by the German Bundestag on 25 March 2021 and by the Bundesrat on 26 March 2021. The law will enter into force on 1 January 2022.

Costa Rica

A draft law to regulate the activities of lobbyists in the public administration (“*Ley reguladora de las actividades de lobby en la administración pública*”) was introduced and discussed in Parliamentary Committee in 2019. The draft bill provides definitions of lobbyists, lobbying activities, as well as public officials and decisions targeted. It includes the mandatory registration of public officials’ meetings with lobbyists.

Source: Czech Republic: information provided by Czech Republic during the meeting of Senior Public Integrity Officials (SPIO) in March 2019; Germany: draft lobbying bill ; Costa Rica: information provided by the Procuraduría de la Ética Pública.

37. The Recommendation has also informed debates at the subnational level. For example, the Québec Commissioner of Lobbying used the Principles embedded in the Recommendation to review implementation of the Québec Lobbying Transparency and Ethics Act in 2019 (Québec Commissioner of Lobbying, 2019^[16]).

38. The Recommendation is also informing debates in Adherents considering lobbying laws and regulations (Box 5.2).

Box 5.2. Lobbying laws and regulations currently under consideration in Adherents

Latvia

In 2020, the Government of Latvia adopted Latvia's Open Government National Action Plan, which includes a specific commitment on the “Transparency of interest representation and lobbying”. The commitment aims for the introduction of a new lobbying transparency law by 2021. It also includes activities to raise awareness of lobbying rules and guidelines, such as introducing a training on lobbying for public officials by the Latvian School of Public Administration, and introducing one specific training on lobbying within the Programme for the Development of Senior-level managers.

Luxembourg

In Luxembourg, the Agreement of the Governing Coalition for 2018-2023 includes consideration for introducing a register of interest representatives involved in the legislative process, with a view to increasing the transparency over lobbying activities.

Spain

The Government of Spain recently adopted its IV Open Government Plan (2020-2024). Reinforcing public integrity is one of the primary objectives and line of action of this Plan and, as a result, a bill regulating lobbying activities and establishing a register of lobbyists is expected to be adopted in 2022.

Slovak Republic

The Slovakian Anti-Corruption Policy of the Slovak Republic for 2019-2023 includes an objective to introduce an “effective legal framework for regulating lobbying”.

Source: Latvia: <https://likumi.lv/ta/en/en/id/312544-fourth-national-open-government-partnership-action-plan-of-latvia>; Luxembourg: Agreement of the Governing Coalition 2018-2023 <https://gouvernement.lu/fr/publications/accord-coalition/2018-2023.html>. ; Spain: information provided by the delegates of the SPIO; Slovak Republic: Anti-Corruption Policy of the Slovak Republic for 2019-2023, provided by the delegates of the SPIO.

39. The Recommendation has also informed the Council of Europe Recommendation of the Committee of Ministers to member States on the legal regulation of lobbying activities in the context of public decision making (Council of Europe, 2017^[8]). Similarly, business representatives as well as non-governmental organisations have built on the Recommendation in their efforts related to lobbying. Academics have also used the Recommendation to establish standards to measure the robustness of lobbying regulations (Chari et al., 2019^[9]).

40. Lastly, the Recommendation has also been successfully disseminated to non-Adherents. In particular:

- Whenever the Secretariat conducts reviews of integrity systems (“Integrity Reviews”) in OECD Member and non-Member countries, the Recommendation constitutes the key reference for the chapter on ensuring transparency and integrity in public decision-making processes (e.g. Argentina, Thailand; Slovak Republic);

- One non-Member, Peru, adhered to the Recommendation, and this report includes findings on its implementation in Peru. Other countries, such as Kazakhstan, has requested adherence to the Recommendation.

41. The dissemination activities developed by Adherents and the OECD Secretariat under the auspices of the SPIO have been important in explaining the rationale and the value of the Recommendation to key actors – namely governments, lobbyists and legislators – from Adherents and non-Adherents and in increasing their understanding of the various pillars of the Recommendation.

6. IMPLEMENTATION

6.1. Lobbying in the 21st Century

The following section outlines the current context under which the implementation of the Recommendation on Principles for Transparency and Integrity in Lobbying is being assessed. It highlights how an inclusive and transparent policy-making process conducted with integrity leads to better policies, and how undue influence and the monopoly of influence can actually block progress in all policy areas. The section also shows that lobbying is broader and more complex than the direct communication between a lobbyist and a public official, describes how the importance of lobbying remains underestimated, and how the COVID-19 crisis revealed that undue influence risks persist.

6.1.1. Introduction

42. Lobbying in all its forms, including advocacy and other ways of influencing public policies, is a legitimate act of political participation. It grants stakeholders access to the development and implementation of public policies. Lobbyists, as well as advocates and all those influencing governments, represent valid interests and bring to policy makers' attention much needed insights and data on all policy issues. It is this variety of interests and stakeholders that allow policy makers to learn about options and trade-offs. Such an inclusive policy-making process provides opportunities for more informed and ultimately better policies.

43. However, evidence has shown that policy-making is not always inclusive. At times there may be monopoly of influence by those that are financially and politically powerful, at the expense of those with fewer resources. Inequity in power and lobbying budgets exacerbates the disadvantages of groups lacking in policy engagement capacities and capabilities. Evidence has also shown that policies may be unduly influenced through the provision of biased or deceitful evidence or data, as well as by manipulating public opinion. Public policies that are misinformed and respond only to the needs of a special interest group result in suboptimal policies. Moreover, attempts to influence public policies to interfere with competitors' businesses or secure economic advantages may even be found to be anticompetitive, and therefore illegal.

44. On 18 February 2010, the OECD Council adopted the *Recommendation on Principles for Transparency and Integrity in Lobbying* [[OECD/LEGAL/0379](#) and [C/M\(2010\)3/PROV](#)] (OECD, 2010_[15]) (hereafter 'Lobbying Principles'). The Lobbying Principles were the first international set of guidelines for governments to address undue influence risks as well as inequity in the power of influence. They were part of a broad set of OECD initiatives triggered by the 2008 financial crisis to set standards and principles

for a stronger, cleaner and fairer economy, and to avoid making policy choices in the interests of the more financially and politically powerful.

45. The Lobbying Principles provide decision-makers within Members and non-Members having adhered to it (hereafter “Adherents”), with directions and guidance on how to promote equal access to policy discussions for all parties concerned, how to enhance transparency and foster a culture of integrity (Box 6.1).

Box 6.1. OECD Principles for Transparency and Integrity in Lobbying (extract)

- I. *Building an effective and fair framework for openness and access*
 1. Countries should provide a level playing field by granting all stakeholders fair and equitable access to the development and implementation of public policies.
 2. Rules and guidelines on lobbying should address the governance concerns related to lobbying practices, and respect the socio-political and administrative contexts.
 3. Rules and guidelines on lobbying should be consistent with the wider policy and regulatory frameworks
 4. Countries should clearly define the terms 'lobbying' and 'lobbyist' when they consider or develop rules and guidelines on lobbying.
- II. *Enhancing transparency*
 5. Countries should provide an adequate degree of transparency to ensure that public officials, citizens and businesses can obtain sufficient information on lobbying activities.
 6. Countries should enable stakeholders – including civil society organisations, businesses, the media and the general public – to scrutinise lobbying activities.
- III. *Fostering a culture of integrity*
 7. Countries should foster a culture of integrity in public organisations and decision making by providing clear rules and guidelines of conduct for public officials.
 8. Lobbyists should comply with standards of professionalism and transparency; they share responsibility for fostering a culture of transparency and integrity in lobbying.
- IV. *Mechanisms for effective implementation, compliance and review*
 9. Countries should involve key actors in implementing a coherent spectrum of strategies and practices to achieve compliance.
 10. Countries should review the functioning of their rules and guidelines related to lobbying on a periodic basis and make necessary adjustments in light of experience.

Source: For the full text see [OECD/LEGAL/0379](#) and [C/M\(2010\)3/PROV.](#)

46. In 2014, the OECD issued a first report on the Implementation of the Recommendation of the Council on Principles for Transparency and Integrity in Lobbying [[C\(2014\)7](#)] (hereafter ‘2014 Report’), also published as “Lobbyists, Governments and Public Trust, Volume 3: Implementing the OECD Principles for Transparency and Integrity in Lobbying” (OECD, 2014_[4]). The report concluded that lobbying was an issue that was receiving increased attention and some Adherents were adopting relevant regulations or policies. However, while these efforts had resulted in more risk awareness

and openness on lobbying practices, the approach had been often driven by the pressure of addressing public and political scandals, leaving room for loopholes and weak transparency mechanisms. It had at times also resulted in overshooting, whereby countries had responded by going above and beyond what was needed to address the concerns. The report also showed uneven compliance concerning regulations and policies, and that providing access to the decision-making process to all stakeholders from the private sector and the public at large, beyond specific interests, remained a challenge.

47. The present report takes further stock of the progress that countries have made in implementing the Lobbying Principles. The importance of recognising lobbying as a legitimate tool to influence public policies on the one hand, and the governance risks associated with it on the other, remain as high as ever. This report therefore discusses lobbying in the light of three key pillars of the Lobbying Principles: transparency (section 6.2), integrity (section 6.3), and access (section 6.4). However, beforehand an assessment of the context in which this analysis takes place has revealed that:

- Lobbying is a broad and complex activity.
- Major global challenges are largely influenced by lobbying practices.
- COVID-19 has revealed the weaknesses of governance frameworks against undue influence and monopoly of influence.

6.1.2. Lobbying is a broad and complex activity

48. Lobbying, as a form to influence and inform governments, has been part of democracy for at least two centuries. The term “lobbying” has traditionally been defined as the “oral or written communication with a public official to influence legislation, policy or administrative decisions” (OECD, 2010_[15]). Yet, the avenues by which interest groups influence governments go beyond this definition and have further evolved in recent years, not only in terms of actors or practices involved, but also in terms of the context in which they operate (Benamouzig and Cortinas, 2019_[17]; Mialon, Swinburn and Sacks, 2015_[18]). These actors, practices, and context include:

- **Lobbying activities through contracting with professional lobbying or public relations firms, law firms and self-employed lobbyists mandated to represent an organisation’s interests.** These firms or individuals, usually established in key decision-making hubs, have an in-depth knowledge of policy-making processes in a given country and are able to better navigate institutional complexities. In countries with lobbying regulations, these actors are often referred to as “consultant lobbyists”. These represent the “traditional lobbying” definition.
- **Lobbying directly by companies,** usually through their government affairs or public affairs departments and in-house lobbyists.
- **Lobbying indirectly through industry associations or trade associations.**
- **The provision of contributions to political parties, candidates and electoral campaigns,** including through trade associations and third-party organisations.
- **The increased use of traditional and social media** to shape policy debates, inform, misinform or persuade members of the public to put pressure on policy makers and indirectly influence the government decision making process.
- **The use of gifts and honoraria** to influence indirectly scientists, practitioners and policymakers.

- The movement of public officials, business executives and experts between the public and private sectors (the so called ‘**revolving door**’ phenomenon).
- The influence of special interests through participation in established institutional arrangements such as government **advisory and expert groups, or parliamentary inter-groups**.
- The **influence by foreign commercial and political interests** – including foreign governments and their affiliated organisations such as state-owned companies, state-sponsored NGOs and media groups, and cultural associations – through lobbying and other practices mentioned above.
- The influence of government policies by and through **non-governmental organisations**. Non-governmental organisations (NGOs) are one of the largest and most diverse groups of non-state actors influencing policy-making processes. Their lobbying practices are similar to those of other stakeholders when they seek to increase the salience of a policy issue, notably through research and advocacy. Whether they are grassroots, business-led or government sponsored these organisations receive funds, often from companies, governments or individuals, and represent specific interests and policy positions (Colli and Adriaensen, 2018_[19]).
- Influence through **academic institutions** (universities and university research centres) **or well-known experts and practitioners** that can shape major discussions on key policies and/or produce results favourable to some interests.
- **Influence through think tanks and other policy institutes** to provide knowledge on specific policy issues and propose policy solutions.

49. A key factor to take into account is the 21st century context of information overload, at times contradictory and other times misinformed, and where millions of people are trying to influence public perceptions and governments through avenues such as social media. This has made the lobbying and influence phenomena more complex and more important than ever before. It has created a challenging environment for all public policy issues, resulting in polarisation, reduced trust in institutions and in extreme cases, the rise of populism (Klein and Robison, 2019_[20]). In today’s era of increased availability of information and the use of social media, public officials are subject to a very high level of constant public scrutiny, putting their reputations at risk of misperceptions or misrepresentations. This new context can therefore often restrict governments’ scope of action and policy choices. Companies are similarly confronted with an amplified level of scrutiny, not only from the public but also from shareholders and investors, who increasingly see the lack of transparency over their lobbying and political engagements, and its inconsistencies with their positioning on societal issues, as an investment risk, potentially jeopardising companies’ commercial reputations (PRI, 2018_[21]).

50. In addition to the complex issues and risks associated with lobbying, there is also the perception of increasing policy capture (Edelman, 2020_[22]; Blažek, Forthcoming_[23]), a process by which public decisions over laws, regulations or policies are consistently or repeatedly directed away from the public interest and towards the interests of a narrow interest group (OECD, 2017_[6]). This is already resulting in calls by certain interest groups, usually non-governmental organisations, to exclude entirely other interest groups, such as business, from public policy discussions. This may mean, for instance, excluding the relevant industry in a given policy issue, which goes against the basic tenets of democratic participation.

51. This complexity therefore calls for effective inclusion, transparency and integrity in the policy-making process. To this end, lobbying needs to be understood and addressed in a broader sense to avoid all current loopholes, opaque practices and most importantly, to change public perceptions and increase trust in the policy-making process. Addressing not only the type of policies we need, but also how these policies are informed, designed and shaped by various views, is essential to overcome increased scrutiny and mitigate reputational risks that both governments and businesses are subject to. It will also be key to design and implement the necessary policies to address major global challenges. Enhancing the understanding of lobbying in all its forms, as well as its transparency and integrity, is thus in the shared interest of lobbyists, businesses, policy makers and governments.

6.1.3. Major global challenges are largely influenced by lobbying practices

52. There is widespread concern at all levels of society regarding numerous major global issues, such as widening inequality, the impact of climate change, unequal taxation systems, and challenges posed by social media and the arrival of new technologies. The central role played by lobbying and other influence practices in relation to the way these challenges are addressed remains largely unacknowledged. Depending on how they are conducted, lobbying activities can greatly advance or block progress on these global challenges.

53. Lobbyists can facilitate access for stakeholders into complex government decision-making processes. Their objective is to help companies and other organisations to get their voice heard and influence decisions in parliaments, regulatory agencies and government entities. Lobbying for green cars, for strengthening legislation against online child sexual abuse, or for increasing competition in key economic sectors, are just some of the examples in which lobbying can benefit not only those with a specific interest, but also policy-makers by providing them with additional information, and ultimately benefit society as a whole.

54. Nonetheless, situations of undue influence and inequity in influence power or monopoly of influence can also result in significant negative consequences for societies. New evidence regularly emerges showing that the abuse of lobbying and other influence practices is blocking progress in many public policy areas. Studies increasingly show that lobbying and other influence practices conducted without transparency and integrity, and without the involvement of a broad group of stakeholders, has led to the misallocation of public resources, reduced productivity and perpetuated social inequalities (OECD, 2017^[6]). One of the most widely documented cases is that of the tobacco industry who, through deceitful lobbying practices, weakened the scientific consensus against smoking and succeeded in delaying more restrictive regulations by decades (Oreskes and Conway, 2010^[24]). Deceitful, misleading and non-transparent lobbying, as well as revolving door practices that led to deregulation of high-risk activities, were also partly at the origin of the 2008 financial crisis (Igan and Lambert, 2019^[1]; Igan and Mishra, 2014^[2]).

55. It has also been shown that lobbying has had a profound impact on the progress (or lack thereof) of climate policies to reduce greenhouse gas emissions. A similar situation has arisen in the health and obesity policy area, as well as food agricultural policies (Box 6.2).

Box 6.2. Lobbying has a profound impact on the outcome of public policies

Lobbying against regulations designed to combat climate change

An analysis of a major oil and gas company's internal documents and communications between 1977 and 2014 found that, while its own research acknowledged that climate change was caused by human activity, the company engaged in several practices, notably publishing op-eds in newspapers, to create doubt, influence the public opinion and reduce regulatory pressures.

Research has shown that lobbying from companies engaged in the fossil fuel value chain, including coal, automotive, heavy industry and utilities, is a key contributing factor to blocking action by governments globally to implement regulations on climate change, in line with the 2015 Paris Agreement (Influence Map, 2020^[25]). In particular, lobbying has hindered the EU's flagship Emissions Trading Scheme since its introduction in 2005 (Influence Map, 2017^[26]), climate rules on vehicles have been undermined by industry lobbying (Influence Map, 2018^[27]), and lawsuits from industry groups in 2015-2016 halted the US Clean Power Plan (Influence Map, 2019^[28]).

Lobbying to create doubt on obesity and health

A review of strategies to oppose a tax on sugar-sweetened beverages shows that industry actors funded multiple studies refuting the link between the consumption of their products and negative health outcomes (Du et al., 2018^[29]).

In another case, publications resulting from industry-sponsored research, conducted with university-based researchers, appeared to skew the evidence towards solutions that favour the industry's interests. The research diverted public and policy attention towards sedentary behaviours and a lack of physical activity as the main cause of obesity, instead of the consumption of highly processed food or sugar-sweetened beverages (Fabbri, Holland and Bero, 2018^[30]). Similarly, a think tank that received undisclosed voluntary donations from organisations linked to the tobacco and food and beverage industries, published a report arguing that a lack of physical activity was driving the obesity epidemic, rather than excess calories (Malhotra, Schofield and Lu, 2018^[31]).

The Chinese branch of an international science organisation funded by major beverage and food companies, chaired by a local nutritionist reputed to have powerful connections in the central government, became the leading sponsor of obesity research and policy-making in the country. From 1999 to 2015, China's obesity science and policy shifted markedly toward physical activity, as the organisation's influence in China increased (Greenhalgh, 2019^[32]).

Lobbying for policies benefiting farm interests

A literature review on the political economy of agricultural public policies found that policies affecting the incomes of agricultural producers in both the developing and the developed world show a number of systematic patterns which are difficult to explain as a socially optimal response to market failures. Instead, the outcome of these policies are best understood as the result of pressures exerted by various interest groups, including coalesced food processing and farm interests, on agricultural policies (Anderson, Rausser and Swinnen, 2013^[33]; OECD, 2021^[34]).

Source: Climate change: (Supran and Oreskes, 2017^[35]) and (Influence Map, 2017^[26]; 2018^[27]; 2019^[28]; 2020^[25]); Health and obesity: (Du et al., 2018^[29]; Fabbri, Holland and Bero, 2018^[30]; Malhotra, Schofield and Lu, 2018^[31]); Agriculture: (Anderson, Rausser and Swinnen, 2013^[33]; OECD, 2021^[34]).

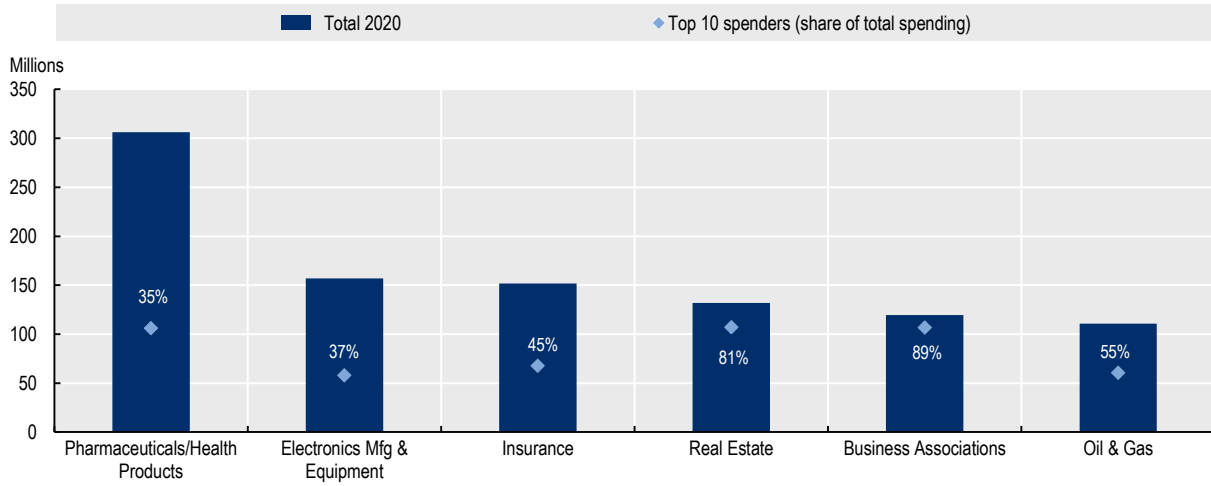
56. The abuse of lobbying practices also has a widespread impact on the economy as a whole. Influencing the policy-making process by only promoting special interests may either result in abandoning the necessary regulations needed to correct market failures or distortions, or may lead to excessive regulation to protect incumbents, resulting in reduced competition and less economic growth and job creation. Evidence from cross-country and firm-level research suggests that companies from higher regulated sectors tend to be more engaged in lobbying than companies from export-oriented or more competitive markets. This could indicate that incumbent companies in these higher regulated markets may lobby government policies to maintain these regulations, that distort markets against policy initiatives that seek to increase competition, promote inclusiveness and could therefore reduce the incumbents' excess rents (Dellis and Sondermann, 2017^[36]; Laboutková and Staňková, 2016^[37]). For example, an analysis of lobbying in Europe showed that international institutions, such as the European Commission or the European Central Bank, found that product market reforms in countries under economic adjustment programmes were unsuccessfully implemented, given the strong resistance from vested interests (Dellis and Sondermann, 2017^[38]).

57. Likewise, lobbyist may attempt to influence standardisation and certification bodies in adopting standards that businesses competing with the lobby cannot meet, and therefore unlawfully delay or stop competitors from entering specific markets. As such, lobbying has an impact on competition and hence on productivity, innovation and growth. The existence of rules for engaging stakeholders in the design of new regulations and for ensuring transparency of lobbying activities have become key indicators to measure the quality of regulations in terms of their ability to foster competition. For example, the OECD Product Market Regulation (PMR) indicators acknowledge that the lack of rules in these areas may favour lobbying activities by incumbents and firms with greater resources, which can distort the regulatory design process at the expense of new entrants and smaller firms (Vitale et al., 2020^[39]).

58. Moreover, it should also be noted that lobbying is more significant in some sectors than others. For example, nearly a third (28%) of total corporate lobbying spending at the federal level in the United States in 2020 was shared among corporate interests in the pharmaceutical, electronics, insurance, real estate, and oil & gas industries, as well as business associations. Among these industries, the top ten spenders can make up to 90% of the total lobbying spending (Figure 6.1).

Figure 6.1. Lobbying spending is highly concentrated among key sectors

Top 6 industries in total lobbying spending, and top 10 spenders (share of total spending)

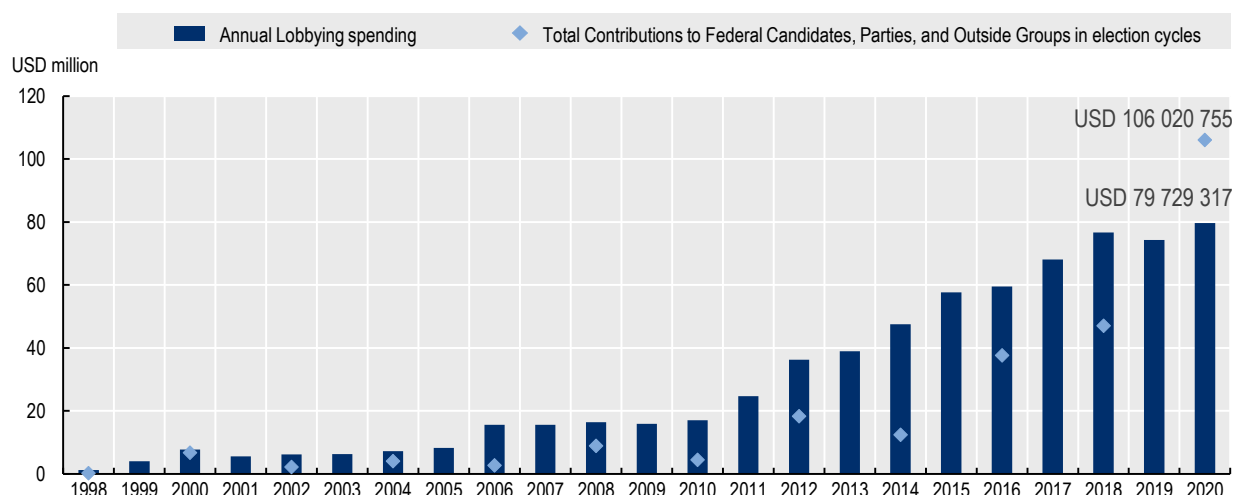


Note: Data shows lobbying spending by client/parent companies (i.e. the ultimate beneficiaries of lobbying activities). The pharmaceutical and health products industry includes drug manufacturers, dealers of medical products and nutritional and dietary supplements; the electronics manufacturing and equipment industry develops software and hardware computer technologies; the insurance industry includes health, life, property and car insurance companies; the business associations grouping includes small business, pro-business and international trade associations, as well as chambers of commerce.

Source: Calculations by the Center for Responsive Politics, based on data from the Senate Office of Public Records.

59. Similarly, evidence from lobbying registers and the publication of public officials’ agendas shows that lobbying on digital issues is the policy issue with the least diversity of stakeholders concentrated in a handful of companies (Transparency International, 2018^[40]). Big-tech companies have significantly increased their lobbying spending in recent years to become a large lobbying spender in key “hubs” such as Washington and Brussels, to influence policy debates such as taxation, net neutrality, consumer privacy, data protection and competition (Hart, 2011^[41]; Minjeong, Joo Chung and Hyun Kim, 2011^[42]; Tzur, 2019^[43]). In the United States for example, lobbying spending in the technology sector increased by 412% between 2010 and 2020. The top five spenders represented nearly three-quarters (73%) of the sector’s total spending in 2020 (Figure 6.2). In the European Union, digital issues were also among the most targeted portfolios of EU Commissioners during 2014-2019 (Figure 6.3). While this is a legitimate and expected development, as it will lead to better informed policies in this field, it also comes with the above-mentioned risks.

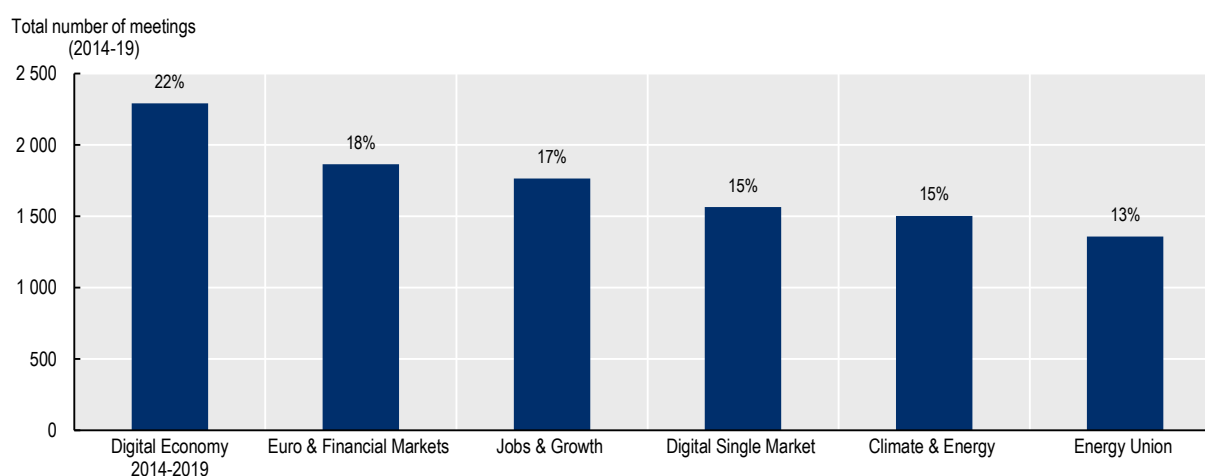
Figure 6.2 Lobbying and campaign spending of actors in the technology sector in the United States (1998-2020)



Note: Calculations were made by the Center for Responsive Politics based on data from the Senate Office of Public Records (lobbying) and the Federal Election Commission (campaign spending). Data comes from the “Internet” category of the Center for Responsive Politics’ OpenSecrets database.

Source: Center for Responsive Politics, OpenSecrets.org.

Figure 6.3. Most targeted portfolios in European Commission meetings with lobbyists (2014-19)



Note: Data represents the top 6 portfolios of European Commissioners by the number of lobby contacts they have had.

Source: Transparency International, Integrity Watch, <https://www.integritywatch.eu/>.

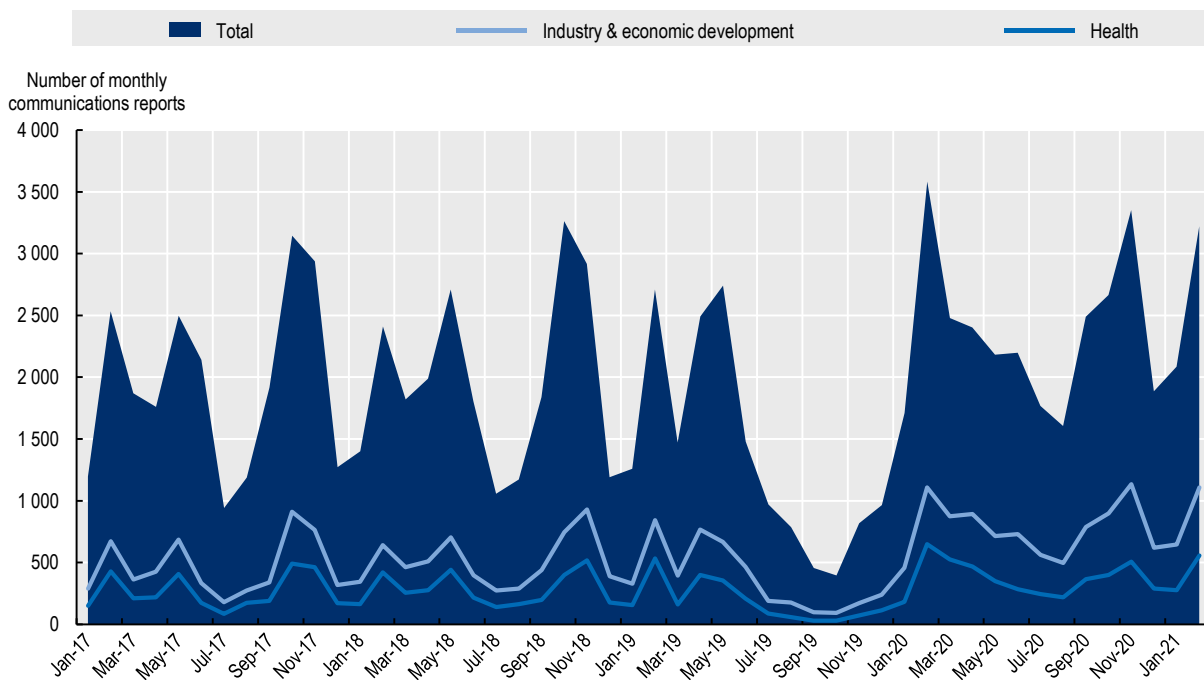
60. Despite the general understanding of the overall risks that lobbying poses to the economy and across all policy areas, these risks seem to be underestimated, since they are rarely part of the considerations when implementing reforms in different policy areas. Similarly, only a minority of countries globally have taken action to address those risks in their governance arrangements. As shown in this section, given the deep and widespread impact of lobbying in all policy areas, delivering on the Sustainable Development Goals (SDGs) by 2030 will require governance frameworks that ensure that lobbying activities are made more transparent, resulting in increased access for all stakeholders to influence the design and implementation of public policies. This will also be key to ensure an

evidence-informed approach that maintains trust in policy-making processes for the design, implementation, and evaluation of public interventions and policies (OECD, 2020^[44]).

6.1.4. COVID-19 has revealed the weaknesses of governance frameworks against undue influence and monopoly of influence.

61. Information available from lobbying registers and media reports shows that influence and lobbying activities related to COVID-19 increased considerably during the first months of the crisis (Olson et al., 2020^[45]). For example, lobbying activities in Canada showed a marked increase at the outset of the crisis in February and March 2020 compared to the same period in 2019. The number of communications reports, which lobbyists are required to disclose on a monthly basis to provide information on their activities, totalled 3 534 in February 2020, the highest number recorded in 2020 (an increase of 30% compared to February 2019). March 2020 also saw a significant increase compared to March 2019 (+75%), and with an increase of 227% of registered activities related to health issues compared to March 2019 (Figure 6.4).

Figure 6.4. Monthly communications reports from lobbyists showed a marked increase in the early months of the COVID-19 crisis in Canada



Note: Data refers to the number communication reports, which lobbyists are required to file on a monthly basis. The monthly communications report include the objectives of the lobbying activities as well as the public officials and policies targeted.

Source: Data retrieved from the Canadian Registry of Lobbyists (<https://lobbycanada.gc.ca/en/>) and (Office of the Commissioner of Lobbying of Canada, 2020^[46]).

62. This is understandable. The participation of businesses and other stakeholders most affected by the crisis in the development and implementation of policies related to emergency measures, economic relief packages and reopening plans, is to be expected and brings valuable information to policy makers. However, in the wake of the COVID-19 crisis, not all interested stakeholders and affected organisations had the opportunity to influence government action. With limited consultations and nearly all physical meetings

postponed for several months, the early period of the COVID-19 crisis created a highly advantageous environment for stakeholders that could rely on experienced and connected lobbyists who already had access to key decision makers, and were able to maintain long-established relationships through phone calls, webinars, emails and instant messages (Gonzalez, 2020_[47]). Early evidence suggests that stimulus packages could have created advantages for businesses that had existing relationships with lenders and sufficient resources to navigate institutional and administrative complexities (Warmbrodt, 2020_[48]; Tankersley, Cochrane and Flitter, 2020_[49]). Other activities focused on advancing positions that some interest groups had been pushing before the crisis, indicating that previous progress in certain areas could be reversed during the recovery (Vogel, 2020_[50]).

63. In turn, stakeholders with fewer financial resources were not able to balance the inputs of those who were better financed or more politically connected. There is a risk that unbalanced influence leads to inefficient programmes, or that unbalanced stimulus packages ultimately undermine effective economic recovery in the longer-term. Experience from recovery processes following a crisis suggests that lobbying activities of powerful interests with closer connections to policy makers and regulators can lead to important biases in policy responses, to the detriment of effective public policy making. In particular, examples from previous crises that were followed by economic stimulus packages show that businesses that conducted strong lobbying activities were not only more likely to receive support in times of economic distress, they also received a greater amount of support and within shorter timeframes than those that were not politically involved (Blau, Brough and Thomas, 2013_[51]). In some countries, political connections tended to influence the allocation of financial assistance, and following the bailout, politically connected companies underperformed relative to non-connected ones (Faccio, Masulis and McConnell, 2007_[52]; Igan and Lambert, 2019_[11]). Evidence has shown that biased stimulus packages and policy decisions have a negative impact on the resilience of societies and economies after a crisis (Hansen, 2012_[53]).

64. Moreover, in dealing with the varied complexities of the pandemic, many governments have established ad-hoc institutional arrangements to provide scientific advice and technical expertise guiding their immediate responses and recovery plans (OECD, 2020_[54]). During crises, when urgency is a priority, appointed experts and advisors may exert significant influence over policy-making processes (OECD, 2015_[55]). While their expertise can bring legitimacy and credibility to advisory processes, it also poses integrity risks, such as potential conflicts of interests, the influence of private interests on some of the experts or advisors participating in these ad-hoc institutional arrangements, the direct participation of private sector representatives in these groups, as well as the under or over-representation of certain interests. These risks can be further exacerbated by reduced transparency, as governments have not always publicly disclosed how decisions were made.

65. The COVID-19 crisis has understandably created a tension between the need for rapid decision making to deliver urgent solutions, against the need for an inclusive approach to policy decisions. The crisis has revealed already existing weaknesses in governance frameworks, including those related to lobbying, inequity of influence and undue influence. As shown in the following sections, early observations confirm that countries that had in place a regulatory framework for enhancing transparency of lobbying activities and policy making more generally, were able to ensure a higher degree of accountability in policy decisions during the crisis.

6.2. Transparency

This section assesses the level of implementation in Adherents and other respondents to the 2020 Survey on Lobbying of the transparency principles of the Recommendation on Principles for Transparency and Integrity in Lobbying. It highlights the current challenges faced by governments to enhance transparency and public scrutiny of the policy-making process. The findings show that in the majority of countries, there is limited transparency on the targets of lobbying activities and on the actors conducting lobbying activities, and that information disclosed is not sufficient to allow for public scrutiny. The chapter also shows that more transparency is needed in all the forms of influencing the policy-making process, and notes how compliance can be promoted through engagement with lobbyists and the use of digital tools. It also finds that there is limited audit and review of the rules and guidelines on lobbying.

6.2.1. Introduction

66. Transparency is the disclosure and subsequent accessibility of relevant government data and information (OECD, 2017^[14]). The OECD Recommendation of the Council on Principles for Transparency and Integrity in Lobbying [[OECD/LEGAL/0379](#)] (hereafter ‘Lobbying Principles’) states that Adherents “should provide an adequate degree of transparency to ensure that public officials, citizens and businesses can obtain sufficient information on lobbying activities” (Principle 5) (OECD, 2010^[15]). Transparency is therefore a tool to enable public scrutiny of the public decision-making process. As such, adherents are encouraged to “enable stakeholders – including civil society organisations, businesses, the media and the general public – to scrutinise lobbying activities” (Principle 6) (OECD, 2010^[15]). When designing rules or guidelines on lobbying, notably to provide transparency and enable public scrutiny, Adherents are asked to “clearly define the terms ‘lobbying’ and ‘lobbyist’ when they consider or develop rules and guidelines on lobbying” (Principle 4).

67. In addition, transparency requirements cannot achieve their objective unless regulated actors comply with them and oversight entities effectively enforce them. The Lobbying Principles therefore encourage Adherents to implement a “coherent spectrum of strategies and mechanisms” to ensure compliance with transparency measures (Principle 9). The Lobbying Principles also call on Adherents to review the functioning of their rules and guidelines related to lobbying on a periodic basis and make necessary adjustments in light of experience (Principle 10).

68. The 2014 report monitoring the implementation of the Lobbying Principles acknowledged that implementing transparency measures was needed to foster trust in public decision making, reduce actual or perceived problems of influence peddling by lobbyists and restore the integrity of lobbying professions. Governments regulating lobbying had commonly chosen public registers as key components of transparency schemes, but the amount and type of information disclosed and made available varied. Although financial disclosure was seen as crucial by lobbyists and legislators, filing contributions to political campaigns, along with other lobbying information, was required by only two lobbying registers, and only one register made the information publicly available. In general, Adherents struggled to operate efficient disclosure tools and mechanisms that ensured informed decision making and transparent lobbying. Most of the lobbyists surveyed said that government sanctions were either non-existent or non-deterrent, leaving little or no incentives to comply with regulations. (OECD, 2014^[4]).

69. Since then, transparency in lobbying activities through disclosure of and access to lobbying information has increased. In 2020, 18 countries have public registries with information on lobbyists and/or lobbying activities. Some countries have placed the onus on the public officials by requiring them to disclose information on their meetings through so-called “open agendas”. Nine of the 18 countries indicated they require certain public officials to make their agendas public or disclose their meetings with lobbyists. However, levels of transparency vary across countries, and some of the measures in place provide only limited transparency on the influence process. The following findings point to where more attention is needed:

- There is limited transparency on the targets of lobbying activities.
- There is limited transparency on who is conducting lobbying activities.
- More transparency is needed in all forms of influence.
- Information disclosed is usually incomplete and does not allow for public scrutiny.
- Engagement with lobbyists and digital tools are used to promote compliance.
- There is limited audit and review of the rules and guidelines on lobbying.

6.2.2. There is limited transparency on the targets of lobbying activities

70. Policy making takes place in a variety of public entities in all branches and levels of government. Therefore, it is key that transparency is provided on policy makers or decision makers, regardless of where the policy maker sits. It is a complex task to implement this principle in practice, given the different governance arrangements in countries, and levels of independence or autonomy between branches and levels of government. As a result, there is limited transparency on all the officials who are target of lobbying activities, more specifically:

- Only a few countries are transparent about lobbying activities targeting all branches of government.
- Transparency is still the exception at the subnational level.

Only a few countries are transparent about lobbying activities targeting all branches of government

71. The Lobbying Principles specify that disclosure requirements should point to public offices that are the target of lobbying activities. It is now widely accepted that while lobbying often focuses on the legislative branch, it also takes place in the executive branch, for example, to influence the adoption of regulations or the design of programmes and contracts. However, only a few countries provide some transparency in both branches (Table 6.1).

72. In addition, over the past decade courts and judicial means have been increasingly relied upon to address core public policy issues (Hirschl, 2011^[56]). Through their jurisprudence or in their role as arbiters of conflict, courts are frequently asked to determine public policy outcomes in policy areas such as constitutional rights protections, trade and commerce, national security, labour or environmental protection. As such, the judiciary branch – including both judges and prosecutors – can also be subject to lobbying strategies over specific decisions with large-scale societal impact. Similarly, influence strategies can also try to target the appointment of judges to secure specific judicial outcomes to the advantage of the interest represented. However, only four countries provide some level of transparency to lobbying activities targeting the judiciary (Table 6.1).

Table 6.1. Transparency of lobbying activities in the three branches of government

	National Executive Branch	Lower house of Parliament	Upper house of Parliament	National judiciary branch	Name of lobbying transparency tools	Legislative framework/Regulation
Australia	•	○	○	○	Australian Government Register of Lobbyists	The Lobbying Code of Conduct (2008)
Austria	•	•	•	•	Lobbying and Advocacy Register	Federal Law No. 64/2012 on the Transparency of Lobbying and Advocacy Activities (LobbyG)
Belgium	○	•	○	○	Register of Lobbyists	Rules of Procedure of the Chamber of Representatives (Art. 163)
Brazil	○	○	○	○	None	None
Canada	•	•	•	○	Registry of lobbyists	The Lobbying Act (2008) and its related regulations
Chile	•	•	•	○	Register of meetings, hearings, travels and gifts	Act No. 20/730 regulating lobbying and representations of private interests to authorities and civil servants
Colombia	○	○	○	○	None	None
Costa Rica	○	○	○	○	None	None
Czech Republic	○	○	○	○	None	None
Denmark	○	○	○	○	None	None
Estonia	○	○	○	○	None	None
Finland	○	○	○	○	None	None
France	•	•	•	○	Register of Interest Representatives	Act No. 2016/1691 on transparency, the fight against corruption and the modernisation of the economy (Title II: Transparency of relations between interest representatives and public authorities, Art. 25-33)
Germany	•	•	○	○	Lobby Register	Law introducing a Lobby register for lobbying vis-à-vis the German Bundestag and the Federal government (<i>Lobbyregistergesetz</i>)
Greece	○	○	○	○	None	None
Hungary	•	○	○	○	Employees of public administration bodies must disclose their meetings with lobbyists to their superior	Government Decree 50/2013 on the system of integrity management at public administration bodies and the procedural rules of receiving lobbyists (II. 25.)
Ireland	•	•	•	○	Register of Lobbying	Regulation of Lobbying Act of 2015
Iceland	•	○	○	○	Lobbying register Legislative footprint with information on the participation of private parties in the drafting of a Government Bill	Act No. 64/2020 (Prime Minister's bill) on Conflicts of Interest in the Government Offices of Iceland.
Israel	○	•	○	○	List of lobbyists on the Knesset's website	Knesset Law, 57-541994, Chapter 12 (Amendment 27 "Regulating the actions of lobbyists")
Italy	○	•	○	○	Register of interest representatives	Regulation of interest representation activities in the offices of the Chamber of Deputies, and associated guidelines
Japan	○	○	○	○	None	None
Korea	○	○	○	○	None	None

	National Executive Branch	Lower house of Parliament	Upper house of Parliament	National judiciary branch	Name of lobbying transparency tools	Legislative framework/Regulation
Latvia	•	○		○	Footprint if the proposal expressed by the lobbyist is considered	Cabinet Regulation No. 1 "Values of State Administration and Fundamental Principles of Ethics" (Chapter 3 "Open Communication with Lobbyists")
Lithuania	•	•		•	Lobbying Register	Law No. VIII-1749 on Lobbying Activities
Luxembourg	○		•	○	Legislative footprint limited to contributions from lobbyists made during Parliamentary commissions	Code of Conduct for Members of Parliament relating to financial interests and conflicts of interest (Article 5 "Rules on Lobbying")
Mexico	○	•	•	○	Lists of Lobbyists	Rules of Procedure of the Chamber of Deputies (Articles 263-267) Rules of Procedure of the Senate (Articles 298-299)
Netherlands	○	•	○	○	Voluntary register of lobbyists/advocates of the House of Representatives	None
New Zealand	○		○	○	None	None
Norway	○		○	○	None	None
Peru	•		•	•	Register of Visits	Law No. 28024 regulating the management of interests in the public administration, and associated decrees (2003)
Poland	•	•	•	○	Register of entities performing professional lobbying activities Lists of registered persons as administered by the Sejm and the Senate Legislative footprint of documents sent to Committees of the Sejm and the Senate Public organisations' annual review of meetings with lobbyists	Act on Legislative and Regulatory Lobbying (2005) Standing Orders of the Sejm (Article 201b-c) Senate regulations (Articles 8-16a, 37b, 60-2a, 63-3)
Portugal	○		○	○	None	None
Romania	•	○	○	○	Voluntary Unique Interest Groups' Transparency Register Agenda of decision makers	Memorandum for creating a Unique Interest Groups Transparency Register (2016)
Slovak Republic	○		○	○	None	None
Slovenia	•	•	•	•	Register of lobbyists Public officials' meetings with lobbyists	Integrity and Prevention of Corruption Act of 2010 (Title VIII. Lobbying)
Spain	•	•	•	○	Agenda of the members of the Government Agendas of Deputies and Senators, including meetings with interest groups	Code of Conduct for Members of the Congress and the Senate (2020)
Sweden	○		○	○	None	None
Switzerland	○	○	○	○	None	None
Turkey	○		○	○	None	None

	National Executive Branch	Lower house of Parliament	Upper house of Parliament	National judiciary branch	Name of lobbying transparency tools	Legislative framework/Regulation
United Kingdom	•	○	○	○	Register of Consultant Lobbyists Ministerial diaries Meetings of Special Advisers	Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act (2014) Ministerial Code (Article 8.14 "Meetings with external organisations") Code of Conduct for Special Advisers (Article 15)
United States	•	•	•	○	Reporting of Lobbying Activities and certain contributions	Lobbying Disclosure Act of 1995
• Yes	18	18	14	4		
○ No	23	23	27	37		

Source: OECD 2020 Survey on Lobbying and additional research by the OECD Secretariat.

73. Transparency measures usually place the burden of disclosure on lobbyists through a lobbying registry. An alternative, and sometimes additional approach taken is to place the onus on the public officials that are being targeted by lobbying activities, by requiring them to disclose information on their meetings with lobbyists, either through a registry (Chile, Peru, and Slovenia), open agendas (Spain, United Kingdom, European Union) and/or by requiring public officials to disclose their meetings with lobbyists to their superiors (Hungary, Latvia, Slovenia).

74. An open agenda can include information about a public official's meetings, the date and time, the stakeholders they met with and the purpose of the meeting. In countries combining both lobbying registers and open agendas (e.g. the United Kingdom and Romania), cross-checking agendas and lobbying registers may provide an opportunity to analyse who tried to influence public officials and how (Box 6.3). In other countries, agendas are made available upon request or under specific circumstances. In Norway, the Ombudsman stated that the right of inspection includes access to Ministers' personal agendas (Sivilombudsmannen, 2017^[57]).

Box 6.3. Open agendas of key public officials targeted by lobbying activities increase transparency across branches of Government

Available diaries in the United Kingdom

In the UK, the Ministerial Code requires Cabinet Ministers to make their ministerial diaries available to the public. The relevant Department publishes them on a quarterly basis. The information details Ministers' external meetings and any meeting with newspaper and other media proprietors, editors and senior executives regardless of the purpose of the meeting. The Code of Conduct for Special Advisers also requires special advisers to disclose meetings with newspaper and other media proprietors, editors and senior executives on a quarterly basis.

The Office of the Registrar of Consultant Lobbyists cross-checks lobbyists registered with ministerial open agendas to monitor and enforce compliance with the requirements set out by the Transparency of Lobbying Act.

Open agendas initiatives in Spain

In Spain, since 2012, the agendas of elected members of the Government are published online, on the Government website. The agenda lists daily the visits, interventions or meetings in which members of the Government participate. Each item discloses at least:

- The minister in charge, and other minister(s) assisting.
- The time of the meeting.
- The organisation met or visited.

In October 2020, the Boards of both Houses of the Spanish Parliament adopted a Code of Conduct for members of the Congress and the Senate, which requires the publication of the Senators' and Deputies' agendas, including their meetings with interest representatives. An agenda section is available on the webpage dedicated to each deputy.

Open agendas in Romania

In Romania, decision makers targeted by lobbying activities must publish their daily agenda and meetings with legal entities, highlighting those that are registered in the Interest Groups Transparency Register of RUTI.

Source: OECD 2020 Survey on Lobbying; Information shared by HM Government (United Kingdom) in the framework of the OECD PMR, 2018.

75. At the EU Level, transparency over lobbying activities is provided through both a voluntary register of lobbyists and the publication of agendas of key EU public officials. The Interinstitutional Agreement between the European Parliament and European Commission on the Transparency Register established a register designed to provide information about lobbying activities targeting the European Commission and Parliament. While registration is voluntary, in practice, each institution applies its own rules defining conditionalities related to registration. For example, the Commission's transparency policy requires Commissioners and those directly responsible for advising them (Cabinet members, Directors-General and Heads of Service) to publish information on meetings held with interest representatives, and must refuse to meet with lobbyists that are not registered in the Transparency Register. Since 31 January 2019, the Rules of Procedure of the European Parliament require Members of the European Parliament (MEPs) playing a leading role in drafting and negotiating legislation, to publicly publish their scheduled meetings with interest representatives and are urged not to meet with unregistered lobbyists. This rule affects rapporteurs, shadow rapporteurs, and committee chairs of the European Parliament. Other MEPs are also encouraged to “adopt a systemic practice” to only meet with interest representatives registered in the Transparency Register, and to publish information on such meetings online. And lobbyists must be registered if they want to access Parliament premises, participate in parliamentary committees and intergroups.

76. More recently, on 15 December 2020, the European Parliament, the Council of the European Union and the European Commission reached an agreement to reinforce the transparency register. Meetings of lobbyists with the Secretary-General and Directors General of the General Secretariat of the Council will be conditional on being registered on the Transparency Register. In addition, several Member States will apply this principle to meetings with their permanent representations when exercising the Presidency of the Council of the EU (once every 13 years) and the six months preceding it (Table 6.2). The Transparency Register will be open to the voluntary participation of other EU institutions,

bodies, offices and agencies, as well as of the Member States' permanent representations to the Union. The official signature of the agreement and entry into force was foreseen for the spring of 2021, following formal adoption by the three institutions.

Table 6.2. EU Public officials covered by transparency requirements on their interactions with lobbyists in the new Inter-Institutional Agreement

	European Parliament		European Commission		Council of the European Union	
	Head of Institution	European Parliament President	Voluntary transparency	President of the European Commission	Mandatory transparency	President of the Council of the European Union
Heads of administration	Secretary General, Secretary generals of political groups	No transparency	Secretary General, Directors General	Mandatory transparency	Secretary General, Directors General	Mandatory transparency
Negotiators on EU legislation	MEPs who are rapporteurs or committee chairs	Mandatory transparency	Commissioners, Directors General	Mandatory transparency	Acting presidency	Voluntary transparency
Negotiators for positions for legislative negotiations	MEPs who are shadow rapporteurs	Mandatory transparency	Directors Generals and Commissioners' cabinets	Mandatory transparency	Staff of permanent representatives participating in Council working groups	No transparency
Assistants to draft internal negotiations	Accredited Parliamentary Assistants, Group advisers	Voluntary transparency	Heads of Unit, and below	No transparency	Staff of national ministries preparing EU positions	No transparency

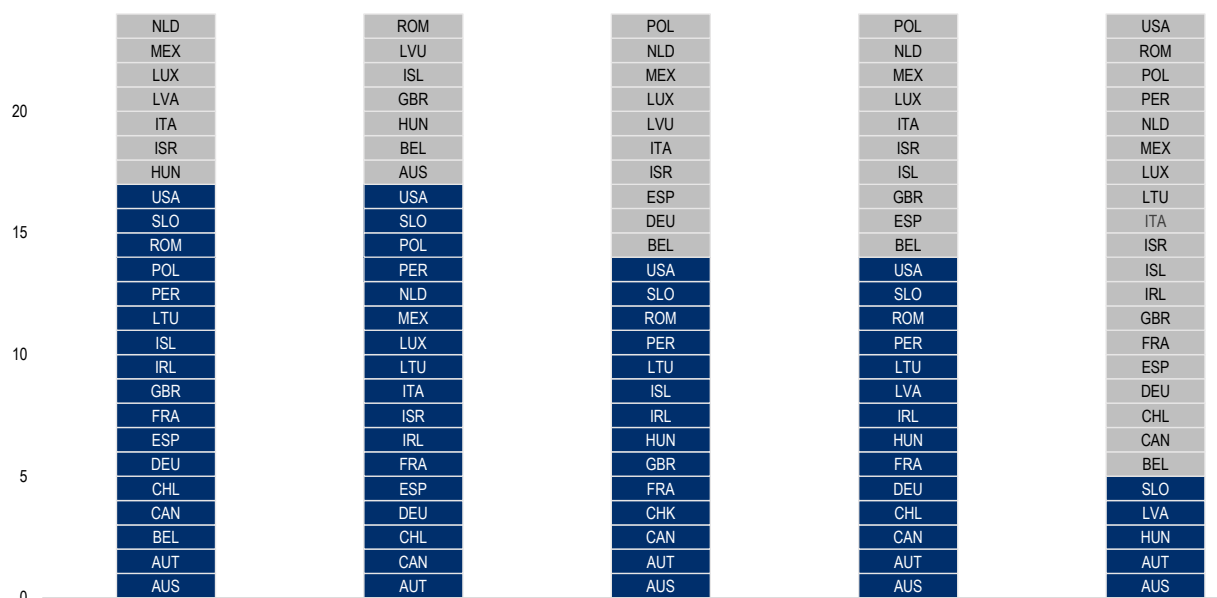
Note: "Mandatory transparency" means that lobbying activities targeting officials in this category triggers a mandatory transparency requirement (i.e. the lobbyist must register to meet the targeted public official and/or the official must publish his/her meetings with lobbyists); "Voluntary transparency" means transparency is encouraged and voluntary; "No transparency" means there is no transparency requirement

Source: Information provided by M. Daniel Freund, MEP. OECD 2020 Survey on Lobbying, (Joint Transparency Register Secretariat, 2020^[58]; European Parliament, 2019^[59]).

77. Even if transparency measures related to lobbying are applicable to one or more branches of government, this does not mean that everybody in that branch is bound by transparency obligations. Disclosure requirements may differ depending on the level of seniority of the public official or the type of decisions targeted (Table A A.1). In countries with transparency frameworks, ministers and Members of Parliament are usually covered by transparency measures (Figure 6.5). The design, amendment and/or enforcement of legislation (whether discussed at the executive or legislative level) is also commonly considered as a target of lobbying activities, followed by the government decisions or programmes, and the awarding of public contracts, funding or any other benefit. In France and the United States, the appointment of certain public officials is also considered as a type of decision targeted by lobbying activities and thus covered by transparency requirements.

Figure 6.5. Ministers and Members of Parliament are usually covered by the requirements of lobbying regulations

Countries with a lobbying transparency framework



Source: Additional research by the OECD Secretariat.

78. Transparency measures have also been implemented at the organisational level to address the particular risks that organisations face when interacting with specific interests. Across countries, some regulatory agencies, ministries and institutions adopted their own transparency tools (Box 6.4).

Box 6.4. Lobbying transparency measures at the organisational level

The National Markets and Competition Commission in Spain set up its own Register of Lobbyists

In Spain, the National Markets and Competition Commission (CNMC) has adopted its own “Resolution to create the Register of Interest Groups”, considering that its relationship with special interests must be transparent, supported by control mechanisms, and allowing citizens to know to what extent interest groups’ actions contributed to influencing the CNMC’s decisions. Registration is done on a voluntary basis and accompanied by rules of conduct for interest groups. The register is complemented by the publication of meetings that CNMC directors and members of the CNMC Council have with interest groups.

The French Health Transparency Database

In 2011, France introduced new transparency requirements for health professionals and pharmaceutical companies who have to disclose their ties in a specific registry. The information is aggregated and made publicly available on an online database called “*Transparence Santé*” where doctors, medical students, and scientific societies have to disclose any gifts or benefits (meals, transport and accommodation, equipment) they receive from pharmaceutical companies; and pharmaceutical companies have to

disclose remunerations to any health actor (professional or legal entity) for a work or service.

Line Ministries in Latvia publish their meetings with lobbyists

The Latvian Ministry of Environmental Protection and Regional Development and several other agencies publish basic information on contacts with lobbyists online, based on an internal code of ethics, which includes a dedicated section on “rules of ethical conduct in communication with lobbyists”.

Line Ministries in Italy have established their own Register of Lobbyists

In Italy, the Directive of 24 September 2018 established a lobbying register for the Ministry of Economic Development and the Ministry of Labour and Social Policies.

The Italian Anti-Corruption Authority publishes its meeting with external stakeholders

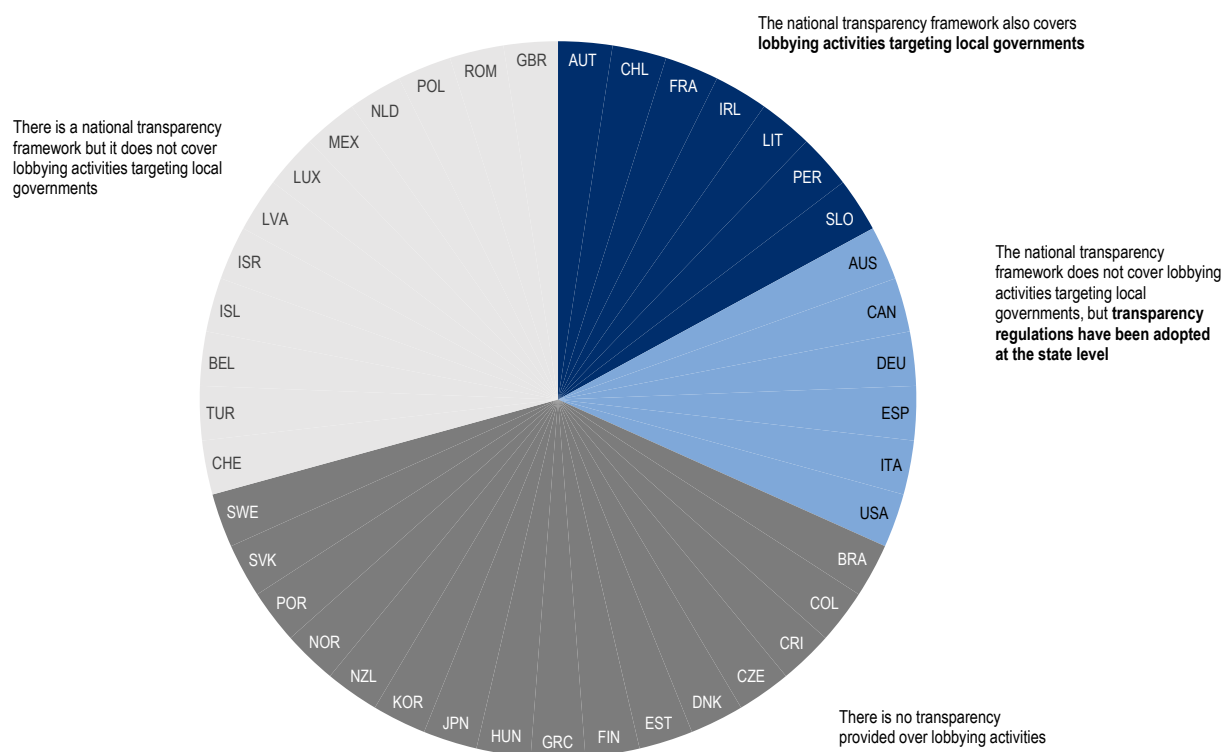
In Italy, the Anti-Corruption Authority (ANAC) publishes weekly agendas of meetings between key decision makers of the authority (President, members of the authority’s Council, Secretary-General and senior managers) with external stakeholders. Agendas are published online and contain information on the purpose of the meetings, the date and time, the names of persons present at the meeting, the topics of discussion, as well as any document transmitted. Agendas are published on the authority’s website under a “Transparent Administration” section.

Source: OECD 2020 Survey on Lobbying, France : (Conseil Constitutionnel, 2019^[60]) ; Latvia : List of lobbyists (https://www.varam.gov.lv/sites/varam/files/content/files/etikas_kodekss_2020_final.pdf) and Code of Ethics (<https://www.varam.gov.lv/lv/par-lobetaju-sniedzamie-dati>).

Transparency is still the exception at the subnational level

79. Many significant public decisions covering important parts of the welfare system and public services such as social services, health care and education, as well as land use, housing, planning and infrastructure issues and environmental protection, are made at the subnational level. Therefore, all known risks related to the influence of government decision making are applicable to subnational governments particularly in federal countries where significant decision-making powers sit with the state or provincial-level governments. Although the Lobbying Principles were designed to provide guidance to decision makers at both national and subnational levels, transparency in lobbying is still the exception at the subnational level of government (Figure 6.6). As a result, many significant policies made by regional or local governments are informed and influenced with little transparency and public scrutiny.

Figure 6.6. Transparency over lobbying activities is still the exception at the subnational levels of government



Source: Additional research by the OECD Secretariat.

80. Seven Adherents provide transparency measures for public officials at all levels in that country, including the regional and/or municipal levels of government (Austria, Chile, France, Ireland, Lithuania, Peru, Slovenia). In France, coverage of the local level will be effective from 1 July 2022. Federal countries are not able to provide transparency measures across the country, given the autonomy of subnational governments, though in some federal countries, there is some level of transparency in all or some of the subnational governments (Box 6.5). However, even if transparency requirements are present at different levels of government, there may be differences in scope and depth, resulting in unequal levels of transparency that can be exploited by those seeking to hide their lobbying activities. Given the important decisions and policies being decided at the subnational level, a coherent approach to transparency across all levels of government is key to ensure that actors cannot choose the least transparent place for lobbying to conceal their activities.

Box 6.5. Transparency of lobbying activities at regional and municipal level: selected frameworks

Australia

All Australian jurisdictions, except one (the Northern Territory), have introduced lobbying regulatory regimes, with similar registration requirements for third-party lobbyists”

- **Western Australia** was the first Australian state government to introduce a code of conduct (Contact with Lobbyists Code) and a Register of Lobbyists.
- **New South Wales** introduced in 2018 a Lobbyist Code of Conduct and a Register of Third-Party Lobbyists. The framework is also complemented by the publication of ministerial diaries which took effect in 2014.
- **Queensland, South Australia, Tasmania and Victoria**, introduced in 2009 a Lobbyist Code of Conduct and a Register of Lobbyists.
- In 2015, the Legislative Assembly of the **Australian Capital Territory** introduced a Lobbying Code of Conduct as well as Lobbyist Regulation Guidelines, both published in the Assembly’s standing orders. The framework includes a Register of Lobbyists.

Canada

Except for Northwest Territories and Nunavut, all provinces and territories of Canada have adopted a specific framework regulating the interactions between public officials and lobbyists. These regulations usually include similar definitions and transparency requirements as the regulation at the federal level.

In particular, the lobbying regime in Québec regulates lobbying activities at governmental, parliamentary and municipal levels, ensuring consistency in the application of the regime throughout the Québec jurisdiction and its public institutions. In Newfoundland and Labrador, the regulation also applies to the City of St. John’s Municipal Council and its controlled entities.

In other Canadian jurisdictions, lobbying activities have also been regulated at the municipal level. The City of Ottawa introduced a 2012 Lobbyist Code of Conduct and a Lobbyist Registry. The City’s Integrity Commissioner oversees the implementation of the Lobbyist Registry and the enforcement of the Code of Conduct. Similarly, the Lobbyist Registrar of the City of Toronto maintains an online municipal registry of lobbyists and lobbying activities, established in 2018 by a lobbying by-law modifying the Toronto Municipal Code. The Lobbyist Registrar is one of the City’s four Accountability Officers, and oversees compliance with the Code of Conduct for lobbyists independently.

Spain

In Spain, several autonomous communities and regions have introduced lobbying registers. These include:

- **Aragon** (*Registro de lobistas y lobbies* introduced by the Law 5/2017 on Public Integrity and Ethics);

- **Castilla-La-Mancha** (Registro de los grupos de interés introduced by the Law 4/2016 on Transparency and Good Governance);
- **Catalonia** (Registro de grupos de interés de Cataluña introduced by the Law 19/2014 on transparency and access to information and good governance),
- **Valencia** (Registro de grupos de interés introduced by the Law 25/2018 regulating the activity of stakeholders in the Valencian Community);
- **Navarre** (registro público de los grupos de interés introduced by the Law 5/2018 on Transparency, Access to Public Information and Good Governance).

The city of Madrid also adopted a lobbying regulation in 2017, introducing a lobbying register (*Registro de lobbies*). The register is a key tool of the City of Madrid's transparency policy. Upon registration, lobbyists must comply with a Code of Conduct.

Source: Additional research by the OECD Secretariat, information provided by the Québec Commissioner of Lobbying and (HATVP, 2020_[61]), (Ciudad de Madrid, 2017_[62]; Lobbyist Registrar of Toronto, 2015_[63]).

6.2.3. *There is limited transparency on who is conducting lobbying activities*

81. An adequate degree of transparency of lobbying activities requires transparency over who is influencing government policies or conducting the lobbying activities. This means clearly identifying the actors that are considered as lobbyists in the decision-making process. According to the Lobbying Principles, definitions of 'lobbyists' should be robust, comprehensive and sufficiently explicit to avoid misinterpretation and to prevent loopholes. However, even in countries where there is transparency on lobbying activities, loopholes do appear. As such, the following points require further consideration:

- Certain actors that are *de facto* lobbyists are not always covered by transparency requirements.
- More transparency is needed to determine the beneficial owners of companies influencing the policy-making process.
- In most countries there is no transparency on the influence by foreign governments.

Certain actors that are de facto lobbyists are not always covered by transparency requirements

82. Influence over public policy-making processes may be conducted by a diverse range of actors and interests, such as:

- Lobbying firms and law firms who represent the interests of third-parties, such as companies or other organisations. These are often referred to as "consultant lobbyists".
- Businesses and their representatives through in-house lobbyists or trade and business associations representing their interests – including industry associations or general associations such as Chambers of Commerce – as well as trade unions and professional associations representing employees or professions.
- Non-governmental organisations (NGOs), charities, foundations and religious organisations.
- Research centres, think tanks and policy institutes, who provide knowledge on specific policy issues and can propose policy solutions.

83. To provide transparency and enable public scrutiny, Adherents are encouraged by the Lobbying Principles to “clearly define the term 'lobbyist' when they consider developing rules and guidelines on lobbying. While the Lobbying Principles call on adherents to primarily target paid lobbyists, governments are encouraged to consider a broader and more inclusive scope of transparency measures to enhance public scrutiny over public decision-making processes (OECD, 2010_[15]).

84. In countries where there is some level of transparency, there is usually a definition of who is a lobbyist, though definitions are not always sufficiently clear (Table A A.3). In some Adherents, actors such as NGOs, charities and foundations, think tanks, research centres and religious organisations are excluded from the definition of “lobbyist” or are exempt from disclosure requirements (Table 6.3), but this also depends on the nature of the activity. For example, in the United Kingdom, if any of these organisations are communicating with Ministers or Permanent Secretaries on behalf of paying clients, that activity would need to be declared. On the other hand, if they communicate on their own behalf, the activity does not need to be disclosed. Australia and Austria also exclude service providers such as lawyers when their activity is related to legal advice but requires them to register when the services offered involves lobbying activities on behalf of clients. The nature of the activity also includes whether the lobbying activity is paid or not. Unpaid lobbying activities may be as effective as paid activities, especially if the lobbyist is a former public official who still has an active network (Office of the Registrar of Consultant Lobbyists, 2021_[64]). Yet, four Adherents (Canada, Poland, United Kingdom and United States) have explicitly excluded unpaid lobbying activities from lobbying disclosures requirements.

85. Industry associations are an additional actor on which more transparency seems to be needed. Many companies are members of or form cross-sector groups or industry associations that lobby on behalf of these companies. In those countries that already have some level of transparency, it is disclosed when an industry association acts as a lobbyist; however, it is not possible to know on behalf of what specific interests or for which of its members the association is lobbying for. There is an understanding that the association is lobbying on behalf of all its members, yet in practice there appears to be an unwritten rule among members, to allow companies to push their chosen positions when their sector’s key regulatory issues arise, often resulting in adopting the position of the most active and vocal, but at times minority, members. This gives a distorted impression of who is promoting a certain lobbying position. Industry associations have considerable influence, as they represent a wide group of businesses, therefore it seems key that they disclose the particular beneficiaries of a lobbying position which may only represent a minority of interests within the group. The potential for misalignment between a company and the industry association it belongs to is a reality in some cases, as evidenced by some companies who are withdrawing from various associations (Section 6.3.3) Increased disclosure rules designed specifically for industry associations may be necessary, so that minority interests are not misrepresented as a pan-member stance. The public disclosure of different positions within an association may also prevent companies from withdrawing entirely from an association.

Table 6.3. Not all actors are bound by transparency requirements over their lobbying activities

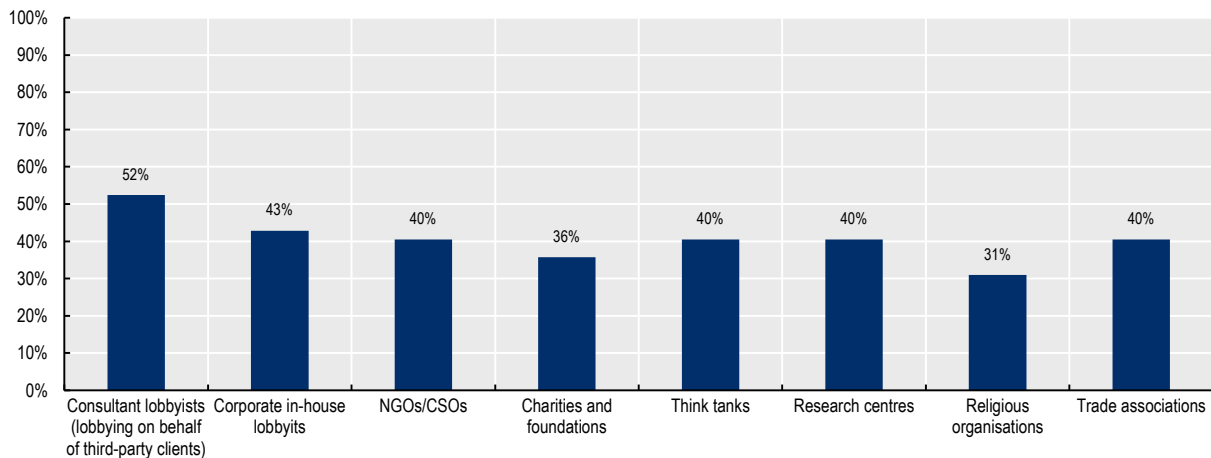
	Consultant lobbyists (lobbying on behalf of third-party clients)	Companies	NGOs /CSOs	Charities and foundations	Think tanks	Research centres	Religious organisations	Trade associations
Australia	●	○	○	○	○	○	○	○
Austria	●	●	●	●	●	●	○	●
Belgium	●	●	●	●	●	●	●	●
Brazil	○	○	○	○	○	○	○	○
Canada	●	●	●	●	●	●	●	●
Chile	●	●	●	○	●	●	●	●
Colombia	○	○	○	○	○	○	○	○
Costa Rica	○	○	○	○	○	○	○	○
Czech Republic	○	○	○	○	○	○	○	○
Denmark	○	○	○	○	○	○	○	○
Estonia	○	○	○	○	○	○	○	○
Finland	○	○	○	○	○	○	○	○
France	●	●	●	●	●	●	○	●
Germany	●	●	●	○	●	●	○	●
Greece	○	○	○	○	○	○	○	○
Hungary	○	○	○	○	○	○	○	○
Ireland	●	●	●	●	●	●	●	●
Iceland	●	●	●	●	●	●	●	●
Israel	●	○	○	○	○	○	○	○
Italy	●	●	●	●	●	●	○	●
Japan	○	○	○	○	○	○	○	○
Korea	○	○	○	○	○	○	○	○
Latvia	○	○	○	○	○	○	○	○
Lithuania	●	●	○	○	○	○	●	○
Luxembourg	○	○	○	○	○	○	○	○
Mexico	●	●	●	●	●	●	●	●
Netherlands	●	●	●	●	●	●	●	●
New Zealand	○	○	○	○	○	○	○	○
Norway	○	○	○	○	○	○	○	○
Peru	●	●	●	●	●	●	●	●
Poland	●	○	○	○	○	○	○	○
Portugal	○	○	○	○	○	○	○	○
Romania	●	●	●	●	●	●	●	●
Slovak Republic	○	○	○	○	○	○	○	○
Slovenia	●	●	●	●	●	●	●	●
Spain	●	●	●	●	●	●	●	●
Sweden	○	○	○	○	○	○	○	○
Switzerland	○	○	○	○	○	○	○	○
Turkey	○	○	○	○	○	○	○	○
United Kingdom	●	○	○	○	○	○	○	○
United States	●	●	●	●	●	●	○	●

	Consultant lobbyists (lobbying on behalf of third-party clients)	Companies	NGOs /CSOs	Charities and foundations	Think tanks	Research centres	Religious organisations	Trade associations
European Union	●	●	●	●	●	●	●	●
● Yes	22	18	17	15	17	17	13	17
○ No	20	24	25	27	25	25	29	25

Source: OECD 2020 Survey on Lobbying and additional research by the OECD Secretariat.

86. In sum, less than half of countries have transparency requirements covering most of the actors that regularly engage in lobbying activities (Figure 6.7).

Figure 6.7. Actors covered by transparency requirements on their lobbying activities

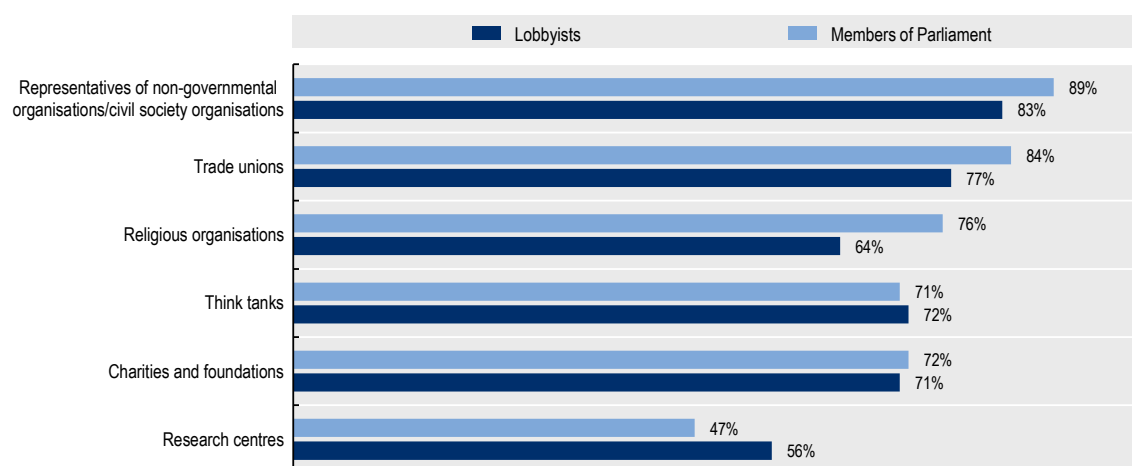


Source: OECD 2020 Survey on Lobbying and additional research by the OECD Secretariat.

87. Equally applying transparency measures to all actors aiming to influence decision-making processes remains one of the practical solutions to increase the scrutiny of public decisions. It also contributes to enhancing the legitimacy and trustworthiness of interest representation activities and the consistent scrutiny over lobbying activities (Lyon et al., 2018_[65]). A report from the Québec Commissioner of Lobbying, establishing a diagnosis of the lobbying framework based on the OECD Lobbying Principles, highlighted that as unpaid lobbyists and civil society organisations are not required to register in its lobbying registry, this creates unfair treatment, reinforcing negative perceptions against lobbyists who are covered by transparency requirements (Québec Commissioner of Lobbying, 2019_[16]). In particular, the uneven scope of the Act has generated ambiguity and confusion, opposing lobbying activities with other activities supposedly done in the public interest, compromising the understanding and application of the Act. The Commissioner considers, in line with the OECD Lobbying Principles, that the status of an entity benefitting from lobbying activities (for-profit or not-for profit) should not be the main factor exempting the entity from being subject to registration requirements. Rather, the main factors justifying transparency requirements should be the objective of the activity (to influence public decision-making of an entity or the members of this entity), regardless of who it benefits, and the relevance of making this activity transparent to the public (shedding light on all influence activities targeting a particular decision-making process).

88. Furthermore, a broader understanding of who is conducting lobbying activities as envisioned by the Lobbying Principles aligns with the views of Members of Parliament lobbyists. A majority of lobbyists and Members of Parliament surveyed consider actors such as NGO representatives, trade unions, religious organisations, think tanks, and charities as lobbyists (Figure 6.8).

Figure 6.8. Common exclusions or exemptions that lobbyists and Members of Parliament consider should be covered by lobbying rules or guidelines



Source: OECD 2020 Survey on Lobbying.

More transparency is needed to determine the beneficial owners of companies influencing the policy-making process

89. Beneficial owner refers to the natural person(s) who ultimately owns or controls a customer and/or the natural person on whose behalf a transaction is being conducted. It also includes those persons who exercise ultimate effective control over a legal person or arrangement. Despite cases where there is a fair level of transparency on who is influencing the policy-making process, the name of a legal entity may not reveal who is the beneficial owner, or who is ultimately benefiting from the lobbying activity. Transparency and scrutiny would necessitate public disclosure of the beneficial owner of companies influencing the policy-making process. For example, at the EU level, the 5th Directive on Anti-Money Laundering (Directive EU 2019/843) established in its article 1.15.c that beneficial ownership registries should be accessible by any member of the general public. The Directive states that, “Member States should therefore allow access to beneficial ownership information on corporate and other legal entities in a sufficiently coherent and coordinated way, through the central registers in which beneficial ownership information is set out, by establishing a clear rule of public access, so that third parties are able to ascertain, throughout the Union, who are the beneficial owners of corporate and other legal entities”. As of early 2020, 13 out of the 27 EU members were still not compliant (Van der Merwe, 2020_[66]).

In most countries, there is no transparency on the influence by foreign governments

90. The increasing complexity of domestic policy-making processes and negotiations at the international level is blurring the lines between lobbying and diplomacy. Instead of

relying on traditional and formal diplomatic channels and processes, foreign governments increasingly rely on lobbyists and other ways of influence to promote their policy objectives at national and multilateral levels (Curran and Eckhardt, 2017^[67]; Rönnbäck, 2015^[68]; De Bièvre et al., 2016^[69]). Although these practices are not new, they have expanded in recent years (Thurber, Campbell and Dulio, 2018^[70]). For example, a significant portion of influence efforts in the United States are undertaken on behalf of foreign actors, whether they represent foreign corporations or foreign government entities – potentially around 22% of the total lobbying spending (Courtney and Lee, 2020^[71]). Recent evidence also shows that these activities continued during the COVID-19 pandemic (Lehren and De Luce, 2020^[72]).

91. Such activities usually have three main objectives: (i) influence key democratic processes in the country; (ii) influence a country’s foreign policy positions, including their positions on international negotiations (climate, tax, trade, data protection); (iii) influence perceptions of a country by the government, media and nationals of another country. Like lobbying, foreign influence – whether done through traditional diplomatic channels or through lobbyists – is a legitimate activity and, when done in an open and transparent manner, can be a positive force in public policy-making processes: countries around the world seek to influence domestic policies, foreign policy choices of other governments as well as international negotiations and agreements in a way that benefits their interests.

92. The actors and influence practices of many lobbying firms or individual lobbyists working on behalf of foreign governments are similar to other forms of influence. In terms of actors, foreign governments – including their embassies and permanent representations – may engage lobbying, law and public relations firms, or former public officials of the country, to conduct lobbying activities on their behalf. They may also fund grassroots organisations, foundations, academic institutions and think tanks to produce evidence supporting their goals, as well as provide gifts and other benefits (such as sponsored trips) to journalists and decision-makers (Rescan, 2019^[73]). Foreign governments may also use affiliations to state-sponsored media services or state-owned corporations as channels of influence (O’Keeffe and Viswanatha, 2019^[74]).

93. While the Lobbying Principles do not explicitly mention foreign governments as lobbying actors, they do mention that lobbying activities should also be considered broadly to provide a level playing field for interest groups, whose aim is to influence public decisions. The influence and lobbying by foreign interests can have a transformative impact on the political life of a country, not only on domestic policies but also on a country’s foreign policy, its election system, its ability to protect its national interests, economic interests and preserve national security. For example, a compilation of the impact of activities of foreign entities registered under the U.S. Foreign Agents Registration Act (FARA) on public opinion and decision-making processes, shows that public relations campaigns conducted on behalf of a foreign government changed public opinion towards different foreign countries in the United States and changed the media coverage of foreign countries in the United States. Non-democratic countries pay a higher fee for lobbying activities than their democratic counterparts (Courtney and Lee, 2020^[71]).

94. The challenges seem to increase when foreign commercial and government interests are intertwined. For example, increasing concerns have been raised regarding Chinese and Russian-led influence in Europe and the United States, and the risks that such influence may represent to liberal democracies (Box 6.6 and Box 6.7). It is for this reason that the 2018 Australian Foreign Influence Transparency Scheme Act makes an important distinction between “foreign influence”, considered a legitimate activity, from “foreign interference” which includes “covert, deceptive and coercive activities undertaken by (or on behalf of) foreign actors to advance their interests or objectives”, with the risk of

“corrupting the integrity of established systems” (Australian Government Attorney General’s Department, 2019^[75]).

Box 6.6. Huawei and Tik Tok allegedly lobbying on behalf of the Chinese government

The significant lobbying and influence activities of the companies Huawei and Tik Tok to advance their commercial interests have raised concerns about the close ties between these companies and the Chinese government, and the national security implications that these companies may create.

Similarly, think tanks financed by foreign governments are increasingly influencing public opinion in domestic markets, and foreign media outlets are ever more active in forming domestic public opinion. With regards to the latter, in 2018 the United States Department of Justice ordered XinHua and CGTN, two Chinese-run media outlets, to register as foreign agents (as part of the [US Foreign Agents Registration Act](#)).

Source: (Allen-Ebrahimian, 2018^[76]; Allen-Ebrahimian and Dorfman, 2019^[77]; The Economist, 2018^[78]; Buck, 2019^[79]; Charlish and Goclowski, 2019^[80]; Wagner, 2019^[81]).

Box 6.7. Russian influence in the United Kingdom

A recent report by the UK Intelligence and Security Committee of Parliament and the subsequent government response agree on the reality and risks of Russia’s attempt to influence UK politics and market. The reports identified that Russia seems to be abusing legitimate means of influence and lobbying practices, such as high profile Russian officials or businesses involved in charitable and/or political organisations in the UK, Russian interests providing funding to political parties, or spreading misinformation through social media. The report recommends, inter alia, establishing a similar system of transparency in the UK as the one currently present in Australia, Canada and the United States, described below.

Source:

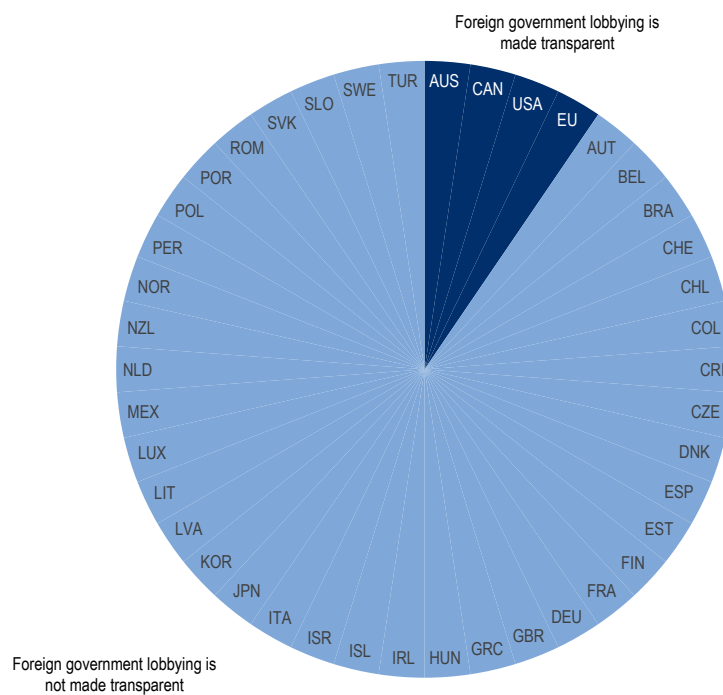
<https://docs.google.com/a/independent.gov.uk/viewer?a=v&pid=sites&srcid=aW5kZXBlbmRlbnQu> and <https://assets.publishing.service.gov.uk/government/uploads/system/>.

95. Foreign lobbying or influence can also take advantage of gaps and loopholes in lobbying or political finance regulations. In many Adherents, direct foreign contributions to political campaigns are illegal, but lobbying firms that are used as intermediaries can make direct payments to political parties and/or candidates on behalf of foreign governments.

96. The risks involved in lobbying and influence activities of foreign interests are therefore high for all countries, and it appears higher than the risks posed by purely domestic lobbying and influence activities. It should follow suit that transparency and public scrutiny are also high, but this is rarely the case (Figure 6.9). In countries where there is some level of transparency on lobbying activities, there is no transparency when a foreign government engages in lobbying activities in another country through a hired/consultant lobbyist, as activities involving foreign governments are usually exempt from transparency requirements. Three Adherents are the exception. In Canada, consultant

lobbyists representing the interests of foreign governments are bound by the same disclosure requirements as other actors specified in the Lobbying Act. Specific frameworks enabling transparency over foreign government influence are in place in the United States (Foreign Agents Registration Act) and most recently in Australia (Foreign Influence Transparency Scheme Act of 2018) where they have specific registries (Box 6.8 and Box 6.9). Under the Australian and U.S. schemes, the scope of activities and information that must be registered is much larger than in these respective country’s traditional lobbying frameworks. Under the new EU Inter-Institutional Agreement, which will enter into force in 2021, activities by third countries will also be covered, when they are carried out by entities without diplomatic status or through intermediaries (European Commission, 2020^[82]).

Figure 6.9. There is limited transparency on the influence of foreign governments through lobbying



Source: OECD 2020 Survey on Lobbying and additional research by the OECD Secretariat

Box 6.8. The U.S. Foreign Agents Registration Act (FARA)

The U.S. Foreign Agents Registration Act was the first lobbying law passed in an OECD country. The Act was enacted in 1938 to counter rising Nazi influence in the country, with concerns over German-American organisations sponsoring clubs, demonstrations and rallies in support of the German Government. It has since been amended several times. The Act covers lobbying activities undertaken on behalf of “foreign principals”.

Under the FARA, a “foreign principal” can be a foreign government, a foreign political party, any person outside the United States, and any entity organised under the laws of a foreign country. FARA exempts foreign commercial entities, as these have to register under the Lobbying Disclosure Act (LDA) of 1995.

An “agent of a foreign principal” is any person who acts as an agent, representative or employee of a “foreign principal” and engages within the United States in political activities intending to influence any U.S. Government official or the American public; or in soliciting, collecting, or disbursing loans, money, or other things of value within the United States.

FARA requires detailed disclosure requirements of an agent’s activities, much more than what the Lobbying Disclosure Act requires from its registrants, including for example, details about the agent; on the foreign principal, a description of the activities the agent of a foreign principal has or will undertake; financial information on any money received from the foreign principal, any money disbursed on behalf of the foreign principal, and any political contributions made by employees of the agent.

Agents must file a Supplemental Statement every six months, detailing and updating all the items and activities from the Registration Statement, including every press or government contact made on behalf of a foreign principal.

The Department of Justice monitors the implementation of the FARA through a specific FARA Registration Unit. The FARA Unit prepares a bi-annual report to the U.S. Congress. Registration statements and other forms required under the FARA are publicly available on the Department of Justice’s website.

Source: United States Department of Justice, Foreign Agents Registration Act (FARA), <http://www.fara.gov/>; (Courtney and Lee, 2020^[71]).

Box 6.9. The Australian Foreign Influence Transparency Scheme

The Australian Foreign Influence Transparency Scheme was introduced in 2018 “to provide the public with visibility of the nature, level and extent of foreign influence on Australia’s government and politics.” The Scheme provides a public register of certain activities, including lobbying, undertaken by a third party on behalf of a foreign principal; and acknowledges that foreign influence is a mutually beneficial act and is a normal part of international relations and can make a welcome contribution to democratic debate.

Under the Scheme, a “foreign principal” can be a foreign government, a foreign political organisation (for example political parties), a foreign government-related entity, including companies in which the foreign principal exercises total or substantial control over the company, or a foreign-government related individual.

“Registrable activities” are lobbying activities directed towards the Parliament, Commonwealth public officials, departments, agencies or authorities of the Commonwealth, registered political parties or candidates in federal elections. Also covered by the scheme are communications activities, covering information or material made available to the public, as well as any disbursement activities, which include the distribution of money or things of value on behalf of a foreign principal.

The Scheme requires detailed disclosure requirements of registrable activities, much more than what the Australian Lobbying Code of Conduct requires from its registrants. Information disclosed includes the name of the individual or organisation representing a foreign principal, the occupation of the individual, the name and foreign

country/jurisdiction of the foreign principal, any type of arrangements with the foreign principal, the types of activities conducted, and the start and end date of these activities.

More stringent obligations apply to those who have previously held prominent roles in the Australian Government, including former Cabinet Ministers, who must register any activity where they contribute their experience, knowledge, skills or contacts gained in their former position.

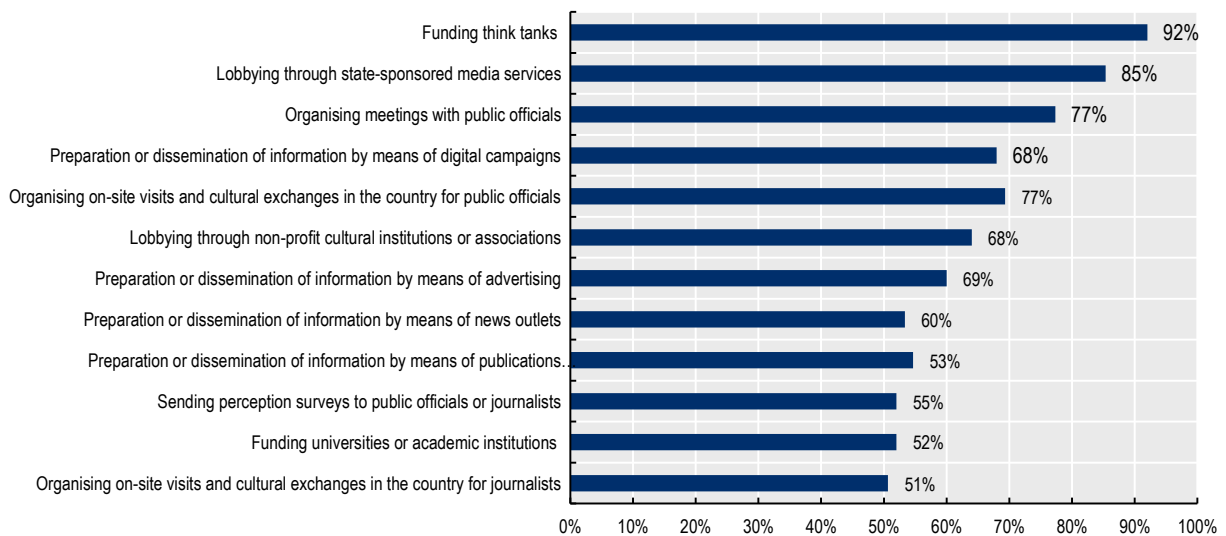
In addition, people and entities who need to register under the scheme have specific obligations during voting periods, including: reviewing registration information and confirming it is correct or updating the information; and reporting any registrable activities undertaken during the voting periods (if relating to the relevant vote or election).

The Australian Government’s Attorney-General’s Department administers the Scheme. Detailed factsheets and guidelines in twelve different languages are available on the Departments’ website.

Source: <https://www.ag.gov.au/integrity/foreign-influence-transparency-scheme/fits-resources>; Australian Government Attorney General’s Department, Foreign Influence Transparency Scheme, <https://www.ag.gov.au/Integrity/foreign-influence-transparency-scheme/Pages/default.aspx>.

97. Foreign influence was identified by Members of Parliament in need of transparency (Figure 6.10). Foreign influence was also identified by lobbyists as one of the most challenging influence practices, while more than nine out of ten (94%) agree that information on individuals or public relations firms representing the interests of foreign governments should be made public.

Figure 6.10. Activities conducted on behalf of foreign governments that Members of Parliament think should be covered by transparency rules on lobbying and/or foreign influence



Source: OECD 2020 Survey on Lobbying.

98. The frameworks developed in Australia, Canada and the United States have proven their value in increasing transparency. For example, the public can learn that several foreign governments hired Washington, D.C. lobbying firms and lobbyists to look at how

America's media was portraying their country during the COVID 19 crisis. Filings also show that a major Saudi state-owned company employed a public relations and marketing consultancy in the United States to promote an international conference organised in Riyadh, which included discussions on how to best respond to COVID-19 [Filings available on <https://www.justice.gov/nsd-fara> (The United States Department of Justice, n.d.^[83]) and (Lehren and De Luce, 2020^[72])]. Given the significant risks involved when foreign governments influence domestic politics and markets, it may be useful to increase transparency with respect to these activities.

6.2.4. More transparency is needed in all forms of influence

99. In order to provide transparency and enable public scrutiny, Adherents to the Lobbying Principles are asked to clearly define the term 'lobbying' with a robust, comprehensive and sufficiently explicit definition to avoid misinterpretation and to prevent loopholes. The Lobbying Principles also mention that core disclosure requirements should identify the beneficiaries of lobbying activities, and that supplementary disclosure requirements should shed light on where lobbying pressures and funding come from. This comprehensive approach to defining lobbying is necessary to cover the influence of the policy-making process in all its forms. However, the following points show that more transparency is needed in all the forms of influence:

- There is limited transparency on core lobbying activities.
- Transparency of political finance is high if compared to lobbying, though loopholes remain.
- More transparency is needed on who funds research, think tanks and grassroots organisations.
- More transparency is needed on the use of media and social media as a lobbying tool.
- There is limited transparency on what interests are part of ad hoc bodies advising the government.

There is limited transparency on core lobbying activities

100. Lobbying activities are usually defined as oral, written and electronic communications between public officials and lobbyists (Table A A.4). It is not always clearly defined as to what specific types of communications are covered, neither is it explicitly defined as to what constitutes "direct" and "indirect" influence. In certain countries, there are technical guidance documents that further clarify the scope of lobbying activities. For example, the website of the Irish lobbying register indicates that "relevant communications" can include informal communications such as casual encounters, social gatherings, social media messages directed to public officials, or "grassroots" communication, defined as an activity where an organisation instructs its members or supporters to contact public officials on a particular matter. Similarly, the UK Office of the Registrar of Consultant Lobbyists indicates that social media messages directed to an official or personal account fits the criteria for consultant lobbying and requires registration.

101. Many activities, however, are still exempt from transparency requirements (Table 6.4). For example, communications made in response to a request by a public official are commonly exempt from lobbying definitions. In Australia, Peru and the United States, statements made in a public form are not considered as lobbying activities. Other countries, such as France, exclude grassroots campaigns and public awareness campaigns

from registrable activities. Advisory activities are also excluded from lobbying activities in Chile, Germany, Lithuania and the United States (Box 6.10).

Box 6.10. Activities conducted in an advisory or expert capacity are commonly excluded from lobbying definitions

In Chile, consultants hired by public and parliamentary bodies – such as professionals and researchers from non-profit associations, corporations, foundations, universities, research centres and any other similar entity – are not considered as a lobbying activity. Similarly, invitations from State officials and parliamentarians to participate in meetings of a technical nature for these professionals are not registrable activities.

The US Lobbying Disclosure Act also excludes communications made in the course of participation in an advisory committee from lobbying activities.

Lithuania also excludes activities of persons who, at the invitation or on the initiative of state and municipal institutions, participate as experts or specialists to meetings and consultations on the drafting of legal acts.

A specific Transparency Code is provided for working groups in Ireland

In Ireland, interactions between members of policy working groups are exempt from lobbying transparency requirements only if the working group adheres to the Transparency Code (published on the website of the Standards in Public Office Commission), which requires the group to publish the membership, terms of reference, agendas and minutes of meetings. If the requirements of the Code are not adhered to, interactions within the group are considered as a lobbying activity under the Law. The Ministry or public body that established the working group is expected to ensure that the Code is implemented.

Source: Additional research by the OECD Secretariat.

Table 6.4. Common exemptions from transparency requirements in lobbying activities

	Countries that explicitly exempt the activity from the definition of “lobbying” covered by transparency requirements	Total
Communications made in response to a request by a public official	Austria, Belgium, Chile, United States, European Union	5
Communications made in response to a public official strictly requesting factual information	Australia, Austria, Belgium, Canada, Chile, France, Germany, Ireland, Peru, United Kingdom, United States, European Union	12
Communication where all elements of the consultative process are made public (e.g. Parliamentary Committee hearings)	Australia, Canada, Chile, Germany, Ireland, Italy, Latvia, Lithuania, Peru, Slovenia, United States	11
Grassroots campaigns, awareness-raising or social media campaigns	Australia, Austria, France, Peru, United States	5
Lobbying activities below certain thresholds (e.g. time or money spent on lobbying)	Canada, France, Ireland, United States	4
Trade union negotiations	Belgium, Germany, Ireland, United Kingdom, European Union	5
Communications taking place outside of buildings where public decisions are made	Italy, Mexico, Luxembourg	3
Lobbying activities that are not remunerated	Canada, Poland, United Kingdom, United States	4
Participation in advisory bodies	Chile, Germany, Lithuania, Peru	4

Source: OECD 2020 Survey on Lobbying and additional research by the OECD Secretariat.

102. These exemptions may create significant loopholes and exclude many actions aimed at influencing the legislative process.

Transparency of political finance is high if compared to lobbying, though loopholes remain

103. Financing political parties and election campaigns is a legitimate right and action for citizens to contribute to the finances of candidates who will advance the citizens' interests. It is a way for actors to support a party or candidate of their choice as well as support specific policies. As such, the Lobbying Principles state that “[e]ffective rules and guidelines for transparency and integrity in lobbying should be an integral part of the wider policy and regulatory framework that sets the standards for good public governance. Countries should take into account how the regulatory and policy framework already in place can support a culture of transparency and integrity in lobbying. This includes [...] rules on political parties and election campaign financing.” The OECD Recommendation on Public Integrity [[OECD/LEGAL/0435](#)] also states that Adherents should “encourage transparency and stakeholders’ engagement at all stages of the political process and policy cycle to promote accountability and the public interest, in particular through instilling transparency in lobbying activities and in the financing of political parties and election campaigns.”

104. One way to promote transparency in political finance is to disclose information on funding sources for political parties or candidates. A majority of Adherents and selected non-Adherents (Brazil and Romania) require political parties to report on their sources of financing, including finances in relation to political campaigns (Table 6.5). 97% of Adherents and selected non Adherents make public the information contained in the financial reports of political parties and/or candidates. In nearly half of said countries, the identity of the donors is reported on a regular basis in reports from political parties and/or websites. The identity is disclosed only upon fulfilling certain conditions in fifteen OECD countries. In others, the donors' identities are only disclosed when their contributions are above a certain threshold. Such provisions seek a balance between transparency and protecting the privacy of those making smaller donations.

Table 6.5. Transparency over political finance

	Political parties report on their finances	Political parties report on their finances in relation to election campaigns	Candidates have to report on their campaign finances	Information in reports from political parties and/or candidates is made public	Reports from political parties and/or candidates reveal the identity of donors	Reports from political parties and candidates include itemised income	Reports from political parties and candidates include information on itemised spending
Australia	•	•	•	•	Sometimes	•	•
Austria	•	○	•	•	Sometimes	○	○
Belgium	•	•	•	•	•	•	•
Brazil	•	○	•	•	•	•	•
Canada	•	•	•	•	•	•	•
Chile	•	•	•	•	Sometimes	•	•
Colombia	•	•	•	•	•	•	•
Costa Rica	•	•	•	•	•	•	•
Czech Republic	•	•	•	•	•	•	•
Denmark	•	○	•	•	Sometimes	○	○
Estonia	•	•	•	•	•	•	•

	Political parties report on their finances	Political parties report on their finances in relation to election campaigns	Candidates have to report on their campaign finances	Information in reports from political parties and/or candidates is made public	Reports from political parties and/or candidates reveal the identity of donors	Reports from political parties and candidates include itemised income	Reports from political parties and candidates include information on itemised spending
Finland	•	•	•	•	Sometimes	•	•
France	•	○	•	•	•	•	•
Germany	•	•	•	•	Sometimes	•	•
Greece	•	•	•	•	•	•	•
Hungary	•	•	•	•	•	Sometimes	Sometimes
Iceland	•	•	•	•	Sometimes	•	•
Ireland	•	•	•	•	Sometimes	○	○
Israel	•	•	•	Sometimes	•	•	•
Italy	•	•	•	•	Sometimes	Sometimes	Sometimes
Japan	•	•	•	•	Sometimes	•	•
Korea	•	•	•	•	○	•	Sometimes
Latvia	•	•	•	•	•	•	•
Lithuania	•	•	•	•	•	•	•
Luxembourg	•	•	•	•	•	•	•
Mexico	•	•	•	•	•	•	•
Netherlands	•	○	○	•	Sometimes	•	○
New Zealand	•	•	•	•	Sometimes	Sometimes	•
Norway	•	•	○	•	Sometimes	•	•
Peru	•	•	•	•	•	•	•
Poland	•	•	•	•	•	•	Sometimes
Portugal	•	•	•	•	•	No data	No data
Romania	•	•	•	•	Sometimes	•	•
Slovak Republic	•	•	•	•	Sometimes	Sometimes	•
Slovenia	•	•	•	•	•	•	○
Spain	•	•	•	•	•	•	•
Sweden	•	○	•	•	Sometimes	•	○
Switzerland	○	○	○	N/A	N/A	N/A	N/A
Turkey	•	○	•	○	•	•	•
United Kingdom	•	•	•	•	•	•	•
United States	•	•	•	•	Sometimes	•	•
• Total Yes	40	32	38	38	22	31	29
○ Total No	1	9	3	1	1	4	6
Sometimes	0	0	0	1	17	4	4

Source: Adapted from IDEA (n.d.), Political Finance Database, www.idea.int/political-finance, and additional information provided by delegates of the Working Party of Senior Public Integrity Officials (accessed on 15 February 2021).

105. Despite this higher level of transparency when compared to lobbying, some loopholes remain that prevent full transparency on and public scrutiny of political finance. Funding election campaigns through third parties such as trade associations, “social welfare” organisations and Political Action Committees (PACs) in the United States, is a method to influence the public decision-making process with little transparency. In

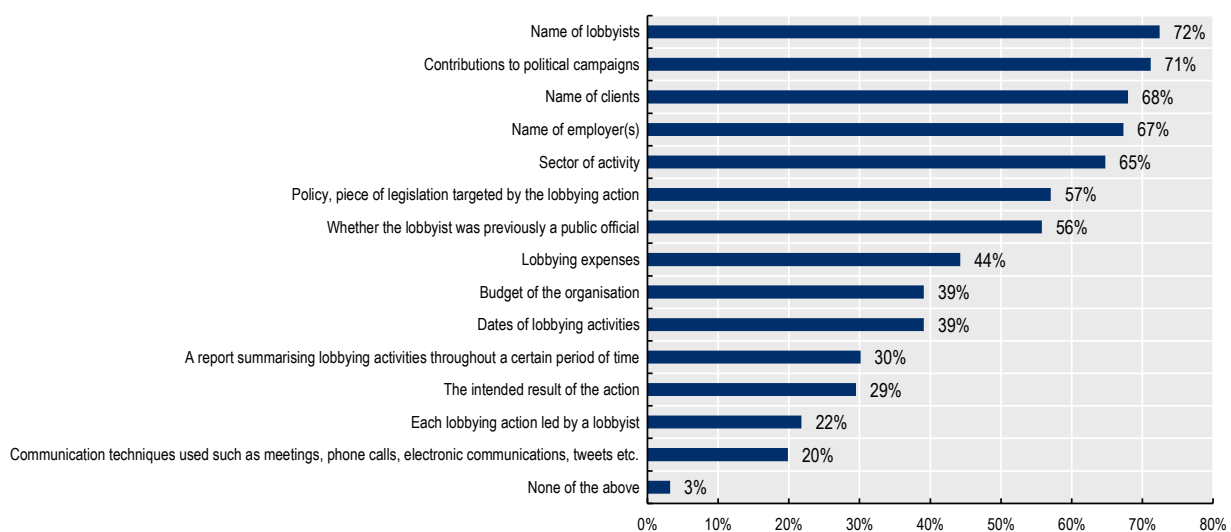
addition, it remains a challenge to provide transparency on online campaigning and related expenditures by political parties, as well as crowdfunding and other online fundraising tools (IDEA, 2020^[84]).

106. Contrary to lobbying activities and lobbyists, persons or organisations who contribute to the funding of political parties and election campaigns are rarely required to disclose their contributions. It is only required from the political parties and candidates that receive such contributions, and yet, an increasing number of private sector leaders and companies in Adhering countries are voluntarily disclosing their political contributions, or have implemented policies for general board oversight of political spending (Center for Political Accountability, 2020^[85]). Such disclosure is increasingly promoted by international principles, such as the G20/OECD Principles of Corporate Governance that state that “*company disclosures should include, but not be limited to, material information on ... company objectives and non-financial information*” and that “*this may include disclosure of donations for political purposes, particularly where such information is not easily available through other disclosure channels*” (OECD, 2015^[86]).

107. This trend is in part driven by shareholder and investor pressures for greater transparency of corporate political spending, and to better take into account corporate lobbying and political financing as a risk to the environmental, social and governance (ESG) performance of companies. Making such disclosures more widespread would contribute to enhancing public scrutiny of corporate engagement in the public policy-making process. More disclosure on lobbying activities and political contributions – alongside better transparency on ESG goals and results – would allow investors and other stakeholders to evaluate how, for example, lobbying activities and ESG initiatives might have conflicting goals.

108. Slovenia and the United States are the only countries that require lobbyists to report their financial contributions to political parties and election campaigns. In Slovenia however, the information is not made public. 71% of lobbyists surveyed are of the opinion that lobbyists’ contributions to political finance should be transparent (Figure 6.11).

Figure 6.11. Lobbyists favour disclosure of political campaigns contributions when registering lobbying activities



Source: OECD 2020 Survey on Lobbying.

More transparency is needed on who funds research, think tanks and grassroots organisations

109. One way in which different interests influence government policies is through financing third-party organisations, such as think tanks, research institutions or research more generally, and grassroots organisations. The aim is to provide expert opinions, evidence and data, and public mobilisation to the policy-making process. As with any other form of lobbying however, there is a risk of undue influence, making transparency around these practices paramount to enable public scrutiny, as stated in the Lobbying Principles. These practices have been used to influence public policies for decades, with little transparency on who is behind certain think tanks and academic research. This increases the risk of providing biased or false information with the aim to mislead or confuse the public opinion or public officials (Benamouzig and Cortinas, 2019^[87]; Bruckner, n.d.^[88]).

110. In addition, more transparency on the funding of grassroots organisations in particular would also allow to distinguish between genuine advocacy networks from so-called “astroturfing”, which is the practice of creating and funding citizens’ associations/organisations, to produce or enhance an impression of widespread grassroots support for a policy or agenda. This practice is ranked by a quarter of lobbyists as one of the three most challenging influence practices. By creating or contributing to ‘fake’ or manufactured civil society campaigns, astroturfing misleads individuals and public officials, threatening the perceived legitimacy of genuine advocacy networks while serving economically powerful interests (Dan, 2018^[89]; Henrie and Gilde, 2019^[90]; Walker, 2014^[91]).

111. There is some transparency around think tanks, research institutions and grassroots organisations when they act as lobbyists themselves and when they interact and communicate with public officials, however this lessens when they produce research findings and recommendations, evidence and data.

112. The EU Transparency Register is the only transparency scheme requiring think tanks, research centres and academic institutions to disclose where their funding comes from. In the absence of any other regulations in place, organisations themselves can promote the establishment of solid and transparent governance structures and provide information about their funding on their websites, annual reports or even in documents related to specific research findings, evidence or data. For example, the American Economic Association requires that the funding for scholarly work be disclosed before publishing in its journals (American Economic Association, 2021^[92]) or the initiative ‘Transparify’ promotes think tanks’ transparency in research and advocacy through a rating of their quality of disclosure and reporting measures. According to Transparify, a highly transparent organisation lists all donors and clearly identifies funding sources and associated amounts for specific projects. In 2018, 67 think tanks were assessed as highly transparent against 41 in 2016, and 12 in 2013 (Transparify, 2018^[93]).

113. Donors can also voluntarily disclose which organisations they fund. Confronted with transparency demands from their shareholders and the public, an increasing number of private sector leaders and their companies have started to become more transparent in their engagement with governments (see Section 6.3). This includes disclosures on lobbying activities. A few third party initiatives and indexes allow to measure lobbying and political financing transparency (Box 6.11). While these initiatives remain voluntary, an eventual mandatory requirement would go a long way to adding transparency to the evidence and data being used by policy makers.

Box 6.11. ESG rating agencies foster transparency on lobbying

Existing indexes of corporate conduct, including those published by ratings agencies such as Vigeo Eiris (recently acquired and rebranded as ‘V.E’, an affiliate of Moody’s), measure and help investors to direct financing to socially responsible companies. In 2010, in partnership with Transparency International France, Vigeo included “the transparency and integrity of influence strategies and practices” in its corporate social responsibility rating. This builds on the Lobbying Principles and covers in-house lobbying and externalised lobbying (e.g. through think tanks, other lobbyists, trade associations) targeting legislative and regulatory processes. In 2013, in its first report including this assessment, the level of disclosure was usually assessed as “predictably weak”.

Source: (Lyon et al., 2018^[65]).

More transparency is needed on the use of media and social media as a lobbying tool

114. Using media, journalism or other public platforms is also a way to shape public perceptions and that of policy makers and ultimately influence the policy-making process. Similar to the case of funding research, think tanks and other organisations, the so-called ‘journno-lobbying’ is often referred to as an indirect lobbying strategy used to influence the narrative of a given policy issue. An emerging concern in recent years is the use of social media that is, at times, abused by special interest groups to manipulate information, misinform the public and communicate biased opinions. For example, some companies are using social media advertisements to influence the climate narrative, with positive messaging through targeted Facebook and Instagram ads promoting the benefits of increased fossil fuel production (Influence Map, 2019^[94]). Other companies may also invest in social media campaigns aimed at influencing elections with targeted messages, for example stressing the impact of an ‘unfair tax’ (Graham, Daub and Carroll, 2017^[95]). Furthermore, those with interests that own media outlets and a country’s lack of media pluralism can have a significant impact on the inclusiveness of the public decision-making process.

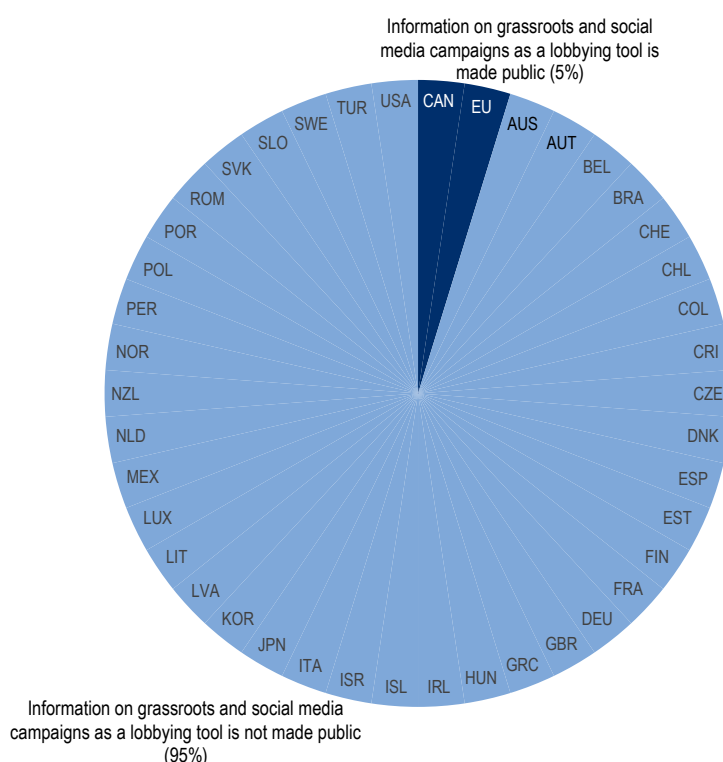
115. These risks call for increased transparency and public scrutiny on media ownership and the use of social media by special interests. Some countries possess strong frameworks for transparency of media ownership that may be of inspiration to others. The EU Report on the Rule of Law has highlighted the importance of increasing transparency of media ownership as an essential precondition for media pluralism, but also to enable the public to evaluate the information and opinions that are disseminated by the media (European Commission, 2020^[96]; Council of Europe, 2018^[97]). The report shows that in a few EU Member States, there are obstacles to an effective public disclosure of ownership, or there is no effective disclosure system in place. It also highlights well-developed systems to ensure transparency of media ownership in EU Member States. For example:

- In France, media companies are required to disclose their three largest owners to the public, and have to notify the media authority (‘Conseil Supérieur de l’Audiovisuel’ - CSA) when the ownership or control reaches the threshold of 10% or more. Information on the capital structure of publishers is available on the CSA website.

- In Germany, there are specific obligations to disclose ownership applying to the news media sector, commercial broadcasters, online media and the press. Political parties must disclose their involvement in media entities.
- In Portugal, the obligation of disclosure of ownership and financing of the media is laid down in the Constitution, and its monitoring is the responsibility of the media authority.

116. Regarding social media and among countries with transparency measures on lobbying, the Canadian Register of Lobbyists and the EU Transparency Register are the only frameworks requiring lobbyists to disclose information on the use of media as a lobbying tool (Figure 6.12). In Canada, lobbyists are required to disclose any communication techniques used, which includes any appeals to members of the public through mass media, or by direct communication that seeks to persuade the public to communicate directly with a public office holder in an attempt to place pressure on said public office holder to endorse a particular opinion. The Lobbying Act categorises this type of lobbying as “grassroots communication.” Similarly, the EU Transparency Register covers activities aimed at “indirectly influencing” EU institutions, including through the use of intermediate vectors such as media, public opinion, conferences or social events.

Figure 6.12. Lobbying through grassroots and social media campaigns are commonly exempted or not covered by lobbying regulations



Source: OECD 2020 Survey on Lobbying and additional research by the OECD Secretariat.

There is limited transparency on what interests are part of ad hoc bodies advising the government

117. Transparency over the composition of advisory or expert groups emerged as a challenge in the first report monitoring the implementation of the Lobbying Principles

(OECD, 2014^[4]). An advisory or expert group (hereafter ‘advisory group’) refers to any committee, board, commission, council, conference, panel, task force, or similar group or any subcommittee or other subgroup thereof that provides governments with advice, expertise, or recommendation. They are composed of public and private sector members and/or representatives from civil society and may be put in place by the executive, legislative or judicial branches of government. Governments across the OECD make wide use of these groups to inform public policies’ design and implementation.

118. Advisory groups have the potential to strengthen evidence-based decision making. However, without sufficient transparency and conflict of interest safeguards, these bodies face challenges that risk undermining the legitimacy of their advice. Indeed, private sector representatives participating in these groups have direct access to policy-making processes without being considered as external lobbyists, and may (unconsciously or not) favour the interests of their company/industry, which may also increase potential conflicts of interests. The COVID-19 crisis has underscored these risks (Box 6.12).

Box 6.12. COVID-19 Advisory Bodies showed transparency weaknesses

During the COVID-19 crisis, many governments established ad-hoc institutional arrangements to provide scientific advice and technical expertise guiding their immediate responses and recovery plans. In addition to government-wide emergency taskforces or coordination committees, line ministries, agencies and local governments also set up their own taskforces. They included scientific committees advising on healthcare policies (e.g. the Scientific Committee in France) or committees coordinating economic relief packages (National COVID-19 Coordination Commission in Australia, Expert Committee on Economic and Social Matters in Italy). In the United Kingdom, the Scientific Advisory Group for Emergencies (SAGE), was activated to advise the UK government’s response to the COVID-19 pandemic.

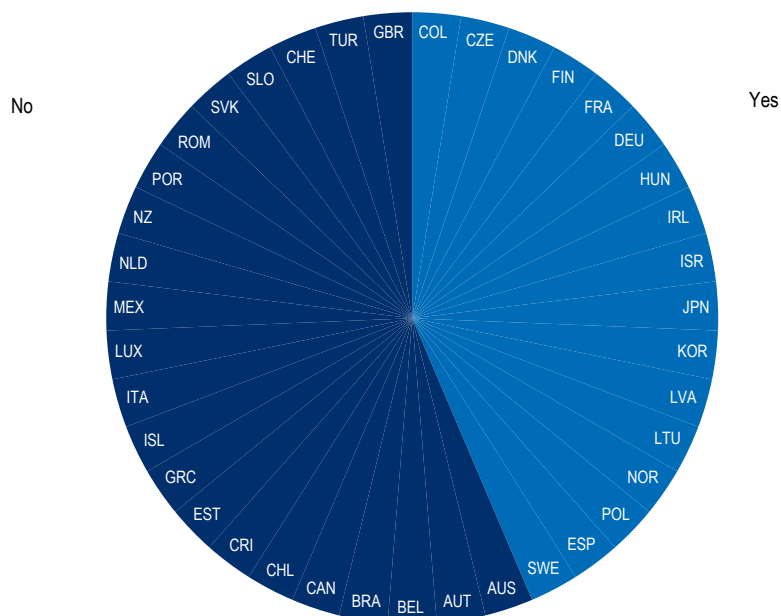
In several instances, the members, terms of reference and/or mandate of these groups were published several weeks *after* being set up, which raised concerns about the integrity and transparency in how these bodies functioned. There was usually little information on how the members of these emergency taskforces were appointed, and few had conflict of interest disclosure policies and oversight mechanisms in place. Past evidence shows that experts advising governments on healthcare policies may have financial ties with pharmaceutical companies producing potential treatments.

Source: (Vihelmsson and Mulinari, 2018^[98]), (Public Interest Advocacy Centre, 2020^[99]), (OECD, 2020^[54]).

119. As of 2019, only 47% of countries provide transparency on who sits in advisory groups (Figure 6.13). There is therefore considerable room for increasing transparency. To allow public scrutiny, it is key that information on the group’s structure, mandate, composition and criteria for selection is made available online. In addition, and provided that confidential information is protected and without delaying the work of these groups, agendas, records of decisions and evidence gathered should also be made transparent. For example, the European Commission Advisory Panel on COVID-19 published the group’s agenda and meeting reports online (European Commission, 2020^[100]). In Ireland, working groups involving members from the private sector must comply with a Transparency Code to be exempt from lobbying disclosure requirements (Box 6.13).

Figure 6.13. A limited number of countries publicly disclose the composition of advisory groups

With respect to permanent advisory bodies involved in regulatory processes at the national level, is it required to publicly disclose the names of the members of these bodies?



Source: OECD Product Market Regulation Indicators (PMR), 2019.

Box 6.13. Transparency Code for working groups in Ireland

In Ireland, a working group set up by a Minister or public service body, which consists of at least one designated public official (DPO) and at least one person from outside the public service, and which reviews, assesses or analyses any issue of public policy with a view to reporting to the Minister of the Government or the public service body on it, must comply with a Transparency Code.

The following information must be published on the public body's website upon their establishment:

- Names of Chairperson and Members, together with details of their employing organisation (if they are representing a group of stakeholders, this should be stated);
- Whether any non-public servant members were previously designated public officials;
- Terms of reference of the group;
- Expected timeframe for the group to conclude its work;
- Reporting arrangements.

In addition, the agenda and minutes of each meeting must be published and updated at least every four months.

The Chairperson must include with the final or annual report of the Group a statement confirming its compliance with the Transparency Code.

If the requirements of the Code are not adhered to, interactions within the group are considered as a lobbying activity under the Regulation of Lobbying Act 2015.

Source: Department of Public Expenditure and Reform, Transparency Code prepared in accordance with Section 5(7) of the Regulation of Lobbying Act 2015, <https://www.lobbying.ie/media/5986/2015-08-06-transparency-code-eng.pdf>.

120. Moreover, though not directly related to transparency concerns, a balanced representation of interests in terms of private sector and civil society representatives (when relevant), as well as gathering expertise from a variety of backgrounds, would ensure equity and diversity in the advice of the advisory group. For example, the Ministry of Local Government and Modernisation in Norway published guidelines on the use of independent advisory committees, which specify that the composition of such groups should reflect different interests, experiences and standpoints (Ministry of Local Government and Modernisation of Norway, 2019_[101]).

121. It is also necessary to adopt rules of procedures for these groups including terms of appointment, standards of conduct and most importantly, procedures for preventing and managing conflicts of interest. These measures would provide reasonable safeguards against special interest groups capturing or imparting biased advice to government. Concerning scientific advisory bodies in particular, additional measures would help to strengthen the effectiveness and trustworthiness of these groups (Box 6.14).

Box 6.14. OECD recommendations for strengthening scientific advice

Governments and responsible institutions should define clear and transparent frameworks and rules of procedure for their advisory processes and mechanisms.

Governments should establish effective mechanisms for ensuring appropriate and timely scientific advice in crisis situations. They should in particular define:

- Institutional and individual roles and responsibilities for crisis preparedness and response at the national level, including procedures that can provide coherent and trustworthy information to the public.
- Mechanisms to facilitate international co-operation between advisory structures and relevant individuals with responsibility for providing science advice in crisis situations. This includes the exchange of data, information and expertise to improve preparedness as well as co-ordination during actual crises.

Governments should work with international organisations to ensure coherence between national and international scientific advisory mechanisms related to complex global societal challenges. They should in particular:

- Facilitate exchange of information, data and good practices between national scientific advisory bodies and relevant international bodies.
- Establish mechanisms, where these do not already exist, to ensure the translation and verification of international advice on global societal challenges into the national and local policy context and vice-versa.

Governments and responsible institutions should implement measures that build societal trust in science advice for policy making. They should in particular:

- Ensure that advisory processes are as open and inclusive, as necessary.
- Ensure that science advice is considered, communicated and used in a transparent and accountable manner (including training for scientists and policy makers in the practice and use of science advice).

Source: (OECD, 2015^[55]).

6.2.5. Information disclosed is usually incomplete and does not allow for public scrutiny

122. The Lobbying Principles state that “[c]ountries should provide an adequate degree of transparency to ensure that public officials, citizens and businesses can obtain sufficient information on lobbying activities”. They add that “[d]isclosure of lobbying activities should provide sufficient, pertinent information on key aspects of lobbying activities to enable public scrutiny. It should be carefully balanced with considerations of legitimate exemptions, in particular the need to preserve confidential information in the public interest or to protect market-sensitive information when necessary.” Yet, in Adherents and Respondents to the 2020 OECD Survey that do provide some level of transparency on lobbying activities, the information disclosed is sometimes insufficient to understand the whole breadth and depth of those activities. Access to information or freedom of information laws and frameworks are also a useful mechanism to ensure transparency and scrutiny, yet their implementation in practice is still incomplete (Access Info Europe, Centre for Law and Democracy, n.d.^[102]). Regarding the information disclosed on lobbying activities, two issues seem to be an obstacle to enhance transparency and public scrutiny:

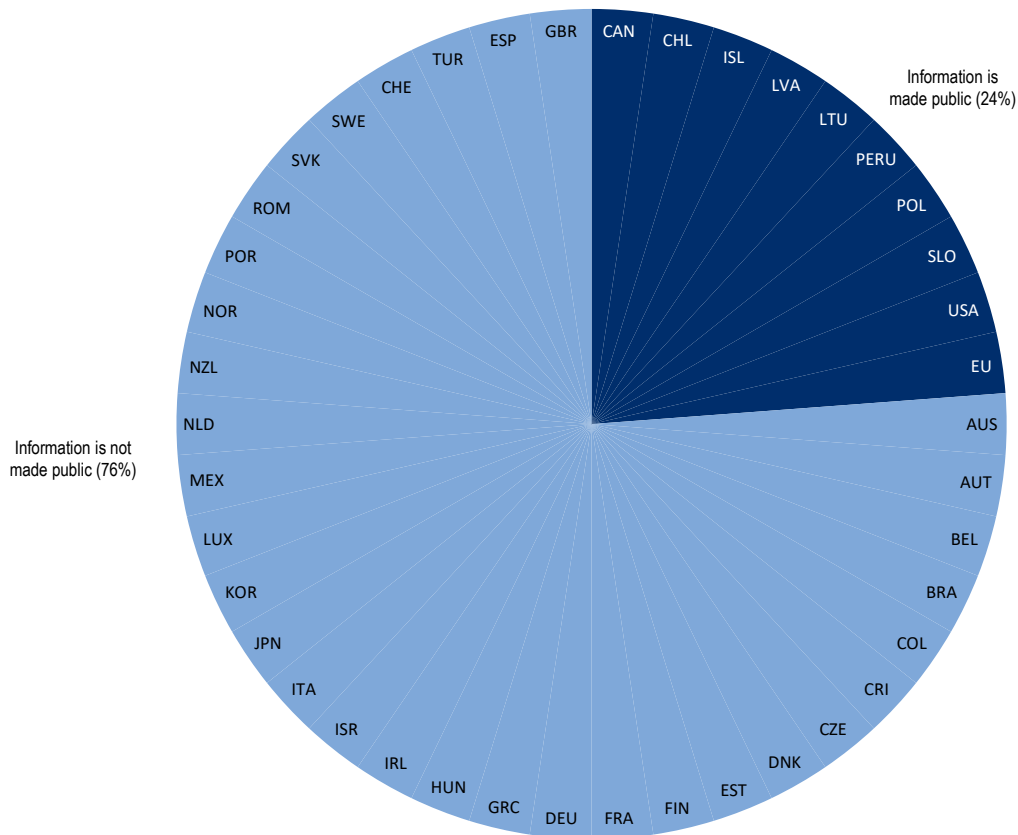
- There is limited information on the objective of the lobbying activity.
- The timing of disclosures does not allow for public scrutiny.

There is limited information on the objective of the lobbying activity

123. The Lobbying Principles explicitly state that disclosure should capture the objective of the lobbying activity. However, in practice considerable information is missing in order to understand the basics of the lobbying activities and enable public scrutiny. Countries that publish information through lobbying registries and open agendas disclose some information to identify who is behind lobbying activities but less information on what decisions and public organisations are specifically targeted (Figure 6.14), as well as how lobbying activities are being conducted (Table 6.6 and Table A A.5).

Figure 6.14. There is limited transparency on the specifics of WHAT is being lobbied

Disclosure of the specific pieces of legislation, proposals, regulations, or decision targeted by lobbying activities



Source: OECD 2020 Survey on Lobbying and additional research by the OECD Secretariat.

124. The pieces of information disclosed by lobbyists and/or public officials may not all be made public. For example, the annual reports on lobbying activities disclosed by lobbyists to the Commission for the Prevention of Corruption in Slovenia are not published on the register. The Commission only publishes an analysis of the annual reports. The public can obtain individual reports on the grounds of the Public Information Access Act.

125. Disclosure requirements may also be different depending on the type of public institution or official targeted, and may have to respect different timings. One example is in Canada: registrations are filed as soon as lobbyists communicate with public office holders and describe the objective of lobbying activities in detail. In addition, “monthly communication reports” are filed if registered lobbyists communicate with senior federal officials (referred to as “designated public office holders”). The monthly communication report, filed no later than the 15th of the following month the communication took place, includes the names of the persons contacted, the date the communication took place and the general subject matter of the communication (for example, “Health”, “Tourism” etc.).

126. Lastly, in addition to lobbying registers and open agendas, other countries provide transparency over lobbying activities by mandating ex-post disclosures of how decisions were made. The information disclosed can be a table or a document listing the identity of lobbyists met, public officials involved, the object and outcome of their meetings, as well as an assessment of how the inputs received were factored into the final decision (Igan and Lambert, 2019^[11]). Poland and Latvia have implemented such requirements (Box 6.15).

Box 6.15. Ex post disclosures of how decisions were made in Poland and Latvia**Publication of a legislative footprint in Poland**

Poland provides transparency on lobbying activities through a Register of entities performing professional lobbying activities, as well as lists of registered persons administered by the chambers of Parliament (the Sejm and the Senate). Managers of public authorities must publish, once a year and by the end of February, information on the actions taken against them by lobbyists.

In addition, the Standing Orders of the Sejm (Article 201c) provides for the publication of proposals, expert opinions and legal opinions submitted by lobbyists to Committees working on a specific bill. The documents are made available on the Information System of the Sejm. The Senate Regulations (Article 63) also specify that the rapporteur of a committee reporting on legislation must inform when activities are performed by professional lobbyists during the course of committee work. They must also present the committee's position vis-à-vis the proposals presented by lobbyists.

Latvia

In Latvia, employees covered by transparency requirements shall inform the direct manager or the head of the institution regarding any expected meeting with lobbyists, and disclose the information received from lobbyists, including what interests they represent, what proposals were expressed, and in what way they have been considered.

If the proposal expressed by lobbyists is considered when drafting or making a decision, this shall be indicated in the document related to such decision (e.g., in the summary, statement, cover letter) and, where possible, made publicly available.

Source: Additional research by the OECD Secretariat.

Table 6.6. Who is conducting lobbying activities, on what, and how? More transparency on the who, than on what and how

	WHO – Information on lobbyists and the beneficiaries						WHAT – Objectives decisions and officials targeted					HOW – Details on communications or meetings with public officials				
	Names of lobbyists	Whether the lobbyist was a public official	Name of the lobbyist's employer	Name of clients, if applicable	Parent company or subsidiary company benefiting	Sector of activity or business activities	Types of decisions targeted	Specific legislation, proposals, regulations, or decision targeted	Types of public institutions and/ or officials targeted	Identity of public institutions and/or officials targeted	Objectives and/or intended results	Lobbying expenses	Communications and lobbying techniques used	Each lobbying action led	Date and/or location of communications	Overview of lobbying actions led
Australia	●	●	●	●	●	○	○	○	○	○	○	○	○	○	○	○
Austria	●	○	●	●	○	●	○	○	○	○	○	●	○	○	○	○
Belgium	●	○	●	●	○	●	○	○	○	○	○	○	○	○	○	○
Brazil	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Canada	●	●	●	●	●	●	●	●	●	●	○	●	●	●	○	○
Chile	●	○	●	●	○	○	●	●	●	●	○	●	○	●	○	○
Colombia	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Costa Rica	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Czech Republic	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Denmark	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Estonia	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Finland	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
France	●	○	●	●	○	●	●	○	●	○	●	●	●	○	○	●
Germany	●	○	●	●	○	●	○	○	○	○	○	●	○	○	○	○
Greece	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Hungary	●	○	●	●	○	○	●	●	○	○	○	○	○	○	●	○
Ireland	●	●	●	●	○	●	●	○	●	●	○	○	●	○	○	●
Iceland	●	○	●	●	○	●	○	●	○	○	○	○	○	○	○	○
Israel	●	○	●	●	○	○	○	○	○	○	○	○	○	○	○	○
Italy	●	○	●	●	○	○	●	○	●	●	○	○	●	○	○	●
Japan	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Korea	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○

Latvia	●	○	●	●	○	○	●	●	○	○	●	○	●	○	●	○
Lithuania	●	○	●	●	○	○	●	●	●	●	○	○	○	○	○	○
Luxembourg	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Mexico	●	○	●	○	○	○	●	○	●	●	○	○	○	○	○	○
Netherlands	●	○	●	●	○	○	○	○	○	○	○	○	○	○	○	○
New Zealand	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Norway	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Peru	●	○	●	●	○	○	●	●	●	●	●	○	●	●	●	○
Poland	●	○	●	●	○	○	●	●	●	●	●	○	●	●	●	●
Portugal	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Romania	●	○	●	●	○	●	○	○	●	●	●	●	●	○	●	○
Slovak Republic	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Slovenia	●	○	●	●	○	●	●	●	●	●	●	●	●	○	●	○
Sweden	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Switzerland	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Turkey	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Spain	●	○	●	●	○	○	○	○	●	●	○	○	○	○	●	○
United Kingdom	●	○	●	●	○	○	○	○	●	●	○	○	○	○	●	○
United States	●	○	●	●	○	●	●	●	●	●	○	●	○	○	○	●
European Union	●	○	●	●	○	●	●	●	○	○	○	●	○	○	○	○
● Public	23	3	23	22	2	11	13	10	14	11	10	6	9	3	7	5
● Not public	1	0	1	1	0	0	1	1	1	1	1	1	1	0	3	0
○ Not collected	18	39	18	19	40	31	28	31	27	30	31	35	32	39	32	37

Notes: In Latvia, information is made public only if the proposal expressed by the lobbyist is considered in the decision. In Germany, lobbyists may refuse to disclose financial information; if they do, they are registered on a separate list of the Lobby Register.

Source: Additional research by the OECD Secretariat

The timing of the transparency may not allow for public scrutiny

127. In Adherents and Respondents to the 2020 OECD Survey where there is transparency on lobbying activities, there are also different disclosure schedules. From monthly disclosures in Canada to yearly disclosures in France (Table 6.7). Evidently, this impacts the possibility for public scrutiny, as sporadic information may not allow stakeholders to properly scrutinise lobbying activities. Extended schedules may lead to disclosures of lobbying activities after the decisions targeted by the activities have already been made, thus impacting the pertinence and relevance of transparency. On the contrary, in Canada, the requirement for lobbyists to publish monthly communication reports allowed the publication of timely information on COVID-19-related lobbying activities, which evidenced the objectives of the lobbying activities as well as the public officials and policies targeted. Recognising that “*Canadians have the right to know who was communicating with our decision makers and about what subjects during these unprecedented times*”, the Office of the Commissioner of Lobbying of Canada provided regular reminders on registration deadlines, including through social media.

128. In May 2020, the Office of the Commissioner of Lobbying of Canada also introduced a new feature to the online Registry of Lobbyists, enabling users to view lobbying registrations related to COVID-19. The tool uses as research criteria all the registrations in which the terms “COVID-19”, “COVID”, “Coronavirus”, and “pandemic” are included in the lobbying subject matter details. Users can then filter information per activity type, topic, and government institutions targeted, and access the related monthly communication reports. The Office also issued guidelines on COVID-19 emergency funding and registration requirements, to guide lobbyists on whether applying for a federal government funding program linked to COVID-19 should be disclosed, and when to update the information (Office of the Commissioner of Lobbying of Canada, 2020^[46]).

Table 6.7. Frequency of disclosures on lobbying activities in selected countries

	Initial registration	Updates and subsequent registration of information on lobbying activities
Australia	Lobbyists' registration is mandatory to conduct lobbying activities.	Lobbyists must provide confirmation, within 10 business days of 31 January and 30 June each year , confirmation that the lobbyist's details are up to date. During the June update, this includes submitting a statutory declaration for all lobbyists regarding prior actions of integrity. Lobbyists must update their details in the register in the event of any change to the lobbyist's details within 10 business days after the change occurs.
Austria	Lobbyists' registration is mandatory to conduct lobbying activities.	Additional information on lobbying activities (e.g. lobbying expenses) must be disclosed within nine months of the end of the previous financial year
Belgium	Lobbyists' registration is mandatory to conduct lobbying activities.	No updates or subsequent registrations are necessary.
Canada	Lobbyists' registration is mandatory to conduct lobbying activities: – Consultant lobbyists must register within 10 days of entering an agreement to lobby; – In-house lobbyists must register when they meet a threshold (“significant part of duties”) and have 60 days to register.	Information must be updated every six months . When registered lobbyists meet with a designated public office holder, they must file a “ monthly communication report ”.
Chile	To meet a public official, lobbyists must request the meeting on a mandatory basis via an online form. Public organisations publish their register of meetings with interest representatives on a monthly basis .	Public organisations must update their registers on the first working day of each month .

France	Lobbyists' registration is mandatory to conduct lobbying activities. Registration must be done within two months of the start of lobbying activities.	When lobbying activities are carried out on behalf of a new client, the client's identity must be registered within one month . Lobbyists must file " annual activity reports ", submitted within three months of the end of the lobbyist's financial year.
Germany	Lobbyists' registration is mandatory to conduct lobbying activities. Registration is required without delay as soon as one of the following conditions is fulfilled: (i) interest representation activities are carried out on a regular basis ; (ii) the representation of interests is intended to be permanent ; (iii) the representation of interests is carried as part of a company's activities or on behalf of third parties ; or (iv) more than 50 interest representation contacts have been made within the last three months . Participation in public hearings of the committees of the German Bundestag and certain procedures of Federal Ministries requires prior registration.	Interest representatives must update the information at least once a year . Any changes to the information registered must be disclosed at the latest by the end of the quarter following the occurrence of the change. Changes related to the identify of clients must be registered without delay. Financial information must be no later than six months after the end of the financial year for the past financial year.
Iceland	Lobbyists' registration is mandatory to conduct lobbying activities.	No updates or subsequent registrations are necessary.
Ireland	Lobbyists' registration is mandatory to conduct lobbying activities. Lobbyists can register after commencing lobbying, provided that they register and submit a return of lobbying activity within 21 days of the end of the first "relevant period" in which they begin lobbying (The relevant period is the four months ending on the last day of April, August and December each year).	"Returns" of lobbying activities are made at the end of each "relevant period", every four months . They are published as as soon as they are submitted.
Italy	Lobbyists' registration is mandatory to conduct lobbying activities.	By 31 December of each year , those entered in the register are required to present to the Chamber of Deputies a report on the activity of interest representation.
Israel	Lobbyists' application is mandatory to be granted a permit to operate in the Knesset premises.	Changes to applicant's details must be notified to the Knesset in writing immediately after the change.
Lithuania	Lobbyists' registration is mandatory to conduct lobbying activities. Lobbyists must send an application (the application for entry is examined within 5 working days) and produce a document confirming the payment of the registration fee (whithin one month of their registration confirmation).	A lobbying report must be submitted for every draft legal act or an administrative decision on which lobbying activities were conducted, no later than within seven days from the commencement of lobbying activities.
Mexico	Lobbyists' application is mandatory to be granted access to the premises of the Chamber of Deputies and the Senate.	Registration must be done at the beginning of each legislature and is valid for the duration of the legislature. The lists are published every six months in the Official Gazette.
Netherlands	Lobbyists' registration is voluntary but necessary to obtain a pass giving access to certain areas of the premises of the House of Representatives.	No updates or subsequent registrations are necessary
Peru	To meet a public official, lobbyists must request the meeting on a mandatory basis. Public organisations publish their Register of Visits on a daily basis.	The information contained in each public entity's Register of Visits must be updated on a daily basis.
Poland	Lobbyists' registration is mandatory to conduct lobbying activities. Lobbyists' registration is mandatory to conduct access Parliamentary premises and hearings.	Lobbyists must notify the authority responsible for maintaining the registers of any modification made to the data recorded in the Register within 7 days of the modification. Managers of public entities prepare once a year , by the end of February, information on the actions taken against them by lobbyists. The information is published in the Information Bulletin.
Romania	Lobbyists' registration is voluntary .	No updates or subsequent registrations are necessary
Slovenia	Lobbyists' registration is mandatory to conduct lobbying activities.	Reports from lobbyists detailing lobbying activities must be submitted once a year , by 31 January for the previous year.

		Reports from lobbied persons (public officials) have to be submitted to the Commission for the Prevention of Corruption (as well as the lobbied person's superior) within 8 days of the meeting .
Spain	The agendas of Ministers of Government are updated on a daily basis	N/A
United Kingdom	Lobbyists' registration is mandatory to conduct activities of consultant lobbying.	Information on clients must be filed by consultant lobbyists every three months
	Ministerial diaries are published on a quarterly basis.	N/A
United States	Lobbyists' registration is mandatory to conduct lobbying activities. Registration is required within 45 days: (i) of the date lobbyist is employed or retained to make a lobbying contact on behalf of a client; (ii) of the date an in-house lobbyist makes a second lobbying contact.	Lobbyists must file quarterly reports on lobbying activities and semi-annual reports on political contributions.
European Union	Lobbyists' registration on the Transparency Register is voluntary but each institution (Commission, Parliament) applies its own rules regarding the type of activities only registered lobbyists are allowed to conduct.	Once a year, lobbyists must provide financial figures and update the information registered.
	Meetings of the EU Commission are published within two weeks following the meeting.	N/A

Source: Additional research by the OECD Secretariat.

6.2.6. Engagement with lobbyists and digital tools are used to promote compliance

129. The Lobbying Principles indicate that transparency requirements cannot achieve their objective unless they are complied by regulated actors and properly enforced by oversight entities. Adherents are encouraged to implement a “coherent spectrum of strategies and mechanisms” to ensure compliance with transparency measures. Compliance and enforcement of transparency measures usually rest on a combination of monitoring actions by oversight bodies, the provision and application of sanctions, and the facilitation of channels for reporting non-compliance.

130. To promote compliance with transparency requirements, Adherents and Respondents to the 2020 OECD Survey use several measures through their oversight institutions. These include providing a convenient electronic registration and report-filing system, raising awareness of expected rules, verifying disclosures on lobbying, and applying visible and proportional sanctions. In countries that provide transparency on lobbying activities, there are tools and institutions to monitor compliance. The main findings can be summarised as follows:

- Countries favour engagement with lobbyists and public officials to encourage compliance with transparency requirements.
- Digital tools and automatic verifications are proving useful to increase public scrutiny.

Countries favour engagement with lobbyists and public officials to encourage compliance with transparency requirements

131. All Adherents and Respondents to the 2020 OECD Survey that provide for a transparency register on lobbying activities have an institution or function in charge of monitoring compliance (Table 6.8). Similarly, when considering the financing of political parties and election campaigns as a way to influence the policy-making process, countries also have an oversight body or a combination of bodies, parliaments, constitutional courts, supreme audit institutions, ministries or judiciary bodies (OECD, 2016_[5]) (Table A A.6).

However, there is usually no compliance or verification activities related to the obligation for public officials to publish meeting with lobbyists through so-called “open agendas”.

Table 6.8. All countries that provide for transparency over lobbying activities have an oversight body

	Authority	Main missions and enforcement powers
Australia	Attorney General's Department	<ul style="list-style-type: none"> • Administer the Australian Government Lobbying Code of Conduct and the Register of Lobbyists • Ensure that registered lobbyists provide confirmation that their details are accurate • Receive and assess reports of breaches • Remove lobbyists from the Register
Austria	Ministry of Justice and regional administration offices	<ul style="list-style-type: none"> • Enforce administrative sanctions and monetary penalties
Belgium	Specialised unit within the Chamber of Deputies	<ul style="list-style-type: none"> • Administer the Register of Lobbyists
Canada	Office of the Commissioner of Lobbying	<ul style="list-style-type: none"> • Administer the Registry of Lobbyists • Develop and maintain educational programs to foster public awareness of the requirements of the Act • Conduct reviews and investigations to ensure compliance with the Act and the Lobbyists' Code of Conduct
Chile	Transparency Council	<ul style="list-style-type: none"> • Make available to the public agendas register and the list of lobbyists and managers of interests on an electronic website;
	Comptroller General	<ul style="list-style-type: none"> • Propose sanctions
France	High Authority for Transparency in Public Life	<ul style="list-style-type: none"> • Administer a public register of lobbyists • Detect and investigate possible breaches of lobbying rules
Germany	President of the Bundestag	<ul style="list-style-type: none"> • Maintain and administer the Lobby Register (the German Bundestag and the Federal Government conclude an administrative agreement on the details of the maintenance of the lobby register)
Iceland	Prime Minister's Office	<ul style="list-style-type: none"> • Maintain a log of registrations and publish them on the website of the Government Offices of Iceland • Provides guidance and monitoring on the registration of lobbyists • Examine suspected violations
Ireland	Standards in Public Office Commission	<ul style="list-style-type: none"> • Administer the Regulation of Lobbying Act • Investigate possible breaches of the Act • Prosecute offences • Levy fixed payment notices for late filing of lobbying returns
Israel	Committee chaired by the President of the Knesset	
Italy	Bureau of the Chamber of Deputies College of Quaestors of the Chamber of Deputies	<ul style="list-style-type: none"> • Manage and publish the Register • Verify information included in the Register • Enforce sanctions
Lithuania	Chief Official Ethics Commission	<ul style="list-style-type: none"> • Administer the Law on Lobbying Activities and the Register of Lobbyists • Investigate potential breaches to the Law • Provide lobbyists with methodological support and recommendations
Mexico	Mesa Directiva del Senado de la República Mesa Directiva de la Cámara de Diputados	<ul style="list-style-type: none"> • Publish the Register • Provide rules and guidelines
Peru	Secretariat for Public Integrity	<ul style="list-style-type: none"> • Verify information included in the Register
	Comptroller General	<ul style="list-style-type: none"> • External audit of the information contained in the Register
Poland	Ministry of Interior and Administration	<ul style="list-style-type: none"> • Administer the register of professional lobbyists • Enforce sanctions (fines or ban from lobbying activities)
Romania	General Secretariat of the Government	<ul style="list-style-type: none"> • Administer Voluntary Interest Groups Transparency Register • Receive and assess reports of breaches
Slovenia	Commission for the Prevention of Corruption	<ul style="list-style-type: none"> • Administer the Register of Lobbyists • Enforce sanctions (fines or ban from lobbying activities)

	Authority	Main missions and enforcement powers
United Kingdom	Office of the Registrar of Consultant Lobbyists	<ul style="list-style-type: none"> • Administer the statutory Register of Consultant Lobbyists • Monitor compliance with the provisions of the Act • Investigate information from third parties about alleged non-compliance • Initiate enquiries where there are doubts about the consistency or accuracy of information • Issue formal Information Notices to registrants or non-registrants • Impose civil penalties of up to GBP 7 500 or refer the latter to the Director of Public Prosecutions for potential criminal prosecution • Impose civil and criminal penalties for non-compliance
United States	Office of the Clerk of the House of Representatives	<ul style="list-style-type: none"> • Make all documents filed under the Lobbying Disclosure Act available to the public over the Internet • Review, verify and request corrections in writing to ensure the accuracy, completeness and timeliness of registrations and reports • Refer potential non-compliant registrants to the United States Attorney, following failure to remedy the violation after notification from Congress
	Secretary of the Senate	
	Government Accountability Office	<ul style="list-style-type: none"> • Conduct annual reviews of lobbyist's compliance with disclosure requirements
	United States Attorney for the District of Columbia	<ul style="list-style-type: none"> • Secure compliance through informal outreach and follow-up efforts • Impose civil or criminal penalties for noncompliance
European Union	Transparency Register Joint Secretariat	<ul style="list-style-type: none"> • Administer the transparency register • Monitor compliance with disclosure and ethical requirements • Detect and investigate possible breaches

Source: OECD 2020 Survey on Lobbying and additional research by the OECD Secretariat.

132. However, certain oversight bodies indicate not having the necessary resources for conducting their functions effectively. In Lithuania, the Chief Official Ethics Commission concluded that it did not have sufficient resources to monitor compliance and enforce sanctions (Chief Official Ethics Commission, 2019_[103]). In Canada, the Office of the Commissioner of Lobbying concluded in its Annual Report 2018-19 that “to ensure ongoing sustainability of the Office and to invest in the technological improvements required for the Registry, there is a need for increased funding” (Office of the Commissioner of Lobbying of Canada, 2019_[104]).

133. Most of these bodies or functions monitor compliance with disclosure obligations, whether the information submitted is accurate, presented on time and the accuracy and completeness of the information. Chile, in contrast, relies solely on the public availability of lobbying disclosures and reports of potential misconduct to detect breaches and promote compliance with lobbying rules and guidelines.

134. Targeted verifications are also conducted on specific sectors that are deemed to be exposed to heightened risks or during specific periods of time. In Canada, the Office of the Commissioner of Lobbying conducted in 2018-19 parallel investigations involving 19 corporations and organisations that provided sponsored travel to members of the House of Commons and the Senate between 2009 and 2016. It also sent six advisory letters following a targeted compliance analysis of the cannabis industry, which involved a verification of two hundred corporations and organisations (Office of the Commissioner of Lobbying of Canada, 2019_[104]). In Australia, the Attorney-General's Department, which oversees both the Lobbying Code of Conduct and the Foreign Influence Transparency Scheme, implemented additional safeguards during election periods. The department also supported the whole-of-government multi-agency Electoral Integrity Assurance Taskforce by providing assessments of the applicability of the scheme to particular activities and their impact on the integrity of the election (Attorney-General's Department, 2019_[105]).

135. Enforcement actions and sanctions for non-compliance, along with the disclosure obligations, are a necessary complement of monitoring and verification of activities.

Sanctions usually cover the following types of breaches related to lobbying-related disclosures:

- Not registering and/or conducting activities without registering
- Not disclosing the information required or disclosing inaccurate/misleading information
- Failure to update the information or file activity reports on time.

136. Countries that have established lobbying rules and guidelines provide for a range of gradual disciplinary or administrative sanctions, such as warnings or reprimands, fines, debarment or suspension from the lobbying register for a certain period of time associated with a prohibition to exercise lobbying activities, or a permanent suspension from the registry. A few countries have criminal provisions leading to imprisonment (Table 6.9). Similarly, concerning the influence of the policy-making process through the financing of political parties and election campaigns, the relevant legal framework provides for a variety of sanctions (Table A A.7).

Table 6.9. Sanctions for lobbyists and public officials who breach standards and disclosure requirements related to lobbying activities

	Disciplinary and administrative sanctions	Civil sanctions (e.g. fines)	Criminal sanctions (e.g. fines or imprisonment)
Australia	•	○	○
Austria	•	•	○
Belgium	○	○	○
Canada	○	○	•
Chile	•	•	○
France	○	•	•
Germany	•	○	○
Iceland	○	○	○
Ireland	•	•	•
Israel	•	○	○
Italy	•	○	○
Lithuania	•	○	○
Mexico	•	○	○
Peru	•	•	•
Poland	•	○	○
Romania	○	○	○
Slovenia	•	•	○
UNited Kingdom	•	•	•
United States	•	•	•
EU	•	○	○
• Yes	16	10	5
○ No	4	10	15

Source: Additional research by the OECD Secretariat.

137. While the existence of a sanction regime has a deterrent effect, the compliance activities of oversight bodies tend to favour communication and engagement with lobbyists

and public officials. Regular communication with them on potential breaches seems to lead to compliance without the need to initiate enforcement actions. For example, sending reminders to lobbyists and public officials about mandatory reporting obligations can mitigate the risk of non-compliance (Box 6.16). In the context of the COVID-19 crisis, oversight entities have continued to raise awareness of reporting obligations and deadlines. If crisis-related circumstances prevent lobbyists from filing reports on time, some entities have provided guidance or ensure that a contact point is available to provide advice on what is acceptable in specific circumstances. For example, the California Fair Political Practices Commission published a statement offering guidance on lobbying filing deadlines in the wake of COVID-19 (FPPC, 2020_[106]). The Office of the Commissioner of Lobbying of Canada continued to communicate on registration deadlines during the pandemic, including through social media (Office of the Commissioner of Lobbying of Canada, 2020_[46]).

Box 6.16. Automatic reminders to raise awareness of disclosure deadlines produce results

Australia

Registered organisations and lobbyists receive reminders about mandatory reporting obligations via biannual emails. Registered lobbyists are reminded that they must advise of any changes to their registration details within 10 business days of the change occurring, and confirm their details within 10 business days of 31 January and 30 June each year.

France

Interest representatives receive an email fifteen days before the deadline for submitting annual activity reports.

Germany

In the absence of updates for more than a year, interest representatives receive an electronic notification requesting them to update the entry. If the information is not updated it within three weeks, the interest representative' is marked as "not updated".

Ireland

Registered lobbyists receive automatic alerts at the end of each of the three relevant periods, as well as deadline reminder emails. Return deadlines are also displayed on the Register of Lobbying's main webpage.

United States

The Office of the Clerk of the House of Representatives provides an electronic notification service for all registered lobbyists. The service notifies, by email, of future filing deadlines or relevant information regarding disclosure filing procedures. Reminders on filing deadlines are also displayed on the Lobbying Disclosure Website of the House of Representatives.

Source: Australia: (ANAO, 2018_[107]); France: (HATVP, 2019_[108]); Ireland: <https://www.lobbying.ie/help-resources/information-for-lobbyists/best-practices-for-lobbying/>; United States: <https://lobbyingdisclosure.house.gov/subscribe.asp>.

138. In addition to formal notices, pecuniary sanctions also have the potential to incentivise compliance and resolve cases of late returns or registrations. Since the entry into force of the Lobbying Act in Ireland, the Standards in Public Office Commission has

focused on encouraging compliance with the legislation by engaging with registrants to resolve any non-compliance, including through the issue of fixed payment notices for late return filings, before initiating prosecution proceedings (Standards in Public Office Commission, 2019^[109]). The Commission concluded that increased communication and outreach activities with registered lobbyists at an early stage of the process has reduced the number of files referred for prosecution in 2018. Most lobbyists complied with their obligations once contacted by the investigations unit (Box 6.17).

Box 6.17. Investigations and prosecutions by the Standards in Public Office Commission in Ireland

Part 4 of the Irish Regulation of Lobbying Act 2015 on enforcement provisions gives the Standards in Public Office Commission the authority to conduct investigations into possible contraventions to the Act, prosecute offences and issue fixed payment notices (FPN) of EUR 200 for late filing of lobbying returns.

The Commission reviews all registrations to ensure that all persons who are required to register have done so and that they have registered correctly. The Commission can also request, by providing notice to a given registrant, further or corrected information when it considers that an application is incomplete, inaccurate or misleading.

The Commission established a separate Complaints and Investigations Unit to manage investigations and prosecutions, and put in place procedures for investigating non-compliance in relation to unreported lobbying by both registered and non-registered persons, as well as non-compliance related to non-returns and late returns of lobbying activity:

- Unregistered lobbying activity is monitored via open-source intelligence such as media articles, from the Register itself, or from complaints or other information received by the Commission;
- Late returns by registered persons are monitored on the basis of information extracted from the lobbying register relating to the number of late returns and non-returns after each return deadline. The online register is designed to ensure that fixed payment notices are automatically issued to any person submitting a late return on lobbying activities. If the payment is not paid by the specified date, the Commission prosecutes the offence of submitting a late return.

As observed in Commission annual reports, in most cases, compliance was achieved after receipt of the notice. In 2017, there were neither convictions nor investigations concluded, as this was the first year in which enforcement provisions were in effect. In 2018, 26 investigations were launched to gather evidence in relation to possible unreported or unregistered lobbying activity, of which 13 were discontinued (in part due to the person subsequently coming into compliance with the Act) and 13 remained ongoing at year's end.

The Commission noted that the FPNs issued in respect of the three relevant periods of 2018 (270) were significantly lower than in 2017 (619), signalling a marked improvement in compliance with the deadlines.

Source: (Standards in Public Office Commission, 2019^[109]); (Standards in Public Office Commission, 2018^[110]).

139. For serious cases, enforcement action and the application of sanctions may be the only way to lead to compliance. In France, the deterrent effect of non-graduated criminal sanctions seems to be limited and made enforcement ineffective (Box 6.18).

Box 6.18. A gradual system of administrative sanctions seems to be preferable

The first compliance and enforcement activities of the French High Authority for Transparency in Public Life have raised questions about the relevance of the sanctions provided for by the law. Interest representatives who do not comply with their reporting obligations face a criminal penalty of up to one year of imprisonment and a fine of EUR 15 000. The sanction is similar in the event of non-compliance with ethical obligations. The maximum amount of these fines is higher for legal persons.

The HATVP concluded that the choice of criminal sanctions was not necessarily the most appropriate way to punish breaches due to the long and cumbersome procedures, leading to a sentence that was more likely perceived as light by the person concerned. It also concluded that the maximum amount of fines incurred for legal persons (EUR 75 000) remains negligible for large companies. The scope of the regime is further weakened by the difficulty in establishing the intentional element of the offence. The HATVP recommended the implementation of a gradual system of administrative sanctions, allowing the High Authority to provide a rapid and proportionate response through direct financial penalties.

Source: (HATVP, 2019^[108]).

140. Lastly, few Adherents and Respondents to the 2020 OECD Survey collect statistical data on the application of sanctions, notably the United States (Box 6.19). The data collection activity on enforcement is either non-existent or scarce and fragmented. As a result, most Parliamentarians and lobbyists surveyed are not aware of sanctions being applied. Only 10% of Parliamentarians surveyed were aware of sanctions applied in the past 12 months for non-disclosure of information required by lobbying-related regulations. While more than half (58%) of the lobbyists surveyed are aware of the existence of penalties or sanctions for failing to comply with lobbying codes of conduct, only 11% were aware of lobbyists sanctioned in the past 12 months for breaching lobbying related regulations.

Box 6.19. Annual publication of compliance and enforcement statistics in the United States

The United States Attorney's Office for the District of Columbia creates summary records from its database on the number of pending referrals, which are notifications that it receives from the Secretary of the Senate and the Clerk of the House of Representatives about a possible non-compliance of a lobbyist or lobbying firm with the Lobbying Disclosure Act. Referrals remain in the pending category until they are resolved, and become compliant if the lobbyists comply with his obligation after receiving an email, phone call or a non-compliance notification letter.

This information is published in the U.S. Government Accountability Office's (GAO) annual report on compliance with disclosure requirements. For activity reports, about 40% of the total referrals received for filing years 2009 through 2018 are now compliant, as lobbying firms either filed their reports or terminated their registrations.

Source: (GAO, 2019^[111]).

Digital tools and automatic verifications are proving useful to increase public scrutiny

141. In countries where there is some level of transparency on lobbying activities, the use of digital technologies to disclose information and make it available to the public facilitates public scrutiny. In most cases there are single databases (lobbying registries) that are searchable, and to a lesser extent the data is in an open format (Table 6.10). This facilitates the reusability and cross-checking of data. However, the information is not always available in a readable format. Some lobbying registers take the form of a list in PDF format (e.g. Lithuania, Mexico). Disclosure of information needs to be organised in an intelligible and user-friendly way if it is to be useful. Ideally, all reports should be submitted and published in a standardised, machine-readable format through a data download, an Application Program Interfaces (API) or via a RSS feed. This would ensure comparability, clarity and digestibility. In Canada, France and Ireland, for example, information in lobbying registers is available in an open data format.

Table 6.10. Online availability of lobbying registries

	Online availability of the register	Searchable	Data is provided in an open data format
Australia	Yes	Yes	Yes
Austria	Yes	Yes	No
Belgium	Yes	No (information available in PDF format)	N/A
Canada	Yes	Yes	Yes
Chile	Yes	Yes	Yes
France	Yes	Yes	Yes
Germany	Yes	Yes	No
Hungary	No	N/A	N/A
Iceland	Yes	No	No
Ireland	Yes	Yes	Yes
Israel	Yes	Yes	No
Italy	Yes	No	No
Latvia	No	N/A	N/A
Lithuania	N/A	N/A	N/A
Mexico	Yes	No (information available in PDF format)	No
Netherlands	Yes	No (information available in PDF format)	No
Peru	Yes	Yes	No
Poland	Yes	No	No
Romania	Yes	Yes	No
Slovenia	Yes	Yes	No
United Kingdom	Yes	Yes	No
United States	Yes	Yes (but files are available in a PDF format)	No
European Union	Yes	Yes	Yes

Source: Additional research by the OECD Secretariat.

142. A key challenge, therefore, lies in designing tools and mechanisms to collect and manage information on lobbying practices, and that enable publication in an open and reusable format in order to understand trends in large volumes of data. Improvements to the way data is collected and presented could also include streamlining how lobbyists and other entities are identified in registries. Entities should be designated with a single ID number/reference so that their information can be easily searched. This would eliminate

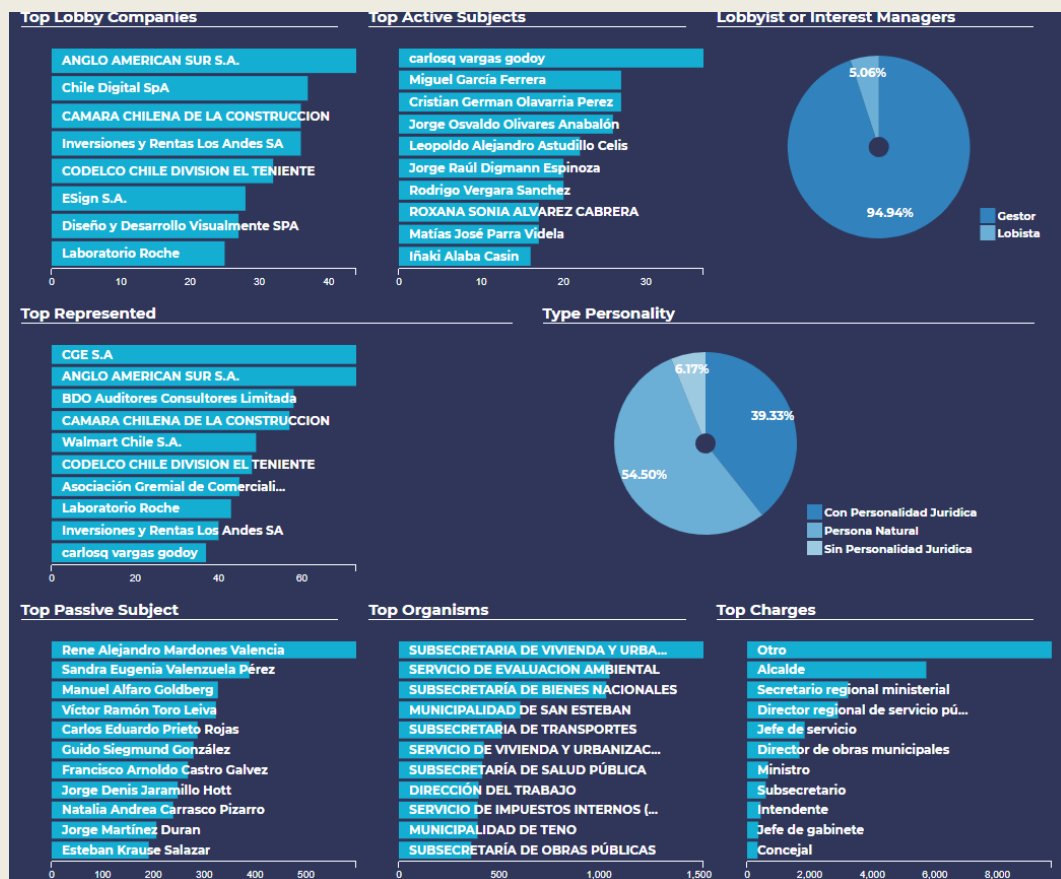
confusion resulting from single entities being associated with multiple register entries, e.g. corporate subsidiaries. In addition, increasing the interoperability between databases and the use of “one-stop-shops” for transparency (i.e. aggregating data on a single website, enabling cross-checking of various data sources) can also help in reaping the full potential of transparency.

143. While it may take various forms, public institutions’ data visualisations and dashboards ease the access and understanding of large data bulks collected through registries, open agendas, and databases. In April 2020, the Canadian Office of the Commissioner of Lobbying launched a new Registry with improved user experience which includes an easy-access search function, dashboards and graphics. The Office plans to monitor usage and address user feedback to improve the interface. Another example is the platform developed by the Chilean Transparency Portal in which the data is digested and presented for easier understanding (Box 6.20).

Box 6.20. An innovative Chilean platform allows individuals to visualise data and trends on influence on national public decisions

In Chile, the Council for Transparency developed a platform to give access to data on public officials' hearings and meetings, travels and gifts. In the example below, data visualisation in the section dedicated to hearings and meetings allows individuals and organisations to filter information and see infographics and trends on companies, meetings between different types of interest and so on.

It is possible to download the datasets to go through and/or reuse more data collected by the Council.



Source: <https://www.infolobby.cl/>.

144. Moreover, the use of data analytics and artificial intelligence could facilitate the effective verification and investigations of data. In Estonia, the electoral management body has integrated technology to monitor campaign activities for wrongdoing (Box 6.21). In addition to the electronic submission of registration and activity reports with features that facilitate disclosures, the High Authority for Transparency in Public Life in France implemented an automatic verification mechanism through an algorithm based on artificial intelligence, to detect potential flaws upon validation of annual lobbying activity reports (Box 6.22).

Box 6.21. Estonia's integration of technology in electoral management

The Estonian Party Funding Supervision Committee (EPFSC) oversees the public funding system, financial reporting, investigation, audit and compliance. It is also in charge of sanctioning campaign finance violations. The EPFSC is able to accomplish its work with a staff of nine committee members, a legal advisor and an office manager. This is due in part to its high level of integration of technology. The EPFSC requires all financial reports to be completed in an online electronic spreadsheet, allowing the staff to easily organise, access and review financial documents in a consistent form. In addition, the financial information can be published quickly in an online database and is easily accessed and searched by the public and media.

Source: (OECD, 2020^[7]).

Box 6.22. Implementation of an algorithm based on artificial intelligence technology to detect potential deficiencies and improve the quality of annual lobbying activity reports

In France, registered lobbyists must submit an annual activity report to the High Authority for Transparency in Public Life within three months of the lobbyist's financial year. During the analysis of activity reports for the period 1 July 2017 to 31 December 2017, the High Authority noted the poor quality of some of the activity reports due to a lack of understanding of what was expected to be disclosed. Over half of the 6 000 activity reports analysed did not meet any of the expected criteria. Very often, the section describing the issues covered by lobbying activities – identified by their purpose and area of intervention – was used to report on general events, activities or dates of specific meetings.

In January 2019, the High Authority implemented a series of mechanisms to enhance the quality of information declared in activity reports. In addition to the provision of practical guidance explaining how the section on lobbying activities should be filled in and the display of a pop-up window with two good examples of how this section is supposed to be completed, the High Authority implemented an algorithm based on artificial intelligence technology to detect potential defects upon validation of the activity report, and detect incomplete or misleading declarations.

Source: OECD 2020 Survey on Lobbying.

145. Ensuring the collection and disclosure of data in an open format as well as fostering and automating part of the cross-checking are additional steps towards increased scrutiny. These may involve increasing interoperability of the various databases, opening their access (to other administrations or to the public) and ensuring real-time updates. Cross-checking available information makes it possible to assess the consistency between data provided through various sources. For example, information within lobbying registries can be cross-checked with political finance contributions or open agendas. Digital tools and alert systems used to monitor movements between the public and the private sector can be based on open available information (e.g. news media, civil society and watchdog reports, interest and asset disclosure and trade registries). Few Adherents and Respondents to the 2020 OECD Survey, however, have such mechanisms in place. In Slovenia for example,

public officials, civil servants and lobbyists are required to report each occurrence of lobbying, including gifts received or offered, to the Commission for the Prevention of Corruption. The Commission publishes the reports and gifts disclosure in the public sector transactions records, an open online database named ERAR. This allows for the processing and cross-checking of available public financial data. In the United States, the Supreme Audit Institution, the Government Accountability Office, relies on the accessibility of databases as well as on informal exchange of information between entities to cross-check lobbying disclosure requirements and political contributions (Box 6.23).

Box 6.23. Cross-checking lobbying disclosures and political contributions in the United States

In the United States, the Lobbying Disclosure Act (LDA) requires both disclosures on lobbying activities and political contributions. To determine whether lobbyists reported their federal political contributions as required by the LDA, the Government Accountability Office (GAO) analysed stratified random samples of year-end 2017 and mid-year 2018 semi-annual political contributions reports. The samples contained 80 reports that had contributions listed and 80 reports that listed no contributions. Contributions listed on lobbyists' and lobbying firms' political contributions reports were compared against those political contributions reported in the Federal Election Commission (FEC) database to identify whether political contributions were omitted in the reports.

GAO estimated that overall in 2018, lobbyists failed to disclose one or more reportable contributions on 33 percent of reports. Additionally, eight political contributions reports were amended in response to GAO's review.

Source: (GAO, 2019^[111]).

6.2.7. There is limited audit and review of the rules and guidelines on lobbying

146. The Lobbying Principles state that “[c]ountries should review the functioning of their rules and guidelines related to lobbying on a periodic basis and make necessary adjustments in light of experience.” This allows to identify strengths but also loopholes and implementation gaps to meet evolving public expectations for transparency in decision-making processes, and to ensure regulations account for the many ways in which interests can influence policy-making process. In particular, the following two trends were identified:

- A minority of countries have carried out audits and reviews.
- The role of external oversight has proven valuable to identify implementation gaps.

A minority of countries have carried out audits and reviews

147. The regular reviewing of established lobbying rules and guidelines, and how they are implemented and enforced in practice, helps to strengthen the overall framework on lobbying and improve compliance. Ireland has incorporated provisions for a review mechanism in its lobbying legal framework (Box 6.24); very few countries, however, have embedded such mechanisms in their rules and guidelines.

Box 6.24. Review of the Lobbying Act in Ireland

Section 2 of the Lobbying Act provides for regular reviews of the operations of the Act. The first review of the Act took place in 2016. The report takes into account inputs received by key stakeholders, including persons carrying out lobbying activities and the bodies representing them. No recommendations were made by the government for amendments of the Lobbying Act. Subsequent reviews must take place every three years.

The first report found a high level of compliance with legislative requirements. Lobbyists highlighted the need for further education, guidance and assistance, which led the Commission to review its communication activities and guidance to lobbyists.

In its submission to the first review of the operation of the Act, the Commission recommended that any breaches of the cooling-off statutory provisions should be an offence under the Act. It also pointed to the lack of power to enforce the Act's post-employment provisions or to impose sanctions for persons who fail to comply with these provisions.

The Code of Conduct for persons carrying out lobbying activities, which came into effect on 1 January 2019, will also be reviewed every three years.

Source: (Standards in Public Office Commission, 2019_[109]).

148. To understand what factors influence compliance, other countries may conduct reviews on an ad hoc basis, for example by publishing information and analyses of their monitoring and enforcement activities in their annual reports, or organising workshops with relevant stakeholders. Most countries who undertake internal reviews of their lobbying framework include the feedback of those who are covered by lobbying-related regulations. In Canada for example, the Office of the Commissioner of Lobbying updated in 2018-2019 its guidance documents on how to mitigate conflict of interests related to preferential access, political activities and gifts. This change was to reflect feedback received from lobbyists who contacted the Office directly for advice and to make the guidance easier to apply. The Office also consulted with stakeholders, including counterparts and associations representing lobbyists (Office of the Commissioner of Lobbying of Canada, 2019_[104]).

149. In 2018, the French High Authority for Transparency in Public Life organised two working sessions with nineteen interest representatives from various sectors in order to gather their feedback and expectations in terms of support, reflect on the difficulties encountered and discuss the implementation of tools to facilitate disclosures of lobbying activities (HATVP, 2019_[108]). In Lithuania, both the Special Investigation Service and the Chief Official Ethics Commission have stated that the Law should be improved. As a result, the Government instructed the Ministry of Justice to organise consultations between relevant institutions, businesses and civil society organisations to prepare amendments to the Law, with the aim to increase the effectiveness of supervision activities (Chief Official Ethics Commission, 2019_[103]).

The role of external oversight has proven valuable to identify implementation gaps

150. External reviews have the potential to assess whether lobbying frameworks have achieved intended objectives, as well as their continued relevance. This can take the form of external audits performed by Supreme Audit Institutions or reports by a Parliamentary

Commission. In the United States for example, the compliance monitoring approach includes annual reviews of lobbyists' compliance with disclosure requirements conducted by the Government Accountability Office (GAO), which is also an opportunity to assess the adequacy of resources to enforce compliance and the effectiveness of compliance activities. In its latest report, it stated that the Attorney's Office for the District of Columbia had sufficient resources to enforce the Lobbying Disclosure Act, which includes imposing civil or criminal penalties for non-compliance (GAO, 2019^[111]).

151. In other countries, external reviews are not systematised and take place on an ad hoc basis. In 2020, the Australian National Audit Office (ANAO) released an audit report to examine the effectiveness of the Attorney-General's Department's implementation of the recommendations from a previous audit report published in 2018. Members of the public had the opportunity to contribute to the audit by submitting their input on an online portal (ANAO, 2018^[107]; ANAO, 2020^[112]). In Ireland, at the request of the Audit and Risk Committee (ARC) of the Office of the Ombudsman, the external auditors to the ARC were asked to carry out an audit review of the administrative procedures of the Standards in Public Life Commission's operational and statutory activities in respect of lobbying. In Canada, the House of Commons Standing Committee on Access to Information, Privacy and Ethics commenced in September 2020 a study on "Questions of conflict of interest and lobbying in relation to pandemic spending". It also requested from the Commissioner of Lobbying preliminary recommendations to improve the Lobbying Act (Office of the Commissioner of Lobbying of Canada, 2021^[113]).

152. In some cases, the reviews pointed to the inadequacy of lobbying provisions compared to the initial objectives of the lobbying framework (Box 6.25) and brought forward proposals to improve the transparency framework for lobbying activities (Box 6.26 and Box 6.27). Given the potential of external reviews to identify implementation gaps, a more regular exercise by SAIs and other oversight bodies would be beneficial to strengthening the transparency of policy making.

Box 6.25. In France a Parliamentary review highlighted the limitations of the legal framework

The preliminary conclusions of a Parliamentary Review of the lobbying legislative framework, currently underway, concurred with the High Authority's own assessments that progress still needs to be made to enable a legislative footprint, which is the initial objective of the lobbying framework. The report concludes that the "promising legislative framework has, in fact, been implemented in a limited way and has not been able to achieve the objectives of the legislator".

In terms of scope, the findings highlighted that many actors and actions aimed at influencing the legislative process were not accounted for in the legislative framework. For example, hearings made at the request of a Member of Parliament are not included in the lobbying definition, even if the practice is frequent. These communications may for example take the form of briefing notes or proposed amendments sent by a company or organisation at the request of a Member of Parliament; a hearing organised by an MP as part of their legislative work; or a phone call at the initiative of a public official's employee covered by the lobbying legislative framework, to ask for clarifications following a meeting with the representative of a company or organisation. In the event of a potential breach, this exclusion makes it difficult to trace who was at the initiative of a particular meeting or phone exchange, especially when relations between a parliamentarian and an interest representative are well established and regular. It also creates distortions between interest representatives: those who have built close and regular contacts with decision makers may have less reporting obligations than interest groups who have more limited contacts and who are almost always the initiators of these exchanges.

Source: (HATVP, 2019^[108]; Wasserman, 2020^[114]).

Box 6.26. The Parliament Working Group on Lobbying Transparency Regulation in Latvia

In September 2019, the Parliament of Latvia (Saeima) created a Working Group on Lobbying Transparency Regulation. This followed previous attempts to regulate lobbying, including several concept papers published by the Corruption Prevention and Combatting Bureau, and in 2014 a draft "Lobbying Transparency Law" submitted to the Government Cabinet, but which did not obtain sufficient political support.

The 2019 Working Group includes representatives of all parliamentary groups in the Parliament, state institutions such as the State Chancellery, the Corruption Preventing and Combatting Bureau, the Ministry of Justice as well constitutional experts and representatives of Transparency International Latvia.

Until January 2021, nine meetings of the Working Group took place, including three meetings organised online due to the COVID-19 crisis. Several consultation meetings were organised in February 2021 with non-governmental organisations and business associations, including participation in a meeting organised by the NGO "Civic Alliance Latvia". Following this series of public consultations, work on the draft law resumed, and a draft "Interest Representation Transparency Law" is expected to be finalised in 2021.

The Parliament's Analytical Service also produced a study on "Lobbying regulation and trends in Latvia and Europe", which aims to support the elaboration of a new framework on lobbying in the country.

Source: Information provided by Latvia in the OECD 2020 Survey on Lobbying; Analytical Service's report: https://www.saeima.lv/petijumi/Lobesana_Latvija_un_Eiropa_2019.pdf; Working Groups webpage: <https://aizsardziba.saeima.lv/darba-grupa-lob%C4%93%C5%A1anas-atkl%C4%81t%C4%ABbas-likuma-izstr%C4%81dei> .

Box 6.27. A Parliamentary review to improve equity and transparency in Netherland's policy-making process

In 2015, two members of Parliament published a consultation document – "Lobby in daylight: listen and show" – with a set of proposals to increase transparency over lobbying activities, including:

- For each major policy topic and bill (or amendment thereof), include in the explanatory notes a "lobbying section" indicating which interests have contributed and how their proposals were considered.
- Publish the agendas of ministers.
- Publish Members of Parliament's meetings with lobbyists.

The proposals had three main goals, with the ultimate objective to "listen to different interests and show how the interests have been weighed":

- Give all interests equal opportunity to influence legislation and decision making, not just powerful interest groups and large organisations.
- Gather inputs from a broad set of interests, which benefits the quality of proposals.
- Better inform the House of Representatives in its role to weigh the proposals and positions of different interests.

Source: Netherlands Parliamentary Monitor, <https://www.parlementairemonitor.nl/9353000/1/j9vvij5epmj1ey0/vk9epayjjw>

6.3. Integrity

This section assesses the level of implementation in Adherents and other Respondents to the 2020 OECD Survey of the integrity principles of the Recommendation on Principles for Transparency and Integrity in Lobbying. It highlights the current challenges faced by governments to ensure that public officials interact with lobbyists with impartiality and in the public interest. The findings show that public officials need an integrity framework tailored to the specific risks of lobbying and other influence activities.

The chapter also examines how lobbyists and companies have complied with their obligation to influence the public decision-making process with integrity and identifies the need for a more comprehensive and clearer integrity framework to guide their interaction with public officials.

6.3.1. Introduction

153. Beyond enhancing transparency of the policy-making process, the strength and effectiveness of this process also rests on the integrity of both public officials and those that try to influence them. The OECD Recommendation on Principles for Transparency and Integrity in Lobbying [[OECD/LEGAL/0379](#)] (hereafter ‘Lobbying Principles’) asks Adherents to “foster a culture of integrity in public organisations and decision-making” by providing principles, rules, standards and procedures that give public officials clear directions on how they are permitted to engage with lobbyists (Principle 7). Similarly, the Lobbying Principles also call on lobbyists to “comply with standards of professionalism and transparency; [as] they share responsibility for fostering a culture of transparency and integrity in lobbying” (Principle 8). To achieve compliance with rules and standards of conduct, the Lobbying Principles also call on adherents to: “implement a coherent spectrum of strategies and practices” (Principle 9), which include “properly resourced monitoring and enforcement”; raising “awareness of expected rules and standards”; enhancing “skills and understanding of how to apply them”; and encouraging “organisational leadership to foster a culture of integrity and openness in public organisations”.

154. The OECD Recommendation on Public Integrity [[OECD/LEGAL/0435](#)] also provides measures for cultivating a culture of integrity across government and the whole of society (OECD, 2017_[13]). The measures include setting clear integrity standards and procedures, investing in integrity leadership, promoting a professional public sector dedicated to the public interest, and communicating and raising awareness of the standards and values. Concerning lobbyists and companies, the Recommendation on Public Integrity calls on Adherents to promote a whole of society culture of integrity by encouraging the private sector to uphold public integrity values in their interactions with the public sector.

155. The 2014 report monitoring the implementation of the Lobbying Principles found that there was insufficient emphasis on establishing standards for public officials in their interactions with lobbyists. The report concluded that a framework for openness and access should not employ a too-narrow focus, for example examining only transparency and lobbying registers, otherwise it risks overlooking the role of integrity standards in ensuring that public decision-making processes promote inclusiveness and accountability. Another case of concern regarding the fairness and impartiality of decision making was the practice of “revolving doors” – the movement of public officials between public and private sectors (OECD, 2014_[4]). With regard to lobbyists, the 2014 report also found that codes of conduct provided either by the association to which lobbyists belonged or the company by which they were employed, were the primary source of formal integrity guidance for lobbyists.

The report noted that lobbyists felt that these codes provided somewhat meaningful guidance on how to conduct day-to-day lobbying activities. However, while guidance seemed to be clear, its application remained voluntary and was insufficient to change the behaviour of those that abuse legitimate means of influence.

156. Since then, the lobbying landscape has evolved and there are more actors trying to influence policy makers and using a greater number of practices beyond traditional definitions of "lobbyists" and "lobbying". While there are legislations, policies and guidelines on public integrity, there are fewer on the interaction between public officials and lobbyists. Undue influence still takes place in many countries, undermining the public's trust in the public decision-making process. As a result, both governments and lobbyists need to not only face the limitations of their integrity frameworks in the policy-making context but also strengthen them, to ensure the integrity and inclusiveness of public policies, notably:

- Public officials need an integrity framework tailored to the specific risks of lobbying and other influence activities.
- Companies and lobbyists need a comprehensive and detailed integrity framework in their engagement with the policy-making process.

6.3.2. Public officials need an integrity framework tailored to the specific risks of lobbying and other influence activities

157. The Lobbying Principles call on public officials to “conduct their communication with lobbyists in line with relevant rules, standards and guidelines in a way that bears the closest scrutiny”. Public officials should “cast no doubt on their impartiality to promote the public interest, share only authorised information and not misuse ‘confidential information’, disclose relevant private interests and avoid conflict of interests”. They should also “set an example by their personal conduct in their relationship with lobbyists.” While the great majority of public officials follow these principles, cases remain in which public officials depart from them, casting doubt on the impartiality and overall integrity of the public decision-making process.

158. In addition, the Lobbying Principles call on countries to establish restrictions on revolving door practices. Such restrictions may include a ‘cooling-off’ period that temporarily restricts former public officials from lobbying their past organisations, as well as a similar temporary cooling-off restriction on appointing or hiring a lobbyist to fill a regulatory or advisory post. Many countries have established such rules and procedures; however, revolving door practices still exist.

159. Countries can continue efforts to strengthen the integrity of public decision-making process frameworks by addressing the following challenges:

- A minority of countries provide specific integrity standards for public officials in relation to lobbying activities.
- Public officials require additional guidance to appraise the reliability of information.
- Rules on gifts, invitations and hospitalities are robust but continued attention is needed.
- The revolving door remains a concern, despite strong standards for managing conflict-of-interest.
- Guidance, capacity building and awareness raising can be enhanced.

A minority of countries provide specific integrity standards for public officials in relation to lobbying activities

160. All Adherents and Respondents to the 2020 OECD Survey have developed standards of conduct and values for their public service and public officials, in which integrity and impartiality are usually promoted. Such standards indicate the expectation that all public officials' actions, related primarily to decision making, should be impartial and made in the public interest. This is in line with the OECD Recommendation on Public Integrity [[OECD/LEGAL/0435](#)] that requires Adherents to set standards of conduct, to clarify expectations and serve as a basis for disciplinary, administrative, civil and/or criminal investigations. These standards and values are usually defined in legal and/or administrative systems, such as statutes and general acts on public service, as well as in the constitution, labour laws, special service or public service regulations, administrative procedure laws, and codes of conduct/ethics (Table A A.11). General integrity standards and values for public officials can inform and set the boundaries of acceptable behaviour when interacting with representatives of special interest groups.

161. Standards can also be adapted to sectors or functions in the executive and legislative branches, and to higher and more politically exposed positions. For example, elected or appointed political officials (e.g. members of Government, members of Parliament, political advisers) are central to public decision making, set the political agenda and have access to confidential information. The OECD Recommendation on Public Integrity [[OECD/LEGAL/0435](#)] asks its Adherents to “[d]emonstrate commitment at the highest political and management levels within the public sector to enhance public integrity and reduce corruption, in particular through: establishing clear expectations for the highest political and management levels that will support the public integrity system through exemplary personal behaviour, including its demonstration of a high standard of propriety in the discharge of official duties”. Therefore, higher expectations to serve the public interest rest upon the highest political levels, which may call for higher standards specifically tailored to the positions they occupy. Such standards exist in several countries (Table 6.11 and Box 6.28).

Table 6.11. Countries with standards of conduct for the highest political positions

	Executive branch	Legislative Branch
Australia	Statement of Ministerial Standards Statement of Standards for Ministerial Staff	No specific standard
Austria	No specific standard	No specific standard
Brazil	Code of Conduct for the Senior Federal Administration	No specific standard
Belgium	No specific standard	No specific standard
Canada	Prime Minister Guide on Open and Accountable Government (for Ministers and Ministers of State)	Conflict of Interest Code for Members of the House of Commons Ethics and Conflict of Interest Code for Senators
Chile	No specific standard	No specific standard
Colombia	No specific standard	No specific standard
Costa Rica	No specific standard	No specific standard
Czech Republic	No specific standard	No specific standard
Denmark	No specific standard	No specific standard
Estonia	No specific standard	No specific standard
Finland	No specific standard	No specific standard
France	Deontology charter for members of the government	Deontology Code for Deputies (Code de déontologie des députés)

	Executive branch	Legislative Branch
Germany	Guidelines for Supervisors and Heads of Public Authorities/Agencies	Code of Conduct of the Germany Bundestag and relevant implementation rules
Greece	No specific standard	Code of Conduct for Members of the Parliament
Hungary	Code of Conduct for Government Officials	No specific standard
Ireland	Code of Conduct for Councillors Code of Conduct for Office Holders	Code of Conduct for Members of Dáil Éireann other than Office Holders Code of Conduct for Members of Seanad Éireann
Iceland	Code of Conduct for Ministers	Code of Conduct for Members of the Althingi
Israel	No specific standard	No specific standard
Italy	No specific standard	No specific standard
Japan	No specific standard	No specific standard
Korea	No specific standard	No specific standard
Latvia	No specific standard	No specific standard
Lithuania	Code of Conduct for State Politicians	No specific standard
Luxembourg	No specific standard	Code of Conduct for Members of Parliament relating to financial interests and conflicts of interest
Mexico	No specific standard	No specific standard
Netherlands	No specific standard	No specific standard
New Zealand	Code of Conduct for Ministerial Staff	No specific standard
Norway	No specific standard	No specific standard
Peru	No specific standard	Parliamentary Code of Ethics (Código de Ética Parlamentaria)
Poland	No specific standard	No specific standard
Portugal	Government Code of Conduct	No specific standard
Romania	Memorandum on adopting the Code of conduct for the members of the Romanian Government (2019)	Decision no. 77/2017 regarding the Code of conduct of the members of the Romanian Parliament
Slovak Republic	No specific standard	No specific standard
Slovenia	Code of Ethics of the Holders of Public Office in the Government of the Republic of Slovenia and the Ministries	Ethical Code for the Members of the National Assembly of the Republic of Slovenia
Spain	No specific standard	Code of Conduct for Members of the Congress and the Senate
Sweden	No specific standard	No specific standard
Switzerland	No specific standard	No specific standard
Turkey	No specific standard	No specific standard
United Kingdom	Ministerial Code Code of Conduct for Special Advisers	Code of Conduct for Members of Parliament Code of Conduct for Members of the House of Lords
United States	No specific standard	Code of Official Conduct (House of Representatives) Senate Code of Official Conduct
European Union	Code of Conduct for Members of the European Commission	Code of Conduct for Members of the European Parliament with respect to financial interests and conflicts of interest

Source: Additional research by the OECD Secretariat.

Box 6.28. Specific codes set high standards of conduct for exposed political positions

The Australian Statement of Ministerial Standards

Considering that Ministers are “*entrusted with considerable privilege and wide discretionary power*”, the Australian Statement of Ministerial Standards includes ethical principles such as acting with integrity, observing fairness, accepting accountability and responsibility, and advancing the public interest.

The Code of Conduct for Members of Government in Portugal

The Code of Conduct for Members of Government in Portugal also applies to senior managers of the public administration under the responsibility of the Government, as well as directors and managers of public institutes and state-owned companies.

The United Kingdom Ministerial Code

In the United Kingdom, each new Prime Minister issues their own Ministerial Code, setting out the rules and standards that are expected from all Ministers. The Seven Principles of Public Life, which apply to anyone who works as a public office holder, whether elected or appointed, nationally and locally, are annexed to the Code.

The Brazilian Code of Conduct for the Senior Federal Administration

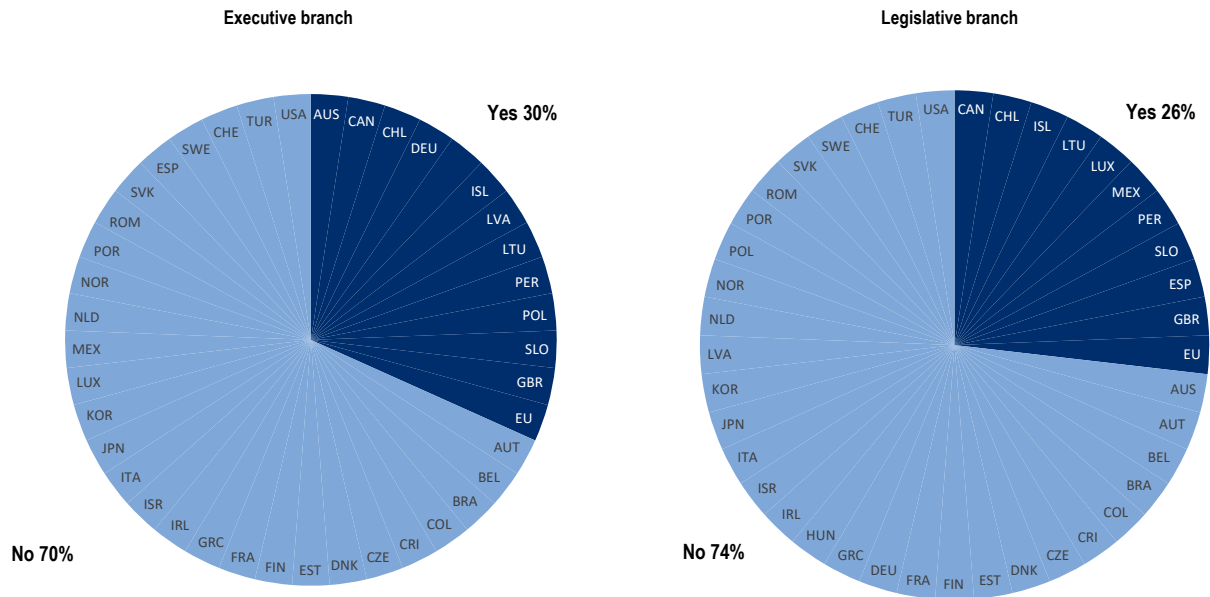
In Brazil, the Code of Conduct for the Senior Federal Administration sets explicit standards of conduct to ensure “the integrity and fairness of the governmental decision-making process”. The Code applies to Ministers and Secretaries of State, executive secretaries, presidents and directors of national agencies, as well as state-owned companies.

Source: (Government of the United Kingdom, 2018^[115]); OECD 2020 Survey on Lobbying.

162. Specific standards, in the form of principles, rules or procedures, are needed however in relation to lobbying activities. The Lobbying Principles indicate that Adherents should provide such standards to give public officials clear directions on how they are permitted to engage with lobbyists. Integrity standards and ethical obligations on lobbying may be included in a specific lobbying law or lobbying code of conduct, or included in the general standards for public officials, such as laws or codes of conduct for public officials. Only a few countries have developed such specific standards (Figure 6.15 and Table 6.12).

Figure 6.15. More standards are needed for public officials on their interactions with lobbyists

Specific duties and standards of conduct related to lobbying activities for public officials



Source: Additional research by the OECD Secretariat.

Table 6.12. Specific standards for public officials on their interactions with lobbyists

	Executive branch	Legislative branch
Australia	Australian Government Lobbying Code of Conduct	No specific standard
Austria	No specific standard	No specific standard
Belgium	No specific standard	No specific standard
Brazil	No specific standard	No specific standard
Canada	Prime Minister Guide on Open and Accountable Government (for Ministers and Ministers of State)	Conflict of Interest Code for Members of the House of Commons Ethics and Conflict of Interest Code for Senators
Chile	Law regulating lobbying and the representation of private interests before authorities and civil servants.	Law regulating lobbying and the representation of private interests before authorities and civil servants.
Colombia	No specific standard	No specific standard
Costa Rica	No specific standard	No specific standard
Czech Republic	No specific standard	No specific standard
Denmark	No specific standard	No specific standard
Estonia	No specific standard	No specific standard
Finland	No specific standard	No specific standard
France	No specific standard	No specific standard
Germany	Anti-Corruption Code of Conduct (Annex 1 to the Federal Government Directive Concerning the Prevention of Corruption in the Federal Administration)	No specific standard
Greece	No specific standard	No specific standard
Hungary	Governmental Decree (50N/A2013 (II.25)) on the system for management of integrity in administrative bodies and rules of procedure for reception of lobbyists	No specific standard
Ireland	No specific standard	No specific standard
Iceland	Code of Conduct for Staff in the Government Offices of Iceland	Code of Conduct for Members of the Althingi

Israel	No specific standard	No specific standard
Italy	No specific standard	No specific standard
Japan	No specific standard	No specific standard
Korea	No specific standard	No specific standard
Latvia	Cabinet Regulations No. 1 “Values of State Administration and Fundamental Principles of Ethics”	No specific standard
Lithuania	Law on Lobbying Activities	Law on Lobbying Activities
Luxembourg	No specific standard	Code of conduct for Luxembourg MPs on financial interests and conflicts of interest
Mexico	No specific standard	Rules of Procedure of the Senate and the House of Representatives, and related Agreements on Lobbying
Netherlands	No specific standard	No specific standard
New Zealand	No specific standard	No specific standard
Norway	No specific standard	No specific standard
Peru	Law regulating the management of interests in public administration	Law regulating the management of interests in public administration
Poland	Act on Legislative and Regulatory Lobbying	No specific standard
Portugal	No specific standard	No specific standard
Romania	No specific standard	No specific standard
Slovak Republic	No specific standard	No specific standard
Slovenia	Integrity and Prevention of Corruption Act	Integrity and Prevention of Corruption Act
Spain	No specific standard	Code of Conduct for members of the Congress and the Senate
Sweden	No specific standard	No specific standard
Switzerland	No specific standard	No specific standard
Turkey	No specific standard	No specific standard
United Kingdom	Seven Principles of Public Life Civil Service Code	Code of Conduct of the House of Commons Code of Conduct for Members of the House of Lords
United States	No specific standard	No specific standard
European Union	European Commission Transparency Rules	Rules of procedure of the European Parliament (Rule 11 Members' financial interests and Transparency register)

Source: OECD 2020 Survey on Lobbying and additional research by the OECD Secretariat.

163. Depending on the type of document in which they are included, standards for public officials and their interactions with lobbyists may include:

- The duty to treat lobbyists equally by granting them fair and equitable access.
- The obligation to refuse meetings with unregistered lobbyists.
- The obligation to report violations to competent authorities.
- The duty to register their meetings with lobbyists (through a lobbying registry or open agendas) (Table A A.8).

Public officials require additional guidance to appraise the reliability of information

164. In their interactions with public officials, lobbyists share their expertise, legitimate needs, and evidence about policy problems and how to address them. In doing so, they provide public officials with valuable information on which to base their decisions. However, at times they may abuse this legitimate process to provide unreliable or inaccurate information. For example, lobbyists can choose to highlight selected results of scientific studies while dismissing the doubts or criticisms contained in these studies. They may also support and promote studies that challenge scientific arguments unfavourable to their interests, or highlight the results of studies financed through their own centres and institutes, and other organisations such as think tanks. Evidence shows that studies funded by the related industry are more likely to find results favourable to that industry (Vartanian, Schwartz and Brownell, 2007^[116]), with a benefit/risk balance up to four times higher than independent studies (Lexchin et al., 2003^[117]). Public officials may be unaware that the external analysis they consider useful guidance could be biased by private actors, or they may simply lack time to consider the credibility of sources, and as a result base their decision on biased or false evidence.

165. When asked what is the main risk when stakeholders influence policy making, more than a quarter of Parliamentarians cited biased evidence and data (26%), shortly behind privileged access to policy makers (30%) and lack of transparency (29%). A study in Canada found that 60% of Canadian Parliamentarians consider the challenge of navigating information that may be biased or spun to influence their thinking as one of the main barriers to effective evidence-based decision-making in practice (Box 6.29).

Box 6.29. How Canadian Members of Parliament use information

In Canada, an NGO promoting the transparent use of evidence by governments conducted a research project exploring how Canadian Members of Parliament (MPs) find and use information in their work. Based on one-on-one interviews with MPs, the study found that while MPs display commitment to use strong evidence, nearly 60% of MPs highlighted the challenge of navigating information that may be biased or spun to influence their thinking as one of the main barriers to effective evidence-based decision making in practice. Credibility was the most valuable factor for MPs when evaluating a source, while managing time constraints and information overload were other challenges cited relating to the use of science and evidence in their work.

Among other recommendations, the study suggests that training for policy experts on how to recognise robust information could be helpful, especially for policy makers who do not have a research background to help them interpret science.

Source: (Girling and Gibbs, 2019^[118]).

166. Facing this reality, many governments lack the necessary infrastructure to build connections between the supply and demand for evidence in the policy-making process (OECD, 2020^[119]). In addition, very few governments provide concrete standards for public officials on considering evidence provided by third parties. In the Netherlands, the Code of Conduct on Integrity in Central Government reminds public officials to consider the indirect ways they may be influenced by special interest groups, for example, through financing research (Box 6.30).

Box 6.30. Netherlands: the Code of Conduct on Integrity in Central Government reminds public officials to pay attention to indirect influence

Dealing with lobbyists

“You may have to deal with lobbyists in your work. These are advocates who try to influence decision making to their advantage. That is allowed. But are you always aware of that? And how do you deal with it?”

Make sure you can do your work transparently and independently. Be aware of the interests of lobbyists and of the different possibilities of influence. This can be done very directly (for example by a visit or invitation), but also more indirectly (for example by co-financing research that influences policy).

Consult with your colleagues or supervisor where these situations may be present in your work.

Sometimes it is in the public interest to avoid contacts with lobbyists”.

Source: Extracts from the Dutch Code of Conduct on Integrity in Central Government, <https://zoek.officielebekendmakingen.nl/stcrt-2019-71141.html>.

167. Similarly, Australia published in November 2019 specific guidelines to counter foreign interference in the Australian university sector to, among other objectives, “deter and detect deception, undue influence, unauthorised disclosure or disruption” to research in Australian Universities (Box 6.31).

Box 6.31. Australia’s Guidelines to Counter Foreign Interference in the Australian University Sector

In August 2019, the Australian Government set up a Taskforce to provide guidelines for universities against foreign interference. The Taskforce included representatives from universities, national security organisations and the Department of Education. In a context where “*foreign actors are pursuing opportunities to interfere with Australian decision makers across a range of sectors in Australian society – including the university and research sectors*”, the guidelines published in November 2019 aim to support universities and decision makers in assessing and providing adequate responses to the risks from foreign interference. They focus on four main areas:

- Cyber security.
- Research and intellectual property.
- Foreign collaboration.
- Culture and communication.

Source: Australian Government Department of Education, Skills and Employment, The University Foreign Interference Taskforce, <https://www.education.gov.au/ufit>.

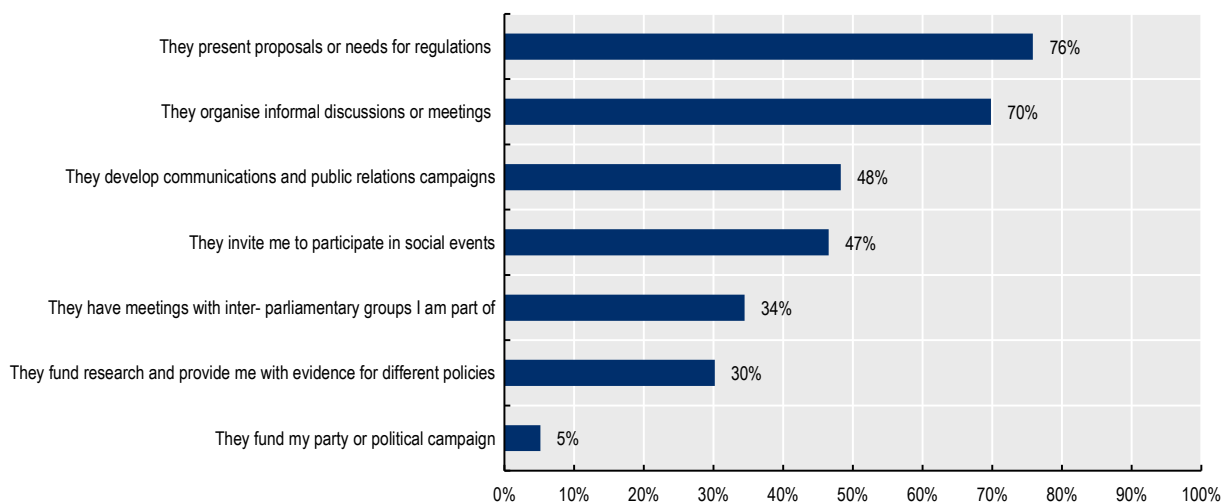
168. During the COVID-19 crisis, some countries developed detailed guidelines, at the government or organisational level, for policy makers and health authorities on decision making in times of crisis. For example, the Irish Department of Health published

an “Ethical framework for decision making in a pandemic”, which includes ethical principles and procedural values to be applied in decision-making processes during a pandemic (Government of Ireland Department of Health, 2020_[120]).

Rules on gifts, invitations and hospitalities are robust, but continued attention is needed

169. Outside their direct engagement with public officials, an additional strategy to influence public officials is the provision of incentives such as gifts and benefits. This strategy also involves creating spaces in which public officials and lobbyists may engage with each other, for example by inviting decision makers to participate in seminars and conferences. Members of Parliament surveyed highlighted that invitations to participate in social events was a common practice used by actors to influence their decisions (Figure 6.16).

Figure 6.16. Most common practices used by actors to influence Members of Parliament's decisions



Note: Members of Parliament were asked to answer the following question (3 answers possible): It is common for parliamentarians to be approached by lobbyists and other actors with the aim of influencing their decisions. What are the three most common practices that actors use to influence your decisions?

Source: OECD 2020 Survey on Lobbying.

170. In most countries, a gift and benefit policy is provided for in specific civil service laws or codes of conduct (Box 6.32). These provisions usually include the following aspects:

- A prohibition to accept gifts or a prohibition to accept gifts beyond a certain value;
- A duty to report gifts received and/or a threshold under which gifts can be accepted without being reported;
- Specific provisions and conditions on invitations to participate in public events, and associated hospitalities (Table A A.9).

Box 6.32. The Netherlands Code of Conduct on Integrity in Central Government provides guidelines on accepting gifts and benefits

In relation to specific gifts, the Netherlands Code of Conduct for Central Government highlights that public officials may receive invitations (excursions, trips, dinners and invitations to events) from third parties and encourages government officials to discuss these invitations in advance with their manager. As an example, the Code cites “attending a sports event in the VIP lounge at the invitation of an external business relation” as a sensitive issue.

The Code of Conduct also recognises that it may be useful and desirable for civil servants to be invited for their expertise as a speaker or member of an expert panel, in commercially organised conferences and symposiums, for example, if the activity is important for developing, explaining or disseminating policies. However, the Code also includes principles for accepting requests for speaking at conferences. The public official must discuss this with their manager in advance, who then determines whether the invitation can be accepted. The public official must not receive financial payment for their intervention.

The final decision lies with management; here too, transparency and openness are necessary in order to make a detailed assessment.

Source: Netherlands Code of Conduct on Integrity in Central Government, <https://www.government.nl/documents/decrees/2017/02/10/code-of-conduct-for-integrity-in-the-central-public-administration-2016>.

171. Countries that have a specific framework on lobbying and rules on the acceptance of gifts, benefits and other advantages, may impose specific conditions and/or restrictions on such activities by lobbyists. This is the case for example in the United States. The ethical rules of the U.S House of Representatives impose stricter rules on gifts and travel offered by a registered lobbyist or an agent of a foreign principal (Box 6.33).

Box 6.33. Prohibited lobbyist gifts and travel in the U.S. House of Representatives

The U.S. House of Representatives Ethics Manual explicitly prohibits gifts offered by lobbyists. A Member, officer or employee of the House of Representatives may not accept any gift from a registered lobbyist, agent or a foreign principal, or private entity that retains or employs such individuals. Other gifts that are expressly prohibited include:

- Anything provided by a registered lobbyist or an agent of a foreign principal to an entity that is maintained or controlled by a Member, officer or employee of the House.
- Charitable contributions made by a registered lobbyist or an agent of a foreign principal on the basis of a designation, recommendation or other specification of a Member, officer or employee of the House.
- A contribution or other payment by a registered lobbyist or an agent of a foreign principal to a legal expense fund established for the benefit of a Member, officer or employee.
- A financial contribution or expenditure made by a registered lobbyist or an agent of a foreign principal relating to a conference, retreat or similar event, sponsored by or affiliated with an official congressional organisation, for or on behalf of Members, officers or employees of the House.

Members, officers and employees may accept virtually any gift below USD 50 from other sources, with a limitation of less than USD 100 in gifts from any single source in a calendar year.

Invitations to travel, both in their official and personal capacities, are considered as gifts to Members, officers and employees, and are thus subject to the same prohibitions as other gifts.

Source: U.S. House of Representatives Gift Rule.

The revolving door remains a concern, despite strong standards for managing conflicts of interest

172. A “conflict of interest” involves a conflict between the public duty and private interests of a public official, in which the public official has private-capacity interests which could improperly influence the performance of their official duties and responsibilities (OECD, 2004_[121]). In this case, the influence is not exercised by another party or lobbyist, but by the private and conflicting interests of the public official. The Lobbying Principles state that public officials should disclose relevant private interests and avoid conflict of interest. All countries have in place standards, rules and procedures to deal with conflict of interest (OECD, 2015_[122]). Given their discretionary powers, elected officials and senior civil servants are more influential and are at greater risk of facing conflict of interests. In general, the majority of countries have established regulations specifically dealing with

conflicts of interest for members of cabinet, senior civil servants, appointed public officials, and members of parliament (Table 6.13). At the EU level, specific rules dealing with conflict of interest also apply to Members of the European Commission, Members of the European Parliament, as well as all European Union civil servants.

173. In the context of the current COVID-19 crisis, some countries have included conflict-of-interest provisions in the stimulus packages that prohibit funds from being allocated to businesses controlled or owned by senior public officials – and certain immediate family members. For example, the Coronavirus Aid, Relief and Economic Security (CARES) Act in the United States includes conflict-of-interest rules to ensure that companies in which high-level public officials have an equity interest may not be eligible for any emergency relief.

Table 6.13. Development of specific regulations dealing with conflicts of interests for particular categories of public officials

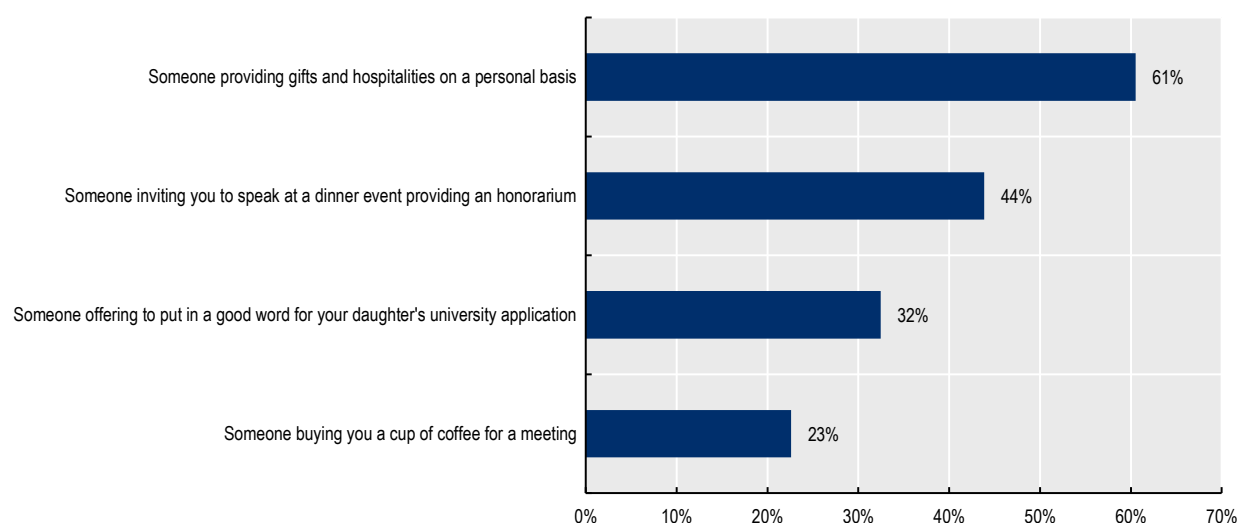
	There is a specific conflict of interest regulation for members of legislative bodies	There is a specific conflict of interest regulation for ministers or members of cabinet	There is a specific conflict of interest regulation for appointed public officials (e.g. political advisors and appointees)	There is a specific conflict of interest regulation for senior civil servants (not elected)
Australia	•	•	•	•
Austria	•	•	○	○
Belgium	○	•	•	•
Brazil	○	•	•	•
Canada	•	•	•	•
Chile	•	•	•	•
Colombia	•	•	•	•
Costa Rica	•	•	•	•
Czech Republic	•	•	•	•
Denmark	○	•	•	•
Estonia	•	•	•	•
Finland	○	•	•	•
France	•	•	•	•
Germany	○	•	○	○
Greece	•	•	•	•
Hungary	•	•	•	•
Iceland	○	•	•	•
Ireland	•	•	•	•
Israel	•	•	•	•
Italy	○	•	•	•
Japan	○	•	○	•
Korea	•	•	•	•
Latvia	•	•	•	•
Lithuania	•	•	•	•
Luxembourg	•	•	•	•
Mexico	○	•	•	•
Netherlands	•	•	•	•
New Zealand	•	•	•	•
Norway	○	•	•	•
Poland	○	○	○	•
Peru	•	•	•	•
Portugal	•	•	•	•

	There is a specific conflict of interest regulation for members of legislative bodies	There is a specific conflict of interest regulation for ministers or members of cabinet	There is a specific conflict of interest regulation for appointed public officials (e.g. political advisors and appointees)	There is a specific conflict of interest regulation for senior civil servants (not elected)
Romania	•	•	•	•
Slovak Republic	•	•	•	•
Slovenia	•	•	•	•
Spain	•	•	•	•
Sweden	•	•	•	•
Switzerland	•	•	•	•
Turkey	○	○	○	○
United Kingdom	•	•	•	•
United States	•	•	•	•
• Yes	29	39	36	38
○ No	12	2	5	3

Source: OECD Product Market Regulation Indicators, 2018 and additional information provided by delegates of the Working Party of Senior Public Integrity Officials (SPIO).

174. Conflict of interest standards normally require that a public official identifies the conflict and reports it, usually at first instance to their manager, so the conflict can be managed or resolved (either through removal, recusal, transfer or resignation). Standards, rules and procedures require public officials to disclose their private interests to ensure transparency and allow scrutiny. Such disclosure systems are widespread throughout all OECD governments. Public disclosure of interests before or upon entry into and at the end of public functions can help determine whether a public official's decision has been compromised by a private interest, such as former or outside employment, board memberships or financial investments. This helps inform the public about the public officials' interests, links and potential biases in policy making, thereby providing an additional accountability and scrutiny mechanism. The information made public can then be reused for investigative purposes by political opponents and journalists, for research by academia and think tanks, or for accountability reasons by civil society organisations.

175. Even if rules and procedures have been established, public officials may still face difficulties with ethical dilemmas and unanswered questions on how to behave in specific circumstances, and avoid placing themselves or being placed into a situation of conflict of interest. For example, 39% of legislators surveyed declared that they have no concrete guidelines on how to behave when they are offered gifts and benefits, and 56% when being invited to speak at an event with an honorarium (Figure 6.17).

Figure 6.17. Legislators point to insufficient guidelines on dealing with specific integrity dilemmas

Note: Legislators were asked the following question: “Are there any guidelines on how to react (for example: Accept offer/ Accept and include in public agenda/ Do not accept / Do not accept and report the person who offered) in everyday situations.

Source: OECD 2020 Survey on Lobbying.

176. One of the main risks and concerns related to conflict-of-interest is the revolving door phenomenon. The Lobbying Principles state that “[c]ountries should consider establishing restrictions for public officials leaving office in the following situations: to prevent conflict of interest when seeking a new position, to inhibit the misuse of ‘confidential information’, and to avoid post-public service ‘switching sides’ in specific processes in which the former officials were substantially involved. It may be necessary to impose a ‘cooling-off’ period that temporarily restricts former public officials from lobbying their past organisations. Conversely, countries may consider a similar temporary cooling-off period restriction on appointing or hiring a lobbyist to fill a regulatory or an advisory post.” The movement of people between the private and public sectors results in many positive outcomes, notably the transfer of knowledge and experience. However, it can also provide an undue or unfair advantage to influence government policies if not properly regulated.

177. Ensuring integrity in the policy-making process and lobbying activities also involves establishing both rules of procedure for joining the public sector from the private sector and vice-versa, as well as cooling-off periods tailored to the level of seniority.

Post-Public Employment

178. Post-employment restrictions and prohibitions are a useful tool to avoid any use of insider information to disadvantage a former employer or competitors, discourage influence peddling, or avoid suspicion of rewarding past decisions that may benefit a prospective employer. They can take several forms:

- Prohibition from conducting any lobbying activity or prohibition from influencing or defending the cause of their new company, client, business associate or employer with members of the Government and staff of a public organisation with which the public official was connected.
- Prohibition from using information unavailable to the public and obtained in the course of their office.

- Prohibition from giving advice using information unavailable to the public and obtained in the course of their office, or on entities in which they were employed or had a substantial relationship.
- Restrictions on certain private activities, such as accepting board membership or employment in entities with which they had significant official dealings, or engaging in consultant activities.

179. One of the challenges in setting-up post-employment provisions lies in finding an adequate balance between codifying rules and restrictions to safeguard integrity of public decisions, without unduly affecting both individuals' careers and public service efficiency.

180. In Germany, the Civil Service Act stipulates cooling-off periods for civil servants after they have left public service or have reached retirement age. For members of the Government and Parliamentary State Secretaries, the Federal Government may prohibit, either wholly or in part, taking up gainful or other employment for the first 18 months after leaving office, where there is a concern that such employment will interfere with public interests. The decision on a prohibition is taken in light of a recommendation from an advisory body composed of three members.

181. In Spain, the legal framework is used to encourage companies to comply with post-public employment legislation. Law 9/2017 on public sector contracts reinforces the obligation to post the employment activities of high-ranking officials in order to minimise conflicts of interest. In particular, companies that have hired any person breaching the prohibition on providing services in private companies directly related to the competencies of the position held during the two-year cooling-off period are prohibited from contracting with any public administration, provided that the breach has been published in the Official State Gazette. The prohibition on contracting will remain for as long as the person is hired, with the maximum limit of two years from their termination as a high-ranking official.

182. Most countries have established cooling-off measures for public officials in the executive branch, but fewer have adopted provisions for members of legislative bodies (Table 6.14). Similarly, revolving door measures at the EU level are provided for Members of the Commission though there is no cooling-off period for Members of Parliament (Box 6.34). In the Netherlands, a specific circular adopted in October 2020 – “Lobbying ban on former ministries” – prohibits ministers and any officials employed in ministries to take up employment as lobbyists, mediators or intermediaries in business contacts with a ministry representing a policy area for which they previously had public responsibilities. The length of the lobbying ban is two years. The objective of the ban is to prevent retiring or resigning ministers from using their position, knowledge and network acquired in public office for the benefit of an organisation where they took up employment after their resignation. The Secretary-General of the relevant ministry has the option of granting a reasoned request to former ministers who request an exception to the lobbying ban (Overheid.nl, 2020_[123]).

Table 6.14. Provisions on cooling-off periods

	Members of legislative bodies	Ministers and Members of Cabinet	Appointed public officials	Senior civil servants	Duration of the cooling-off period
Australia	○	●	●	●	18 months for ministers and Parliamentary Secretaries, in areas relating to any matter that they had official dealings with in their last 18 months in office. 12 months for ministerial staff, in areas relating to any matter that they had official dealings with in their last 12 months in office.
Austria	○	○	○	●	Six months under certain conditions for federal civil servants
Brazil	○	●	●	●	
Belgium	○	○	○	○	
Canada	●	●	●	●	Cooling period for lobbying (Lobbying Act): five years for cabinet ministers, their staff, parliamentarians and high ranked public servants. Cooling off period for conflicts of interests (Conflict of Interest Act and departments' Values and Ethics Code): two years for ministers and one year for public officials.
Chile	○	○	○	○	
Colombia	○	●	●	●	
Costa Rica	○	○	○	○	
Czech Republic	○	●	●	●	One year
Denmark	○	○	○	○	There are no cooling-off or other post-public employment provisions
Estonia	○	○	○	●	
Finland	○	○	○	○	There are no cooling-off or other post-public employment provisions
France	○	●	●	●	Three years for all
Germany	○	●	●	●	One year for Federal Ministers and Parliamentary State Secretaries (18 months in certain cases) Up to five years for civil servants
Greece	○	○	○	●	One year for members of government and deputy ministers and appointed officials
Hungary	○	●	●	●	Up to two years
Iceland	○	●	●	○	Six months
Ireland	○	●	●	●	One year
Israel	●	●	●	●	One year for Members of the Knesset Six months for parliamentary advisors at the Knesset
Italy	○	○	●	●	Three years
Japan	○	●	○	●	Two years for civil servants
Korea	●	●	●	●	Two years for all
Latvia	●	●	●	●	Two years
Lithuania	●	●	●	●	One year for members of legislative bodies and cabinet
Luxembourg	○	●	○	○	Two years of restrictions for ministers
Mexico	○	●	●	●	10 years for ministers, appointed officials and senior civil servants
Netherlands	○	●	○	○	Two years
New Zealand	○	○	○	○	
Norway	○	●	●	●	Six months for all

	Members of legislative bodies	Ministers and Members of Cabinet	Appointed public officials	Senior civil servants	Duration of the cooling-off period
Poland	○	•	○	○	One year
Portugal	•	•	•	•	Three years for ministers, one year for senior civil servants
Romania	○	○	○	•	One to three years for civil servants (depending on the activity)
Slovak Republic	•	•	○	○	Two years
Slovenia	•	•	○	○	One to two years for ministers or members of parliament (depending on the activity)
Spain	○	•	•	○	Two years for ministers and appointed public officials
Sweden	○	○	○	○	A body under parliament defines waiting period/restrictions if needed for Ministers and state secretaries (2018)
Switzerland	○	○	○	○	
Turkey	○	○	○	•	Two years for senior civil servants
United Kingdom	○	•	○	•	Two years for Ministers* and senior civil servants
United States	•	•	•	•	One to two years
Total					
• Yes	11	26	20	25	
○ No	30	19	21	16	

Notes:

Countries were asked the following question: Is there a national regulation establishing a cooling-off period after leaving office that applies to the following public officials?

- The data was extracted from the OECD Product Market Regulation Indicators (2018). The United States is not featured in the indicators. Information for this country was added based on other OECD data.
- In Germany, members of the Federal Government must notify the Federal Government within 18 months of leaving their position. The Federal Government may prohibit the activity and the cooling-off period shall not exceed one year. In certain cases, the prohibition may be issued for a period of up to 18 months.
- In the United Kingdom, the Ministerial Code does not allow ministers to lobby government for two years after they leave office. UK ministers and senior crown servants must seek permission of the Advisory Committee on Business Appointments before taking on any new paid or unpaid appointment within two years of leaving ministerial office or Crown Office.

Source: OECD PMR 2018.

Box 6.34. Post-employment rules at the EU level

Members of the European Commission

The Code of Conduct for Members of the European Commission establishes a two-year “[scrutiny period](#)” (three years for the former Commission President) during which Commissioners must notify the professional activities in which they intend to engage during this period. If the intended activity is linked to the Commissioner's former portfolio, the Commission must first consult an Independent Ethical Committee before approving the activities.

Members of the European Parliament

Article 6 of the Code of Conduct for Members of the European Parliament requires former Members who engage in professional lobbying activities directly linked to the European Union decision-making process to inform the Parliament. During the period in which they engage those activities, they cannot benefit from the facilities and privileges granted to former Members. These include for example access to Parliament premises and use of Parliament documentation.

European civil service

Members of the EU civil service leaving their position and beginning a new job within two years must obtain authorisation from the relevant institution. If the activity is related to work carried out during their last three years in service and might conflict with the legitimate interests of the institution, the institution may forbid it or approve it subject to conditions.

Senior officials (Directors General and Directors) are prohibited, in the twelve months after leaving service, from engaging in lobbying activities targeting their former institutions on matters for which they were responsible during their last three years in service.

Source: Code of Conduct for Members of the European Union; Code of Conduct for Members of the European Parliament; Staff regulations for Members of the European civil service.

183. In cases where public officials who choose to join private positions face a period of inactivity, it is also a practice in some countries to provide proportionate arrangements, such as indemnities, allowances or compensations involving all or part of the former salary. In France, members of the government receive an allowance for three months following termination of their public functions; the allowance is equivalent to their former monthly salary if they filed their end-of-function asset declaration to the relevant authority. However, these arrangements usually do not cover the whole cooling-off period, nor do they apply to the whole scope of functions covered by revolving door regulations (OECD, 2020^[71]). Senior Norwegian public officials can be given a “temporary disqualification” for up to six months from taking a new role outside the public sector. In such cases, the official receives remuneration for this period.

184. Not all countries apply sanctions for breaching cooling-off periods. For example, a breach of cooling-off statutory provisions is not considered an offence under the Lobbying Act in Ireland, and the Standards in Public Office Commission cannot impose sanctions for persons who fail to comply with these provisions.

185. In countries with post-employment restrictions and established responsible functions in charge of monitoring, only 20% of governments reported that most detected breaches are actually sanctioned. Practical challenges arise from checking all notifications for future employment or remunerated activity, and the ability of the responsible institutions to issue an informed approval, with reserves if needed, or disapproval, and sanction former officials in cases of breaches. In addition, the absence of a notification, where public officials are bound by legal requirements to notify new private positions, and situations that the legal framework does not cover (e.g. the former public officials are no longer bound within the legal delays covered by this requirement but still have useful “insider information” or the networks they have established as a public servant) represent additional challenges in enforcing revolving-doors provisions.

Pre-public employment

186. Private sector representatives joining the public sector can also pose significant conflict-of-interest risks. In some countries, revolving door regulations also cover lobbyists joining the public sector. Provisions covering them take the form of pre-public employment cooling-off period. Most pre-public employment measures are implemented during the recruitment processes (OECD, 2015^[122]). They can take various forms, such as bans and restrictions for a defined period of time, interest disclosure prior to or upon entry into functions, ethical guidance, pre-screening integrity checks, or reference checks (Box 6.35).

Box 6.35. Restrictions and controls on private-sector employees being hired to fill a post in government

France

In France, article 432 of the Penal Code imposes certain restrictions on private-sector employees hired to fill a post in a public administration. For a period of three years following the termination of their functions in their previous employment, they must not be entrusted with the supervision or control of a private undertaking, with the conclusion of contracts of any kind with a private undertaking or with giving an opinion on such contracts. They are also not allowed to propose decisions relating to the operations carried out by a private undertaking or formulate opinions on such decisions. They must not receive advice from or any capital in one of these undertakings. Any breach to this provision is punished by two years' imprisonment and a fine of EUR 30 000.

In 2020, the HATVP was tasked with a new pre-nomination control. A preventive control is carried out before an appointment to one of the following positions, when the person has held positions in the private sector during the last three years prior to the appointment:

- Director of a central administration and head of a State public establishment whose appointment is subject to a decree by the Council of Ministers.
- Director General of services of regions, departments, municipalities with more than 40 000 inhabitants and public establishments of inter-municipal cooperation with their own tax system with more than 40 000 inhabitants.
- Director of a public hospital with a budget of more than EUR 200 million.
- Member of a ministerial cabinet.
- Collaborator of the President of the Republic.

United States

Once they have taken office, former private-sector employees and lobbyists are subject to a one-year cooling-off period in situations where the former employer is a party or represents a party in a particular government matter. This restriction applies not only to former private-sector employees and lobbyists, but also to any executive branch employee who has, within the past year, served as an officer, director, trustee, general partner, agent, attorney, consultant, contractor, or employee of an individual, organisation, or other entity.

In the case of an employee who has received an extraordinary payment exceeding USD 10 000 from their former employer before entering government service, the employee is subject to a two-year cooling-off period with respect to that employer.

Israel

The restrictions imposed on private sector employees hired to fill a post in government vary according to the particular circumstances of each case. A candidate who was a partner in a law firm or an accounting firm prior to their appointment to public office will be required to retire from the partnership and to refrain from dealings involving that business, its other partners and its employees for two years. In addition, the candidate must commit to forego professional relations with the business, its partners and its employees, and not to view the accounting records, documents or any other information relating to the work of the business. A candidate who, prior to their appointment, took part in the management of a private corporation, will be required to resign from this position and to refrain from dealing with issues related to the organisation and the holders of controlling interests in the corporation for two years. These restrictions are defined in an internal document prepared (and updated) by the Ministry of Justice, and are used by all government ministries and subsidiary units.

Source: Additional research by the OECD Secretariat.

187. Tailored guidance and support for future public officials is also essential and may take various forms. For example, pre-public employment screening can result in tailored recommendations for portfolio or personal arrangements, in case of potential conflicts between former and future functions. However, effective implementation of these mechanisms is dependent upon the human, technical and financial means dedicated to them.

Guidance, capacity building and awareness raising can be enhanced

188. The Lobbying Principles call on Adherents to raise awareness of expected rules and standards, and enhance skills and understanding of how to apply them. Guidance and training material, as well as advice and counselling, serve to provide clarity and practical examples, facilitate compliance and help avoid the risk of misinterpreting standards and policies. They equip public officials with the knowledge and skills necessary to appropriately manage integrity issues, and seek out advice when needed.

189. Most countries do provide guidance, build capacity and raise awareness on integrity standards and values applicable to public officials. This may include induction or on-the-job training, disseminating the code of conduct, developing posters, computer screen-savers, employee boards, banners, bookmarks and printed calendars. In particular, training opportunities offered to public officials and members of parliament commonly include components on values and standards, expected behaviours, and concrete examples of good

practices, ethical dilemmas, and the description of potentially problematic situations. Yet, the content and regularity of training on integrity for public officials varies and depends on the overall size of the public service, the human and financial resources dedicated to capacity-building, and whether integrity training is mandatory or voluntary, or targeted at categories of public officials exposed to specific risks (OECD, 2020^[7]).

190. In addition, guidance and consultation mechanisms are also provided through a dedicated integrity body, unit or personnel. Institutionalisation of an integrity advisory function can take different forms: within a central government body, through an independent or semi-independent specialised body; or through integrity units or advisors integrated within line ministries. Their role is usually to provide advice on solving ethical dilemmas and to support public officials in understanding the rules and ethical principles of the civil service (OECD, 2020^[7]).

191. While these approaches generally cover the standards of conduct and values of the public service, they could further enhance understanding and knowledge on lobbying-related risks and the expected behaviour of public officials. In countries that have developed specific integrity standards on lobbying, the majority also provide guidance on how to apply regulations and guidelines. Assistance can exist by visiting a particular webpage, calling a specific hotline or emailing a dedicated contact (Table 6.15).

Table 6.15. Guidance available for public officials, lobbyists and citizens on interactions with lobbyists, in selected countries

	On a website/dedicated webpage	Calling a specific hotline/emailing an identified contact	Training opportunities offered by public authorities
Australia	•	•	○
Austria	•	•	○
Canada	•	•	•
Chile	•	○	○
France	•	•	•
Germany	•	•	○
Hungary	•	○	•
Iceland	○	○	○
Ireland	•	•	•
Latvia	○	○	○
Lithuania	•	•	•
Luxembourg	○	•	○
Mexico	•	○	○
Peru	○	○	○
Poland	•	•	○
Romania	•	○	○
Slovenia	•	•	•
Spain	○	○	○
United Kingdom	•	•	•
United States	•	•	○
European Union	•	○	•

Source: OECD 2020 Survey on Lobbying.

192. In the case of legislators, the majority have declared they can rely on an integrity function within their organisation or a specialised institution to guide how they interact with lobbyists. In France for example, the High Authority for Transparency in Public Life (HATVP) provides individual confidential advice upon request to the highest-ranking elected and non-elected public officials falling within its scope, and provides guidance and support to their institution when one of these public officials requests so and within 30 days of receiving the request (HATVP, 2016_[124]). In Ireland, the issue of guidance to promote awareness and understanding is embedded in the Lobbying Act, and the Standards in Public Office Commission provides tailored guidance to various categories of public officials (Box 6.36).

Box 6.36. Tailored guidance for public officials in Ireland

In Ireland, Article 17 of the Lobbying Act specifies that “the Commission may issue guidance about the operation of this Act and may from time to time revise or re-issue it”, and “may make available specific information to promote awareness and understanding of this Act”.

The website www.lobbying.ie contains specific guidance for public officials covered by the provisions of the Law (“designated public officials”), including:

- General guidance for public officials to ensure that they understand how the system works, how they fit into it and how they can assist in supporting the effective implementation of the legislation;
- Guidance for Members of the Dáil, Members of the Seanad and Members of the European Parliament representing the Irish State.
- Guidance for Local Authority Members.
- Guidance on the cooling-off period.

Source: <https://www.lobbying.ie/help-resources/information-for-dpos/>.

193. The availability of integrity trainings specifically addressing interactions with lobbyists remains scarce. 64% of legislators surveyed indicated that they did not receive training and information on how to engage with lobbyists. Most countries surveyed provide training and awareness-raising activities on specific issues, such as integrity in interactions with third parties on an *ad hoc* basis. In Slovenia, lobbying rules are looked at twice a year during a seminar organised by the Administrative Academy (Box 6.37).

Box 6.37. The Slovenian Commission for the Prevention of Corruption offers tailored training opportunities for public officials

In its mission to prevent corruption, the Commission for the Prevention of Corruption offers free education and training opportunities for all public sector organisations in Slovenia.

Once a public institution has identified specific needs such as conflict-of-interest rules, whistleblower protection, lobbying regulation, or any other area in the scope of the Commission, the entity may issue a request to the Commission. The request should also

highlight the specific ethical dilemmas or concerns of the institution, as well as issues that public officials have encountered in their work.

After careful examination of the needs, issues and concerns, the Commission presents training options and programs to the requesting institution.

The Commission regularly invites all public officials to attend a seminar organised twice a year by the Administrative Academy. All areas of the Integrity and Prevention of Corruption Act are looked at, as well as safeguards for integrity in interactions between public officials and lobbyists. The Commission is also available at any point to provide ongoing guidance and answer all questions.

Source: (Commission for the Prevention of Corruption, 2020^[125]).

6.3.3. Companies and lobbyists need a comprehensive and detailed integrity framework in their engagement with the policy-making process

194. Companies and lobbyists are critical actors in the policy-making process, providing government with insights, evidence and data to make informed decisions. However, they can also at times undermine the policy-making process by abusing legitimate means of influence such as lobbying, political financing and other forms. As a result, the Lobbying Principles call on lobbyists, and their clients, as the ordering party, not to abuse legitimate means of influence. To that end, in-house and consultant lobbyists “should conduct their contact with public officials with integrity and honesty, provide reliable and accurate information, and avoid conflict of interest in relation to both public officials and the clients they represent, for example by not representing conflicting or competing interests.”

195. Companies and lobbyists are under an increasingly high degree of scrutiny from all stakeholders, notably their own employees, investors and the public. This has significantly increased the expectations regarding their level of and commitment to integrity when engaging with the policy-making process. Companies and lobbyists face the following challenges in relation to their business culture and long-established lobbying practices:

- Companies and lobbyists need comprehensive and detailed integrity standards.
- Misalignment between companies’ public commitments and their lobbying practices decreases trust in the public decision-making process.

Companies and lobbyists need comprehensive and detailed integrity standards

196. Lobbyists (whether in-house or as part of a lobbying association) require clear standards and guidelines that clarify the expected rules and behaviour for engaging with public officials. This ensures integrity in the policy-making process. Similar to the findings of the 2014 report, codes of conduct continue to be the main tool to support integrity in the lobbying process. Of the 144 lobbyists surveyed, 80% stated that they follow a code of conduct. For some, the code of conduct is issued by their employer, for others by the lobbying association (Box 6.38), whereas for others still, by the government (Table 6.16). In some cases, lobbyists stated that they followed all three.

Box 6.38. Code of conduct of the Society of European Affairs Professionals (SEAP)

In 1997, SEAP adopted a Code of Conduct, (which has since been revised), that includes seven articles: integrity, transparency, accuracy, confidentiality, conflicts of interest, former EU personnel, and compliance. All SEAP members are bound to the Code.

Under the article on integrity, SEAP members are obliged to:

- act with honesty and integrity at all times, conducting their business in a fair and professional manner across all channels including social media
- treat all others, including colleagues, competitors, and staff, officials or members of the EU institutions, with respect and civility at all times
- not exert improper influence on, nor offer to give, either directly or indirectly, any financial inducement to staff, officials or members of the EU institutions.

Under the article on transparency, SEAP members are obliged to:

- maintain the highest standards of professionalism in conducting their work with the EU institutions
- be open and transparent in declaring their name, organisation or company, and the interest they represent
- neither intentionally misrepresent their status nor the nature of their inquiries to the EU institutions nor create any false impression in relation thereto
- therefore strongly consider registering on the EU Transparency Register.

Under the article on accuracy, SEAP member are obliged to:

- take all reasonable steps to ensure the truth and accuracy of all statements made or information provided by them to the EU institutions
- not disseminate false or misleading information either knowingly or recklessly; exercise proper care to avoid doing so inadvertently and correct any such act promptly
- not obtain any information from the EU institutions by illicit or dishonest means.

Source: SEAP <https://seap.be/about-seap/our-code-of-conduct/>.

Table 6.16. Standards for lobbyists developed by Adherents and other Respondents to the 2020 OECD Survey

	Lobbyists
Australia	Australian Government Lobbying Code of Conduct
Austria	Lobbying and Advocacy Transparency Law
Belgium	Code of Conduct appended to the Chamber of Representatives' Rules of Procedure
Canada	Lobbying Act Lobbyists' Code of Conduct
Chile	Law regulating lobbying and the representation of private interests before authorities and civil servants. (Ley que regula el lobby y las gestiones que representen intereses particulares ante la autoridades y funcionarios) Code of practice for lobbyists (Código de buenas prácticas para lobbistas)

	Lobbyists
Colombia	No standard
Czech Republic	No standard
Denmark	No standard
Finland	No standard
France	Ethical obligations listed in Law No. 2013-907. Law on transparency, the fight against corruption and the modernisation of the economy Senate Code of Conduct for interest representatives National Assembly Code of Conduct for Interest representatives
Germany	Principles of honest representation of interests and Code of Conduct
Greece	No standard
Hungary	No standard
Ireland	Regulation of Lobbying Act Code of Conduct for persons carrying on lobbying activities under the Regulation of Lobbying Act
Iceland	No standard
Israel	Knesset Law, 57-541994, Chapter 12
Italy	Regulation of interest representation activities in the offices of the Chamber of Deputies, and associated guidelines
Japan	No standard
Korea	No standard
Latvia	No standard
Lithuania	Law on Lobbying Activities (Article 4, "Rights and duties of lobbyists"); Code of Ethics for Lobbyists
Luxembourg	No standard
Mexico	Rules of Procedure of the Senate and the House of Representatives, and related Agreements on Lobbying
Netherlands	No standard
New Zealand	No standard
Norway	No standard
Peru	Regulation of Law No. 28024 regulating the Management of Interests in the Public Administration (Reglamento de la Ley N° 28024 que regula la Gestión de Intereses en la Administración Pública)
Poland	No standard
Portugal	No standard
Slovak Republic	No standard
Slovenia	Integrity and Prevention of Corruption Act
Spain	No standard
Sweden	No standard
Switzerland	No standard
Turkey	No standard
United Kingdom	Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act
United States	Lobbying Disclosure Act
European Union	Code of Conduct for lobbyists

Source: OECD 2020 Survey on Lobbying and additional research by the OECD Secretariat.

197. Concerning standards provided by governments, the ethical obligations and integrity standards for lobbyists usually include:

- Ethical obligations related to registration, for example the duty to certify that the information disclosed is correct.

- Standards of conduct on how they interact with public officials, for example the obligation to inform public officials that they are conducting lobbying activities and the interests they represent, a duty to present accurate information or not to make misleading claims (Table A A.10).

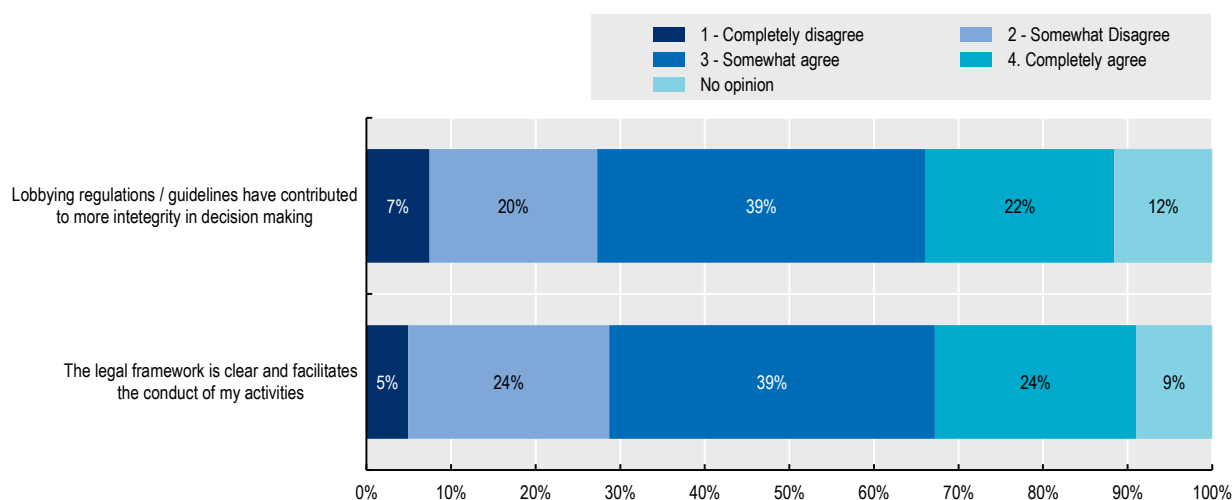
198. While the specific content of the standards varies depending on the organisation, there are several characteristics in common, including transparency about who the lobbyist is representing, compliance with the organisation or association's ethical principles, providing truthful and evidence-based information, and where applicable, registering in the applicable jurisdiction's lobbying register. However, in instances where lobbyists are covered by more than one code of conduct, a challenge of coherence and interpretation can arise. For example, some lobbyists noted issues relating to different terms and definitions, as well as expectations for conduct.

199. Moreover, with specific reference to multinational companies, there is a notable difference in terms of the existence of lobbying policies that detail expected standards. These differences depend on the industry and the region in which a company has its headquarters. Companies in the oil and gas, pharmaceuticals, agriculture and tobacco sectors tend to have more detailed policies, while companies in the banking and finance and renewable energy sectors tend to not have any lobbying policy in place. Likewise, companies that have headquarters in regions where there are already established regulations on lobbying tend to have more detailed policies, whereas companies whose headquarters are outside such jurisdictions often have less robust or even non-existent policies to guide lobbying practices.

200. The issues related to coherence between standards, coupled with inconsistent coverage, raise concerns about the quality of existing standards in place for lobbyists, and point to a need to improve standards to help lobbyists engage with integrity with policy makers. To some degree, governments are providing guidance to lobbyists to support compliance with lobbying regulations and policies; however lobbyists surveyed indicated that this guidance is limited to providing instructions on how to register on the relevant portal or webpage, with only a few governments providing actual training on compliance. In addition, this guidance only applies when the government itself has lobbying regulations and policies in place.

201. These findings suggest that additional guidance on integrity in lobbying could help support lobbyists. Moreover, only a minority of the lobbyists surveyed felt that existing regulations and guidelines were sufficient to promote integrity in decision making (Figure 6.18). Some pointed to difficulties in engaging with public officials and legislators, as these officials felt uncomfortable talking to lobbyists. Others noted that the regulations remained unclear, with lack of understanding in terms of who was a lobbyist and what lobbying entailed. To address these concerns, standards need to be set by governments to clarify what lobbying is, what rules apply, and to whom they apply.

Figure 6.18. The extent to which lobbying regulation and policies have contributed to promoting integrity in decision making



Source: OECD 2020 Survey on Lobbying.

202. While lobbying has been a core tool for engaging with governments, it is not the only method through which companies influence the policy-making process. For example, companies can channel their influence by financing political parties or election campaigns, or by funding research or think-tanks to generate knowledge and insights on particular policy issues. Similarly to lobbying, using such measures to engage in the policy-making process is legitimate and contributes to informing the policy-making process. However, when the financing of political parties or election campaigns takes advantage of legal loopholes, or the funding of think tanks or research is made for the purpose of manipulating data or evidence, then there is a clear violation of integrity principles. Where adequate governance standards are lacking within companies, unconstrained activities to influence policy-making processes carried out directly or indirectly can have serious reputational repercussions and raise concerns for shareholders, investors and consumers. Governments could therefore consider establishing standards that clarify how to ensure integrity across the range of measures that are available to companies to influence public policy. Standards could cover issues such as ensuring the accuracy and plurality of views, promoting transparency in the funding of research bodies and think tanks, and managing and preventing conflicts of interest in the research process (Box 6.39). One example is addressing issues related to the use of evidence and data, as impartial and reliable evidence is critical for designing, implementing and assessing public-policy decisions (OECD, 2017_[126]). Indeed, surveyed legislators noted that academic papers (78%) and think tanks contributions (42%) are important or very important sources for formulating public policies; however, 27% of these legislators also saw biased evidence and data as the main risk emerging from stakeholders who seek to influence the policy-making process. As such, setting clear standards for companies on the provision of data and evidence could contribute to ensuring integrity in decision-making processes.

Box 6.39. Establishing principles on the use of evidence to inform policy making: The case of the Royal Society and Academy of Medical Sciences in the United Kingdom

‘Evidence synthesis’ refers to the process of bringing together information from a range of sources and disciplines to inform debates and decisions on specific issues. Recognising the challenge of providing quality evidence synthesis to inform policy making, the Royal Society and the Academy of Medical Sciences in the United Kingdom developed a set of principles that outlined the core features of good evidence synthesis to inform policy making. These principles aim to ensure that actors who provide research and advice to policy makers do so in an inclusive, rigorous, accessible and transparent manner.

Inclusive:

- policy makers are involved and the information is relevant and useful to them
- many types and sources of evidence are considered
- a range of skills and people are used.

Rigorous:

- the most comprehensive, feasible body of evidence is used
- biases are recognised and minimised
- evidence is independently reviewed as part of a quality assurance process.

Accessible:

- the synthesis is written in plain language, is available in a suitable timeframe and is freely available online.

Transparent:

- the research question, methods, sources of evidence and quality assurance process are clearly described
- complexities and areas of contention are communicated
- assumptions, limitations and uncertainties, including any evidence gaps, are acknowledged
- personal, political and organisational interests are declared and managed.

Implementing these principles makes evidence “likely to be more credible, replicable and useful”.

Source: The Royal Society and the Academy of Medical Sciences, 2018, <https://royalsociety.org/topics-policy/projects/evidence-synthesis/>.

203. Companies and trade associations can also influence the policy-making process by recruiting former public officials on the basis of that person’s expertise in an area, or because of their connections. The latter however is a grey area that can give rise to a conflict-of-interest situation. While many countries have established policies to address this issue, only a minority of companies have mirrored such policies. Companies and lobbyists could strengthen their recruitment policies to ensure that integrity values are applied. For

example, Nestlé has clarified the expectations for recruiting former public officials in their lobbying policy, noting that “If employing former public officials, measures should be taken to fully understand and comply with the rules and regulations laid down by the government, the relevant institution and with established best-practices in particular with regards to confidentiality and potential conflict of interest.” (Nestlé, 2017_[127]).

204. Companies are under significant public scrutiny, and this for a variety of reasons. Today, reviewing a company’s lobbying activities is increasingly becoming standard practice. For example, some shareholders of publicly listed companies have become particularly active in recent years by putting resolutions to vote and demanding increased transparency of lobbying activities (Australasian Centre for Corporate Responsibility, 2020_[128]; Bloomberg, 2020_[129]). Investors have similarly started to consider lobbying activities when assessing a company’s sustainability profile, as well as the use of tools to improve transparency and challenge questionable behaviour. Investors such as the Climate Action 100+, a group of 545 investors, responsible for nearly USD 52 trillion combined assets under management, have similarly started to consider lobbying activities when assessing a company’s sustainability and risk profile (InfluenceMap, 2020_[130]).

205. This higher level of scrutiny needs to be accompanied by better standards and accountability mechanisms to ensure that companies’ lobbying activities are not contrary to their broader societal engagements. While there are numerous benchmarks against which companies are measured, the inconsistent manner can prevent forming a coherent and comprehensive approach, leaving too many risks and uncertainties for companies. Building on the Lobbying Principles’ further standards, which are comprehensive, detailed and realistic, may be needed to guide lobbyists and companies’ progress in this area.

Misalignment between companies’ public commitments and their lobbying practices decreases trust in the public decision-making process

206. The Lobbying Principles state that lobbyists and companies also bear an obligation to foster a culture of integrity in lobbying, and maintain trust in public decision making in their relations with public officials, with other lobbyists and companies, and with the public. However, when a company publicly commits itself to an issue and simultaneously lobbies against it, its relationship with the public and the trust invested in the public decision-making process is impaired. This misalignment can raise serious credibility issues for companies, and can impact investor and consumer decisions. It seems that the main cause of misalignment is due to a lack of coordination between the company’s government affairs branch and the corporate social responsibility branch (Favotto and Kollman, 2019_[131]).

207. Misalignment is not a new concern (Favotto and Kollman, 2019_[131]; Lyon et al., 2018_[65]; UN Global Compact, 2013_[132]; UN Global Compact, 2005_[133]; WWF, 2005_[134]) and has led to initiatives on responsible lobbying calling for better and more consistent alignment within a company (Box 6.40). Yet, misalignments remain and are now more evident than before, given the increased demand for transparency and scrutiny on companies’ conduct.

Box 6.40. The United Nations Global Compact: How to Align a Company's Broader Vision and its Government Affairs Agenda

In 2005, the U.N. Global Compact introduced a framework on responsible lobbying with a six-step lobbying “health-check”:

1. **Alignment:** are the lobbying positions of the company in line with their strategy and actions, and universal principles and values?
2. **Materiality:** is the company lobbying on issues that affect their organisation and stakeholders?
3. **Stakeholder engagement:** is the company open and responsive to stakeholders in developing and debating their lobbying positions?
4. **Reporting:** is the company transparent about their lobbying positions and practices?
5. **People:** does the company know who is conducting lobbying activities on their behalf and where their spheres of influence are?
6. **Processes:** are management systems and guidelines in place to ensure that their practices are effective and align with their core strategies and policies?

Source: (UN Global Compact, 2005_[133]).

208. In addition to in-house misalignment, there are sometimes misalignments between a company and the industry associations it belongs to. This misalignment is probably of more concern to the integrity of lobbying activities, given that it is often industry associations who are doing most of the lobbying (not individual companies). Company-to-industry-association misalignment can also occur due to the diversity of interests represented within such associations. Where an association’s membership is divided on a certain issue, there is a risk that the position lobbied for becomes the “lowest common denominator” since oppositional voices are often the loudest. This trend appears to be particularly salient in the context of climate change lobbying, where an industry association can adopt a position that directly contradicts a member company’s broader sustainability agenda and undermines stakeholder trust. The “lowest common denominator” trend also risks distorting policy development as it presents policy makers with a stance that appears to represent the full membership of an industry association, but only represents a small minority of interests. As a result, certain companies have started reviewing their alignment with industry associations. For example, Shell conducted a review of its relationship with 19 industry associations (out of the more than 100 industry associations Shell is part of) to assess whether its participation in industry associations undermined the goals of the Paris Agreement. The review showed that Shell was aligned with 9 industry associations and had “*some misalignment*” with 9 others. As a result, Shell decided not to renew its membership with one industry association (Shell, 2019_[135]). Total and BP have also withdrawn from some industry associations.

209. In addition to reviewing the membership, it may be necessary to go further and introduce disclosure requirements so that industry associations make policy makers aware of positions that represent only some of their members. More detailed integrity standards on lobbying for lobbyists and companies may be needed, in order to specify the due diligence requirements companies should undertake to ensure that they, as well as the

lobbying and industry associations they participate in, are aligned in terms of their government affairs and sustainability agendas.

6.4. Access

This section assesses the level of implementation of the requirements on access for all stakeholders in the policy-making process, as provided for in the Principles embedded in the Recommendation. It finds that stakeholder participation in the policy-making process has increased overall, but more meaningful engagement, greater transparency and better communication are needed to ensure that citizens and businesses feel included in the policy-making process. The chapter also shows that further consideration should be given to stakeholders' capacity if they are to effectively inform the policy-making process.

6.4.1. Introduction

210. Ensuring that all stakeholders from the private sector and the public at large have equal opportunities to inform and shape public policies is key to achieving better policies. It implies that policy makers will be better informed to legislate and that most interests will be included and represented in policy outcomes. The *OECD Recommendation on Principles for Transparency and Integrity in Lobbying* (hereafter ‘the Lobbying Principles’) states that Adherents should provide a level playing field by granting all stakeholders fair and equitable access to the development and implementation of public policies (Principle 1). In addition, it encourages countries to consider the governance concerns related to lobbying practices (Principle 2), which continue to evolve, and how existing public governance frameworks could support this objective (Principle 3).

211. Following the adoption of the Lobbying Principles, other OECD instruments and policy guidance have also raised the need to promote the access of all stakeholders to the policy-making process (OECD, 2019^[136]; OECD, 2015^[137]; OECD, 2017^[138]). In particular, the 2012 *OECD Recommendation on Regulatory Policy and Governance* [OECD/LEGAL/0390] recommends to ensure that regulation serves the public interest and is informed by the legitimate needs of those interested in and affected by regulation. This includes providing meaningful opportunities (including online opportunities as well as in person or by written procedure) for the public to contribute to the process of preparing draft regulatory proposals and to the quality of the supporting analysis (OECD, 2012^[139]).¹ The 2015 *OECD Recommendation on Budgetary Governance* [OECD/LEGAL/0410] calls for facilitating the engagement of parliaments, citizens and civil society organisations in a realistic debate about key priorities, trade-offs, opportunity costs and value for money (OECD, 2015^[140]). Most recently, the 2017 *OECD Recommendation on Public Integrity* states that Government should encourage transparency and stakeholders’ engagement at all stages of the political process and policy cycle to promote accountability and the public interest, in particular through granting all stakeholders – including the private sector, civil society and individuals – access in the development and implementation of public policies. Lastly, the 2017 *OECD Recommendation on Open Government* [OECD/LEGAL/0438] states that governments should grant all stakeholders equal and fair opportunities to be informed and consulted, actively engage them in all phases of the policy-cycle and service

¹ The OECD is currently developing the OECD Best Practice Principles for Regulatory Policy: Stakeholder Engagement and has developed a good practice database on stakeholder engagement: <https://www.oecd.org/gov/regulatory-policy/pilot-database-on-stakeholder-engagement-practices.htm>

design and delivery, and promote innovative ways to effectively engage with stakeholders to source ideas and co-create solutions (OECD, 2017_[12]). The guide on “Communicating Open Government: a How-to-Guide” further provides guidance to Governments on enhancing communication about open government initiatives, and using communication as a strategic tool to strengthen participation, and support policy implementation and service design and delivery (OECD and OGP, n.d._[141]).

212. The 2014 report monitoring the implementation of the Lobbying Principles showed that most Adherents had developed regulations to promote more openness and accessibility of stakeholders to the policy-making process. Yet, such regulations and practices did not manage to counterbalance the lobbying power of special interest groups. Many legislators and lobbyists surveyed believed that inappropriate influence-peddling was still a frequent problem (OECD, 2014_[4]).

213. Since then, many OECD countries have further strengthened their stakeholder engagement practices in regulatory processes. Reforms were related mainly to enhancing the transparency of the system, such as making information on planned consultations public, or publishing the comments received by stakeholders during such consultations (OECD, 2018_[142]). Several countries have also broadened their consultation practices and made them more accessible to the wider public. However, even if formal requirements for engagement with all stakeholders usually exist, most countries still lack the institutional structure to ensure this functions well in practice (OECD, 2019_[143]; OECD, 2018_[142]; OECD, 2015_[144]). This has led to the analysis that:

- Opportunities for participation need to be increased; and
- The capacity of stakeholders needs to be better taken into account.

6.4.2. Opportunities for participation need to be increased

214. There are several ways to allow for stakeholders’ participation (OECD, 2017_[12]), such as:

- **Information:** an initial level of participation characterised by a one-way relationship in which the government produces and disseminates information to stakeholders. It covers both on-demand provision of information and “proactive” measures by the government to disseminate information. Examples are access to public records, official gazettes and government websites.
- **Consultation:** a more advanced level of participation that entails a two-way relationship in which stakeholders provide feedback to the government and vice-versa. Examples are public hearings, the right to petition government, comments on draft legislation, and public opinion surveys.
- **Engagement:** when stakeholders are given the opportunity and the necessary resources (e.g. information, data and digital tools) to collaborate during all phases of the policy-cycle and in the service design and delivery. These include models of representative deliberative processes such as informed citizen recommendation on policy questions, citizen opinion on policy questions, informed citizen evaluation of ballot measures and permanent deliberative models.

215. However, more needs to be done to ensure an effective, fair and balanced participation of interest. Three key challenges seem to remain:

- Instances for participation may not always be known by stakeholders.
- Stakeholders are involved too late in the policy-making process.

- There is limited information available to stakeholders.

Instances for participation may not always be known to stakeholders

216. Procedures and processes that enable participation may not be sufficiently known to all stakeholders, and the lack of communication around this reduces the effectiveness of these processes. This might be due to the government's own lack of awareness about the relevance of communicating to citizens and stakeholders, or a lack of human and financial resources for a dedicated communication strategy. Indeed, findings from the upcoming OECD International Report on Public Communication (OECD, 2021, forthcoming) underline that close to half of surveyed centres of government identify human and financial resources as a key reason why a variety of communication competencies are considered challenging for them. Moreover, a lack of communication could be an effective tool to exclude specific stakeholders from engaging, therefore providing information about the engagement process to a selected set of interests.

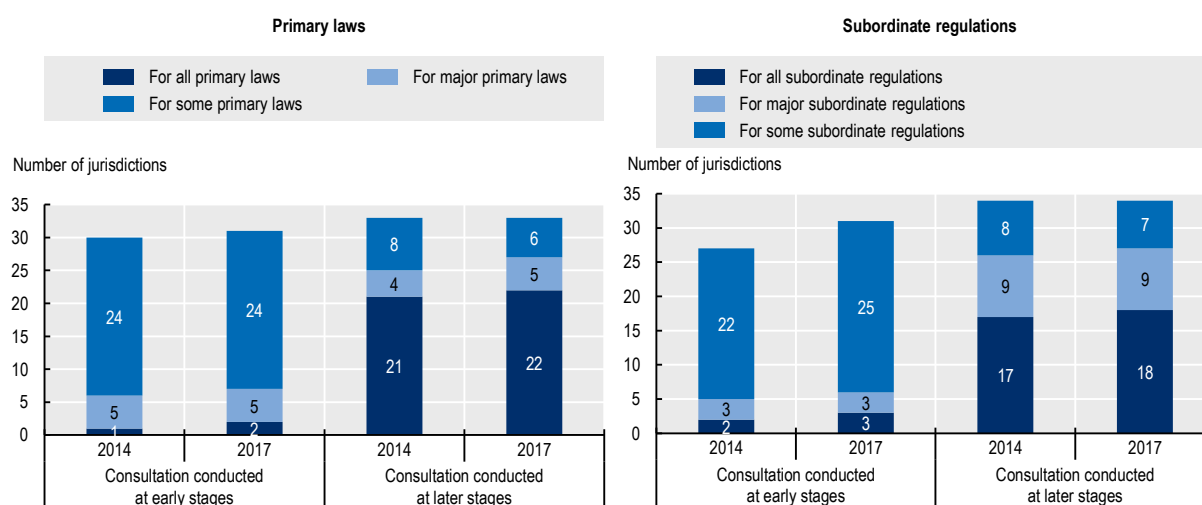
217. Evidence shows that most countries do not systematically inform the public in advance about upcoming consultations on the development of regulation (OECD, 2019^[143]). Only nine OECD member countries inform the public for all forthcoming public consultations related to primary laws that are to be prepared, changed or repealed in the next six months (OECD, 2018^[142]). Providing information about the opportunities to participate, such as the “Demokratia” website in Finland (<http://www.demokratia.fi/en/home/>), or through the Scottish Government's consultation webpage (<https://consult.gov.scot/>), which includes information on consultations that have been made and that are open to participation, would provide opportunities for the public to participate.

218. The COVID-19 crisis has however led some governments to take a number of measures to enable participation. For example, the Scottish Government published a “COVID-19 Framework for Decision-Making”, reviewed every three weeks, which details the approach of the government response and provides information for interested stakeholders concerning the opportunity to participate in policy making, through a list of contact points across the Government (Scottish Government, 2020^[145]).

Stakeholders are involved too late in the policy-making process

219. Most OECD countries conduct consultation for all primary laws at a later stage of the legislative drafting process, whilst few do it at the early stages (Figure 6.19). This reduced window of opportunity often comes too late in the process to allow stakeholders to effectively influence the regulation or policy, and may indicate that stakeholder engagement as a tool may have been used as a mere formality (OECD, 2018^[142]). As a consequence, stakeholders are likely to feel *de facto* excluded from the decision-making process and may abstain from participating in the future.

Figure 6.19. Stakeholder consultation at different stages of policy making



Note: Data is based on 34 OECD member countries and the European Union.

Source: Indicators of Regulatory Policy and Governance Surveys 2014 and 2017, [oe.cd/ireg](https://www.oecd.org/ireg/).

Information available to stakeholders could be increased

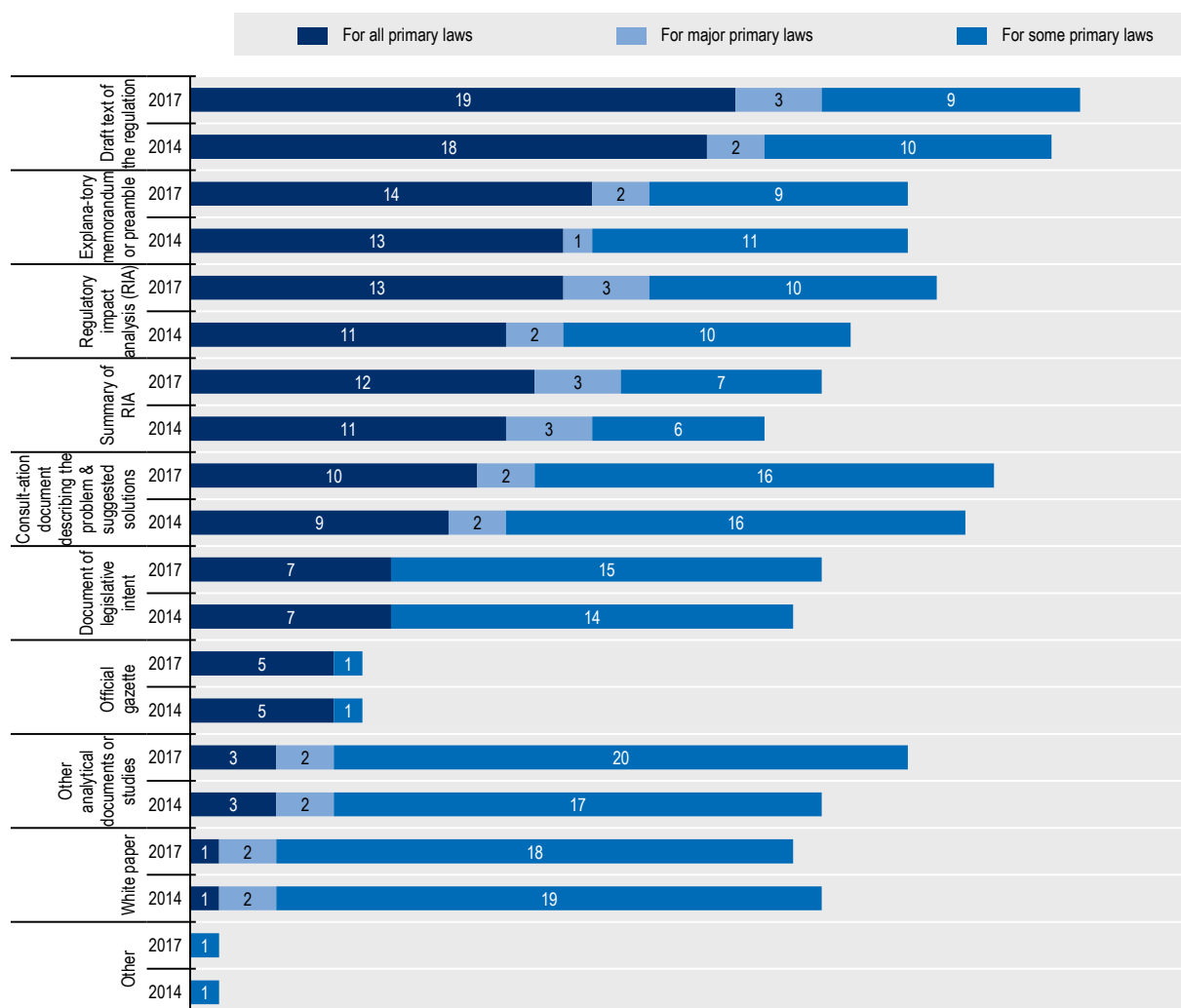
220. Stakeholders have a basic right to obtain relevant information as well as the opportunity to access or request any information they consider relevant for preparing their participation. In OECD Member countries, the right to access information held by public authorities is granted, but the strength of the legal framework to operationalise this right varies significantly. To allow informed policy making, countries should therefore continue to improve the implementation of their access to information legal framework (mostly access to information laws) and ensure that citizens and any other interested parties can obtain the information they need.

221. Governments usually also provide information to support stakeholders. Such information could be of a general nature, such as statistical data, reports or specifically elaborated background information for a given stakeholder participation process. As indicated in the OECD Recommendation on Open Government [OECD/LEGAL/0438], the information should be easily accessible and re-usable, to allow a level playing field for everyone interested. The OECD Open Useful Re-Usable data (OURdata) Index based on the availability, accessibility and government support for the re-use of open government data, indicates that the general trend in terms of performance across the OECD is positive, but challenges remain in terms of policy sustainability and maturity (OECD, 2020^[146]).

222. With respect to specific information concerning a given engagement process, countries tend to make a number of different documents available to support stakeholder engagement on the development of regulation. They tend to provide these at the later stage of the rule-making process, when a preferred solution has been identified and/or a draft regulation has been prepared (Figure 6.20). 57% of OECD countries provide stakeholders with the draft text of the regulation to support their engagement for all primary laws. However, only 28% of OECD member countries provide the public with consultation documents describing the problem and suggested solutions for all primary laws (OECD, 2018^[142]). The UK Government's website, for example, includes a section called "Related Documents" for open and closed consultation processes. In this section, drafts of the projects or initiatives on which people are consulted can be found, as well as related

analytical documents, different reports on impact assessment, a complete survey for the consultation and a report of the consultation process in case it has already closed.

Figure 6.20. Documents available to support stakeholders' engagement at a later stage of the policy-making process



Source: (OECD, 2018_[142]).

6.4.3. The capacity of stakeholders needs to be better taken into account.

223. Beyond developing mechanisms for participation and increasing the opportunities, timing and information available to stakeholders, further challenges need to be considered:

- Stakeholders' capacities and capabilities need to be taken into account.
- Stakeholders may face marginal benefits and high costs for participation.
- Feedback and follow up need to be provided to stakeholders.

Stakeholders' capacities and capabilities need to be taken into account

224. While promoting information is key, a protected civic space with clear legal frameworks, effective oversight and complaints mechanisms, and respect for the rule of law can help to protect people's ability to participate on an equal basis with others. Protection of civic freedoms and rights (freedom of expression, association and assembly) and from discrimination, in addition to access to information and an environment in which journalists and activists can perform a watchdog role are particularly important in this regard.

225. Moreover, a successful stakeholder engagement also requires that stakeholders have the capacity and capability to identify the right opportunity, to participate, to ensure that the information provided is relevant (avoiding information overload), easy to understand and presented in an unbiased way. Indeed, evidence from OECD countries shows that some of these stakeholder participation initiatives appear to attract a selective group of predominantly highly educated people (Michels, 2019_[147]). Furthermore, participation may be costly in terms of financial requirements or other transaction costs, and could thus restrict the access of some stakeholders that have reduced access to the necessary resources. Some stakeholders may consequently consider the benefit of their own participation as marginal and lack confidence in having correctly identified the right opportunity in which to participate, and the cost of participating directly or organising with other individuals with similar interests in a group may be quite high.

226. Barriers to access related to capacities and capabilities are particularly problematic, as they usually imply the exclusion of certain social groups, such as older people, populations in rural areas, groups with low-income and low education levels, or groups who are unable to take advantage of new information and communication technology (ICT). The existence of such barriers may reinforce the perception – and sometimes reality – of an elitist and non-inclusive policy-making process that does not take into account the interests of large parts of the population. It is important to note though that these barriers are not a given, and are often a reflection of how the participation process has been designed. Evidence suggests that to overcome this challenge, various design measures could be taken into consideration, such as sending out invitations to participate via a civic lottery addressed from a person of authority, providing clear explanations of how people's contribution can impact change and will be responded to, and providing payment, covering childcare, travel, and other costs (OECD, 2020_[148]).

227. An increasingly common form of engagement which could address these concerns is representative deliberative processes, such as citizens' assemblies and juries, which involve a group of randomly selected citizens who are broadly representative of the public to weigh evidence and hear from a wide range of experts and stakeholders on a complex policy issue. After considering the evidence and deliberating with one another, the group develops recommendations for policy makers. This requires random selection with stratification to achieve a broadly representative group of people (OECD, 2020_[148]). Participants in these processes should have access to the same evidence, so that their deliberations are based on access to the same facts, evidence and stakeholder positions. Evidence indicates that lay people are more than capable of analysing large amounts of complex information under such conditions, and policy makers often underestimate their capacities.

Stakeholders face marginal benefits and high costs for participation

228. The costs of participating and voicing interests and concerns may be so high for stakeholders and individuals that it largely exceeds the expected marginal benefit they may

obtain if doing so. As a result, organising diffuse individual interests into an organised interest group may be impossible (Olson, 1965_[149]). There is also an underlying ‘free-rider problem’: while everybody would welcome the existence of an interest group to lobby in their favour, some would also prefer others to carry the burden while taking advantage of the results. For instance, a government may invite stakeholders for consultation on water service provision. An individual user may consider the costs of attending the consultation too high compared with a relatively marginal benefit. Water providers however, have a clear and significant interest in influencing the water policy, they are organised and are therefore likely not only to participate but also have a stronger say in such a stakeholder engagement process.

229. Following this logic, some interests may completely fail to organise and consequently, there are diffuse and legitimate interests that are not sitting at the table when relevant policies are being discussed. As mentioned previously, the interests that may not be able to organise might belong to particularly vulnerable parts of the population and as such contribute to the widespread feeling of disenchantment with government and the democratic process.

230. Governments should explore ways to either subsidise or transfer resources to groups who are profoundly impacted upon by a given regulation or policy, but historically have not had sufficient access to resources to effectively organise and lobby for their interests (Davidson, 2017_[150]). However, only a few initiatives intend to proactively engage stakeholders, for example, by providing incentives that could facilitate engagement in public life or incentives for organising into interest groups.

Feedback and follow up need to be provided to stakeholders

231. Diversity of stakeholders and interests may be undermined because of a lack of (expected) impact and disillusion or mistrust by the stakeholders that are usually underrepresented. As mentioned above, if stakeholder engagement is placed at a stage where all relevant decisions have already been made, stakeholders are likely to feel abused for window-dressing purposes and *ex post* legitimisation of a regulation or policy. After such an experience, stakeholders are likely to abstain to participate in the future. Even if the timing of the engagement would have provided an opportunity for effective inputs, if these inputs are systematically disregarded and stakeholders do not receive any feedback on them, future engagement processes will lack legitimacy and relevance. While 82% of countries make public stakeholders' input, only 26% require policy makers to evaluate these inputs and publicly justify if and why they are being dismissed (Figure 6.21).

Figure 6.21. Feedback on consultation comments is rarely public



Note: Data is based on 34 OECD member countries and the European Union.

Source: (OECD, 2018^[142]).

232. In this regard, countries could include in their reports on public consultation at least a brief summary of inputs received, their analysis and results (for example, the Government of the United Kingdom does this and publishes it online). Government could also include in these reports all unedited inputs provided by participants, categorised and linked to policy goals and issues. In the feedback report on the consultation carried out as part of the development process of the Irish Human Rights and Equality Commission Strategy Statement 2016-2018, the Commission presented in unedited form the feedback from the public consultation process, so that Commissioners could access the direct views of participants instead of relying on summaries or interpretations. It also allows participants to observe how their inputs were analysed and included in final results. This principle applies more broadly to any form of participation. It is one of the Good Practice Principles for Deliberative Processes for Public Decision Making (OECD, 2020^[151]) that public authorities commit to responding to or acting on recommendations at the outset of the process, and follow up afterwards with a progress report about implementation.

7. SUMMARY AND CONCLUSIONS

This section draws the main conclusions of the monitoring exercise and suggests key actions to strengthen the transparency and integrity of the policy-making process. It also proposes a way forward to reinforce the relevance and adequacy of the OECD Recommendation on Principles for Transparency and Integrity in Lobbying.

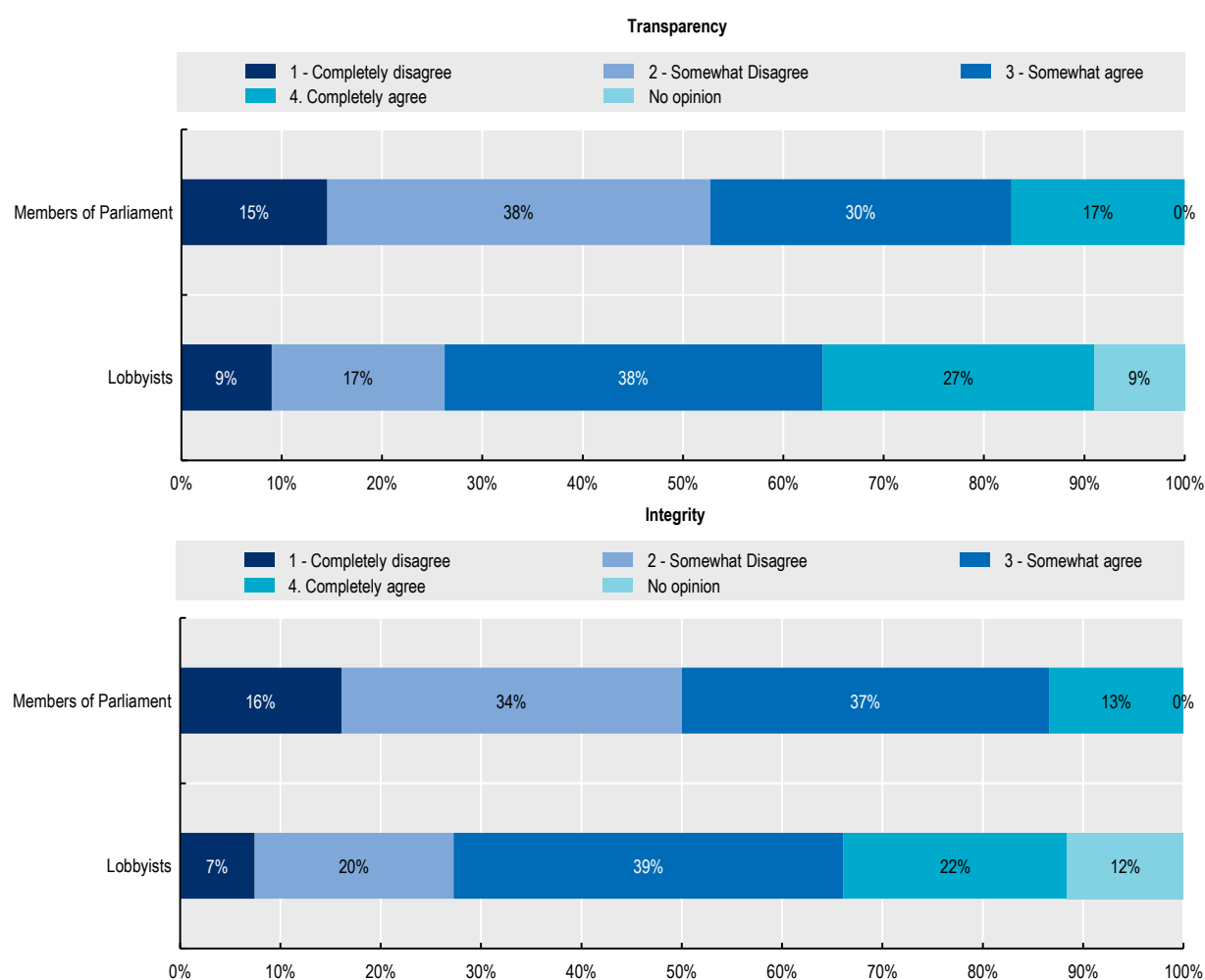
7.1. Dissemination and Implementation

233. Since the adoption of the OECD Recommendation on Principles for Transparency and Integrity in Lobbying in 2010 (hereafter ‘Lobbying Principles’) Adherents as well as selected non-Adherents (Brazil, Costa Rica, Romania) have advanced in providing access, transparency and integrity to the policy-making process. Progress has been made at varying speeds and different countries have put emphasis on different elements. Overall, countries have advanced the most in creating more mechanisms for stakeholders’ participation. In line with their legal, administrative and cultural context, some countries have emphasised transparency and scrutiny aspects, while the focus of others has been on relying on the integrity culture of their public and private sectors.

234. This has taken place in a continuously evolving context. Lobbying in particular, and the level of influence of interest groups within the policy-making process more generally, have changed significantly since the Lobbying Principles were first adopted in 2010. In 2014, at the time of the first report monitoring the implementation of the Lobbying Principles, certain trends were identified that have since intensified. Today, lobbying activities have increased, as have the number and range of actors involved as well as the various means of influencing policy makers. Political and reputational risks have also greatly increased since 2010, both for governments and the private sector, due to the increased scrutiny and expectations that they are subject to.

235. In contrast, transparency measures have not caught up with these evolving trends. In many countries, there is still little transparency on the policy-making process and on lobbying activities in particular. This may be a contributing factor as to why there are mixed views on whether existing rules and guidelines on lobbying have greatly contributed to enhancing transparency and integrity in policy making (Figure 7.1).

Figure 7.1. Lobbyists and Members of Parliament have diverging views on whether lobbying rules and guidelines have contributed to more transparency and integrity in decision making



Source: OECD 2020 Survey on Lobbying.

236. Overall, lobbyists agreed that lobbying regulations have contributed not only to an increase in transparency, but also to the recognition of lobbying as a legitimate activity. Having a legal framework also creates clear avenues for engagement, making it easier for policy makers to receive input and in doing so, allows policy to better reflect the needs of society as a whole. It also enables those who influence policies not to be systematically stigmatised as being corrupt. Yet, many lobbyists also stated that regulations were insufficiently clear to determine who is considered a lobbyist, and at times they do not cover key actors that are influencing the policy-making process. 57% of lobbyists also pointed out that lobbying regulations do not always promote equity of treatment between those who influence decision-making processes, with powerful groups still capitalising on their resources and existing relations with public officials, allowing certain interests to be over-represented in decision making. Similarly, Members of Parliament agreed that despite strong improvements on transparency in the last two decades, loopholes remain.

237. Evidence shows that the abuse of lobbying and other means of influencing the policy-making process leads to suboptimal or entirely wrong policies, and, even if such abuse is occasional, it damages levels of trust in both governments and companies. The COVID-19 crisis has served to illustrate, as well as amplify, the concerns and risks related

to lobbying activities and the policy-making process. For example, perceptions of conflict-of-interest in the advisory groups and task forces that advise on the vaccines may have serious consequences on the public's acceptance of them. More action may be required by all actors, across governments, the private sector and civil society, to promote a robust policy-making process capable of facing major global issues, such as widening social inequalities and the impact of climate change. This will be key to reduce the space for undue influence, and ensure that all stakeholders can inform policy makers, with reliable and accurate information, to design and implement the necessary policies to achieve the Sustainable Development Goals (SDGs) by 2030. A transparent and productive process engaging all stakeholders with integrity is possible, as demonstrated for example by the development of the front-of-pack nutrition label in France, Nutri-Score, that involved consumer groups, policy makers, academics, food companies and retailers (Julia and Serge, 2017^[152]; BEUC, 2020^[153]). Such practices can be expanded to other areas. However, guidelines may be needed to organise such policy engagement by different actors.

7.2. Continued relevance and next steps

238. As a result, a more comprehensive consideration of lobbying activities may be needed, considering the current context, complexity and variety of actors, as well as the diverse ways of influencing the policy-making process. To avoid one-size-fits-all frameworks, a risk-based approach may be warranted to focus measures on undue influence and monopoly of influence in different contexts.

239. The Lobbying Principles remain relevant to inform and support countries in this process as they have done in the past ten years. However, the monitoring of their implementation reveals that they are not entirely adequate, as the focus is largely confined to lobbying and lobbying registries, with little consideration given to the whole spectrum of practices, risks and options for mitigation. Accordingly, the PGC proposes to review and prepare for Council an update of the Recommendation through the Working Party of Senior Public Integrity Officials (SPIO) within two years to reflect the evolving lobbying and influence landscape, and to guide efforts by all actors, across government, business and civil society, in reinforcing the frameworks for transparency and integrity in policy making.

Annex A. Annexes

Table A A.1. Public institutions, persons and decisions targeted by transparency requirements on lobbying activities

	Public officials and institutions targeted by lobbying activities					Type of decisions targeted			
	Ministers and/or members of their cabinet	Members of legislative bodies	Appointed public officials (e.g. political advisors)	Certain senior civil servants	All civil servants within a covered organisation	Making, amendment and/or enforcement of legislation	Government regulation, policy, programme, decision	Awarding of a contract	Awarding of a grant, funding, or another benefit
Australia	●	○	●	●	●	●	●	●	●
Austria	●	●	●	●	●	●	●	●	●
Belgium	●	○	○	○	○	●	○	○	○
Brazil	○	○	○	○	○	○	○	○	○
Canada	●	●	●	●	●	●	●	●	●
Chile	●	●	●	●	○	●	●	●	●
Colombia	○	○	○	○	○	○	○	○	○
Costa Rica	○	○	○	○	○	○	○	○	○
Czech Republic	○	○	○	○	○	○	○	○	○
Denmark	○	○	○	○	○	○	○	○	○
Estonia	○	○	○	○	○	○	○	○	○
Finland	○	○	○	○	○	○	○	○	○
France	●	●	●	●	○	●	●	●	●
Germany	●	●	○	●	○	●	●	●	●
Greece	○	○	○	○	○	○	○	○	○
Hungary	○	○	●	●	●	○	○	●	●
Ireland	●	●	●	●	○	●	●	●	●
Iceland	●	○	●	●	○	●	●	●	●
Israel	○	●	○	○	○	●	○	○	○

	Public officials and institutions targeted by lobbying activities					Type of decisions targeted			
	Ministers and/or members of their cabinet	Members of legislative bodies	Appointed public officials (e.g. political advisors)	Certain senior civil servants	All civil servants within a covered organisation	Making, amendment and/or enforcement of legislation	Government regulation, policy, programme, decision	Awarding of a contract	Awarding of a grant, funding, or another benefit
Italy	○	●	○	○	○	●	○	○	○
Japan	○	○	○	○	○	○	○	○	○
Korea	○	○	○	○	○	○	○	○	○
Latvia	○	○	○	●	●	○	●	●	●
Lithuania	●	●	●	●	○	●	●	●	●
Luxembourg	○	●	○	○	○	●	○	○	○
Mexico	○	●	○	○	○	●	○	○	○
Netherlands	○	●	○	○	○	●	○	○	○
New Zealand	○	○	○	○	○	○	○	○	○
Norway	○	○	○	○	○	○	○	○	○
Peru	●	●	●	●	○	●	●	●	●
Poland	●	●	○	○	○	●	○	○	○
Portugal	○	○	○	○	○	○	○	○	○
Romania	●	○	●	●	○	○	●	●	●
Slovak Republic	○	○	○	○	○	○	○	○	○
Slovenia	●	●	●	●	●	●	●	●	●
Spain	●	●	○	○	○	●	○	○	○
Sweden	○	○	○	○	○	○	○	○	○
Switzerland	○	○	○	○	○	○	○	○	○
Turkey	○	○	○	○	○	○	○	○	○
United Kingdom	●	○	●	○	○	●	●	●	●
United States	●	●	●	●	○	●	●	●	●
● Yes	16	16	14	13	5	19	14	14	14
○ No	25	25	27	28	36	22	27	27	27

Source: Additional research by the OECD Secretariat.

Table A A.2. Public institutions, persons and decisions targeted by transparency requirements on lobbying activities

	Public officials and institutions targeted by lobbying activities	Type of decisions targeted
Australia	" Government representative ": Minister, Parliamentary Secretary, ministerial staff, civil servant, heads of agencies and persons engaged as contractor or consultants by an Australian Government Agency, member of the armed forces	Making or amendment of legislation, the development or amendment of a Government policy or program, the awarding of a Government contract or grant or the allocation of funding.
Austria	The law is not explicit about which branches of the state are covered but it does mention 'decision-making processes in the establishment or enforcement of legislation' at federal, regional and local level.	'Decision-making processes in the establishment or enforcement of legislation'.
Belgium	Chamber of the House of Representatives.	The rules of procedure mention the development or implementation of policies or on the decision-making processes of the Chamber of the House of Representatives.
Brazil	No definition	No definition
Canada	<p>Federal Public Office Holders (POHs) are:</p> <ol style="list-style-type: none"> 1. Any officers or employees of Her Majesty in right of Canada; 2. Members of the Senate or the House of Commons or members of their staff; 3. Governor in Council appointees, other than a judge receiving a salary under the Judges Act or the lieutenant governor of a province; 4. Officers, directors or employees of any federal board, commission or other tribunal as defined in the Federal Courts Act; and 5. Members of the Canadian Armed Forces and the Royal Canadian Mounted Police. <p>Federal Designated Public Office Holders (DPOHs) are:</p> <ol style="list-style-type: none"> 1. All MPs and Senators; 2. Prime Minister, Ministers, Ministers of State; 3. Staff working in the offices Ministers and Ministers of State; 4. Some staff in the Office of the Leader of the Opposition; 5. Deputy Ministers, Associate and Assistant Deputy Ministers, and those of comparable rank; 7. Senior positions in the Armed Forces; 8. Comptroller General of Canada; 9. Select positions at the Privy Council Office. 	<ol style="list-style-type: none"> 1. The development of any legislative proposal by the Government of Canada or by a member of the Senate or the House of Commons; 2. The introduction, defeat or amendment of any Bill or resolution; 3. The making or amendment of any regulation; 4. The development or amendment of any policy or program of the Government of Canada; 5. The awarding of any grant, contribution or other financial benefit; 6. The awarding of any contract.

	Public officials and institutions targeted by lobbying activities	Type of decisions targeted
Chile	<p>"Passive subjects":</p> <ol style="list-style-type: none"> 1. Ministers, Undersecretaries, Heads of services, Ambassadors; 2. Members of Parliament and their advisors; 3. Regional directors of public services, Governors, regional ministerial secretaries, regional Councillors, Mayors, executive secretaries of regional councils, municipal secretaries, 3. Commanders in Chief of the Armed Forces, General Director of the Carabineros, General Director of the Investigative Police; 4. Various senior civil servants such as Central Bank Members, the Comptroller General. 	<ol style="list-style-type: none"> 1. Elaboration, enactment, modification, repeal or rejection of administrative acts, bills and laws, and also of decisions taken by passive subject; 2. Drafting, processing, approval, modification, repeal or rejection of agreements, declarations or decisions of the National Congress or its members, including its commissions; 3. Entering into, modifying or terminating, in any capacity, contracts entered into by passive subjects; 4. Design, implementation and evaluation of policies, plans and programmes;
Colombia	No definition	No definition
Costa Rica	No definition	No definition
Czech Republic	No definition	No definition
Denmark	No definition	No definition
Estonia	No definition	No definition
Finland	No definition	No definition
France	<ol style="list-style-type: none"> 1. Staff of the President of the Republic; 2. Members of Governments and members of ministerial cabinets; 3. Members of the National Assembly and the Senate and their staff; 4. Presidents of the National Assembly and the Senate and their staff; 5. Staff members of the National Assembly and the Senate; 6. Members of the board and sanctions committees of certain independent administrative and public authorities; 7. Directors-General and Secretaries-General of certain independent administrative and public authorities; 8. Public officials appointed in the Council of Ministers 9. Heads of unit and deputy directors in central administrations; 10. Local executive officials. 	<ol style="list-style-type: none"> 1. Laws, including constitutional ones, ordinances and regulatory acts; 2. Public procurement contracts, when the value of the contract is equal or greater than European thresholds; concession contracts, when the estimated value of the contract is equal or greater to European thresholds; contracts giving temporary authorisation to occupy the public domain; contracts for the transfer of immovable property belonging to the private domain of the State or its public establishments; 3. Deliberations of local authorities approving the creation of a single-purpose mixed economy company. 4. "Other public decisions" are taken into account: individual decisions relating to the issue, modification, withdrawal or renewal of an accreditation, an authorisation, a certification, a derogation, a waiver, an exemption, an inclusion in a list, a license, a permit, a title, or a financial benefit of any kind; individual appointment decisions; acts taken by independent administrative and public authorities, when they have a certain normative effect.
Germany	<p>Bundestag: organs, members, parliamentary parties or groups;</p> <p>Federal Government: Parliamentary State Secretaries, State Secretaries, Heads of Departments and Heads of Sub-Departments.</p>	Decision-making process of the organs, members, parliamentary parties or groups of the German Bundestag; decision-making process of the Federal Government.
Greece	No definition	No definition
Hungary	Public administration bodies under the control or supervision of the Government or its members and the employees of such bodies, with the exception of law enforcement agencies and the Military National Security Service.	N/A

	Public officials and institutions targeted by lobbying activities	Type of decisions targeted
Ireland	<p>"Designated public officials":</p> <ol style="list-style-type: none"> 1. Ministers and Ministers of State; 2. Members of Parliament, Members of the European Parliament for Irish constituencies; 3. Members of local authorities; 4. Special advisers to Ministers and Ministers of State; 5. Certain categories of public servants as prescribed 	<p>"Relevant matter": any matter relating to:</p> <ol style="list-style-type: none"> 1. The initiation, development or modification of any public policy of any public program; 2. The preparation or amendment of an enactment; 3. The award of any grant, loan or other financial support, contract or other agreement, or of any license or other authorisation involving public funds. <p>...other than the implementation of any such policy, programme, enactment or award or any matter of a technical nature only.</p>
Iceland	<p>"Persons with top executive functions within the Government Offices of Iceland":</p> <ol style="list-style-type: none"> 1. Ministers; 2. Permanent secretaries; 3. Directors-generals; 4. Ambassadors in the Government Offices of Iceland; 5. Ministerial advisors. 	No definition
Israel	Members of the Knesset (MKs)	<ol style="list-style-type: none"> 1. Bills and secondary legislation in the Knesset or its committees; 2. Decisions of the Knesset and its committees; 3. The appointment or election of a person for a position by the Knesset or by an organisation of which the Knesset is a representative member.
Italy	Members of the Chamber of Deputies	N/A
Japan	No definition	No definition
Korea	No definition	No definition
Latvia	Civil servants and employees of the State Administration	Drafting or taking of decisions
Lithuania	"Lobbied persons": President of the Republic, members of the Seimas, Prime Minister, Ministers, Deputy Ministers, Chancellors of the Government, ministries, mayors, members of municipal councils, directors of municipal administrations and their deputies, civil servants and other persons who participate in the preparation, consideration and adoption of draft legal acts.	Preparation, consideration and adoption of legal acts or administrative decisions.
Luxembourg	No definition	No definition
Mexico	Management bodies and committees of the Senate or before senators contacted individually or jointly. Any Member of the Chamber of deputies, body or authority of the Chamber, contacted individually or jointly	N/A
Netherlands	No definition	No definition
New Zealand	No definition	No definition
Norway	No definition	No definition

	Public officials and institutions targeted by lobbying activities	Type of decisions targeted
Peru	<p>"Officials with public decision-making capacity":</p> <ol style="list-style-type: none"> 1. President of the Republic; 2. First and Second Vice-Presidents of the Republic, when they are responsible for the Presidential Office; 3. Members of Congress; 4. Ministers, vice-ministers, secretaries-general, national directors and directors-general, prefects and sub-prefects, councillors and other senior civil servants; 5. Chair and members of the Judicial Power's Executive Council, including its Director-General; 6. Regional governors and vice-governors, members of Regional Councils and regional managers; 7. Mayors, aldermen and directors of the Metropolitan Municipality of Lima and provincial municipalities and districts; 8. Chairpersons and members of state-owned companies' board of directors, as well as their managing directors; 9. Certain civil servants with decision-making powers. 	<p>Public decision: any process by which the public administration establishes policies or decision-making of any nature that have an economic, social or political significance of an individual or collective nature, or that affect interests in the various sectors of society.</p> <p>For this purpose, a process leading to a public decision is considered to be the following:</p> <ol style="list-style-type: none"> 1. The study of bills by the Ordinary, Special and Permanent Commissions of the Congress of the Republic; 2. The debate of opinions on draft laws and the approval, observation and promulgation of laws, and their repeal; 3. The drafting, approval and promulgation of Legislative Decrees and Emergency Decrees, and their repeal; 4. The formation, promulgation of Supreme Decrees, Supreme Resolutions, Ministerial Resolutions, Vice-Ministerial Resolutions and Directorial Resolutions, as the case may be, and their repeal; 4. The elaboration, adoption or approval of policies, programmes, projects and institutional positions; 5. The conclusion of agreements and contracts; 6. The drafting, approval or repeal of resolutions of the heads of public administration bodies or entities; 7. The drafting, approval or repeal of regional ordinances, regional council agreements, regional decrees and resolutions as well as municipal ordinances, decrees and resolutions; 8. The acts of internal administration carried out by the bodies of the public administration entities.
Poland	"Public authorities"	Law-making process.
Portugal	No definition	No definition
Romania	<p>"Decision makers of the central executive government":</p> <ol style="list-style-type: none"> 1. Prime minister, Head of the Chancellery of the Prime Minister and Secretary-General of the Government; 2. Ministers, Secretaries of State, State counsellors; 4. Senior officials from certain institutions or central bodies of the administration subordinated to the Government. 	Public policy: funding program, an intention to develop a strategy, any form of regulatory act, public events with major impact.
Slovak Republic	No definition	No definition
Slovenia	"Lobbied persons": officials and public servants employed in State bodies and local community bodies, or who work with holders of public authority responsible for decision making, or who participate in the discussion and adoption of regulations, other general documents and decisions.	Decisions made by State and local community bodies, and holders of public authority in discussing and adopting regulations and other general documents.

	Public officials and institutions targeted by lobbying activities	Type of decisions targeted
	Officials include deputies of the National Assembly, members of the National Council, the President of the Republic, the Prime Minister, ministers, state secretaries, judges of the Constitutional Court, other judges, state attorneys, officials in local communities, members of the European Parliament from Slovenia, officials from Slovenia working in European and international institutions, officials of the Bank of Slovenia.	Decisions made by State bodies, the bodies and administrations of local communities, and holders of public authority on matters other than those which are subject to judicial and administrative proceedings and other proceedings carried out according to the regulations governing public procurement, as well as proceedings in which the rights and obligations of individuals are decided upon.
Spain	No definition	No definition
Sweden	No definition	No definition
Switzerland	No definition	No definition
Turkey	No definition	No definition
United Kingdom	1. Ministers of the Crown; 2. Permanent Secretaries.	1. The development, adoption or modification of any proposal of the government to make or amend primary or subordinate legislation ; 2. The development, adoption or modification of any other policy of the government; 3. The making, giving or issuing by the government of, or the taking of any other steps by, the government, in relation to (i) any contract , or other agreement; (ii) any grant or other financial assistance, or (iii) any licence or other authorisation; or (iv) the exercise of any other function of the government.
United States	Covered Executive Branch Official: the President, the Vice President, Officers and employees of the Executive Office of the President, White House Staff, cabinet secretaries and their deputies, senior employees in government bodies. Covered Legislative Branch Official: a Member of Congress, an elected officer of either the House or the Senate, an employee, or any other individual functioning in the capacity of an employee, who works for a Member, committee, leadership staff of either the Senate or House, a joint committee of Congress, a working group or caucus organized to provide services to Members.	(i) Formulation, modification or adoption of federal laws (including legislative proposals); (ii) Formulation, modification or adoption of a rule, regulation, executive order or any other program, policy or position of the United States Government; (iii) Administration or execution of a federal program or policy (including the negotiation, award or administration of a contract, grant, loan, permit or federal license); or (iv) Nomination or confirmation of a person for a position subject to confirmation by the Senate."
European Union	Commissioners, EU officials, Members of the European Parliament (MEPs) or their assistants.	Formulation or implementation of policy and the decision-making processes of the EU institutions.

Source: OECD 2020 Survey on Lobbying and additional research by the OECD Secretariat.

Table A A.3. Definitions of “lobbyist” and exemptions

	Source	Definition of “Lobbyists”	Exemptions
Australia	Lobbying Code of Conduct (Article 3)	“ Lobbyist ”: any person, company or organisation who conducts lobbying activities on behalf of a third-party client or whose employees conduct lobbying activities on behalf of a third-party client.	The following entities are not considered as lobbyists: 1. Charitable and religious organisations ; 2. Non-profit associations or organisations constituted to represent the interests of their members; 3. Individuals making representations on behalf of relatives or friends about their personal affairs; 4. Members of trade delegations visiting Australia; 5. Persons who are registered under an Australian Government scheme regulating the activities of members of that profession (e.g. registered tax agents, customs brokers, company auditors and liquidators) provided that their dealings with Government representatives are part of their normal day to day work; 6. Service providers (such as lawyers, doctors, accountants) who make occasional representations to the Government on behalf of clients in a way that is incidental to the provision of their professional services. However, if a significant or regular part of the services offered involves lobbying activities on behalf of clients of that firm, the firm and the person offering those services must register and identify the clients for whom they carry out lobbying activities.
Austria	Lobbying and Interest Representation Transparency Law (Article 4)	Lobbying firms : companies whose business purpose is to carry out lobbying activities for clients in return for payment; Companies employing company lobbyists : companies employing staff for the purpose of lobbying on their own behalf on condition that a significant amount of his/her responsibilities is taken up by lobbying activities; Self-governing bodies : bodies established by law to represent the professional or common interests of its members. This includes the Chamber of Commerce and Labour and professional associations; Advocacy groups : legal associations of private individuals.	The following groups are excluded from the definition (and are not obliged to be listed in the register): 1. Political parties and their affiliated organisations; 2. Religious groups ; 3. The Austrian Association of Municipalities and the Austrian Association of Cities , including their social security institutions .
Belgium	Rules of Procedure of the Chamber of Representatives (Art. 163ter-2)	Persons representing the following institutions: 1. Specialised consulting firms, law firms; and freelance consultants ; 2. Internal representatives, professional groups and associations, and trade unions ; 3. Non-governmental organisations ; 4. Think tanks, research bodies and university institutions ;	Specific exemptions apply to certain activities conducted by the actors covered by the register (see Annex A.3)

	Source	Definition of "Lobbyists"	Exemptions
		5. Organisations representing churches and religious communities ; 6. Organisations representing local, regional and municipal authorities and other public or semi-public entities.	
Brazil	No regulation	No definition	No definition
Canada	Lobbying Act (Articles 2, 5 and 7)	<p>"Consultant lobbyists": (1) An individual who communicates with a federal public office holder, for payment, on behalf of a client (i.e. another individual, a company or an organization). (2) an individual who arranges a meeting between a public office holder and any other person.</p> <p>"In house Lobbyists" (Corporations and Organisations)": Employee of a corporation or an organisation who communicates with public office holders on behalf of their employer, any subsidiary of the employer or any corporation of which the employer is a subsidiary. The most senior paid employee is responsible for filing a registration for a corporation or organisation.</p> <p>Organisations include: (a) a business, trade, industry, professional or voluntary organization; (b) a trade union or labour organization; (c) a chamber of commerce or board of trade; (d) a partnership, trust, association, charitable society, coalition or interest group; (e) a government, other than the Government of Canada, and (f) a corporation without share capital incorporated to pursue, without financial gain to its members, objects of a national, provincial, patriotic, religious, philanthropic, charitable, scientific, artistic, social, professional or sporting character or other similar objects.</p>	<p>For consultant lobbyists, the law only applies to those who carry out lobbying activities in return for payment, while lobbying by volunteers and private individuals do not fall within its scope.</p> <p>For in-house lobbyists, the activities conferring the status of lobbyist must make up a major part of their duties (the threshold is 20%, calculated in full-time equivalent).</p>
Chile	Act regulating lobbying and representations of private interests to authorities and civil servants (Article 2)	<p>"Active subjects – lobbyists": natural or legal persons, Chilean or foreign, who carry out remunerated activities representing a particular interest to influence decisions taken by passive subjects.</p> <p>"Active subjects – managers of particular interests": natural or legal persons, Chilean or foreign, who carry out unpaid activities representing a particular interest to influence decisions taken by passive subjects.</p>	Specific exemptions apply to certain activities conducted by the actors covered by the register (see Annex A.3)
Colombia	No regulation	No definition	No definition
Costa Rica	No regulation	No definition	No definition
Czech Republic	No regulation	No definition	No definition
Denmark	No regulation	No definition	No definition
Estonia	No regulation	No definition	No definition
Finland	No regulation	No definition	No definition

	Source	Definition of "Lobbyists"	Exemptions
France	Law on transparency, the fight against corruption and the modernisation of the economy (Article 18-2)	<p>"Interest representatives - organisations": executives, employees or members of legal persons under private law who communicate with public officials with the aim to influence public decisions. These organisations include civil and commercial companies, law firms and consulting firms, professional organisations, trade unions and chambers of commerce, non-governmental organisations, think tanks, research institutes, foundations, public bodies conducting an industrial and commercial activity.</p> <p>"Interest representatives – self-employed individuals": natural persons who are not employed by a legal person – self-employed lawyer, lawyer working in an unincorporated entity, independent consultant – who initiative communications with public officials with the aim to influence public decisions.</p>	Specific exemptions apply to certain activities conducted by the actors covered by the register (see Annex A.3)
Germany	Law introducing a Lobby register for lobbying vis-à-vis the German Bundestag and the Federal government (Article 1-4)	Interest representatives are all natural or legal persons, partnerships or other organisations, including in the form of networks, platforms or other forms of collective action, which themselves carry out or commission interest representation activities.	<p>The following organisations are excluded from the definition:</p> <ol style="list-style-type: none"> 1. Persons who hold a public office or mandate; 2. Employers' or employees' associations; 3. Political parties; 4. Institutions promoting socio-political and democratic education work (political foundations); 5. Organisations promoting foreign cultural and educational policies (insofar as they are institutionally supported with funds from the federal budget); 6. Religious organisations; 7. Municipal umbrella organisations; 8. National minority organisations. <p>Specific exemptions also apply to certain activities conducted by the actors covered by the register (see Annex A.3)</p>
Greece	No definition	No definition	No definition
Hungary	Government Decree 50/2013 on the system of integrity management at public administration bodies and the procedural rules of receiving lobbyists (II. 25.)	Lobbyists are defined as "persons outside the state organisation" but further definition is provided.	N/A
Ireland	Regulation of Lobbying Act (Article 5)	<p>Lobbyists include the following actors who communicate directly or indirectly about a relevant matter with a designated public official:</p> <ol style="list-style-type: none"> 1. An employer with more than 10 employees where the communications are made on its behalf; 2. A representative body with at least one employee communicating on behalf of its members and the communication is made by a paid employee or office holder of the body 	Specific exemptions apply to certain activities conducted by the actors covered by the register (see Annex A.3)

	Source	Definition of "Lobbyists"	Exemptions
		<p>3. An advocacy body with at least one employee that exists primarily to take up particular issues and a paid employee or office holder of the body is communicating on such issues;</p> <p>4. A third party being paid to communicate on behalf of a client who fits into one of the preceding three categories;</p> <p>5. Any person communicating about the development or zoning of land.</p>	
Iceland	Prime Minister's bill on Conflicts of Interest in the Government Offices of Iceland (Article 1)	"Lobbyists" are individuals who communicate with authorities on behalf of private parties and seek to influence them commercially.	N/A
Israel	Knesset Law, Chapter 12 (Article 66)	A lobbyist is a person who, through engagement or for compensation, takes actions on behalf of a client to persuade Members of the Knesset (MKs) with regards to bills and secondary legislation in the Knesset or its committees, decisions of the Knesset and its committees, and the appointment or election of a person for a position by the Knesset or by an organisation of which the Knesset is a representative member.	<p>1. A person who, in the course of his/her work, takes such actions on behalf of his/her employer;</p> <p>2. A person who holds a position under law in the civil service, in a local authority or in a corporation established by law, and takes such actions within the framework of his/her position;</p> <p>3. A person who represents an office holder or holds a position in a quasi-judicial proceedings before the Knesset or its committees</p>
Italy	<p>Regulation of interest representation activities in the offices of the Chamber of Deputies (Article 3)</p> <p>Resolution of the Bureau of the Chamber of Deputies on the "Discipline of the activity of representing interests in the premises of the Chamber of Deputies" (Articles 4 and 5)</p>	Any natural or legal person who intends to carry out activities of interest representation towards Members of the Chamber of Deputies, whether of their own or of a client. This includes trade unions and employers' associations, non-governmental organisations, businesses, trade associations, subjects specialising in professional representation of third party interests, professional associations, consumers' associations.	<p>1. Constitutional bodies and public administrations;</p> <p>2. International and supranational organisations;</p> <p>3. Diplomatic agents and consular officials;</p> <p>4. Political parties and movements;</p> <p>5. Religious denominations.</p>
Japan	No regulation	No definition	No definition
Korea	No regulation	No definition	No definition
Latvia	Cabinet Regulation No. 1 "Values of State Administration and Fundamental Principles of Ethics" (Chapter 3 "Open Communication with Lobbyists", Article 7)	A natural or legal person who upon his or her own initiative in his or her own interest or in the interests of other natural or legal persons communicates with a public employee or his/her institution in order to influence the drafting or taking of decisions.	N/A
Lithuania	Law on Lobbying Activities (Articles 1 and 2)	A ' Lobbyist ' means a natural person conducting actions in an attempt to exert influence over lobbied persons, to have, in the interests of the client of lobbying activities, legal acts or administrative decisions adopted or rejected.	The Law does not apply to non-governmental organisations .

	Source	Definition of "Lobbyists"	Exemptions
		Clients of lobbying activities means natural or legal persons or any other organisation or division thereof that have concluded a written lobbying contract with a lobbyist or a legal person that has assigned or instructed its participant, member of the management body or employee to conduct lobbying activities.	
Luxembourg	Code of Conduct for Members of Parliament relating to financial interests and conflicts of interest (Article 5 "Rules on Lobbying")	A definition of "lobbyist" is not provided.	A definition of "lobbyist" is not provided.
Mexico	Rules of Procedure of the Chamber of Deputies (Article 263) Rules of Procedure of the Senate (Articles 298)	[House of representatives] A lobbyist is an individual from outside the House who represents a natural person, a private or social body, and who carries out lobbying activities, for which it obtains a material or economic benefit. [Senate] Persons dedicated to promoting the legitimate interests of individuals, before the management bodies and committees of the Senate or before senators individually or jointly, with the purpose of influencing decisions.	N/A
Netherlands	On the website of the House of Representatives ("Lobbyists") section.	Advocates/lobbyists are: 1. Employees of public affairs and public relations firms; 2. Representatives of civil society organizations/industry associations/umbrella organisations; 3. Representatives of municipalities and provinces.	N/A
New Zealand	No regulation	No definition	No definition
Norway	No regulation	No definition	No definition
Peru	Law regulating the management of interests in the public administration, and associated decrees (Article 7) Supreme Decree that approves the Regulation of Law No. 28024 - Law that regulates the management of interests in the public administration (Article 3)	"Person who performs an interest management act" : natural or legal person, national or foreign, who conducts interest management actions on behalf of their own interests or the interests of third parties, in relation to public decisions to be adopted by officials with public decision-making capacity. Owners and managers of national or foreign media or their companies are prohibited from acting "managers of interest"	Specific exemptions apply to certain activities conducted by the actors covered by the register (see Annex A.3)
Poland	Act on Legislative and Regulatory Lobbying (Article 2)	Professional lobbyist : natural person or company director paid to carry on lobbying activities on behalf of or in the name of a third party.	N/A
Portugal	No regulation	No definition	No definition
Romania	Memorandum for creating a Unique Interest Groups Transparency Register (Part 3)	"Specialised groups" means any legally constituted group, based in Romania or carrying out activities in Romania, or being registered in another country, including:	N/A

	Source	Definition of "Lobbyists"	Exemptions
		<ol style="list-style-type: none"> 1. Companies with legal personality; 2. Associations, foundations and federations; 3. Religious organisations; 4. Trade unions and employers' organisations; 5. Chambers of commerce; 6. Local government associations. 7. Other legally constituted organisations. 8. Authorised persons, self-employed individuals and family businesses, and law firms. 	
Slovak Republic	No regulation	No definition	No definition
Slovenia	Integrity and Prevention of Corruption Act of 2010 (Article 4)	<p>"Lobbyist" means any person who carries out activities on behalf of interest groups, or a person who is engaged in lobbying and is employed in an interest group and lobbies on its behalf, or a person who is an elected or otherwise legitimate representative of this interest group.</p> <p>"Interest groups" means legal persons governed by private law, and other legally regulated forms of association of natural or legal persons, on behalf and for the account of which a lobbyist performs a lobbying activity.</p>	N/A
Spain	Code of Conduct for Members of the Congress and the Senate (Article 6)	<p>Interest groups are natural or legal persons, or entities without legal personality, that communicates directly or indirectly with holders of public or elected office or their personnel in favour of private, public, or collective interests, seeking to modify or influence issues related to the drafting or modification of legislative initiatives.</p> <p>N:B. Though the Code includes a definition specifying targeted office holders, only Members of Parliament are required to make their agenda public.</p>	N/A
Sweden	No regulation	No definition	No definition
Switzerland	No regulation	No definition	No definition
United Kingdom	Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act (Article 2)	"Consultant lobbyists" are persons who, in the course of a business and in return for payment, make communications on behalf of a person or persons, with Ministers of the Crown and permanent secretaries. Persons include companies, partnerships, and individuals. It does not matter whether the person to whom the communication is made, or the person making it, or both, are outside the United Kingdom when the communication is made.	Specific exemptions apply to certain activities conducted by the actors covered by the register (see Annex A.3)

	Source	Definition of "Lobbyists"	Exemptions
United States	Lobbying Disclosure Act (Article 10)	<p>A lobbyist is any individual (1) who is either employed or retained by a client for financial or other compensation (2) whose services include more than one lobbying contact; and (3) whose lobbying activities constitute 20 percent or more of his or her time in services for that client over any three-month period.</p> <p>A client is any person or entity (any individual, corporation, company, foundation, association, labour organization, firm, partnership, society, joint-stock company, group of organizations, or state or local government) that employs or retains another person for financial or other compensation to conduct lobbying activities on behalf of that person or entity. An organization employing its own in-house lobbyist(s) is considered its own client for reporting purposes.</p>	Specific exemptions apply to certain activities conducted by the actors covered by the register (see Annex A.3)
European Union	Agreement between the European Parliament and the European Commission on the transparency register for organisations and self-employed individuals engaged in EU policy-making and policy implementation (Article 3)	All organisations and self-employed individuals, irrespective of their legal status, engaged in activities, whether on-going or under preparation, carried out with the objective of directly or indirectly influencing the formulation or implementation of policy and the decision-making processes of the EU institutions, irrespective of where they are undertaken and of the channel or medium of communication used.	Activities of the social partners as participants in the social dialogue (trade unions, employers' associations, etc.) are not covered by the register where those social partners perform the role assigned to them in the Treaties.
	Commission Decisions of 25 November 2014 on the publication of information on meetings held between Members and Directors General of of the Commission and organisations or self-employed individuals (Article 2)	' Organisation or self-employed individual ' means any organisation or individual, irrespective of their legal status, engaged in activities carried out with the objective of directly or indirectly influencing the formulation or implementation of policy and the decision-making processes of the institutions of the Union, irrespective of where these activities are undertaken and of the channel or medium of communication used.	<p>The notion of "organisation or self-employed individual" does not include representatives of other Union institutions or bodies, national, regional and local authorities of Member States and of third countries or international organisations. However, it covers any association or network created to represent regions or other sub-national public authorities collectively.</p> <p>The Decision does not apply to:</p> <ol style="list-style-type: none"> 1. Social partners at Union level in the context of the social dialogue; 2. Dialogue with churches, religious associations or communities, as well as with philosophical and non-confessional organisations. 3. Representatives of political parties.

Source: OECD 2020 Survey on Lobbying and additional research by the OECD Secretariat

Table A A.4. Definition of “lobbying activities” and exemptions

	Source	Definitions of lobbying activities and communications	Exemptions specified in the regulation
Australia	Article 3 of the Lobbying Code of Conduct	<p>“Lobbying activities” means communications with a Government representative in an effort to influence Government decision making.</p> <p>“Communications with a Government representative” includes oral, written and electronic communications.</p>	<ol style="list-style-type: none"> 1. Communications with a committee of the Parliament; 2. Communications with a Minister or Parliamentary Secretary in his or her capacity as a local Member or Senator in relation to non-ministerial responsibilities; 3. Communications in response to a call for submissions; 4. Petitions or communications of a grassroots campaign nature in an attempt to influence a Government policy or decision; 5. Communications in response to a request for tender; 6. Statements made in a public forum; or 7. Responses to requests by Government representatives for information.
Austria	Articles 2 and 4 of the Law on Transparency of Lobbying and Advocacy Activities (LobbyG)	Activities by which direct influence is exercised on the Austrian legislature and administration via structured, organised contacts.	<ol style="list-style-type: none"> 1. Pressure only exercised on public officials via the media without direct contact 2. Activities of a functionary in the performance of his or her duties, 3. Activities of a person with which he/she pursues his/her own non-entrepreneurial interests, 4. The representation of the interests of a party or a participant involved in connection with administrative or judicial proceedings, 5. Legal advice and representation by lawyers, notaries, chartered accountants and other persons authorised to do so; 7. The representation of foreign policy interests in diplomatic or consular dealings, and 8. Activities carried out at the instigation of a functionary.
Belgium	Rules of Procedure of the Chamber of Representatives (Art. 163ter-2)	<p>Lobbying activities are activities carried out with the aim of directly or indirectly influencing the development or implementation of policies or the Chamber's decision-making processes.</p> <p>All organisations and persons acting in a self-employed capacity, irrespective of their legal status, carrying out activities covered by the register, either in progress or in preparation, are expected to register.</p>	<ol style="list-style-type: none"> 1. Activities relating to the provision of legal and other professional advice to the extent that they: <ol style="list-style-type: none"> (a) Consist of advisory activities and contacts with public authorities, intended to inform a client on a general legal situation or on his specific legal situation or to advise him/her on the opportunity or admissibility of a specific legal or administrative procedure in the existing legal and regulatory environment; (b) Are advice provided to a client to help ensure that its activities comply with applicable law; (c) Consist of analyses and studies prepared for clients on the potential impact of any changes in legislation or regulations with regard to their legal situation or field of activity;

	Source	Definitions of lobbying activities and communications	Exemptions specified in the regulation
			<p>(d) Consist of representation in conciliation or mediation proceedings aimed at preventing a dispute from arising, brought before a judicial or administrative authority;</p> <p>(e) Affect the exercise of a client's fundamental right to a fair trial, including the right of defence in administrative proceedings, such as the activities carried out by lawyers or any other professionals concerned.</p> <p>2. If a company and its advisers are involved in a specific legal or administrative case or procedure as parties, any activity directly related to it and not aimed as such at changing the existing legal framework is not covered by the register.</p> <p>3. The activities of social partners as actors of social dialogue, such as trade unions and employers' associations, are not covered by the register when these social partners assume the role assigned to them by law.</p> <p>4. Activities responding to the direct and individual request of the House or a Member, such as <i>ad hoc</i> or regular requests for factual information, data or expertise, are not covered by the register.</p>
Brazil	No regulation	No definition	No definition
Canada	Lobbying Act (Articles 2, 5 and 7)	<p>Three elements define lobbying. A individual is conducting a lobbying activity if he/she:</p> <ol style="list-style-type: none"> 1. is paid by an employer or a client. 2. communicates directly (i.e. either in writing or orally) or indirectly (i.e. grass-roots communication), with a federal public office holder. OR the individual arranges a meeting between a public office holder and any other person (consultant lobbyists only). 3. The individual communicates about one of the subjects specified in Annex A1. <p>Grass-roots lobbying occurs when, for payment and on behalf of a client or employer, individuals encourage members of the public to communicate with federal public office holders on registrable topics. Grass-roots lobbying may include advertisements, mass letter and/or facsimile campaigns, telephone calls to public office holders, public demonstrations, use of websites or communication through social media tools such as Facebook or Twitter.</p>	<ol style="list-style-type: none"> 1. Any oral or written submission made to a committee of the Senate or House of Commons or of both Houses of Parliament or to any body or person having jurisdiction or powers conferred by or under an Act of Parliament, in proceedings that are a matter of public record; 2. Any oral or written communication made to a public office holder by an individual on behalf of any person or organisation with respect to the enforcement, interpretation or application of any Act of Parliament or regulation by that public office holder with respect to that person or organisation; or (c) any oral or written communication made to a public office holder by an individual on behalf of any person or organisation if the communication is restricted to a request for information.

	Source	Definitions of lobbying activities and communications	Exemptions specified in the regulation
Chile	Act regulating lobbying and representations of private interests to authorities and civil servants (Articles 2 and 6)	<p>Lobbying activities means the management or remunerated activity carried out by natural or legal persons, Chilean or foreign, whose purpose is to promote, defend or represent any particular interest, in order to influence the decisions that, in the exercise of their functions, must be taken by passive subjects in accordance with the law, with respect to the acts and decisions regulated therein.</p> <p>Management of particular interests means management or unpaid activity carried out by natural or legal persons, Chilean or foreign, whose purpose is to promote, defend or represent any particular interest, in order to influence the decisions that, in the exercise of their functions, must be taken by passive subjects in accordance with the law with respect to the acts and decisions regulated therein.</p> <p>Hearing or meeting: The act of hearing in which the passive subject receives a lobbyist or manager of particular interests, either in person or virtually, by means of an audiovisual video conference, to discuss any of the regulated matters, at the time and in the manner that the passive subject decides. Conversations held by telephone or by means other than an audiovisual conference are not considered as hearing and meeting.</p>	<p>1. The proposals or requests made on the occasion of a meeting, activity or assembly of a public nature and those which are strictly related to the work in the field inherent to the representation activities carried out by a passive subject in the exercise of his duties.</p> <p>2. Any statement, action or communication made by passive subjects in the exercise of their duties;</p> <p>3.- Any request, verbal or written, made to ascertain the status of an administrative procedure;</p> <p>4. Information given to an authority that has requested it expressly for the purpose of carrying out an activity or adopting a decision, within the scope of its competence.</p> <p>5. Presentations made formally in an administrative procedure, provided that the adoption, modification or repeal of laws or regulations, nor the change of results of administrative or selection processes, is not requested.</p> <p>6. Consultants contracted by public and parliamentary bodies, carried out by professionals and researchers from non-profit associations, corporations, foundations, universities, study centres and any another similar entity, as well as invitations from these institutions extend to any official of a State organ.</p> <p>7. Declarations made or information given to a Congress committee, as well as the presence and verbal or written participation in any of them by professionals from the entities listed in the previous number (6), which, however, must be recorded by these committees.</p> <p>8. Invitations from State officials and parliamentarians to participate in meetings of a technical nature for professionals of the entities indicated in number 6.</p> <p>9. The defence in court, the sponsorship of judicial or administrative cases or participation as <i>amicus curiae</i>, where permitted, but only with regard to those actions that are part of the judicial or administrative proceedings.</p> <p>10. Statements or communications made by a person directly concerned (or by their representatives) in the context of an administrative procedure or investigation.</p> <p>11. Written presentations added to a file or oral interventions registered in a public hearing in an administrative procedure that allows the participation of the interested parties or third parties.</p>
Colombia	No regulation	No definition	No definition
Costa Rica	No regulation	No definition	No definition

	Source	Definitions of lobbying activities and communications	Exemptions specified in the regulation
Czech Republic	No regulation	No definition	No definition
Denmark	No regulation	No definition	No definition
Estonia	No regulation	No definition	No definition
Finland	No regulation	No definition	No definition
France	Law on transparency, the fight against corruption and the modernisation of the economy (Article 18-2)	<p>Three types of activities are considered as communications that may constitute lobbying activities:</p> <ol style="list-style-type: none"> 1. A physical meeting, regardless of the context in which it takes place; 2. A telephone or video conference call; 3. Sending a letter, an email or a private message via an electronic communication service. <p>When these activities are performed repeatedly over a short period of time, for the same purpose and addressed to the same category of public officials, they constitute a single communication.</p> <p>Lobbying activities must be conducted primarily (during the last six months, executives, employees or members of the organisation or the self-employed lobbyist have spent more than half of the time engaging in lobbying activities) or regularly (during the last twelve months, executives, employees or members of the organisation or the self-employed lobbyists have carried out more than ten influence actions).</p>	<p>The following activities are not considered as “communications”:</p> <ol style="list-style-type: none"> 1. Public awareness campaigns or street demonstrations; 2. Legislative and regulatory monitoring; 3. A communication initiated by a public official (i.e. a lobbying activity only takes place when a lobbyist is the initiator of a communication with a public official); 4. All exchanges of information that occur between a legal person and a public official as part of the follow-up of a request for an individual decision, and that are not intended to affect the individual decision in question, cannot be considered as lobbying. 5. Communications that are limited to factual exchanges that are not likely to have the purpose of influencing a public decision are not considered as lobbying activities: (a) when an organisation requests factual information, accessible to any person, to a public official; (b) when an organisation asks a public official how to interpret a public decision in force; (c) when an organisation sends information to a public official on its functioning or activities, without any direct connection with a public decision.
Germany	Law introducing a Lobby register for lobbying vis-à-vis the German Bundestag and the Federal government (Article 1-3 and Article 2)	<p>“Interest representation” means any contact for the purpose of directly or indirectly influencing the decision-making process of the organs, members, parliamentary groups or groups of the German Bundestag or for the purpose of directly or indirectly influencing the decision-making process of the Federal Government.</p>	<p>Interest representatives lobbying the German Bundestag do not have to register when they conduct the following activities:</p> <ol style="list-style-type: none"> 1. The activities of natural persons who formulate exclusively personal interests with their submission; 2. Raising concerns of an exclusively local nature, provided that no more than two constituencies are directly affected; 3. Submitting a petition in accordance with Article 17 of the Basic Law;

			<p>4. Attending public hearings of Parliamentary committees, or other public events of the organs, members, parliamentary parties or groups of the German Bundestag;</p> <p>5. Responding to direct and individual requests from the organs, members, parliamentary parties or groups of the German Bundestag for factual information, data or expertise;</p> <p>Interest representatives lobbying the Federal Government do not have to register when they conduct the following activities:</p> <ol style="list-style-type: none"> 1. Making an access to information request; 2. Making a citizen's request; 3. Participating in visiting programmes, lectures, conferences and other public events of the Federal Government; 4. Working for expert councils and other expert bodies established by the Federal Government; 5. Carrying out diplomatic or consular activities; 6. Responding to direct and individual requests from the Federal Government for factual information, data or expertise; 7. The activities of natural persons who formulate exclusively personal interests with their submission; <p>Interest representatives lobbying the Bundestag and/pr Federal Government do not have to register when they conduct the following activities:</p> <ol style="list-style-type: none"> 1. Holding a public office or mandate; 2. Activities of employers' or employees' association exerting influence on working and economic conditions, 3. Providing legal advice to a third party or to the interest representatives themselves, including the provision of scientific opinions or the presentation and discussion of legal issues for the general public, or activities which are not aimed at the enactment, modification or rejection of a legal regulation by the German Bundestag or the Federal Government; 4. Operating as political parties in accordance with the Political Parties Act; 5. Operating as institutions for socio-political and democratic education work (political foundations), insofar as the respective budgetary legislator grants global subsidies for the fulfilment of their statutory tasks; 6. Operating as intermediary organisations for foreign cultural and educational policy, insofar as they are institutionally supported with funds from the federal budget;
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	Source	Definitions of lobbying activities and communications	Exemptions specified in the regulation
			<p>7. Acting as a church, other religious community or ideological community;</p> <p>8. Engaging in an activity protected under the second sentence of Article 5(1) of the Basic Law.</p> <p>9. Are active as a municipal umbrella organisation at federal or Land level;</p> <p>10. Are active as a national minority recognised in Germany, as a Low German speaker group, as a German minority in Denmark or as an organisation or institution of the aforementioned groups;</p> <p>11. Have no permanent representation in Germany and work for human rights, democracy, the rule of law, humanitarian concerns or issues of sustainability and their work is primarily directed towards other countries or world regions.</p>
Greece	No definition	No definition	No definition
Hungary	Government Decree 50/2013 on the system of integrity management at public administration bodies and the procedural rules of receiving lobbyists (II. 25.)	The Decree does not provide a definition of "lobbying".	No definition
Ireland	Regulation of Lobbying Act (Article 5)	" Relevant communications " means communications (whether oral or written and however made), other than excepted communications, made personally (directly or indirectly) to a designated public official in relation to a relevant matter.	<p>"Excepted communications":</p> <p>1. Private affairs: Communications by or on behalf of an individual relating to his or her private affairs unless they relate to the development or zoning of land. For example, communications in relation to a person's eligibility for, or entitlement to, a social welfare payment, a local authority house, or a medical card are not relevant communications.</p> <p>2. Diplomatic relations: Communications by or on behalf of a foreign country or territory, the European Union, the United Nations or any other international intergovernmental organisation.</p> <p>3. Factual information: Communications requesting factual information or providing factual information in response to a request for the information (for example, a company asking a public servant how to qualify for an enterprise grant and getting an answer);</p> <p>4. Published submissions: Communications requested by a public service body and published by it (for example, submissions received in response to a public consultation process which are subsequently published by the public body).</p>

	Source	Definitions of lobbying activities and communications	Exemptions specified in the regulation
			<p>5. Trade union negotiations: Communications forming part of, or directly related to, negotiations on terms and conditions of employment undertaken by representatives of a trade union on behalf of its members.</p> <p>6. Safety and security: Communications the disclosure of which could pose a threat to the safety of any person or to the security of the State.</p> <p>7. Oireachtas committees: Communications which are made in proceedings of a committee of either House of the Oireachtas. It should be noted that this exemption only applies to formal proceedings of a committee which are generally recorded and/or minuted. It does not apply to communications outside of formal proceedings.</p> <p>8. Communications by DPOs or public servants: Communications by a DPO in his or her capacity as such are exempt. (For example, communications by county councillors to local authority managers or other public servants do not constitute lobbying.) Similarly, communications by public servants (or those engaged on contract by a public service body) made in that capacity and relating to the functions of the public service body are exempt.</p> <p>9. Governance of commercial State bodies: Communications by or on behalf of a commercial State body made to a Minister of the Government who holds shares in, or has statutory functions in relation to, the body, or to DPOs serving in the Minister's department, in the ordinary course of the business of the body. (For example, certain communications involving Irish Rail and the Minister for Transport, Tourism and Sport.)</p> <p>10. Policy working groups: Communications between members of a "relevant body" appointed by a Minister, or by a public service body, for the purpose of reviewing, assessing or analysing any issue of public policy with a view to reporting to the Minister or public service body on it. A "relevant body" is one whose members are appointed by a Minister or by a public service body and the members include one or more DPOs and one or more who are not public servants nor engaged for the purposes of a public service body. (For example, advisory groups, expert groups, working groups, review groups or commissions). This exemption only applies if the relevant body conducts its activities in accordance with the Transparency Code.</p>
Iceland	Prime Minister's bill on Conflicts of Interest in the Government Offices of Iceland (Article 1)	The act does not provide a definition of "lobbying".	Lobbyists are not required to register in relation with the processing of administrative cases .
Israel	Knesset Law Chapter 12 (Article 66)	The law defines lobbying as actions to persuade Members of the Knesset (MKs) with regards to decisions specified in Annex A1.	N/A

	Source	Definitions of lobbying activities and communications	Exemptions specified in the regulation
Italy	Regulation of interest representation activities in the offices of the Chamber of Deputies (Article 2)	The representation of interests means any activity carried out professionally in the premises of Chamber of Deputies by lobbyists, via proposals, requests, suggestions, studies, research, analysis or any other initiative or communication, whether oral or written, aimed at pursuing the lobbyist's own interests or those of third parties vis-à-vis Members of the Chamber of Deputies.	Statements made and documents submitted during hearings before parliamentary committees do not constitute interest representation activities.
Japan	No regulation	No definition	No definition
Korea	No regulation	No definition	No definition
Latvia	Cabinet Regulation No. 1 "Values of State Administration and Fundamental Principles of Ethics" (Chapter 3 "Open Communication with Lobbyists", Article 7)	Communication with a public employee or the institution in order to influence the drafting or taking of decisions that do not derive from coordination and public involvement procedures.	Communications that derive from procedures for ensuring the coordination of draft decisions and public involvement specified in laws and regulations.
Lithuania	Law No. VIII-1749 on Lobbying Activities (Article 2 and Article 7 "Activities not considered as lobbying activities")	<p>'Lobbying activities' means actions taken by a natural person in an attempt to exert influence over lobbied persons to have, in the interests of the client of lobbying activities, legal acts or administrative decisions adopted or rejected.</p> <p>'Client of lobbying activities' means a natural or legal person or any other organisation or division thereof that has concluded a written lobbying contract with a lobbyist or a legal person that has assigned or instructed its participant, member of the management body or employee to conduct lobbying activities.</p>	<ol style="list-style-type: none"> 1. Activities of producers, disseminators of public information, their participants or journalists when collecting, preparing, publishing and disseminating public information in accordance with the Law of the Republic of Lithuania on the Provision of Information to the Public; 2. Activities of the persons who, at the invitation or on the initiative of state and municipal institutions or bodies, participate as experts or specialists for payment or without payment at meetings, sittings, consultations on the issues related to the drafting of legal acts in accordance with the Law of the Republic of Lithuania on Legislative Framework; 3. Actions of state politicians, state officials or civil servants when initiating, preparing, considering draft legal acts and adopting legal acts according to their official functions, as well as activities of other persons involved in the preparation, consideration and adoption of legal act or administrative decisions according to their official functions assigned to them pursuant to the procedure laid down by legal acts; 4. Proposals and evaluations received in the course of consultations with the public in accordance with the Law of the Republic of Lithuania on Legislative Framework; 5. Implementation of the right to petition, the right to referendum or the citizens' legislative initiative in accordance with the Law of the Republic of Lithuania on Petitions, the Law of the Republic of Lithuania on Referendum and the Law of the Republic of Lithuania on the Citizens' Legislative Initiative, respectively; 6. An opinion expressed by a natural person with regard to legislation;

	Source	Definitions of lobbying activities and communications	Exemptions specified in the regulation
			7. Other activities carried out in accordance with the procedure laid down by special laws or statutes and in line with the public interest.
Luxembourg	Code of Conduct for Members of Parliament relating to financial interests and conflicts of interest (Article 5 "Rules on Lobbying")	No definition of "lobbying" is not provided.	No definition of "lobbying" is not provided.
Mexico	Rules of Procedure of the Chamber of Deputies (Article 263) Rules of Procedure of the Senate (Articles 298)	[Chamber of deputies] Lobbying shall mean any activity carried out before any Member of Parliament, body or authority of the House, either individually or jointly, to obtain a resolution or agreement favourable to their own interests or those of third parties. [Senate] Lobbying is understood as the activity carried out by persons dedicated to promoting the legitimate interests of individuals, before the management bodies and committees of the Senate or before senators individually or jointly, with the purpose of influencing decisions that correspond to them in the exercise of their powers.	N/A
Netherlands	No regulation	No definition	No definition
New Zealand	No regulation	No definition	No definition
Norway	No regulation	No definition	No definition
Peru	Law regulating the management of interests in the public administration, and associated decrees (Articles 2 and 3) Supreme Decree that approves the Regulation of Law No. 28024 - Law that regulates the management of interests in the public administration (Articles 3 and 5)	The act of " interest management " is understood as an oral or written communication, whatever the means used, directed to a civil servant of the public administration in order to influence a public decision. The management of interests is understood as an activity by which natural or legal persons, national or foreign, transparently promote their points of view in the public decision-making process in order to orientate decisions in a desired direction.	<ol style="list-style-type: none"> 1. Statements, expressions, remarks or similar acts made in speeches, articles or publications; 2. Dissemination of news or other media disseminated among the general public or disseminated by any means of social communication; 3. Information, in writing or any other form that may be recorded, communicated to the public administration in response to a request; 4. Information provided on any social network in the exercise of freedom of expression; 5. Statements or remarks made in any public meeting, in the exercise of the rights of freedom of expression, opinion and assembly; 6. Free exercise of legal defence and advice, in compliance with the provisions of the law; 7. Official protocol acts;

	Source	Definitions of lobbying activities and communications	Exemptions specified in the regulation
			<p>8. Information requests, requests for meetings and any other request addressed to the official with public decision-making capacity, provided that it is not motivated by the aim to influence a public decision, or that it constitutes the exercise of the right of opinion provided in article 2-4 of the Political Constitution of Peru ;</p> <p>9. The participation of natural or legal persons at the request of the public administration, in Consultative Councils, Multisectoral Commissions or other working groups, for the fulfillment of their purposes ;</p> <p>10. The acts of internal administration of public entities that do not lead to a public decision.</p> <p>11. The opinions that have been required by the entities of the public administration included in the scope of application of this regulation.</p>
Poland	Act on Legislative and Regulatory Lobbying (Article 2)	" Professional lobbying activity " means any paid activity carried out on behalf of or in the name of a third party in order to ensure that their interests are taken into account during the drafting of legislation.	N/A
Portugal	No regulation	No definition	No definition
Romania	Memorandum for creating a Unique Interest Groups Transparency Register (Section 3)	Activities conducted by lobbyists with the aim to promote a proposed public policy or contribute to the revision of an existing proposal.	N/A
Slovak Republic	No regulation	No definition	No definition
Slovenia	Integrity and Prevention of Corruption Act of 2010 (Article 4, 56a)	<p>Lobbying means the activities carried out by lobbyists who, on behalf of interest groups, exercise non-public influence on decisions made by State and local community bodies, and holders of public authority in discussing and adopting regulations and other general documents.</p> <p>A lobbyist may submit to lobbied persons any verbal or written information and material on matters in which the lobbyist carries out lobbying activities for interest groups. A lobbyist may also meet the persons lobbied.</p>	<p>Actions taken by individuals, informal groups or interest groups for the purpose of influencing the decision making of State bodies, bodies of self-governing local communities and the holders of public authority:</p> <p>(a) in the consideration and adoption of regulations and other general documents in the area directly relating to the systemic issues of strengthening the rule of law, democracy, and the protection of human rights and fundamental freedoms;</p> <p>(b) on matters subject to judicial and administrative proceedings and other proceedings carried out according to the regulations governing public procurement, as well as proceedings in which the rights and obligations of individuals are decided upon.</p>
Spain	Code of Conduct for Members of the Congress and the Senate (Article 6)	Lobbying means communicating directly or indirectly with holders of public or elected office or their personnel in favour of private, public, or collective interests, seeking to modify or influence issues related to the drafting or modification of legislative initiatives.	No definition
Sweden	No regulation	No definition	No definition

	Source	Definitions of lobbying activities and communications	Exemptions specified in the regulation
Switzerland	No regulation	No definition	No definition
Turkey	No regulation	No definition	No definition
United Kingdom	Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act (Article 2)	<p>Organisations and individuals are considered to be carrying out the business of consultant lobbying if they make oral, written or electronic communications personally to a Minister of the Crown or Permanent Secretary related to matters specified in Annex A1. The communication is made in the course of a business and in return for payment on behalf of a client, or payment is received with the expectation that the communication will be made at a later date.</p> <p>Informal communications (for example at a social event or conference) are registerable, if they otherwise meet the criteria for consultant lobbying.</p>	<p>Communications made to a government department, special adviser, administrator, private secretary or private office are not registerable. However, communications addressed to a Minister but sent via a private office would have to be registered.</p> <p>A communication from a Minister or Permanent Secretary does not need to be registered. However, If a Minister or Permanent Secretary initiates communication with an organisation and in the subsequent course of the exchange, the criteria for consultant lobbying are met, then the organisation is required to join the Register and register the activity. It does not matter that the Minister initiated the communications (and that the initial contact from the Minister is not itself registerable).</p>
United States	Lobbying Disclosure Act (Article 10)	<p>Lobbying Activities means lobbying contacts and any efforts in support of such contacts, including preparation or planning activities, research, and other background work that is intended, at the time of its preparation, for use in contacts, and coordination with the lobbying activities of others.</p> <p>Lobbying Contact means any oral, written, or electronic communication to a covered official that is made on behalf of a client with regard to the enumerated subjects in Table 3.1</p>	<p>Communication that is:</p> <ol style="list-style-type: none"> 1. Made by a public official acting in the public official's official capacity; 2. Made by a representative of a media organisation if the purpose of the communication is gathering and disseminating news and information to the public; 3. Made in a speech, article, publication or other material that is distributed and made available to the public, or through radio, television, cable television, or other medium of mass communication; 4. Made on behalf of a government of a foreign country or a foreign political party and disclosed under the Foreign Agents Registration Act of 1938; 5. A request for a meeting, a request for the status of an action, or any other similar administrative request, if the request does not include an attempt to influence a covered executive branch official or a covered legislative branch official; 6. Made in the course of participation in an advisory committee subject to the Federal Advisory Committee Act; 7. Testimony given before a committee, subcommittee, or task force of the Congress, or submitted for inclusion in the public record of a hearing conducted by such committee, subcommittee, or task force; 8. Information provided in writing in response to an oral or written request by a covered executive branch official or a covered legislative branch official for specific information;

	Source	Definitions of lobbying activities and communications	Exemptions specified in the regulation
			<p>9. Required by subpoena, civil investigative demand, or otherwise compelled by statute, regulation, or other action of the Congress or an agency, including any communication compelled by a Federal contract, grant, loan, permit, or license;</p> <p>10. Made in response to a notice in the Federal Register, Commerce Business Daily, or other similar publication soliciting communications from the public and directed to the agency official specifically designated in the notice to receive such communications;</p> <p>11. Not possible to report without disclosing information, the unauthorised disclosure of which is prohibited by law;</p> <p>12. Made to an official in an agency with regard to a judicial proceeding or a criminal or civil law enforcement inquiry, investigation, or proceeding; or a filing or proceeding that the Government is specifically required by statute or regulation to maintain or conduct on a confidential basis;</p> <p>13. Made in compliance with written agency procedures regarding an adjudication conducted by the agency;</p> <p>14. A written comment filed in the course of a public proceeding or any other communication that is made on the record in a public proceeding;</p> <p>15. A petition for agency action made in writing and required to be a matter of public record pursuant to established agency procedures;</p> <p>16. Made on behalf of an individual with regard to that individual's benefits, employment, or other personal matters involving only that individual with respect to the formulation, modification, or adoption of private legislation for the relief of that individual;</p> <p>17. A disclosure by an individual that is protected under the amendments made by the Whistleblower Protection Act of 1989, under the Inspector General Act of 1978, or under another provision of law;</p> <p>18. Made by a church, its integrated auxiliary, or a convention or association of churches that is exempt from filing a Federal income tax, or a religious order that is exempt from filing a Federal income tax return.</p>
European Union	Agreement between the European Parliament and the European Commission on the transparency register for organisations and self-employed individuals engaged in EU policy-making and policy implementation (Article 3)	Activities carried out with the objective of directly or indirectly influencing the formulation or implementation of policy and the decision-making processes of the EU institutions, irrespective of where they are undertaken and of the channel or medium of communication used, for example via outsourcing, media, contracts with professional intermediaries, think tanks, platforms, forums, campaigns and grassroots initiatives.	<p>1. Activities concerning the provision of legal and other professional advice are not covered by the register in so far as:</p> <p>(i) they consist of advisory work and contacts with public bodies in order to better inform clients about a general legal situation or about their specific legal position, or to advise them whether a particular legal or administrative step is appropriate or admissible under the existing legal and regulatory environment;</p>

Source	Definitions of lobbying activities and communications	Exemptions specified in the regulation
	<p>'Directly influencing' means influencing by way of a direct contact or communication with the EU institutions or other action following up on such activities and 'indirectly influencing' means influencing through the use of intermediate vectors such as media, public opinion, conferences or social events, targeting the EU institutions.</p> <p>In particular, those activities include:</p> <p>(a) contacting Members and their assistants, officials or other staff of the EU institutions;</p> <p>(b) preparing, circulating and communicating letters, information material or discussion papers and position papers;</p> <p>(c) organising events, meetings, promotional activities, conferences or social events, invitations to which have been sent to Members and their assistants, officials or other staff of the EU institutions; and</p> <p>(d) voluntary contributions and participation in formal consultations or hearings on envisaged EU legislative or other legal acts and other open consultations.</p> <p>The following activities concerning the provision of legal and other professional advice are covered by the register where they are intended to influence the EU institutions, their Members and their assistants or their officials or other staff:</p> <p>(a) the provision of support, via representation or mediation, or of advocacy material, including argumentation and drafting; and</p> <p>(b) the provision of tactical or strategic advice, including the raising of issues the scope of which and the timing of communication of which are intended to influence the EU institutions, their Members and their assistants or their officials or other staff.</p>	<p>(ii) they consist of advice given to clients to help them ensure that their activities comply with the relevant law;</p> <p>(iii) they consist of analyses and studies prepared for clients on the potential impact of any legislative or regulatory changes with regard to their legal position or field of activity.</p> <p>(iv) they consist of representation in the context of a conciliation or mediation procedure aimed at preventing a dispute from being brought before a judicial or administrative body; or</p> <p>(v) they relate to the exercise of the fundamental right of a client to a fair trial, including the right of defence in administrative proceedings, such as activities carried out by lawyers or by any other professionals involved therein.</p> <p>2. Activities in response to direct and individual requests from EU institutions or Members of the European Parliament, such as <i>ad hoc</i> or regular requests for factual information, data or expertise, are not covered by the register.</p>

	Source	Definitions of lobbying activities and communications	Exemptions specified in the regulation
European Union	Commission Decisions of 25 November 2014 on the publication of information on meetings held between Members and Directors General of the Commission and organisations or self-employed individuals (Article 2)	'Meeting' means a bilateral encounter organised at the initiative of an organisation or self-employed individual or a Member of the Commission and/or a member of his/her Cabinet to discuss an issue related to policy-making and implementation in the Union.	Encounters taking place in the context of an administrative procedure established by the Treaties or Union acts, which falls under the direct responsibility of the Member of the Commission, as well as encounters of a purely private or social character or spontaneous encounters are excluded from the notion of "meetings". Publication of information is withheld when it undermines: (i) the protection of the life, the integrity or privacy of an individual; (ii) the financial, monetary or economic policy of the Union; (iii) the market stability or sensitive commercial information; (iv) the proper conduct of court proceedings or inspections, investigations, audits or other administrative procedures; (v) the protection of any other important public interest recognised at Union level.

Source: OECD 2020 Survey on Lobbying and additional research by the OECD Secretariat.

Table A A.5. Detailed information to be disclosed on lobbying activities by lobbyists and/or public officials

	Type of transparency measure	Person responsible for registration	Information disclosed upon registration	Information disclosed after registration
Australia	Register of Lobbyists	Lobbyists	<ol style="list-style-type: none"> 1. Business registration details, including trading names, of the lobbyist including, where the business is not a publicly listed company, the names of owners, partners or major shareholders, as applicable; 2. The names and positions of persons employed, contracted or otherwise engaged by the lobbyist to carry out lobbying activities; 3. Whether a person is a former government representative and if so, the date the person became a former government representative; and 4. The names of clients on whose behalf the lobbyist conducts lobbying activities. 	N/A
Austria	Lobbying and Advocacy Register	Lobbyists	<p>Lobbying companies (carrying out lobbying activities for clients) and companies that employ corporate lobbyists:</p> <ol style="list-style-type: none"> 1. Name of the company, trade register number (if applicable), head office and relevant business addresses, website address; 2. The start of the company's financial year; 3. A brief description of professional or business activities; 4. A reference to a code of conduct; 	<p>Lobbying companies Within nine months of the end of the previous financial year:</p> <ol style="list-style-type: none"> 1. The total turnover resulting from lobbying activities; and 2. The number of lobbying activities conducted.

	Type of transparency measure	Person responsible for registration	Information disclosed upon registration	Information disclosed after registration
			<p>5. Identity of lobbyists. 6. Identity of clients (disclosed immediately after initial registration);</p> <p>Autonomous entities: 1. Name, registered office and relevant address; 2. Legal basis for their establishment; 3. Website address</p> <p>Interest groups: 1. Name, registered office and relevant address; 2. A brief description of the group's contractual or statutory area of responsibility; 3. Website address.</p>	<p>Companies that employ corporate lobbyists: Within nine months of the end of the previous financial year: whether the expenses incurred for lobbying for the past financial year exceed the amount of EUR 100 000.</p> <p>Within nine months of the end of the financial year: 1. Number of persons who work as interest representatives; 2. Estimated costs of advocacy confirmed by an external auditor.</p>
Belgium	Lobbying register	Lobbyists	<p>1. Personal details of the lobbyist; 2. Name of company/institution/organisation and its legal form; 3. Address of registered office; 4. Contact details (telephone number, email address, business number); 5. Purpose of the business; 6. Names of clients who are represented by the company/institution / organisation.</p>	N/A
Brazil	N/A	N/A	N/A	N/A
Canada	Registry of lobbyists	Lobbyists	<p>Consultant lobbyists: 1. Name and business address of the individual and of the firm where the individual is engaged; 2. Name and business address of the client, and of any person or organisation that controls or directs the activities of the client and has a direct interest in the outcome of the individual's activities; 3. Name and business address of each subsidiary of any parent corporation or subsidiary that has a direct interest in the outcome of the individual's activities on behalf of the client; 4. Where the client is a coalition, the name and business address of each corporation or organisation that is a member of the coalition; 5. Any government funding that the client receives, the name of the government or agency providing funding, and the amount of funding received;</p>	<p>Lobbyists must update their information every six months.</p> <p>If a communication has been made with a "designated public office holder", a "Monthly return" must be filed, including: 1. The name of the designated public office holder who was the object of the communication; 2. The date of the communication; 3. Subject-matter of the communication.</p>

	Type of transparency measure	Person responsible for registration	Information disclosed upon registration	Information disclosed after registration
			<p>6. The subject-matter in respect of which the individual plans to communicate with a public office holder or to arrange a meeting;</p> <p>7. the fact that the undertaking does not provide for any success fee;</p> <p>8. Any relevant legislative proposal, bill, resolution, regulation, policy, program, grant, contribution, financial benefit or contract;</p> <p>9. If the individual is a former public office holder, a description of the offices held, which of those offices, and the date on which the individual last ceased to hold such a designated public office;</p> <p>10. The name of any department or other governmental institution in which any public office holder with whom the individual communicates or expects to communicate or with whom a meeting is or is to be arranged</p> <p>11. Any communication technique that the individual uses or expects to communicate with the public office holder, including any appeals to members of the public through the mass media or by direct communication that seeks to persuade them to communicate directly with a public office holder in an attempt to place pressure on the public office holder to endorse a particular opinion (in this Act referred to as “grassroots communication”).</p> <p>In-house lobbyists (organisations and corporations):</p> <p>1. The name and business address of the officer filing returns;</p> <p>2. The name and business address of the employer;</p> <ul style="list-style-type: none"> – If the employer is a corporation, the name and business address of every subsidiary of the corporation that has a direct interest in the outcome of an employee’s activities on behalf of the employer; – If the employer is a subsidiary of any other corporation, the name and business address of that other corporation; <p>3. A description in summary form of the employer’s business or activities;</p> <p>4. If the employer is an organisation, a description of the organization’s membership;</p> <p>5. Any government funding received, the name of the government or agency providing funding, and the amount of funding received;</p> <p>6. If the employer is an organisation, the name of each employee whose duties is to conduct lobbying activities;</p> <p>7. If the employer is a corporation: a list including the name of each senior officer or employee a significant part of whose duties is to conduct lobbying activities, and a second list including the name of each other senior officer any part of whose duties is to conduct lobbying activities, without constituting a significant part;</p>	<p>Lobbyists must re-register and update their information every six months.</p> <p>If a communication has been made with a “designated public office holder”, such re-registration must be carried out every month through a “Monthly return” including:</p> <ol style="list-style-type: none"> 1. The name of the designated public office holder who was the object of the communication, 2. The date of the communication, 3. The subject-matter of the communication.

	Type of transparency measure	Person responsible for registration	Information disclosed upon registration	Information disclosed after registration
			<p>8. Identify the subject-matter of any communication made or expected to be made with a public office holder in respect of a relevant matter;</p> <p>9. if any employee named in the return is a former public office holder, a description of the offices held, which of those offices, and the date on which the employee last ceased to hold such a designated public office;</p> <p>10. Any relevant legislative proposal, bill, resolution, regulation, policy, program, grant, contribution or financial benefit;</p> <p>11. The name of any department or other governmental institution communicated with or expected to be communicated;</p> <p>12. Any communication technique, including grass-roots communication.</p>	
Chile	Register of meetings and hearings	Public officials	<p>1. Identity of the persons with whom the hearing or meeting was held;</p> <p>2. Whether or not such persons reported receiving remuneration because of the activity that was performed;</p> <p>3. Information on the identity of the persons, organisation or entity represented;</p> <p>4. Matter dealt with, with specific reference to the decision that was intended to be obtained;</p> <p>5. Place, date, time and duration;</p> <p>6. Whether the meeting was done in person or by videoconference.</p>	N/A
	Register of travels		(i) Destination; (ii) Object; (iii) Total cost of the trip broken down by items covered; (iv) Natural or legal person who financed it.	N/A
	Register of gifts		(i) Information on the donation; (ii) date and context of its reception; (iii) identity of the person, organisation or entity making the donation.	N/A
Colombia	N/A	N/A	N/A	N/A
Costa Rica	N/A	N/A	N/A	N/A
Czech Republic	N/A	N/A	N/A	N/A
Denmark	N/A	N/A	N/A	N/A
Estonia	N/A	N/A	N/A	N/A
Finland	N/A	N/A	N/A	N/A
France	Register of Lobbyists	Lobbyists	<p>1. Identity of the interest representative, including their identification number in the register of companies or associations;</p> <p>2. Identity of the executives of the lobbyist;</p>	When lobbying activities are carried out on behalf of a new client, the client's identity must be registered within one month.

	Type of transparency measure	Person responsible for registration	Information disclosed upon registration	Information disclosed after registration
			<p>3. Identity of individuals in charge of lobbying activities, and their position. These include individuals who spend more than half of their working time on lobbying activities, and individuals who have performed more than ten influence actions in the last twelve months;</p> <p>4. Scope of lobbying activities, identified by listing major sectors of activity chosen from a drop-down menu;</p> <p>5. Level at which the activities are performed: local, national, European or global;</p> <p>6. Membership in "trade unions, professional organisations or associations related to the interests they represent".</p> <p>7. Identity of third parties on whose behalf the lobbying activities are performed. This concerns clients for whom lobbying activities have been performed in the last six months.</p>	<p>Lobbyists must file "annual activity reports", submitted within three months of the end of the lobbyist's financial year. The report contains the following information:</p> <ol style="list-style-type: none"> 1. Types of public decisions targeted by lobbying activities; 2. Type of lobbying activities undertaken; 3. Issues covered by these activities, identified by their purpose and area of intervention; 4. Categories of public officials the lobbyist has communicated with; 5. The identity of third parties; 6. The amount of expenditure related to lobbying activities in the past year, identified by thresholds.
Germany	Lobby Register	Lobbyists	<p>Interest representatives – natural persons:</p> <ol style="list-style-type: none"> 1. Family name, maiden name, first names, academic degree (optional); 2. date and place of birth; 3. Address; 4 Electronic contact details. <p>Interest representatives – legal persons or other organisations:</p> <ol style="list-style-type: none"> 1. Company name, website, e-mail address and address, 2. Legal form or nature of the organisation, 3. Surname, first names, academic degree (optional) and electronic contact details of all legal representatives or other persons authorised to represent the organisation; 4. Surname, maiden name, first names, academic degree (optional) of employees directly exercising the representation of interests, unless covered under point; 5. Number of members and memberships. <p>For all interest representatives:</p> <ol style="list-style-type: none"> 1. Field of interest and project area as well as description of the field of activity; 2. Identity of the third parties for which interest representation is carried out; 3. Number of employees conducting activities of interest representation (in increments of 10); 4. Annual financial expenditure for interest representation activities (in increments of 10,000 euros); 	<p>Interest representatives must update the information at least once a year.</p> <p>Any changes to the information registered must be disclosed at the latest by the end of the quarter following the occurrence of the change.</p> <p>Changes related to the identify of clients must be registered without delay.</p> <p>Financial information must be no later than six months after the end of the financial year for the past financial year.</p> <p>A list of former lobbyists is kept and published accordingly. Removal from takes place after 18 months.</p>

	Type of transparency measure	Person responsible for registration	Information disclosed upon registration	Information disclosed after registration
			<p>5. Individual donations and grants received from public authorities, individual gifts from third parties (in increments of 10,000 euros each), provided that the total value in relation to one donor exceed EUR 20,000 in one calendar year. The name of the donor, its place of residence or registered office, and a brief description of the benefit must also be provided.</p> <p>6. Annual financial statements or statements of accounts of legal persons if there are no disclosure obligations under commercial law.</p> <p>Interest representatives may refuse to disclose financial information (4-6) but the refusal is recorded in the register and interest representatives are identified in a separate public list within the lobby register.</p> <p>The personal information of natural persons is not made public.</p>	
Greece	N/A	N/A	N/A	N/A
Hungary	Employees of public administration bodies must disclose their meetings with lobbyists to their superior.	Public officials	<p>Information given to their superiors shall include the name of the lobbyist and – if applicable – the name of the organisation represented by the lobbyist, as well as the objective, date and location of the meeting.</p> <p>The information is not made public.</p>	N/A
Ireland	Register of Lobbying	Lobbyists	<p>"Applications":</p> <ol style="list-style-type: none"> 1. The person's name; 2. The address at which the person carries on business; 3. The person's business or main activities; 4. Any e-mail address, telephone number or website address relating to the person's business or main activities, 5. Any registration number issued by the Companies Registration Office; 6. (if a company) the person's registered office. <p>The application shall contain a statement by the person by whom it is made that the information contained in it is correct.</p>	<p>"Returns" made at the end of each relevant period, covering activities made during the relevant period:</p> <ol style="list-style-type: none"> 1. Information relating to the client (name, address, main activities, contact details, registration number) 2. The designated public officials to whom the communications concerned were made and the body by which they are employed; 3. The relevant matter of those communications and the results they were intended to secure, 4. The type and extent of the lobbying activities, including any "grassroots communications", where an organisation instructs its members or supporters to contact DPOs on a particular matter. 5. The name of the individual who had primary responsibility for carrying on the lobbying activities,

	Type of transparency measure	Person responsible for registration	Information disclosed upon registration	Information disclosed after registration
				<p>6. The name of each person who is or has been a designated public official employed by, or providing services to, the registered person and who was engaged in carrying on lobbying activities.</p> <p>If the registered person has not carried on any lobbying activities in the period covered by the return, the return shall state that fact.</p> <p>The return shall contain details of any change during the relevant period in the information entered on the Register.</p> <p>A return shall contain a statement by the person by whom it is made that the information contained in it is correct.</p>
Iceland	Log of registrations of lobbyists	Lobbyists	<p>Before a lobbyist seeks to influence authorities on behalf of a private party, he/she is required to register information on himself/herself and his/her role. Legal entities and NGO's are permitted to register individuals that lobby on their behalf. The following information should be registered:</p> <ol style="list-style-type: none"> 1. The name and identification number of the lobbyist, 2. Employer and establishment, 3. The role of the lobbyist, i.e. the private parties that the lobbyist represents and their interests. It should be indicated whether the role is incidental or ongoing and when it is expected to end. 	A lobbyist is required to notify the authorities when he/she ceases operation.
	Legislative footprint		Information on the participation of private parties in the drafting of a Government Bill shall be accessible in the text of the bill.	N/A
Israel	List of lobbyists on the Knesset's website	Lobbyists	<p>When applying, lobbyists must disclose the following information:</p> <ol style="list-style-type: none"> 1. Applicant's personal details and whether they work in a company; 2. The type of company, its name and registration number; 3. The names of the clients they wish to represent at the Knesset and their field of activity; 4. If the applicant is a member of a political party, the name of the political party; 5. A declaration that the applicant undertakes to act in accordance with the provisions of the law. 	If there is a change in the applicant's details, he/she must notify the Knesset in writing immediately after the change.

	Type of transparency measure	Person responsible for registration	Information disclosed upon registration	Information disclosed after registration
Italy	Register of interest representatives (Chamber of Deputies)	Lobbyists	<p>“Application for registration”:</p> <ol style="list-style-type: none"> 1. A description of the activities of representation of interests that the applicant intends to carry out and an indication of the persons he/she intends to contact; 2. In the case of a natural person, his or her personal details, professional address; 3. In the case of a natural person, self-certification that he or she has not held any government office or or a parliamentary mandate in the last twelve months; 4. In the case of legal entities, the name and the registered office, the personal details of the persons legally representing them, and of those who carry out the activity of interest representation on their behalf on a stable and constant basis, with indication of the specific contract that binds them, as well as self-certification that they have not held any government office or or a parliamentary mandate in the last twelve months; 5. In the case of persons representing the interests of third parties, the indication of the clients on behalf of which they operate and the legal title that allows the exercise of the activity, with an indication of the end date of the activity, where expected; 6. Consent to the processing of personal data and to the publication on the Chamber's website of the information provided; 7. A commitment to communicate any changes in the information and data in a timely manner. 	<p>By 31 December of each year, those entered in the register are required to present to the Chamber of Deputies a report on the activity of interest representation carried out during the year, giving:</p> <ol style="list-style-type: none"> 1. An account of the contacts actually made; 2. The objectives pursued; 3. The clients in whose interest the activity has been carried out; 4. The employees or collaborators who have participated in the activity. <p>Where a legal entity other than a natural person is registered, a single report is submitted.</p>
Japan	N/A	N/A	N/A	N/A
Korea	N/A	N/A	N/A	N/A
Latvia	<p>Employees of public administration bodies must disclose their meetings with lobbyists to their superior</p> <p>There is a regulatory footprint if the proposal expressed by the lobbyist is considered.</p>	Public officials	<p>The employee shall inform the direct manager or the head of the institution regarding the expected meeting with the lobbyist, as well as disclose the information received from the lobbyist, including what interests they represent, what proposals were expressed, and in what way they have been considered.</p> <p>If the proposal expressed by the lobbyist is considered when drafting or taking a decision, this shall be indicated in the document related to such decision (e.g. in the summary), and made publicly available.</p>	N/A
Lithuania	Lobbying register	Lobbyist	<p>“Application”</p> <ol style="list-style-type: none"> 1. The name and surname, personal number, place of residence, place of employment and duties of the lobbyist within the last year if the application is lodged by a natural person; 	<p>“Lobbying report” submitted for every draft legal act or an administrative decision on which lobbying activities were conducted, no later than within seven days from the commencement of lobbying activities.</p> <p>The report must contain:</p>

	Type of transparency measure	Person responsible for registration	Information disclosed upon registration	Information disclosed after registration
			<p>2. The name and the registration number if the application is lodged by a legal person;</p> <p>3. The name, surname, personal number, place of employment and duties within the last year, period of authorisation to conduct lobbying activities of the participants, members of the management body and employees of a legal person if the application is lodged by a legal person.</p>	<p>1. Name, surname, number of the lobbyist's certificate;</p> <p>2. Name, surname or a business name of the client of lobbying activities, his/her personal or its registration number. If lobbying activities are conducted not on behalf of a client of lobbying activities, but in the interests of a third party, the lobbyist must indicate that natural or legal person;</p> <p>3. The title of a legal act, a draft legal act or an administrative decision with respect to which lobbying activities were conducted;</p> <p>4. A brief description of the subject matter to be amended in the legal act, the draft legal act or the administrative decision with respect to which he/she acts as a lobbyist;</p> <p>5. Name of the institution or body (the division, if there is one) in which the person on whom influence was exerted over;</p> <p>6. Name, surname, duties of a lobbied person.</p>
Luxembourg	Legislative footprint	N/A	The legislative footprint is limited to contributions made by lobbyists during Parliamentary Committees.	N/A
Mexico	Lobbying registers (PDF)	Lobbyists	<p>1. For natural persons: name, address, contact details, copy of documents including declaration of interests;</p> <p>2. For legal persons: name of the company, business address, contact details, name of the legal representatives, names of persons to be accredited, sector of activity, country of origin, website, documents on the legal constitution of the company;</p> <p>3. Themes of interest;</p> <p>4. Commissions, Parliamentary groups, Members of Parliament targeted by lobbying activities;</p> <p>5. Reforms and/or laws of interest.</p>	N/A
Netherlands	Voluntary Lobbyist Register	Lobbyists	Name of the lobbyist, name of the employer and/or client .	N/A
New Zealand	N/A	N/A	N/A	N/A
Norway	N/A	N/A	N/A	N/A

	Type of transparency measure	Person responsible for registration	Information disclosed upon registration	Information disclosed after registration
Peru	Online Register of Visits	Public officials	<p>Officials with public decision-making capacity are responsible for registering the acts of interest management. They are prohibited from meeting lobbyists outside their institutional headquarters, except if the meeting was previously scheduled in their official agenda.</p> <p>Each public entity has its own Online Register of Visits. The highest administrative authority of each entity, with the support of the Office of Human Resources and the Office of Institutional Integrity of the institution, identify the public officials with public decision-making capacity for the purposes of registering the acts of interest management.</p> <p>The following information is disclosed :</p> <ol style="list-style-type: none"> 1. Visitors' name ; 2. The natural or legal person they represent ; 3. The name of the public official visited and the position held ; 4. Reason for the meeting and summary of any act of interest management performed by the visitor, with specific reference to the decision that was intended to be obtained ; 5. Meeting date time (time of entry and exit) ; <p>The information contained in the visits register must be updated on a daily basis.</p> <p>In case the entity does not have the necessary computer tools to carry out this task, the list must be sent to the Secretariat of Public Integrity of the Presidency of the Council of Ministers, in accordance with the procedure that it determines, and published in the Standard Transparency Portal of the respective entity.</p>	N/A
Poland	Register of entities performing professional lobbying activities	Lobbyists	<ol style="list-style-type: none"> 1. Company name, name and address of the person carrying professional lobbying activities, or name and address of a natural person other than the person performing the lobbying activity; 2. Identification number. 	Entities listed in the Register must notify the authority responsible for maintaining the register of any modification made to the data recorded in the Register within 7 days of the modification.

	Type of transparency measure	Person responsible for registration	Information disclosed upon registration	Information disclosed after registration
	Lists of registered persons as administered by the Sejm and by the Senate	Lobbyists	<p>« Application » :</p> <ol style="list-style-type: none"> Name and identification number of persons engaging in professional lobbying activities ; Information on the interest which it intends to represent in relation to a given regulation. Certificate or declaration of entry of the entity he/she represents to the register of entities performing professional lobbying activities and an authorisation to represent him/her, as well as a statement indicating the entities for which he/she performs this activity. 	The applicant is required to inform of any change in the data covered in the application within 7 days from the date of its occurrence.
	Legislative footprint of documents sent to Committees of the Sejm	Public officials	<p>Sejm : documents, in particular proposals for legal solutions as well as expert opinions and legal opinions, submitted by persons engaging in professional lobbying activities to committee examining a given bill shall be made available on the Information System of the Sejm.</p> <p>Senate: When a committee reports on legislation or legislative proposal it has been considering, the rapporteur informs about the activities performed by professional lobbyists during the course of the committee work and presents their desired outcome of that consideration as well as the committee position in the given matter</p>	
	Annual overview of meeting with lobbyists	Public officials	<p>Managers of public authorities prepare once a year, by the end of February, information on the actions taken against them by lobbyists. The information includes:</p> <ol style="list-style-type: none"> Cases in which professional lobbying activity was undertaken; Entities that performed professional lobbying activities; Forms of professional lobbying activity undertaken, along with an indication of whether it consisted in supporting or speaking against specific projects; Specification of the influence exerted by the entity performing the professional activity, and its impact. 	N/A
Portugal	N/A	N/A	N/A	N/A
Romania	Voluntary Interest Groups Transparency Register	Lobbyists	<p>Specialised groups register voluntarily in the online register:</p> <ol style="list-style-type: none"> Name of specialised group and contact details, fiscal identification number; Name of legal representative and contact details; Organisational category in which the specialised group falls; Year of establishment, purpose of the organisation, levels of government at which the organisation is active (i.e. local, regional, national, EU), memberships; Areas of interest; Main public policy initiatives pursued in the last 3 years; 	N/A

	Type of transparency measure	Person responsible for registration	Information disclosed upon registration	Information disclosed after registration
			<p>7. Whether the organisation collaborates with persons who have worked in a public institution in the last year;</p> <p>8. Indication of five clients (for profit) and five donors (non profit);</p> <p>9. Turnover or total revenues from the previous year;</p> <p>10. Annual budget allocated to lobbying activities (by selecting a threshold);</p> <p>11. Acceptance for the use of personal data of the representatives of the specialised group.</p>	
	Agendas of decision-makers	Public officials	<p>The agenda of decision makers are published daily in a centralised form on the same platform. Each institution must add a link to the Registry platform in a specialised section of their websites entitled “decision-making transparency”.</p> <p>Management of the institution must complete, on a weekly basis, information on meetings with entities registered in the RUTI;</p> <p>The following information must be registered:</p> <ol style="list-style-type: none"> 1. The name of the specialised group met, and other people present; 2. The name of the person representing the specialised group; 3. Date of the meeting and meeting place; 4. Names of decision makers participating in the discussions, including their institution and position; <p>(e) Subject of the discussion.</p>	N/A
Slovak Republic	N/A	N/A	N/A	N/A
Slovenia	Register of lobbyists	Lobbyists and interest groups	<p>Upon registration, lobbyists must disclose:</p> <ol style="list-style-type: none"> 1. Name and contact details; 2. Tax ID number (not made public); 3. Registered office or name and head office of their employer; 4. Sphere of interests. 	<p>By 31 January for the previous year, lobbyists must submit a report containing the following information to the Commission for the Prevention of Corruption (this information is not made public, but available upon request):</p> <ol style="list-style-type: none"> 1. the lobbyist’s tax ID number; 2. Interest groups for which the lobbyist lobbied; 3. Data on the amount of payment received from interest groups for each matter in which the lobbyist has lobbied; 4. A statement on the purpose and objective of lobbying for a particular interest group; 4. The names of State bodies and persons targeted by lobbying activities;

	Type of transparency measure	Person responsible for registration	Information disclosed upon registration	Information disclosed after registration
				<p>5. Types and methods of lobbying for a particular matter in which the lobbyist has lobbied;</p> <p>6. Type and value of donations made to political parties and the organisers of electoral campaigns.</p> <p>Interest groups with employees, legal representatives or elected representatives carrying out lobbying activities must register these activities, either after an individual lobbying activity or by 31 January. The report to the Commission for the Prevention of Corruption (not made public, but available upon request) includes the following information:</p> <ol style="list-style-type: none"> 1. Lobbyists' name and surname; 2. S statement on the purpose and objective of lobbying for a particular interest group; 3. Names of state bodies and persons targeted by lobbying activities; 4. Types and methods of lobbying for a particular matter in which the lobbyist has lobbied.
	Contacts with lobbyists	Public officials	Public officials contacted by lobbyists are required to check that they are duly registered in the Register of Lobbyists, must advise their superiors and report on their meetings with lobbyists to the Commission for the Prevention of Corruption within eight days , in the form of a signed declaration, specifying the date, time and place of the meeting , as well as the intent (matters discussed) and goals (which decision did the lobbyist try to influence and with what aim) of the lobbying activity . The information is incorporated in the lobbying registry.	
Spain	Agenda of the members of the Government	Public officials	The agenda lists, on a day-by-day basis, the visits, interventions or meetings in which the members of the Government participate. Each item discloses at least: <ul style="list-style-type: none"> • The minister in charge, and other minister(s) assisting; • The time of the meeting; • The organisation met or visited. 	N/A
	Agendas of Deputies and Senators			
	Agendas of Deputies	Public officials	Meetings with interest representatives.	N/A
Sweden	N/A	N/A	N/A	N/A
Switzerland	N/A	N/A	N/A	N/A
Turkey	N/A	N/A	N/A	N/A

	Type of transparency measure	Person responsible for registration	Information disclosed upon registration	Information disclosed after registration
United Kingdom	Register of Consultant Lobbyists	Lobbyists	<ol style="list-style-type: none"> 1. In the case of a company: name, registered number and address of its registered office, and the names of its directors and of any secretary and any shadow directors; 2. In the case of a partnership (including a limited liability partnership): the names of the partners and the address of its main office; 3. In the case of an individual: the individual's name and the address of the individual's main place of business (or, if there is no such place, the individual's residence); 4. Whether the registrant must comply with a Code of Conduct. 	Lobbyists must report four times a year , specifying the names of their clients over the past three-month period, along with any changes in the information declared on their register entry.
	Ministerial diaries (available upon request) Meetings of Special Advisors	Public officials	Quarterly ministerial diaries contain external meetings and any meeting with newspaper and other media proprietors, editors and senior executives regardless of the purpose of the meeting.	N/A
United States	Reporting of Lobbying Activities and certain contributions	Lobbyists	<ol style="list-style-type: none"> 1. Contact details, information on clients (one registration per client) and/or the employer. 2. Information on the intended subjects of their lobbying activities. 3. Estimation of payment received or expenditures incurred for lobbying activities. 	<p>Quarterly reports on lobbying activities (LD-2), including:</p> <ol style="list-style-type: none"> 1. General lobbying issue area code(s). 2. Specific issues on which the lobbyist(s) engaged in lobbying activities. 3. Houses of Congress and specific Federal Agencies contacted. 4. Disclosing the lobbyists who had any activity in the general issue area. <p>Semi-annual reports on certain contributions detailing political contributions and attesting to their compliance with Congress' Code of Conduct as regards gifts.</p>
European Union	Transparency Register	Lobbyists	<ol style="list-style-type: none"> 1. Information on the organisation, names and contact details of lobbyists, areas of activity, membership and number of members; 2. Main policies and legislative proposals targeted; 3. Membership in committees, expert groups, Parliamentary intergroups; 4. Financial information relating to lobbying activities; 5. In the case of consultants/firms acting on behalf of clients, a list of all clients and payment received for lobbying activities; 6. In the case of think tanks, research and academic institutions: sources of funding. 	Once a year, lobbyists must provide financial figures and update the information registered.

	Type of transparency measure	Person responsible for registration	Information disclosed upon registration	Information disclosed after registration
	Commissioner's Agenda	Public officials	Meetings held with interest representatives: date of the meeting , the location , the name of the Member of the Commission and/or member of the Cabinet , the name of the organisation or self-employed individual and the subject of the meeting .	
	Open agendas in European Parliament	Public officials	Chairs of Parliamentary Committees, rapporteurs and advisers publish their meetings with lobbyists.	

Source: OECD 2020 Survey on Lobbying and additional research by the OECD Secretariat.

Table A A.6. Institutions responsible for examining financial reports and/or investigating violations of political finance laws in Adherents and Respondents to the 2020 OECD Survey

	Type of authority	Name of authority	Legal framework
Australia	Electoral management body	Australian Electoral Commission	Financial Disclosure Compliance Framework 2017
Austria	Auditing agency	The statement of accounts shall also be subject to the supervision of the Court of Audit	Political Parties Act 2012
Belgium	Institution created for this purpose	Financial reports are examined and approved by the Commission of Control, based upon the opinion provided by the Audit Office	Act of 4 July 1989 on the limitation and control of election expenses
Brazil	Electoral management body	Electoral Courts	Lei de partidos políticos, 1995
Canada	Electoral management body	Elections Canada	Canada Elections Act, 2000
Chile	Electoral management body	Chilean Electoral Service	Ley N°19.884 sobre la transparencia, límite y control del gasto electoral
Colombia	Electoral management body	National Electoral Council	Constitución Política de Colombia
Costa Rica	Institution for this purpose	Electoral Supreme Tribunal (TSE)	
Czech Republic	Institution for this purpose	Office for the Oversight of Financing of Political Parties and Movements	Act No. 424/1991 on the Association of Political Parties and Political Movements Act No. 247/1995 on Elections to the Parliament of the Czech Republic and on the Amendment of Certain Other Laws Law No. 275/2012 on the Election of the President of the Republic
Denmark	No	N/A	Accounts of Political Parties Act, 2019
Estonia	Institution for this purpose	Political Party Funding Supervision Committee	Political Parties Act, 1994
Finland	Ministry and auditing agency	Ministry of Justice State Audit Office	Act on Political Parties, 1969 Act on Candidate's Election Funding

	Type of authority	Name of authority	Legal framework
France	Institution for this purpose	Commission for the Control of Electoral Accounts and Political Finance (CNCCFP)	Loi n° 88-227 du 11 mars 1988 relative à la transparence financière de la vie politique Code Électoral
Germany	Auditing agency and Parliamentary Unit	President of the German Bundestag	Political Parties Act, 1967
Greece	Other	Audit Committee	Law 4304/2014 Law 3023/2002
Hungary	Auditing agency	State Audit Office	Law on the Management and Operation of Political Parties, 1989
Iceland	Auditing agency	National Audit Office	Act on the Finances of Political Organisations and Candidates and their Information Disclosure, 2006 Rules on the Financial Accounts of Political Parties, 2007
Ireland	Other	Standards in Public Office Commission, the Gardai (police)	Electoral Act, 1997
Israel	Auditing agency	State Comptroller	Parties Financing Law, 1973 Parties Law, 1992
Italy	Institution for this purpose	Commissione di garanzia degli statuti	D.l. n. 34, 30/4/2019 "Misure urgenti di crescita economica e per la risoluzione di specifiche situazioni di crisi"
Japan	Other	Public Fund Inspector	Political Funds Control Act, 1948
Korea	Electoral management body	National Election commission	Political Funds Act
Latvia	Institution for this purpose	Corruption Prevention and Combating Bureau	Law on Political Parties Law on the Financing of Political Organizations Pre-election Campaign Law
Lithuania	Electoral management body and auditing agency	Central Electoral Commission State Tax Inspectorate	Law on the funding of, and control over funding of, political campaigns
Luxembourg	Court	Court of Accounts	Loi portant Réglementation du Financement des Partis Politiques, 2007
Mexico	Electoral management body	Instituto Nacional Electoral	General Law on Electoral Institutions and Procedures, 2020
Netherlands	Ministry and institution for this purpose	Ministry of the Interior and Kingdom Relations Committee on the Supervision of the Finance of Political Parties	Political Parties Financing, 2013
New Zealand	Electoral management body	Electoral Commission	Electoral Act, 1993
Norway	Electoral management body	The Political Parties Act Committee and the Party Auditing Committee	Political Parties Act, 2005
Peru	Electoral management body	Oficina Nacional de Procesos Electorales	Ley N°28094 de Organizaciones Políticas, 2017
Poland	Electoral management body	National Electoral Commission	Law on Political Parties, 1997 Election Code, 2011
Portugal	Court	Constitutional Court	Decree of the Assembly of the Republic No. 194/XIII

	Type of authority	Name of authority	Legal framework
Romania	Electoral management body and auditing agency	Permanent Electoral Authority Court of Audit	Law no. 334/2006 on financing the activity of political parties and electoral campaigns, 2006
Slovak Republic	Electoral management body and ministry	National Council	Law No. 181 on the election campaign and amendments to Law No. 85 on political parties and movements, 2014
Slovenia	Auditing agency	Court of Audit and Inspectorate of the Republic	Political Parties Act, 2014
Spain	Auditing agency	Court of Audit (Tribunal de Cuentas)	Organic Law 5/1985 on the General Election Regime Organic Law 6/2002 on Political Parties Organic Law 8/2007 on Political Parties Funding
Sweden	Electoral management body	Kammarkollegiet	Act on Transparency of Party Financing
Switzerland	No	N/A	N/A
Turkey	Electoral management body	Constitutional Court	Constitution of the Republic of Turkey, 1982 Law No. 6216 on Political Parties, 1983 Law No. 6271 on the Presidential Election
United Kingdom	Electoral management body	Electoral Commission	Electoral Law
United States	Electoral management body and ministry	Federal Election Commission Department of Justice	United States Code Federal Election Campaign Act, 1974

Source: OECD 2020 Survey on Lobbying and IDEA Political Finance Database.

Table A A.7. Sanctions for political finance infractions

	Fines	Prison	Loss of public funding	Forfeiture	Deregistration of party	Loss of nomination of candidate	Suspension of political party	Suspension of public funding	Loss of elected office	Loss of political rights
Australia	●	●	○	○	○	○	○	○	○	○
Austria	●	○	○	●	○	○	○	○	○	○
Belgium	●	○	●	○	○	○	○	○	○	○
Brazil	●	○	●	○	●	●	○	○	●	○
Canada	●	●	○	●	●	○	○	○	○	○
Chile	●	●	○	○	●	○	●	○	○	○
Colombia	●	●	●	●	●	○	●	○	●	○
Costa Rica	●	●	○	○	○	○	○	○	○	○

	Fines	Prison	Loss of public funding	Forfeiture	Deregistration of party	Loss of nomination of candidate	Suspension of political party	Suspension of public funding	Loss of elected office	Loss of political rights
Czech Republic	●	○	●	○	○	○	○	○	○	○
Denmark	●	●	●	○	○	○	○	○	○	○
Estonia	●	○	●	○	○	○	○	○	○	○
Finland	●	○	●	○	○	○	○	○	○	○
France	●	●	●	○	○	○	○	○	●	○
Germany	●	●	●	●	○	○	○	○	○	○
Greece	●	●	●	○	○	○	○	○	○	○
Hungary	●	○	○	●	○	○	○	●	○	○
Iceland*	●	●	○	●	○	○	○	○	○	○
Ireland	●	●	●	○	○	○	○	○	○	○
Israel	●	●	●	○	○	○	○	○	○	○
Italy	●	○	●	○	●	○	○	○	○	○
Japan	●	●	○	○	○	○	○	○	○	○
Korea	●	●	○	●	○	●	○	○	●	○
Latvia	●	●	●	●	●	○	●	●	○	○
Lithuania	●	●	●	●	●	●	○	●	○	○
Luxembourg	●	●	○	●	○	○	○	●	○	○
Mexico	●	○	●	○	●	●	○	○	○	○
Netherlands	●	○	●	●	○	○	●	○	○	○
New Zealand	●	●	○	○	○	○	○	○	○	○
Norway	●	●	●	●	○	○	○	○	○	○
Peru	●	●	●	○	○	●	○	○	○	○
Poland	●	●	●	●	●	○	○	○	○	○
Portugal	●	○	○	○	○	○	○	○	○	○
Romania	●	○	○	●	○	○	○	●	●	○
Slovak Republic	●	○	○	○	●	○	○	●	○	○
Slovenia	●	○	●	○	○	○	○	○	○	○
Spain	●	●	●	○	●	○	○	○	○	●
Sweden	●	○	○	○	○	○	○	○	○	○

	Fines	Prison	Loss of public funding	Forfeiture	Deregistration of party	Loss of nomination of candidate	Suspension of political party	Suspension of public funding	Loss of elected office	Loss of political rights
Switzerland	○	○	○	○	○	○	○	○	○	○
Turkey	●	●	●	○	○	○	●	○	○	○
United Kingdom	●	●	○	○	○	●	○	○	●	○
United States	●	●	○	●	○	○	○	○	○	○
● Yes	40	25	23	14	11	6	5	6	6	1
○ No	1	16	18	27	32	35	36	35	35	40

Source: IDEA Political Finance Database and information provided by delegates of the OECD Working Party of Senior Public Integrity Officials.

Table A A.8. Specific duties and standards of conduct related to lobbying activities for public officials

	Type of document	Standards of conduct on lobbying
Australia	Australian Government Lobbying Code of Conduct	A Government representative shall not knowingly and intentionally be a party to lobbying activities by a lobbyist or an employee of a lobbyist who is not on the Register of Lobbyists, or who has failed to inform them that they are lobbyists (whether they are registered, the name of their clients, and the nature of the matters they wish to raise). A Government representative must report any breaches of the Code to the Secretary of the Attorney-General's Department.
Canada	Prime Minister Guide on Open and Accountable Government (for Ministers and Ministers of State)	(IV.3) The Commissioner of Lobbying may ask designated public office holders, including Ministers and Parliamentary Secretaries, to verify information about lobbying communications that has been registered by lobbyists. Every effort should be made to meet this responsibility using routine records. Annex B “Fundraising and Dealing with Lobbyists: Best Practices for Ministers and Parliamentary Secretaries”
	Ethics and Conflict of Interest Code for Senators Standing Orders of the House of Commons, Conflict of Interest Code for Members of the House of Commons (Articles 8-10)	Furthering private interests. When performing parliamentary duties and functions, a member/Senator shall not act in any way to further his or her private interests or those of a member of the member/senator’s family, or to improperly further another person’s or entity’s private interests. Using influence. A member/Senator shall not use his or her position as a member/Senator to influence a decision of another person so as to further the member/Senator’s private interests or those of a member of his or her family, or to improperly further another person’s or entity’s private interests. Insider information. A member/Senator shall not use information obtained in his or her position as a member that is not generally available to the public to further the member/Senator’s private interests or those of a member of his or her family, or to improperly further another person’s or entity’s private interests.
Chile	Lobbying law, (“ <i>Deberes de los sujetos pasivos</i> ”)	Lobbied public officials and administrations have a duty to register hearings and meetings with lobbyists, as well as donations

		<p>and trips made in the exercise of their duties.</p> <p>Public administrations have a duty to maintain a public register of lobbyists and interest representatives. They must guarantee equal access for persons and organisations to the decision-making process. Public administrations are not required to respond positively to every demand for meetings or hearings; however, if it does so in respect to a specific matter, it must accept demands of meetings or hearings to all who request them on the said matter.</p>
Germany	Anti-Corruption Code of Conduct (Annex 1 to the Federal Government Directive Concerning the Prevention of Corruption in the Federal Administration)	Public officials must avoid any appearance of possible partiality, make sure they do not give any appearance of being biased, not even through a general climate of influence exerted by an interested party.
Hungary	Code of Conduct for Government Officials	<p>Public officials must consider as a partiality any situation where their personal interests or their relationship with organisations outside the structure of the state impede or may impede the impartiality, lawfulness, ethics and professionalism of their work.</p> <p>They must refrain from lobbying for or enforcing the employment in public bodies of their relatives and those with whom they are in an emotional, political, economic or other community of interests.</p> <p>They must avoid entering into economic alliances with people who regularly appear as lobbyists in the workplace. They must not seek nor provide benefits or special treatment to current or former employees of government agencies, or to any other stakeholders.</p>
Iceland	Code of Conduct for Staff in the Government Offices of Iceland (Article 3.3) Code of Conduct for Members of the Althingi (Article 12)	<p>When interacting with interest groups, staff in the Government Offices of Iceland shall bear in mind that the duties of public administration are primarily towards the public. Staff shall observe the principle of equality when responding to the requests of interest groups.</p> <p>Members of the Althingi shall not use their position as a Members of the Althingi to further their own or another person's or entity's interests in a manner incompatible with this Code of Conduct.</p>
Latvia	Cabinet Regulations No. 1 "Values of State Administration and Fundamental Principles of Ethics" (Chapter 3, Articles 7, 8 and 9)	<p>When communicating with lobbyists, public employees shall follow the principles of openness, equality, and integrity. They must ensure all interested lobbyists have equal opportunities to receive information and communicate with the public institution and its employees.</p> <p>Public employees must inform their direct manager or the head of their institution on their meeting with lobbyists, and disclose information on their meetings, including information received from lobbyists.</p>
	Law on Lobbying Activities (Article 5 "Duties of other persons")	State and municipal bodies, as well as lobbied public officials must create the conditions for lobbyists to carry out lawful activities, as well as the conditions for the Chief Official Ethics Commission to carry out its function. Lobbied persons are also prohibited from taking gifts or any other remuneration from lobbyists.
Lithuania	Code of conduct for Luxembourg MPs on financial interests and conflicts of interest (Article 5 – Rules concerning Lobbying)	<p>Relations between Members of Parliament and representative of private interests are subject to rules guaranteeing transparency and publicity. Contacts shall take place in committees. Any other contact with an interest representative must not take place within the premises of the Chamber.</p> <p>Insofar as the interventions of the interest representative are likely to have a direct impact on a legislative text under discussion, the Member shall mention it during the committee debates; the rapporteur must indicate it in his or her written report. If the committee decides so, a position paper of an interest group may also be published.</p>
Luxembourg		1. Public officials with decision-making capacity who are contacted by lobbyists must maintain equal treatment for all persons

	<p>Law regulating the management of interests in the public administration, and associated decrees (Article 17)</p> <p>Supreme Decree that approves the Regulation of Law No. 28024 - Law that regulates the management of interests in the public administration (Article 9 “Of the obligations of public officials responsible for registering the acts of interest management”)</p>	<p>who carry acts of interest management. Equal treatment includes the duty by civil servants to consider persons who carry out acts of interest management with respect and deference, granting them adequate time to present their points of view in the public decision-making process.</p> <p>2. Public officials with decision-making capacity must record in the Register of Online Visits information on their meetings with persons conducting acts of interest management. The highest administrative authority of each entity, with the support of the Office of Human Resources and the Office of Institutional Integrity, identify the public officials with public decision-making capacity.</p> <p>3. They are required to inform the Office of Institutional Integrity of their entity if there is a contravention against the prohibition to accept any gifts, donations, free services, offers of employment of positions from lobbyists or their clients, or if lobbyists contravene the ethical guidelines related to the lobbying law. They must inform the Office of Institutional Integrity of any lobbyists who contravenes with his/her ethical obligations.</p> <p>4. They are prohibited from meeting lobbyists outside institutional headquarters. Exceptionally, any meeting happening outside institutional headquarters may take place if it is scheduled in advance and registered in the Online Register of Visits.</p>
Peru	Act on Legislative and Regulatory Lobbying	<p>The “public authorities” are obliged to publish information on professional lobbying activities targeting them in the Public Information Bulletin, along with the subject and the stated aims of the entities carrying them out. However, MPs and Senators are not subject to any personal obligation of declaration. The Chancellery of the Prime Minister’s Ordinance describes the contacts that may be made with lobbyists: the Chancellery’s employees are required to document their meetings with lobbyists, using a special form to do so. The Chancellery’s Legal Department registers such meetings, compiles documents, formally controls lobbyists’ declarations and checks that they are registered.</p> <p>The competent public authority is required to inform the Ministry of Public Information immediately of any professional lobbying activities performed by an entity not in the Register.</p>
Poland	Integrity and Prevention of Corruption Act	<p>Public officials may agree to have contact with a lobbyist only after verifying that the lobbyist is entered into the Register. If, during a contact with a lobbyist a conflict of interest arises on the part of the person lobbied, they must refuse any contact with the lobbyist.</p> <p>They must record, within three days, of each meeting with a lobbyist to their superior and to the Commission for the Prevention of Corruption.</p> <p>They must report, within ten days, any attempts to lobby from unregistered lobbyists to the Commission for the Prevention of Corruption.</p>
Slovenia	<p>Rules of Procedures of the Senate (Articles 298 and 299)</p> <p>Rules of Procedures of the Chamber of Deputies (Articles 263 to 268)</p>	<p>Senators must inform the Bureau of the Senate of the activities carried out before them by lobbyists. They may not accept gifts or payments in cash or kind from lobbyists.</p> <p>Members of the House and their support staff may refrain from making recommendations that amount to lobbying when they obtain financial or in-kind benefits from third parties with whom they have professional, employment or business relations. They may not accept gifts or benefits from lobbyists.</p>
Mexico	Code of Conduct for members of the Congress and the Senate	<p>Members of the Parliament must make public their institutional agenda in the Transparency Portal of the Congress, including the meetings held with the representatives of any entity that satisfies the conditions of an interest group. (...) Each Member of Parliament will be responsible for the truthfulness, accuracy and timeliness of the information published.</p>

Spain	Seven Principles of Public Life	Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence their work.
United Kingdom	Civil Service Code	Civil servants must not misuse their official position, for example by using information acquired in the course of their official duties to further their private interests or those of others. Civil servants must not be influenced by improper pressures from others or the prospect of personal gain. Civil servants must not act in a way that unjustifiably favours or discriminates against particular individuals or interests.
	Code of Conduct of the House of Commons	No Member shall act as a paid advocate in any proceeding of the House.
	Code of Conduct for Members of the House of Lords Guide to the Code of Conduct Code of Conduct for House of Lords Members' Staff	Members may work for or hold financial interests in organisations such as representative bodies, trade associations or organisations involved in parliamentary lobbying on behalf of clients (such as public relations and law firms). However, members themselves are prohibited from personally offering parliamentary advice or services to clients, both directly and indirectly. Guidance on dealing with lobbyists: <ul style="list-style-type: none"> – Some lobbying can give rise to a suspicion of improper influence over Parliament. Members must have regard to such public perceptions. Members' dealings with lobbyists should always be governed by the principles of integrity and openness; – Members should take particular care not to give the impression of giving greater weight to representations because they come from paid lobbyists; representations should be given such weight as they deserve based on their intrinsic merit. Members must in their dealings with lobbyists observe the exclusive benefit rule and the prohibition on the provision of parliamentary advice or services for payment or other reward. Members should decline all but the most insignificant or incidental hospitality, benefit or gift offered by a lobbyist. – Members should be especially cautious when coming into contact with representatives of corrupt or repressive regimes, ensuring that they uphold the integrity of the parliamentary process and the reputation of the House of Lords at all times. Members' staff shall not make use of their access to the member who sponsors their pass, to other members (of either House), to the parliamentary email network or to the parliamentary estate to further the interests of an outside person or body from whom they have received or expect to receive payment or other incentive or reward.
		Commissioners and members of their cabinets are required to publish information on meetings held with interest representatives, and must refuse to meeting with lobbies not included in the Register. Since 31 January 2019 and for each report, the Chair of the Parliamentary Committee concerned and each Parliamentary Group's rapporteur and advisers publish all meetings with lobbyists, whether inside or outside Parliament, in their agendas. Eventually, MEPs "should adopt as a systematic practice" to only meet with interest representatives registered in the Transparency Register.
European Union		

Source: Additional research by the OECD Secretariat

Table A A.9. Provisions of gifts, benefits and other advantages provided to public officials

Country	Law / Code	Provisions on gifts
Australia	Public Sector Service Act 1999	Agency heads must publish gifts and benefits valued at more than USD 100.
	Public Governance, Performance and Accountability Act 2013 (Public servants)	Any gift received by Ministers, Assistant Ministers and ministerial staff from any source which is believed to exceed the allowable limit (AUD 750 from government sources and AUD 300 from private/industry sources) is to be declared to the Department of the Prime Minister and Cabinet by completing a Declaration of an Official Gift Exceeding Valuation Limit form.
	Department of the Prime Minister and Cabinet Guidelines Relating to Official Gifts Received (Ministers, Assistant Ministers and ministerial staff)	
Austria		
Belgium		
Brazil	Code of Conduct for the Senior Federal Public Administration (Article 7)	<p>The public official may not receive a salary or any other remuneration from a private source in violation of the law, nor receive transportation, accommodation or any favours from individuals in order to allow a situation that may generate doubt about their probity.</p> <p>Participation in seminars, congresses and similar events is permitted, provided that any remuneration is made public, as well as the payment of travel expenses by the event promoter, who may not be interested in a decision to be taken by the authority.</p> <p>The public official is prohibited from accepting gifts, except from foreign authorities in protocol cases where there is reciprocity.</p>
Canada	Conflict of Interest Act (Article 11 and Article 25-5)	<p>No public office holder or member of his or her family shall accept any gift or other advantage, including from a trust, that might reasonably be seen to have been given to influence the public office holder in the exercise of an official power, duty or function. They may accept certain gifts, for example gifts that are received as a normal expression of courtesy or protocol, or is within the customary standards that normally accompany the public office holder's position. Gifts or other advantages that have a value of USD 1 000 or more are forfeited to Her Majesty in right of Canada.</p> <p>If a reporting public office holder or a member of his or her family accepts any single gift or other advantage that has a value of USD 200 or more, other than one from a relative or friend, the reporting public office holder shall, within 30 days after accepting the gift or other advantage, make a public declaration that provides sufficient detail.</p>
	Ethics and Conflict of Interest Code for Senators Standing Orders of the House of Commons, Conflict of Interest Code for Members of the House of Commons	
	Lobbyist Code of Conduct (Rule 10)	To avoid the creation of a sense of obligation, a lobbyist shall not provide or promise a gift, favour, or other benefit to a public office holder, whom they are lobbying or will lobby, which the public office holder is not allowed to accept.
Chile		

Country	Law / Code	Provisions on gifts
Czech Republic	Civil Service Act	Civil servants do not accept gifts or other benefits for which the amount exceeding CZK 300, with the exception of gifts provided by the public authority.
	Law on conflicts of interests	Each public official shall present a notice of personal interests, a notice of other conducted activities, a notice of all assets acquired during his/her term of office, and a notice on income, gifts and liabilities.
Denmark	Transparency scheme for ministers' expenditure and activities	Ministers' are obligated to published information regarding gifts received in their capacity as ministers.
Estonia		
Finland		
France	Article 80-1-2 of the internal regulations of the National Assembly Senate's ethical guide	<p>Members of the National Assembly must declare to the Deontology Commissioner:</p> <ul style="list-style-type: none"> - Within one month from receipt, any donation, invitation to a sporting or cultural event, or advantage of a value exceeding an amount determined by the Bureau of the National Assembly; - Any acceptance of an invitation to travel from a legal or natural person. The declaration, made prior to the travel, must include information on the programme and modalities of the trip. <p>When Senators accept a gift, donation or advantage, they must declare it to the Senate Bureau within 30 days from receipt. This obligation to declare does not apply to a gift, donation or advantage of a value that does not exceed the amount of EUR 150, an invitation to a cultural or sporting event on the national territory, or a customary gift.</p> <p>A Senator must declare to the Bureau of the Senate that they accept an invitation from an external organisation for a trip in France or abroad if this organisation finances, even partially, this trip for a value exceeding EUR 150. This obligation applies to invitations addressed to a Senator in his or her capacity as a Member of Parliament, even if they are also addressed to him or her in their capacity as a person with responsibilities outside Parliament.</p>
Germany	Civil Servants Act (BBG) Circular on the ban on accepting gifts and rewards of 8th November 2004 Federal Government Directive Concerning the Prevention of Corruption in the Federal Administration Federal Ministers Act Act on the Legal Status of Parliamentary State Secretaries Members of the Bundestag Act (Sections 44a, 44b of the Members of the Bundestag Act in conjunction with the Code of Conduct for Members of the German Bundestag and the Provisions Implementing the Code of Conduct for Members of the German Bundestag)	<p>No rewards or gifts are to be accepted in connection with public service staff's offices or official activities. Exceptions are possible only in cases in which there is no risk of the staff concerned being influenced.</p> <p>The members and former members of the Federal Government must notify the Federal Government of any gifts they receive in relation to their office. The Federal Government decides how the gifts will be used.</p>
Greece	Code of Conduct for Members of the Parliament (Article 4)	Members must not accept gifts or benefits with a financial value of more than EUR 200. Gifts of lesser value must be registered by the Member of Parliament, under the responsibility of the Directorate of the Parliamentary Group to which the Member belongs, in a list kept by the Secretariat of the Special Standing Committee on Parliamentary Ethics. The Member must justify the acceptance of the gift.

Country	Law / Code	Provisions on gifts
Hungary	Code of Conduct for Government Officials (Article 4)	Government officials must refrain from accepting any gift, invitation, service or any other advantage that may give rise to a presumption of the donor's to influence his/her work. Exceptions include gifts received from representatives of a foreign state body and hospitalities received at an event related to his/her work. Gifts received from representatives of a foreign state body in connection with his/her work must be reported to the person designated for this purpose in the organisation.
Ireland		
Iceland	Act No 64/2020 on Conflicts of Interest in the Government Offices of Iceland.	Persons with top executive functions and ministerial advisors are required to register all gifts they receive in relation with their work and all other benefits, whatever they are called. They are not required to register gifts or benefits in the relation with work valued under ISK 50.000 per annum.
Israel		
Italy		
Japan		
Korea	Act on the Prevention of Corruption and the Establishment of the Anti-Corruption and Civil Rights Commission Korean Code of Conduct for Maintaining the Integrity of Public Officials Improper Solicitation and Graft Act	Prohibition and limitation of any public official receiving entertainment, money, goods from any person related to his/her duties. Public institutions must create a public service culture in which improper solicitations and acceptance of money, goods, etc. are not tolerated, in order to ensure that public servants perform their duties in a fair and disinterested manner.
Latvia	Law on the Prevention of Conflict of Interest in the Activities of Public Officials (Sections 9, 13, 13 ¹ , 13 ²)	A public official, upon fulfilling the duties of the office, is permitted to accept gifts which are presented within the framework of State, official and working visits in Latvia or abroad; diplomatic gifts have to be registered. A public official is prohibited from accepting gifts outside the fulfilment of the duties of office if in relation to the donor the public official has, within two years prior to receipt of the gift, prepared or issued an administrative act or performed supervision, control, inquiry or punitive functions, or has administered insolvency proceedings, and also entered into contracts or performed other activities associated with the fulfilment of the duties of office.
Lithuania		
Luxembourg	Code of conduct for Luxembourg Deputies (Article 6) (<i>Code de conduite des députés luxembourgeois (Article 6)</i>)	Members shall refrain from accepting gifts or similar benefits other than those of an approximate value of less than EUR 150 offered as a courtesy by a third party or when representing the House in an official capacity. Any such gifts must be reported to the President, or to the Bureau (in the case of the President). Any gift worth more than EUR 150 offered by a foreign national institution to Members when representing the House in an official capacity shall be given to the House. Acceptance of benefits (travel, accommodation or expenses) is prohibited, except if it is paid for by organisations of general interest, or national, foreign or international institutions. Such benefits must be reported to the Bureau and published.
Mexico	General Law of Administrative Responsibilities	Acceptance of gift

Country	Law / Code	Provisions on gifts
Netherlands	Code of Conduct for Central Government	Public officials cannot accept gifts and benefits (in the form of rewards, allowances, savings or discounts schemes, services, favors or promises) from others in relation to their work, except if they have permission. As a rule, public officials must not accept gifts beyond EUR 50. They must report the acceptance of any gift to their manager and are encouraged to discuss dilemmas with their manager.
New Zealand		
Norway	Civil and Public Servants' Act Ethical Guidelines for the Public Service (Article 4.5)	Civil servants and politicians may not accept a gift, commission, service or another payment that is intended by the donor to influence his or her service-capacity actions. Public officials shall not accept or facilitate the acceptance of gifts, travel, hotel, accommodations, hospitality, discounts, loans or other contributions that are intended by the donor to influence their work. Public officials must not use their position to gain an undue advantage for themselves or anyone else. This also applies in cases where these advantages would not affect their service-capacity actions.
Peru	Law regulating the management of interests in the public administration, and associated decrees (Articles 17 and 18)	Civil servants within the scope of Law are prohibited from accepting, directly or indirectly, any kind of donation from interest managers or third parties on whose behalf they act. The prohibition includes gifts, donations, free services, offers of office or employment. employment. The following exceptions apply: (a) contributions of lawful origin in favour of electoral campaigns, according to the relevant legislation; (b) bequests and donations in favour of state entities; (c) Information materials related to the activity of the person in favour of whom the management is carried out, sent to the offices of public officials such as books, magazines, documents or any other similar material; as well as training, which may include mobility, lodging and food, duly supported and approved by the holder of the position in the public institution; (d) recognition or prizes awarded in competitions or events open to the public, as well as commemorative plaques, trophies or other items that only have commemorative value; (e) samples distributed for promotional purposes that have a minimal value.
Poland		
Portugal	Code of Conduct for Government	Government members abstain from accepting any gift of natural and legal persons, private, national or foreign that can impact their impartiality and integrity, which is understood as goods with an estimated value of EUR 150 or more offered by the same person over the course of a calendar year. Gifts must be disclosed to the Secretary-General of the public institution, who maintains a publicly accessible register. Members of Government and Government officials refrain from accepting invitations from private natural and legal persons, national or foreign, to institutional events that may impact their impartiality and integrity. This concerns invitations and other benefits with an estimated value of more than EUR 150.
Romania	Law no. 251/2004 regarding some measures regarding gifts received during official duties.	Public dignitaries and those holding positions of public dignity, magistrates and those assimilated to them, persons with management and control functions, civil servants within public authorities and institutions or entities of public interest and the public officials who have the obligation to declare their assets, must declare and present to the head of the institution the gifts received during official duties, within 30 days from receipt. The following gifts are exempt from the obligation: a) medals, decorations, badges, orders, scarves, necklaces and similar goods, received in the exercise of their dignity or function;

Country	Law / Code	Provisions on gifts
		b) office supplies with a value of up to EUR 50.
Slovak Republic		
Slovenia	Integrity and Prevention of Corruption Act (Article 30)	<p>An official person may not accept gifts or other benefits in connection with the discharge of his/her duties, public office or position. The same applies to the official person's family members. Exceptions include protocol gifts, which automatically become the property of the official person's employer, as well as and gifts commonly presented at certain occasions (cultural events, formal events such as graduation ceremonies, official holidays etc.) or in performing diplomatic activities. The value of such gifts should not exceed EUR 100 regardless of the gift's form or number of gift givers, and should be registered if its value exceeds EUR 50. .</p> <p>An official person or his/her family member may not accept gifts:</p> <ul style="list-style-type: none"> - For which the giving or receiving would amount to criminal offence; - That are forbidden by some other law or legal act derived from that law; - That are presented in a form of money, securities, gift certificates and precious metals. - That may affect or seem to affect, if received, the objective and impartial discharge of the duties of the official person's office. <p>The body or organisation of the public official shall register the gift on a gift list and indicate their value (if the value of the gift exceeds EUR 50 in value). The gift list shall be submitted to the Commission for the Prevention of Corruption.</p>
Spain	Royal Legislative Decree 5/2015, of October 30th, adopting the Basic Statute of the Civil Service (Article 54)	All civil servants shall refuse gifts, favors or services under advantageous terms beyond those of normal social courtesy, without prejudice to the provisions of the Criminal Code.
	Law 19/2013, of December 9th, on Transparency, Access to Public Information, and Good Governance (Article 26)	Members of Government and senior officials shall not use their position in the Administration to obtain personal advantages or material gain. They shall refuse any gifts, favour or service under favourable terms (beyond the limits of normal social courtesy or social convention) which could put at risk their public duty of impartiality. In the case of gifts with greater value, these shall become property of the Public Administration.
	Code of Conduct for members of the Congress and the Senate (Article 5 – "Gifts and Presents")	<p>Members Congress shall refrain from accepting, for their own benefit or for that of their family environment, gifts or presents of value, favours, services, invitations or trips (with an estimated value exceeding EUR 150) which are offered to them by reason of their office or which might reasonably be perceived as an attempt to influence their conduct as Members of Parliament.</p> <p>Gifts and presents received by a Member of Congress on official trips or representations the Houses of Parliament must be handed over to the Secretariat General of the relevant Chamber, when their value exceeds EUR 150. Such gifts shall be inventoried and published on the website of the Congress of Deputies or the Senate.</p>
Sweden		
Switzerland		
Turkey	Regulation on Ethical Behaviour Principles and Application Procedures and Principles of Public Officials (Article 15)	

Country	Law / Code	Provisions on gifts
United Kingdom	Ministerial Code	<p>Ministers should not accept any gifts, hospitality or services from anyone which would, or might appear to, place him or her under an obligation. The same principle applies if gifts are offered to a member of their family.</p> <p>Gifts given to Ministers in their Ministerial capacity become the property of the Government and do not need to be declared in the Register of Members' or Peers' Interests. Gifts of small value, currently set at GBP 140, may be retained by the recipient. Gifts of a higher value should be handed over to the department for disposal unless the recipient wishes to purchase the gift abated by GBP 140.</p> <p>Departments will publish, quarterly, details of hospitality received by Ministers in a Ministerial capacity.</p>
	Code of Conduct for Special Advisers	<p>Special advisers are required to declare details of gifts and hospitality received in accordance with the rules set out in their departmental staff handbooks. Departments will publish, on a quarterly basis, information about gifts and hospitality received by their departmental special advisers</p>
	Civil Service Code	<p>Civil servants must not accept gifts or hospitality or receive other benefits from anyone which might reasonably be seen to compromise their personal judgement or integrity.</p>
	Civil Service Management Code	<p>Departments and agencies must inform staff, taking of the circumstances in which they need to report offers of gifts, hospitality, awards, decorations and other benefits, and of the circumstances in which they need to seek permission before accepting them.</p>
	Code of Conduct of the House of Commons	<p>Members must register any gifts, benefits or hospitality with a value of over GBP 300 which they receive from a UK source or source outside the UK. They must also register multiple benefits from the same source if these have a value of more than GBP 300 in a calendar year</p>
United States	<p>Code of Conduct for Members of the House of Lords</p> <p>Guide to the Code of Conduct</p> <p>Code of Conduct for House of Lords Members' Staff</p>	<p>Any gift, or other benefit, which relates substantially to membership of the House and which is either given free of charge or provided at a cost below that generally available to members of the public, should be registered whenever the value or potential value of the gift or benefit is greater than GBP 300, unless the member gives the gift to charity within the period required for registration. Benefits include loans, tickets to cultural and sporting events, hospitality, travel and accommodation upgrades. The date of receipt should also be registered.</p> <p>Multiple benefits from the same source must be registered if these have a value of more than GBP 300 in a calendar year, even if each single gift or benefit is of lesser value.</p> <p>Gifts and material benefits that do not relate substantially to membership of the House are exempt from registration.</p> <p>Gifts and material benefits should be registered within one month of receipt; the entry will remain on the Register for a period of one year from the date of receipt.</p>
	Congress House Rules (Rule 25 - Limitations on outside earned income and acceptance of gifts)	<p>Gifts may be accepted if they reasonably and in good faith believe the gift to have a value of less than USD 50 and a cumulative value from one source during a calendar year of less than USD 100.</p> <p>A Member, Delegate, Resident Commissioner, officer, or employee of the House may not knowingly accept a gift from a registered lobbyist or agent of a foreign principal or from a private entity that retains or employs registered lobbyists or agents of a foreign principal.</p>

Country	Law / Code	Provisions on gifts
	Senate Rules and Standards of Conduct (Rule 35)	A Member, officer, or employee may accept a gift, other than cash or cash equivalent (e.g., stock, gift card, voucher), having a value of less than USD 50, provided that the source of the gift is not a registered lobbyist, foreign agent, or private entity that retains or employs a registered lobbyist or foreign agent. The value of gifts that may be accepted from any one source in a calendar year may not exceed USD 100.
European Union	Code of Conduct for the Members of the European Commission (Article 6 – Special provisions with regard to the Principle of Integrity)	Members shall not accept any gift with a value of more than EUR 150. When, in accordance with diplomatic and courtesy usage they receive gifts worth more than this amount, they shall hand them over to the Commission's Protocol Department. (...) The Commission's Protocol Department shall keep a public register of the gifts handed over in accordance with this paragraph which shall identify the donor. Members shall not accept hospitality, except in accordance with diplomatic and courtesy usage. Attendance upon invitation to any events where Members represent the Commission shall not be considered as hospitality. Members shall notify the President of any decoration, prize or honour awarded to them. Should a prize include a sum of money or valuables, it should be donated to a charity of their choice; valuable objects can also be handed over to the Protocol Department.
	Code of Conduct for Members of the European Parliament with respect to financial interests and conflicts of interests (Article 5 – Gifts or similar benefits) Implementing measures for the Code of Conduct for Members of the European Parliament with respect of financial interests and conflicts of interests	Members of the European Parliament shall refrain from accepting, in the performance of their duties, any gifts or similar benefits, other than those with an approximate value of less than EUR 150 given in accordance with courtesy usage or those given to them in accordance with courtesy usage when they are representing Parliament in an official capacity. Any gifts presented to Members shall be handed over to the President. The competent service shall keep a register of gifts which are the property of Parliament. Members shall disclose their attendance at events organised by third parties where the reimbursement of their travel, accommodation, or subsistence expenses, or the direct payment of such expenses, is covered by a third party

Source: OECD 2020 Survey on Lobbying and additional research by the OECD Secretariat.

Table A A.10. Specific duties and standards of conduct related to lobbying activities for lobbyists

	Lobbyists
Australia	<p>Principles of engagement with Government Representatives</p> <p>(a) lobbyists shall not engage in any conduct that is corrupt, dishonest or illegal, or unlawfully cause or threaten any detriment;</p> <p>(b) lobbyists shall use all reasonable endeavours to satisfy themselves of the truth and accuracy of all statements and information provided by them to clients whom they represent, the wider public and Government representatives;</p> <p>(c) lobbyists shall not make misleading, exaggerated or extravagant claims about, or otherwise misrepresent, the nature or extent of their access to Government representatives, members of political parties or to any other person;</p> <p>(d) lobbyists shall keep strictly separate from their duties and activities as lobbyists any personal activity or involvement on behalf of a political party;</p> <p>(e) when making initial contact with Government representatives with the intention of conducting lobbying activities, lobbyists who are proposing to conduct lobbying activities on behalf of clients must inform the Government representatives:</p>

	Lobbyists
	(i) that they are lobbyists or employees of, or contractors or persons engaged by, lobbyists; (ii) whether they are currently listed on the Register of Lobbyists; (iii) the name of their relevant client or clients; and (iv) the nature of the matters that their clients wish them to raise with Government representatives.
Austria	<p>Principles of lobbying and advocacy</p> <p>Lobbyists and company lobbyists are only allowed to engage in lobbying activities once they have been registered in the lobbying and advocacy register. For every contact with a public official, lobbyists must indicate their identity and the client on behalf of which they are conducting lobbying activities. Lobbyists must refrain from obtaining information in an unfair manner, present information truthfully, to refrain from any unfair or inadequate pressure on officials.</p>
Belgium	<p>Rules applicable to those who register</p> <p>By registering, companies, institutions, organisations and the natural persons concerned:</p> <ul style="list-style-type: none"> - agree that the information they provide to be listed on the website in the register are published, - agree to act in accordance with the attached code of conduct to these Rules, - ensure that the information they provide for inclusion in the register is correct and agree to cooperate in administrative requests for additional information and updates. <p>Code of Conduct for Lobbyists:</p> <p>In the context of their relations with the House, lobbyists:</p> <ul style="list-style-type: none"> (a) comply with the provisions of Rules applicable to those who register (b) declare to Members, their staff or officials of the institution the interest or interests they represent (c) refrain from taking any steps to obtain information dishonestly (d) may not claim any official relationship with the Chamber in any dealings with third parties (e) may not distribute copies of documents obtained from the Chamber to third parties for profit (f) ensure that they provide, at the time of registration and subsequently in the course of their activities covered by the register, information which they are aware is complete, up to date and not misleading (g) generally comply with all rules, codes and practices of good governance established by the Chamber and refrain from obstructing the implementation and enforcement of such rules, codes and practices.
Brazil	No ethical rules
Canada	<p>Principles. Lobbyists must abide by core principles of respect for democratic institutions, including the duty of public office holders to serve, integrity and honesty, openness (being frank about their lobbying activities) and professionalism.</p> <p>Rules</p> <p>Transparency</p> <ul style="list-style-type: none"> (i) Identity and purpose: when communicating with a public office holder, lobbyists must communicate their identity, the organisation or corporate on whose behalf the communication is made, as well as the reasons for the approach (ii) Accurate information: a lobbyist must take all reasonable measures to provide public office holders with information that is accurate and factual (iii) Duty to disclose: consultant lobbyists must inform each client of their obligations as lobbyists; the responsible office of an organisation shall ensure that employees who lobby on the organisation's behalf are informed of their obligations.

	Lobbyists
	<p>Use of information: lobbyists must use and disclose information received from a public office holder in the manner consistent with the purpose for which it was shared.</p> <p>Conflict of interest: a lobbyist shall not propose or undertake any action that would place a public office holder in a real or apparent conflict of interest.</p> <p>(i) Preferential access: a lobbyist shall not arrange for another person a meeting with a public office holder when the lobbyist and public office holder share a relationship that could reasonably be seen to create a sense of obligation. A lobbyist shall not lobby a public office holder with whom they share a relationship that could reasonably be seen to create a sense of obligation.</p> <p>(ii) Political activities: when a lobbyist undertakes political activities on behalf of a person which could reasonably be seen to create a sense of obligation, they may not lobby that person for specified period if that person is or becomes a public office holder. If that person is an elected official, the lobbyist shall also not lobby staff in their office(s).</p> <p>(iii) Gifts : to avoid the creation of a sense of obligation, a lobbyist shall not provide or promise a gift, favour, or other benefit to a public office holder, whom they are lobbying or will lobby, which the public office holder is not allowed to accept.</p>
Chile	<p>Duties of active subjects (as specified in the Law)</p> <p>(i) Duty to inform: to request a hearing with a passive subject (lobbied person), the request must be made on a form including information on the people who will attend the meeting (full name, identity card, contact details) and the organisation they represent (name of the natural person, legal identification number, description of business activities, name of legal representative, name of members of the board of directors). The form must also contain information on whether lobbyists receive remuneration for the activity they carry out, as well as matters to be dealt with during the meeting, with specific reference to the decision to be obtained.</p> <p>(ii) Duty to provide additional information if required. The authority takes a decision on granting a hearing within three working days. They may request additional information. After the hearing, public officials may also request clarifying information within 10 working days of the meeting. The active subject then has 5 working days to respond in writing.</p> <p>Code of Good Practice for Lobbyists:</p> <p>Lobbyists must abide by the principles of honesty and integrity, transparency, professionalism, and compatibility of private and public interests (i.e. they may defend or represent particular interests as long as they do not contravene the public interest).</p> <p>They must comply with regulations applicable to lobbying activities, regulations on political participation (financing of political parties and election campaigns, and all regulations applicable to political participation), refrain from unlawful conduct or provoking unlawful conduct.</p> <p>In his/her relations with his/her clients, lobbyists must maintain loyalty to the client's interests, devote adequate time to the representation of his/her interests. Clients must be informed in a timely manner on the obligations to which he/she is subject to. Lobbyists must not use privileged or confidential information to the detriment of their client, and refrain from advising to his client fraudulent or unlawful behaviour. The lobbyist should not accept any demand that would pose a risk to his/her ethical obligations or professional duties towards a client. A client has the right to report violations of the law by a lobbyist.</p> <p>When interacting with public authorities, the lobbyist shall provide the information required by law. He/she must inform precisely the issue or matter on which they engage in lobbying activities. The lobbyist ensures the truthfulness and accuracy of the information he/she gives to public authorities. Lobbyists must refrain from employing intermediaries to hide the link with his/her client. Lobbyists must report misconduct to the competent authority. They must refrain from offering any payment, commission, compensation or benefit to gain access to information or person, or to influence a decision.</p> <p>Lobbyists maintain their independence; they refrain from representing a particular interest of a client in conflict with that of another client. Lobbyists must inform their clients of any circumstances that could damage their independence or involve a conflict of interest. Lobbyists must refrain from influencing public authorities or civil servants with which he/she has or had a contractual or family relationship. They must not hire former public officials for two years after leaving office. Lobbyists must refrain from any political activity, or investing in the securities of the client without his/her permission.</p>
Colombia	No ethical rules

	Lobbyists
Costa Rica	No ethical rules
Czech Republic	No ethical rules
Denmark	No ethical rules
Finland	No ethical rules
France	<p>Ethical Rules for lobbyists (Law)</p> <p>Lobbyists shall conduct their activities with probity and integrity. They are required to:</p> <ul style="list-style-type: none"> (i) Declare their identity, the organisation they work for and the interests or entities they represent in their relations with public officials; (ii) Refrain from offering or giving to public officials gifts, donations or any advantages of significant value; (iii) Refrain from inciting public officials to violate ethical rules applicable to them; (iv) Refrain from using fraudulent means to obtain information or decisions from public officials; (v) Refrain from obtaining or attempting to obtain information or decisions by deliberately misinforming public officials or by resorting to deceptive manoeuvres; (vi) Refrain from organising conferences, events or meetings in which public officials would be remunerated, in any way, for speaking; (vii) Refrain from using the information obtained from public officials for commercial or advertising purposes; (viii) Refrain from selling to third parties copies of documents of the government or of an independent administrative or public authority, and from using the letterhead and the logo of these public authorities and administrative bodies; (ix) Strive to comply with all the rules set out in points 1 to 8 in their relations with the direct entourage of public officials.
Germany	<p>Principles of integrity for interest representation (Article 5 of the Lobby Law)</p> <ol style="list-style-type: none"> 1. Representation of interests within the meaning of the Act may only be based on the principles of openness, transparency, honesty and integrity; 2. The German Bundestag and the Federal Government, with the participation of civil society, shall establish a code of conduct that contains guidelines for the exercise of interest representation; 3. Interest representatives shall accept this Code of Conduct when registering in the Lobby Register. 4. Interest representation must be transparent in every contact with the bodies, members, parliamentary parties or groups of the German Bundestag or the Federal Government. Interest representatives must disclose their identity and their field of activity as well as, if applicable, the identity and the field of activity of their clients. They must provide accurate information regarding their interest representation activities. 5. Registered interest representatives shall refer to their registration at the first contact with the respective bodies, members, parliamentary groups or groups of the German Bundestag or with the respective members of the Federal Government and shall name the codes of conduct on the basis of which interest representation is conducted. They should also mention if they refused to register financial information. 6. Agreements that make remuneration or its amount dependent on the success of the representation of interests (contingency fee) are inadmissible. 7. Interest representatives shall ensure that all information provided at the time of registration and thereafter in the course of activities falling within the scope of the register is accurate, complete, up-to-date and not misleading and that any necessary supplementary information and updates requested by the entity keeping the register are provided without undue delay. 8. If, after carrying out an appropriate verification procedure, the entity keeping the register finds that an interest representative has committed a not insignificant breach of the code of conduct referred to in paragraph 2, that finding shall be published in the register. A deletion of this notice in the register shall take place 24 months after the publication of the violation. 9. Registered interest representatives may publicly use the designation "registered interest representative" when they have registered and updated all information required (including financial information) and have not infringed any provision of the law.

	Lobbyists
Greece	No ethical rules
Hungary	No ethical Rules
Ireland	Lobbyists must abide by core principles , including: (i) Demonstrating respect for public bodies; (ii) Acting with honesty and integrity; (iii) Ensuring accuracy of information; (iv) Disclosure of identity and purpose of lobbying activities to public bodies and elected or appointed officials; (v) Preserving confidentiality; (vi) Avoiding improper influence (e.g. creating a sense of obligation on the part of the elected or appointed official by making any offer of gifts or hospitality), (vii) Observing the provisions of the Regulation of Lobbying Act; and (viii) Having regard to the Code of Conduct.
Iceland	No ethical rules
Israel	Lobbyists should not : 1. Offer or grant to a Member of the Knesset a benefit as part of his efforts to promote the interests of their clients; 2. Mislead the Knesset member in relation to any material or fact presented to him/her; 3. Take action to persuade the Member of the Knesset by improper means, including pressure, threat, seduction or promise; 4. Obtain the commitment of a Knesset member to vote or act in a certain way; 5. Contact, in writing or orally, in connection with his activity as a lobbyist, the employee of the research and information center of the Knesset. A lobbyist staying in the Knesset is required to wear a unique identification badge he/she received from the Knesset stating his/her name, and if he/she operates within a corporation - also the name of the corporation. In his/her appeals to Knesset members and various Knesset members, the lobbyist must say that he/she is acting as a lobbyist in the Knesset with a permit, state the name of the client for whom he/she works and indicate what direct interest he/she seeks to promote. In addition, lobbyists present at a meeting of a Knesset committee are required to request that their names and other details regarding their activities be recorded in the minutes of the meeting.
Italy	Lobbyists must refrain from any behaviour likely to disrupt the orderly conduct of the proceedings of the Chamber and its bodies or to damage the prestige and decorum of the Chamber and the Institutions; in the event of violation of the obligation to refrain from such behaviour, they may be immediately removed from the premises of the Chamber.
Japan	No ethical rules
Korea	No ethical rules
Latvia	No ethical rules
Lithuania	A lobbyist must: 1. Present himself to a lobbied person, present a lobbyist's certificate issued by the Chief Official Ethics Commission, indicate the client of lobbying activities and the draft legal act or the draft administrative decision to be adopted or rejected, and, if necessary, agree on the time and place of a meeting; 2. Present a lobbying report in accordance with the procedure laid down by the law; 3. Act in compliance with the Law, other legal acts of the Republic of Lithuania and the Lobbyists' Code of Conduct. 4. A lobbyist shall be prohibited from making gifts or promising remuneration to a lobbied person for an adopted or rejected legal act or administrative decision.

	Lobbyists
Luxembourg	No ethical rules
Mexico	No ethical rules
Netherlands	No ethical rules
New Zealand	No ethical rules
Norway	No ethical rules
Peru	<p>“Duties of interest managers”</p> <ol style="list-style-type: none"> 1. To observe ethical standards in the performance of their activities; 2. To inform the relevant bodies about the acts of interest management he or she carries out; 3. Report to the competent authority any breach or contravention of this Law; 4. Keep secret the information of a confidential nature to which they have access due to their activity. 5. Register the information required. <p>Ethical standards include (i) refraining from formulating requirements that lead to the official with the capacity for public decision to fail to comply with any of his/her obligations; (ii) refraining from promising or granting benefits of any kind, providing services or delivering goods of any nature in favour of officials with public decision-making capacity, as well as their spouse or partner, or relatives; (iii) providing truthful information to public officials with decision-making capacity.</p>
Poland	No ethical rules
Portugal	No ethical rules
Romania	No ethical rules
Slovak Republic	No ethical rules
Slovenia	<p>Duty of identification: a lobbyist shall identify himself with the lobbied person, state the purpose and objective of the lobbying activity (Article 68)</p> <p>Duty of providing accurate and true information: A lobbyist may not provide incorrect, incomplete or misleading information to the persons lobbied (Article 70). A lobbyist is deleted from the Registry of Lobbyists (<i>de facto</i> can no longer legitimately perform lobbying activities) if it has been established that the data and documents used for entry into the register are false (Article 62).</p> <p>Duty to refrain from presenting gifts to the lobbied person: When carrying out lobbying activities, a lobbyist may not act in contravention of regulations on the prohibition of the acceptance of gifts in connection with the discharge of the duties of the office or public duties of the persons lobbied (Article 70).</p>
Spain	No ethical rules
Sweden	No ethical rules
Switzerland	No ethical rules
Turkey	No ethical rules
United Kingdom	A person must not carry on the business of consultant lobbying unless the person is entered in the register of consultant lobbyists
United States	No ethical rules
European Union	Interest representatives shall:

Lobbyists
<p>(a) always identify themselves by name and, by registration number, if applicable, and by the entity or entities they work for or represent; declare the interests, objectives or aims they promote and, where applicable, specify the clients or members whom they represent;</p> <p>(b) not obtain or try to obtain information or decisions dishonestly or by use of undue pressure or inappropriate behaviour;</p> <p>(c) not claim any formal relationship with the European Union or any of its institutions in their dealings with third parties, or misrepresent the effect of registration in such a way as to mislead third parties or officials or other staff of the European Union, or use the logos of EU institutions without express authorisation;</p> <p>(d) ensure that, to the best of their knowledge, information, which they provide upon registration, and subsequently in the framework of their activities covered by the Register, is complete, up-to-date and not misleading; accept that all information provided is subject to review and agree to co-operate with administrative requests for complementary information and updates;</p> <p>(e) not sell to third parties copies of documents obtained from EU institutions;</p> <p>(f) in general, respect, and avoid any obstruction to the implementation and application of, all rules, codes and good governance practices established by EU institutions;</p> <p>(g) not induce Members of the institutions of the European Union, officials or other staff of the European Union, or assistants or trainees of those Members, to contravene the rules and standards of behaviour applicable to them;</p> <p>(h) if employing former officials or other staff of the European Union, or assistants or trainees of Members of EU institutions, respect the obligation of such employees to abide by the rules and confidentiality requirements which apply to them;</p> <p>(i) obtain the prior consent of the Member or Members of the European Parliament concerned as regards any contractual relationship with, or employment of, any individual within a Member's designated entourage;</p> <p>(j) observe any rules laid down on the rights and responsibilities of former Members of the European Parliament and the European Commission;</p> <p>(k) inform whomever they represent of their obligations towards the EU institutions.</p>

Source: Additional research by the OECD Secretariat.

Table A A.11. Standards and values of conduct for public officials in Adherents and Respondents to the 2020 OECD Survey

		Integrity Probity	Impartiality	Confidentiality	Serving the public interest	Managing conflicts of interest
Australia	Public Service Act, 1999 Australian Public Service Code of Conduct Public Governance, Performance and Accountability Act 2013.	•	•	•	•	•
Austria	Civil Servants Act (<i>Beamten-Dienstrechtsgesetz</i>), 1979 Contract Agents Act (<i>Vertragsbedienstetengesetz</i>), 1948 <i>Code of conduct for the prevention of corruption in the civil service „The RESPONSibility rests with me – A QUESTION OF ETHICS</i>	•	•	•	•	•
Belgium,	Royal Decree of 2 October 1937 on the Status of State Employees (Camu Statute)	•	•			•
Canada	Public Service Employment Act, 2003 Values and Ethics Code for the Public Sector					

		Integrity Probity	Impartiality	Confidentiality	Serving the public interest	Managing conflicts of interest
Chile	Constitutional Organic Law N° 18.575 on the General Bases of State Administration. Law N° 20.880 on Probity in the Public Service and the Prevention of Conflicts of Interests.	•			•	•
Colombia	Law 909 of 2004, which establishes rules governing public employment, administrative careers, public management and other provisions. Code of Integrity of the Colombian Public Service ("Public Service Values")		•		•	
Czech Republic	Act No. 159/2006 Coll., on Conflict of Interests Act No. 234/2014 Coll. On Civil Service Code of Ethics for the public administration		•	•	•	•
Denmark	Public Administration Act (<i>Forvaltningsloven</i>) Access to Public Administration Files Act (<i>Offentlighedsloven</i>) Code of Conduct in the Public Sector (Code VII-Seven Key Duties)					
Finland	State Civil Servants Act Government's Decision in Principle on State personnel policy from 2001		•			
France	Law n° 83-634 of 13 July 1983 on the rights and obligations of civil servants Rules of the National Assembly Rules of the Senate	•	•	•		•
Germany	Federal Civil Service Act Act on Federal Ministers Rules on Integrity (Anti-Corruption Code of Conduct)	•	•	•	•	•
Greece	Law No. 3528 of 2007, ratifying the Code of Conduct for Public Administrative Employees Law No.3213/2003 on Declaration and verification of assets for members of parliament, public officials and employees, media owners and other groups of person Code of Conduct for Members of Parliament (legislative branch)		•	•	•	•
Hungary	Law CXCIX on the Public Servants, 2011 Act CXXV of 2018 on Government Administration. Section 77 (3) (b) of the Act Code of Conduct for Government Officials		•		•	
Ireland	Ethics in Public Office Act (1995), amended by the Standards in Public Office Act (2001) Civil Service Code of Standards and Behaviour					
Iceland	Act on the Rights and Duties of Civil Servants Code of Conduct for Staff in the Government Office of Iceland Act on Conflicts of Interest in the Government Offices of Iceland.			•		•
Israel	Civil service law Ethical code for the Israeli civil service					

		Integrity Probity	Impartiality	Confidentiality	Serving the public interest	Managing conflicts of interest
Italy	Legislative Decree on the General rules on the employment by public authorities, 2001 Code of Conduct for Government Employees Code of Conduct for employees of public administrations					
Japan	National Public Service Ethics Act (Act No. 129 of 1999) National Public Service Ethics Code				•	
Korea	State Public Officials Act, 2005 Public Service Ethics Act, 2014 Act on the Prevention of Corruption and the Establishment and Management of the Anti-Corruption and Civil Rights Commission Korean Code of Conduct for Maintaining the Integrity of Public Officials	•	•	•	•	•
Latvia	State Civil Service Law (2001) Law on the prevention of conflicts of interests in the activities of public officials Values and Ethical Principles of the Public Administration	•	•		•	•
Lithuania	Law on the Adjustment of Public and Private Interests in the Civil Service, 1997		•	•		•
Luxembourg	Law of 16 April 1979 laying down the general regulations applicable to State officials. Rules of the Chamber of Deputies (Code of conduct for Luxembourg deputies with regard to financial interests and conflicts of interest)	•	•			•
Mexico	Law on General Administrative Responsibilities (LGRA) The Ethics Code, the code of conduct, and the Integrity Rules (<i>Código de Ética, Código de Conducta y Reglas de Integridad</i>)	•	•			
Netherlands	General Rules for Civil Servants of the Kingdom 1931 Civil Service Act 2017 Code of Conduct for Integrity in the Central Government 2019	•	•	•	•	•
New Zealand	Public Service Act 2020 Code of Conduct for the State Services – Standards of Integrity and Conduct	•	•		•	
Norway	Public Administration Act 1967 Civil Service Act 1983 Ethical Guidelines for the Public Service 2005 Guidelines "About the Relationship between Political Leadership and the Civil service"	•	•	•	•	•
Poland	Civil Service Act 2008 Civil Service Code of Ethics Guidelines for compliance with the rules of the civil service and on the ethics body civil service (2011) Principles of Deputies' Ethics (1998)		•			

		Integrity Probity	Impartiality	Confidentiality	Serving the public interest	Managing conflicts of interest
Portugal	Law No 35/2014 General Labour Law in Public Functions Government Code of Conduct	•	•	•	•	•
Slovak Republic	Act 55 (2017) on Civil Service Constitutional Act on the Protection of Public Interest in the Exercise of the Public Officials' Office 357 (2004) Act 552 (2003) on Performance of Work in the Public Interest		•		•	•
Slovenia	Public Employees Act (2002) Integrity and Prevention of Corruption Act (2010) Public Employees Code of Conduct (2001) Code of Ethics for Public Employees in State Bodies and Local Community Administration (2011)	•	•	•	•	•
Spain	Constitution (Article 103.1) Royal Legislative Decree 5/2015, of October 30th, adopting the Basic Statute on the Civil Service (Article 53.8) Law 3/2015, of March 30th, regulating the exercise of high office in the General State Administration (Article 3.1) Code of Good Governance established in the Law 19/2013, of December 9th, on Transparency, Access to Public Information and Good Governance (Articles 25-32)	•	•	•	•	•
Sweden	Public Employment Act, 1994 Swedish Administrative Procedure Act Common basic values for central government employees		•			
Switzerland	Government and Administration Organisation Act 1997					
Turkey	Public Servants Ethical Charter Regulation on Ethical Behavior Principles and Application Procedures and Principles of Public Officials		•			•
United Kingdom	Constitutional Reform and Governance Act 2010 Seven Principles of Public Life Civil Service Code	•	•			
United States	Ethics in Government Act of 1978 Standards of Ethical Conduct for Employees of the Executive Branch	•	•		•	•
European Union	Code of Good Administrative Behaviour					

Source: Additional Research by the OECD Secretariat.

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