

## Policy Details

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| <b>Directorate:</b>                             | Organisational Services                                                                                                                      |
| <b>Branch:</b>                                  | Corporate Governance                                                                                                                         |
| <b>Responsible Manager:</b>                     | Corporate Governance Manager                                                                                                                 |
| <b>Date adopted:</b>                            | 29/01/2020 (minute number 2/2020)                                                                                                            |
| <b>Date for review:</b>                         | 2 years from the date of adoption or date of last review                                                                                     |
| <b>Legislative basis:</b>                       | <i>Integrity Act 2009</i>                                                                                                                    |
| <b>Related Documents - forms and procedures</b> | Contact with Lobbyists Procedure (DM: 13345764)<br>Code of Conduct for Staff (DM :13269084)<br>Code of Conduct for Councillors in Queensland |

### 1. Policy Purpose

The purpose of this policy is to set out Council's position in relation to the management of lobbyists who make contact with Councillors or Council employees.

### 2. Scope

This policy applies to all Councillors, employees and contractors working for Council regardless of whether they are permanent, temporary, full-time, part-time or casual. For the purposes of this policy, the term contractor includes on-hired temporary labour services (agency staff) and sub-contractors.

### 3. Policy Statement

#### Principles

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

Council is committed to ensuring that all contact that Councillors and Council employees have with lobbyists occurs in accordance with the requirements of the *Integrity Act 2009* and is properly recorded.

#### Contact with Lobbyists Procedure

All contact with lobbyists will be managed in accordance with the Contact with Lobbyists Procedure (DM: 13345764).

### 4. Definitions

The following definitions apply to this policy and to the Contact with Lobbyists procedure.

| TERM       | DEFINITION                                                                                                                                                           |
|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Contact    | as defined in section 42(3) of the <i>Integrity Act 2009</i> :<br>Contact includes telephone contact, email contact, written mail contact and face-to-face meetings. |
| Councillor | all elected representatives including the Mayor                                                                                                                      |
| Employee   | any person employed directly by Logan City Council regardless of their employment status, and contractors undertaking duties on behalf of Council.                   |

| TERM              | DEFINITION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| Lobbying activity | <p>as defined in section 42(1)(a) of the <i>Integrity Act 2009</i>:</p> <p>Lobbying activity is—</p> <ul style="list-style-type: none"> <li>(a) contact with a government representative in an effort to influence State or local government decision-making, including— <ul style="list-style-type: none"> <li>(i) the making or amendment of legislation; and</li> <li>(ii) the development or amendment of a government policy or program; and</li> <li>(iii) the awarding of a government contract or grant; and</li> <li>(iv) the allocation of funding; and</li> <li>(v) the making of a decision about planning or giving of a development approval under the <i>Planning Act 2016</i>.</li> </ul> </li> </ul> <p>However, as defined in section 42(2) of the <i>Integrity Act 2009</i>, the following contact is not a lobbying activity—</p> <ul style="list-style-type: none"> <li>(a) contact with a committee of the Legislative Assembly or a local government;</li> <li>(b) contact with a member of the Legislative Assembly, or a councillor, in his or her capacity as a local representative on a constituency matter;</li> <li>(c) contact in response to a call for submissions;</li> <li>(d) petitions or contact of a grassroots campaign nature in an attempt to influence a government policy or decision;</li> <li>(e) contact in response to a request for tender;</li> <li>(f) statements made in a public forum;</li> <li>(g) responses to requests by government representatives or Opposition representatives for information;</li> <li>(h) incidental meetings beyond the control of a government representative or Opposition representative;</li> <li>(i) contact on non-business issues, including, for example, issues not relating to a third party client of the lobbyist or the lobbyists' sector;</li> <li>(j) contact only for the purpose of making a statutory application.</li> </ul> |
| Lobbyist          | <p>as defined by section 41(1) of the <i>Integrity Act 2009</i>:</p> <p>A lobbyist is an entity that carries out a lobbying activity for a third party client or whose employees or contractors carry out a lobbying activity for a third party client.</p> <p>However, as defined in section 42(3) of the <i>Integrity Act 2009</i>, none of the following is a lobbyist—</p> <ul style="list-style-type: none"> <li>(a) a non-profit entity;</li> <li>(b) an entity constituted to represent the interests of its members such as an employer group, a trade union or a professional body, for example, the Queensland Law Society</li> <li>(c) members of trade delegations visiting Queensland;</li> <li>(d) an entity carrying out incidental lobbying activities;</li> <li>(e) an entity carrying out a lobbying activity only for the purpose of representing the entity's own interests.</li> </ul> <p>(4) Also—</p> <ul style="list-style-type: none"> <li>(a) an employee or contractor of, or person otherwise engaged by, an entity mentioned in subsection (3)(a) to (d) is not a lobbyist in relation to contact carried out for the entity; and</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

| TERM               | DEFINITION                                                                                                                                                                                                                                                                                    |
|--------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                    | (b) an employee of an entity mentioned in subsection (3)(e) is not a lobbyist in relation to contact carried out for the entity.                                                                                                                                                              |
| Third party client | as defined by section 41(2) of the <i>Integrity Act 2009</i> :<br>A third party client is an entity that engages another entity to provide services constituting, or including, a lobbying activity for a fee or other reward that is agreed to before the other entity provides the services |

## Document Control

|                          |                              |                        |                 |
|--------------------------|------------------------------|------------------------|-----------------|
| <b>File:</b>             | 1169802-1                    | <b>Document Id:</b>    | 13345748        |
| <b>Amendment History</b> |                              |                        |                 |
| <b>Version Number</b>    | <b>Description of Change</b> | <b>Author / Branch</b> | <b>Date</b>     |
| 1.0                      | Creation                     | Corporate Governance   | 29 January 2020 |
| 2.0                      | Formatting amendments        | Corporate Governance   | 3 February 2020 |
| 3.0                      | Amended                      | Corporate Governance   | 28 October 2020 |