



New South Wales

Lobbying of Government Officials Amendment (Access and Influence) Bill 2026

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The objects of this Bill are as follows—

- (a) to amend the *Lobbying of Government Officials Act 2011* (***the Act***) to—
 - (i) extend the scope of the Act to include a wider range of public officials, lobbyists and lobbying activities, and
 - (ii) provide for public disclosure of lobbying activities, and
 - (iii) provide that senior public officials must not engage in lobbying for 4 years after leaving office, and
 - (iv) establish a Lobbying and Integrity Commission to administer the Act,
- (b) to amend the *Lobbying of Government Officials (Lobbyists Code of Conduct) Regulation 2014* to implement a new Lobbyists Code of Conduct that reflects the proposed amendments to the Act.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Schedule 1 Amendment of Lobbying of Government Officials Act 2011 No 5

Schedule 1[2] amends the name of the Act to the *Lobbying of Public Officials Act 2011*. **Schedule 1[1]** makes a consequential amendment to the long title.

Schedule 1[6] and [7] make consequential amendments to definitions.

Schedule 1[9] and [11] make amendments to the definition of *lobbying* to include a person lobbying on the person's own behalf.

Schedule 1[12] inserts proposed Parts 1A, 1B and 1C to provide for the establishment of the Lobbying and Integrity Commission (the *Commission*) and the Lobbying and Integrity Advisory Board and to make provision for making and investigating complaints about lobbying. **Schedule 1[4] and [22]** make consequential amendments.

Schedule 1[13] substitutes Parts 2 and 3 to provide for a lobbying code of conduct applying to lobbyists and public officials and for the registration of lobbyists. **Schedule 1[3], [5], [8], [10] and [14]–[16]** make consequential amendments.

Schedule 1[17] substitutes Part 6 and inserts Parts 6A, 6B and 6C to provide for a lobbying exclusion period, the disclosure by both lobbyists and senior public officials of lobbying activities, further obligations of senior public officials and agencies and enforcement and investigative functions of the Commission.

Schedule 1[18] requires the Commission to give a lobbyist written notice of an adverse decision about the lobbyist and the Commission's reasons for the decision.

Schedule 1[19] provides for the making of regulations.

Schedule 1[20] and [21] provide for the way that offences may be prosecuted.

Schedule 2 Amendment of Lobbying of Government Officials (Lobbyists Code of Conduct) Regulation 2014

Schedule 2[1] amends the name of the *Lobbying of Government Officials (Lobbyists Code of Conduct) Regulation 2014* to the *Lobbying of Public Officials (Lobbying Code of Conduct) Regulation 2014*.

Schedule 2[2] makes an amendment consequential to the amendment of the name of the Act.

Schedule 2[3], [4] and [6]–[13] make amendments consequential on the amendments made by Schedule 1[13] to the Lobbyists Register.

Schedule 2[5] makes an amendment to exempt lobbyists who are not prohibited donors and who operate on a not-for-profit basis from the obligation to register.

Schedule 2[14] substitutes Schedule 1.

Schedule 3 Amendment of Acts

Schedule 3 makes amendments consequent on Schedule 1[11].



New South Wales

Lobbying of Government Officials Amendment (Access and Influence) Bill 2026

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This PUBLIC BILL, originated in the LEGISLATIVE ASSEMBLY and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly

Clerk of the Legislative Assembly



New South Wales

Lobbying of Government Officials Amendment (Access and Influence) Bill 2026

No , 2026

A Bill for

An Act to amend the *Lobbying of Government Officials Act 2011* to make further provision about the regulation of the lobbying of Government officials; and for related purposes.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with/without amendment.

Legislative Council

Clerk of the Parliaments

Tabling copy

The Legislature of New South Wales enacts—	1
1 Name of Act	2
This Act is the <i>Lobbying of Government Officials Amendment (Access and Influence) Act 2026</i> .	3
	4
2 Commencement	5
This Act commences on the day that is 12 months after the date of assent to this Act.	6

Schedule 1 Amendment of Lobbying of Government Officials Act 2011 No 5

[1] Long title	3
Omit “Government” wherever occurring.	4
Insert “public” instead.	5
[2] Section 1 Name of Act	6
Omit “ <i>Lobbying of Government Officials Act 2011</i> ”.	7
Insert instead “ <i>Lobbying of Public Officials Act 2011</i> ”.	8
[3] Section 2A Objects of Act	9
Omit “Lobbyists Code” wherever occurring.	10
Insert instead “Lobbying Code of Conduct”.	11
[4] Sections 2A(b) and (c), 12(1), (3) and (4), 13(2) and 20	12
Omit “Electoral” wherever occurring.	13
[5] Section 2A(e)	14
Omit “Ministers and Parliamentary Secretaries”.	15
Insert instead “senior public officials”.	16
[6] Section 3 Definitions	17
Omit section 3(1), definitions of <i>Electoral Commission</i> , <i>Government official</i> , <i>lobbyist</i> , <i>Lobbyists Code</i> , <i>Lobbyists Register</i> and <i>third-party lobbyist</i> .	18
[7] Section 3(1)	20
Insert in alphabetical order—	21
<i>Advisory Board</i> —see section 4L.	22
<i>appointment diary</i> , for Part 6A—see section 18D.	23
<i>authorised person</i> , for Part 6C—see section 18L.	24
<i>Commission</i> —see section 4A.	25
<i>Commissioner</i> —see section 4B.	26
<i>complaint</i> , for Part 6C—see section 18L.	27
<i>disqualification period</i> —see section 11A(3).	28
<i>exclusion period</i> , for Part 6—see section 18.	29
<i>Joint Committee</i> means the Committee on the Ombudsman, the Law Enforcement Conduct Commission and the Crime Commission, constituted under the <i>Ombudsman Act 1974</i> .	30
<i>Lobbying Code of Conduct</i> means the Lobbying Code of Conduct prescribed by the regulations under Part 2.	31
<i>lobbyist</i> means—	32
(a) a person or entity involved in lobbying public officials, and	33
(b) includes a person or entity prescribed by the regulations.	34
<i>meeting</i> , for Part 6A—see section 18D.	35
<i>payment</i> , for Part 6A—see section 18D.	36

	<i>prohibited donor</i> , for Part 6A—see section 18D.	1
	<i>public official</i> means the following—	2
	(a) a Minister or Parliamentary Secretary,	3
	(b) another member of Parliament,	4
	(c) a person employed under the <i>Members of Parliament Staff Act 2013</i> , Part 2 or Part 3,	5 6
	(d) a person employed in the Public Service,	7
	(e) an individual engaged under a contract to provide services to or on behalf of the Public Service or another service of the Crown in right of the State,	8 9 10
	(f) a statutory office holder,	11
	(g) a member of, or of the governing body of, a statutory body,	12
	(h) a councillor within the meaning of the <i>Local Government Act 1993</i> ,	13
	(i) an employee or officer of a local council,	14
	(j) an individual engaged under contract to provide services to or on behalf of a local council.	15 16
	<i>Public Service senior executive</i> has the same meaning as in the <i>Government Sector Employment Act 2013</i> .	17 18
	<i>Register</i> —see section 8(1).	19
	<i>registered</i> , in relation to a lobbyist, means registered under Part 3.	20
	<i>related complaint</i> , for Part 6C—see section 18L.	21
	<i>restricted individual</i> , for Part 6—see section 18.	22
	<i>senior public official</i> means the following—	23
	(a) a Minister or Parliamentary Secretary,	24
	(b) a Shadow Minister or Parliamentary Secretary,	25
	(c) a Member of Parliament nominated by the Member’s political party as the party’s spokesperson for one or more areas of government responsibility,	26 27 28
	(d) a person employed under the <i>Members of Parliament Staff Act 2013</i> , Part 2 or Part 3, in the office of a Minister, a Parliamentary Secretary or a Shadow Minister,	29 30 31
	(e) a Public Service senior executive,	32
	(f) a statutory office holder,	33
	(g) the mayor, deputy mayor or general manager of a local council.	34
[8]	Sections 4(1) and (3)(b), 14 and 15(1), (2) and (3)	35
	Omit “Government official” wherever occurring.	36
	Insert instead “public official”.	37
[9]	Section 4(1)	38
	Omit “the interests of others”.	39
	Insert instead “an interest”.	40
[10]	Sections 4(2)(a) and 12(2)	41
	Omit “Government”.	42

Insert instead “public”.	1
[11] Section 4(3)(b1)	2
Insert after section 4(3)(b)—	3
(b1) a communication by a member of the community about the member’s personal experience whether or not the communication is made in connection with lobbying by another person, or	4 5 6
[12] Parts 1A–1C	7
Insert after section 4—	8
Part 1A Lobbying and Integrity Commission	9
Division 1 Constitution and management of Lobbying and Integrity Commission	10 11
4A Lobbying and Integrity Commission	12
(1) There is constituted by this Act a body corporate with the corporate name of the Lobbying and Integrity Commission (the <i>Commission</i>).	13 14
(2) The Commission is a statutory body representing the Crown.	15
4B Appointment of Commissioner	16
(1) The Governor may, on the recommendation of the Minister, appoint a Lobbying and Integrity Commissioner (the <i>Commissioner</i>).	17 18
(2) The functions of the Commission are exercisable by the Commissioner.	19
(3) An act, matter or thing done in the name of, or on behalf of, the Commission by the Commissioner, or with the authority of the Commissioner, is taken to have been done by the Commission.	20 21 22
(4) Schedule 2 contains provisions relating to the Commissioner.	23
4C Joint Committee may veto proposed appointment of Commissioner	24
The Minister must not recommend the appointment of a person as Commissioner unless—	25 26
(a) the Minister has referred person’s proposed appointment to the Joint Committee, and	27 28
(b) the Committee has not, within 28 days after the referral, given the Minister written notice that the Committee objects to the proposed appointment.	29 30 31
4D Acting Commissioner	32
(1) The Minister may appoint a person to act as Commissioner during—	33
(a) the illness or absence of the Commissioner, or	34
(b) a vacancy in the office of Commissioner.	35
(2) A person acting as Commissioner—	36
(a) has and may exercise the Commissioner’s functions, and	37
(b) is taken to be the Commissioner.	38

- (3) The Minister may, at any time, remove a person from office as acting Commissioner. 1
2
- (4) An acting Commissioner is entitled to be paid the same remuneration and allowances as the Commissioner. 3
4

Division 2 Functions of Lobbying and Integrity Commission 5

4E Functions of Commission 6

- (1) The Commission has the following functions— 7
 - (a) assessing, auditing and reporting on compliance with this Act and the Lobbying Code of Conduct by the following— 8
9
 - (i) lobbyists, 10
 - (ii) government sector agencies, 11
 - (iii) public officials, 12
 - (b) advising government sector agencies and public officials about compliance with this Act and the Lobbying Code of Conduct, 13
14
 - (c) receiving, investigating and managing complaints under Part 1C, 15
 - (d) maintaining the Lobbyists Watch List, 16
 - (e) developing and providing training for public officials about this Act and the Lobbying Code of Conduct, 17
18
 - (f) other functions conferred or imposed on the Commission by or under this Act or the regulations. 19
20
- (2) When exercising a function, the Commission may give information to and obtain information from the following— 21
22
 - (a) ICAC, 23
 - (b) the Electoral Commissioner, 24
 - (c) the Information Commissioner, 25
 - (d) the State Records Authority established by the *State Records Act 1998*, 26
 - (e) other persons or bodies prescribed by the regulations. 27
- (3) When exercising a function, the Commission may, by written notice, direct a person to give the Commission the information or records specified in the notice. 28
29
30
- (4) A person must not, without lawful excuse, fail to comply with a direction under subsection (3). 31
32
Maximum penalty—50 penalty units. 33

Division 3 Miscellaneous 34

4F Staff 35

Persons may be employed in the Public Service to enable the exercise of the Commission's functions. 36
37

Note— The *Government Sector Employment Act 2013*, section 59 provides that the persons employed for the Commission, or whose services the Commission makes use of, may be referred to as officers or employees, or members of staff, of the Commission. The *Constitution Act 1902*, section 47A precludes the Commission from employing staff. 38
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4G Delegation

The Commissioner may delegate the Commission's functions under this Act, other than this power of delegation, to the following—

- (a) a member of staff of the Commission,
- (b) a person prescribed by the regulations.

4H Annual report to Parliament

- (1) The Commission must, by 31 October in each year—
 - (a) prepare a report (an *annual report*) on the activities of the Commission during the financial year ending on the previous 30 June, and
 - (b) give the report to the Minister.
- (2) An annual report must include the following for the financial year to which the report relates—
 - (a) a description of the Commission's activities in relation to each of the Commission's functions,
 - (b) the activities of, and recommendations made by, the Advisory Board during the previous financial year,
 - (c) other matters prescribed by the regulations.
- (3) The Minister must, within 14 days after receiving an annual report, give the report to the Presiding Officer of each House of Parliament.
- (4) A copy of an annual report given to the Presiding Officer of a House of Parliament under subsection (3) must be laid before the House within 5 sitting days of the House after the report is received by the Presiding Officer.
- (5) If an annual report includes a recommendation by the Commission that the report be made public immediately, the Presiding Officer of a House of Parliament may make the annual report public whether or not the House is in session and whether or not the report has been laid before the House.

Part 1B Lobbying and Integrity Advisory Board

4I Establishment of Lobbying and Integrity Advisory Board

The Minister must establish a Lobbying and Integrity Advisory Board (the *Advisory Board*).

4J Membership

- (1) The Advisory Board must consist of the following members appointed by the Minister—
 - (a) the Commissioner, or the Commissioner's nominee,
 - (b) a nominee of the Electoral Commissioner,
 - (c) the following persons appointed by the Minister—
 - (i) a nominee of an organisation, prescribed by the regulations, that represents workers,
 - (ii) a nominee of an organisation, prescribed by the regulations, that represents charitable and not for profit organisations,
 - (iii) a nominee of an organisation, prescribed by the regulations, that represents business interests.

(2)	The Commissioner, or the Commissioner's nominee, is the chairperson of the Advisory Board.	1 2
(3)	Schedule 3 contains provisions relating to the members of the Advisory Board.	3
4K	Function of Advisory Board	4
	The function of the Advisory Board is to advise the Minister on the following—	5 6
(a)	amendment of this Act and the Lobbying Code of Conduct, including in relation to—	7 8
(i)	the registration of lobbyists, and	9
(ii)	the public disclosure of information about lobbying and lobbying activities,	10 11
(b)	lobbying reform in other States and Territories and overseas,	12
(c)	other matters directed by the Minister.	13
4L	Meetings and procedure	14
(1)	The procedure of the Advisory Board must be determined by the Board, including—	15 16
(a)	the calling of meetings, and	17
(b)	the conduct of business at the meetings, and	18
(c)	the disclosure of pecuniary interests.	19
(2)	The Advisory Board must meet at least 4 times each calendar year.	20
	Part 1C Complaints	21
4M	Making complaint about lobbying	22
(1)	A person may make a complaint to the Commission about lobbying.	23
(2)	A complaint must—	24
(a)	be in writing, and	25
(b)	identify the person making the complaint, and	26
(c)	identity the lobbyist and public official involved in the lobbying.	27
4N	Commissioner may make complaint	28
	The Commissioner may make a complaint, but only if the Commissioner is satisfied the subject matter of the complaint is a matter of public interest.	29 30
4O	Investigating complaint	31
(1)	The Commission may investigate a complaint or decide that a complaint need not be investigated.	32 33
(2)	The Commission may discontinue an investigation.	34
(3)	When investigating a complaint the Commission must ensure that the identity of the person who made the complaint, or information that might identify the person, is not disclosed unless the Commission is satisfied—	35 36 37
(a)	proper investigation of the complaint requires disclosure of the information, and	38 39
(b)	there is an overriding public interest in the investigation of the complaint.	40 41

4P Outcome of investigations

- (1) At the end of an investigation, the Commission may take one or more of the following actions—
 - (a) if the Commission is reasonably satisfied a lobbyist may have contravened the Lobbying Code of Conduct—suspend or cancel the lobbyist’s registration,
 - (b) if the Commission is reasonably satisfied a person referred to in the definition of **public official**, paragraph (a), (b) or (c) may have contravened the Lobbying Code of Conduct—refer the Commission’s findings to the Presiding Officers of the Parliament,
 - (c) if the Commission is reasonably satisfied a person referred to in the definition of **public official**, paragraph (d) or (e) may have contravened the Lobbying Code of Conduct—refer the Commission’s findings to the head of the Public Service agency concerned,
 - (d) if the Commission is reasonably satisfied a person referred to in the definition of **public official**, paragraph (f) or (g) may have contravened the Lobbying Code of Conduct—refer the Commission’s findings to the Minister administering the Act under which the person was appointed,
 - (e) if the Commission is reasonably satisfied a person referred to in the definition of **public official**, paragraph (h) may have contravened the Lobbying Code of Conduct—refer the Commission’s findings to the Minister administering the *Local Government Act 1993*,
 - (f) if the Commission is reasonably satisfied a person referred to in the definition of **public official**, paragraph (i) or (j) may have contravened the Lobbying Code of Conduct—refer the Commission’s findings to the Mayor of the relevant local council.
- (2) At any point in an investigation the Commission may, if the Commission is reasonably satisfied a lobbyist or public official may have committed an offence under this Act or another law, refer the matter to the Director of Public Prosecutions.
- (3) The Commission must report an action taken under this section to the Joint Committee.

4Q Duty to report corrupt conduct

If, at any point in an investigation, the Commission suspects on reasonable grounds the complaint may concern corrupt conduct under the *Independent Commission Against Corruption Act 1988*, the Commission must report the suspicion to ICAC.

Note— See the *Independent Commission Against Corruption Act 1988*, section 11.

[13] Parts 2 and 3

Omit the parts.

Insert instead—

Part 2 Lobbying Code of Conduct

5 Making of Lobbying Code of Conduct

- (1) The regulations may prescribe a Lobbying Code of Conduct.
- (2) The Minister must consult the Commission and the Advisory Board before recommending the Governor make a regulation prescribing—

(a)	a proposed Lobbying Code of Conduct, and	1
(b)	a proposed amendment to or replacement of the Lobbying Code of Conduct.	2 3
6	Content of Lobbying Code of Conduct	4
(1)	The Lobbying Code of Conduct must—	5
(a)	specify the ethical standards of conduct that must be observed by all persons involved in or the subject of lobbying activities, including—	6 7
(i)	lobbyists, and	8
(ii)	public officials, and	9
(b)	prohibit lobbyists offering gifts or other benefits to public officials, and	10
(c)	prohibit a public official giving a lobbyist preferential treatment, including access to the official, on the basis of an existing or former relationship between the official and the lobbyist.	11 12 13
(2)	The Lobbying Code of Conduct may—	14
(a)	address other matter relating to lobbying, including the procedures for meetings or other contact between lobbyists and public officials, and	15 16
(b)	make different provisions for different classes of lobbyist or public official.	17 18
7	Compliance with Lobbying Code of Conduct	19
	A lobbyist and a public official must comply with the Lobbying Code of Conduct.	20 21
	Maximum penalty—50 penalty units.	22
Part 3	Registration of lobbyists	23
8	Register of lobbyists	24
(1)	The Commission must establish and maintain a register of lobbyists (the <i>Register</i>).	25 26
(2)	A copy of the Register must be made publicly available and free of charge in a single searchable document on the Commission's website.	27 28
9	Registration	29
(1)	A lobbyist must be registered on the Register. Maximum penalty—50 penalty units.	30 31
(2)	An application for registration must—	32
(a)	be made by the lobbyist seeking registration,	33
(b)	be made in the way determined by the Commission,	34
(c)	include the information required by the Commission,	35
(d)	include the fee prescribed by the regulations.	36
(3)	The Commission may require an applicant for registration to give the Commission evidence of the applicant's criminal record in a form suitable to the Commission.	37 38 39
(4)	The Commission must not register a person—	40
(a)	who is an officer of a registered political party, or	41

	(b)	who is a person the Commission is not satisfied is a fit and proper person for registration, or	1 2
	(c)	who does not satisfy criteria for registration prescribed by the regulations, or	3 4
	(d)	who is not an Australian citizen, or	5
	(e)	if the Commission is otherwise satisfied that it is not in the public interest for the person to be registered.	6 7
	(5)	The regulations may—	8
	(a)	exempt a lobbyist from the requirement to be registered, and	9
	(b)	prescribe circumstances in which a person is taken to not be a fit and proper person.	10 11
10	Term of registration		12
		A lobbyist's registration remains in force for a period of 3 years unless—	13
	(a)	surrendered by the lobbyist under section 11, or	14
	(b)	cancelled by the Commission under section 11A.	15
11	Surrender of registration		16
		A lobbyist may surrender the lobbyist's registration by written notice to the Commission.	17 18
11A	Cancellation of registration		19
	(1)	The Commission may cancel a lobbyist's registration—	20
	(a)	if the Commission is satisfied the lobbyist has contravened this Act, the regulations or the Lobbying Code of Conduct, or	21 22
	(b)	if the lobbyist is no longer eligible, under section 9, to be registered, or	23
	(c)	if the lobbyist fails to update the information in the Register when required to do so, or	24 25
	(d)	if the lobbyist no longer carries on the business of lobbying, or	26
	(e)	in circumstances prescribed by the regulations.	27
	(2)	If a lobbyist's registration is cancelled under this section, the lobbyist is not entitled to a refund of a fee paid under this Act.	28 29
	(3)	If the Commission cancels the registration of a lobbyist under subsection (1)(a), the Commission may set a period, not longer than 5 years, during which the lobbyist may not apply for registration (a <i>disqualification period</i>).	30 31 32
11B	Information in Register		33
	(1)	The following information must be included in the Register for each lobbyist—	34 35
	(a)	the name and business contact details of the lobbyist,	36
	(b)	the names of other lobbyists engaged to undertake lobbying for the lobbyist,	37 38
	(c)	for a lobbyist that is a body corporate—the names of the persons having a management, financial or other interest, of a kind prescribed by the regulations, in the lobbyist,	39 40 41
	(d)	the names of the persons who have retained the lobbyist to provide, or for whom the lobbyist has provided, lobbying services,	42 43

(e)	whether or not the lobbyist is currently registered,	1
(f)	the information prescribed by the regulations.	2
(2)	A lobbyist must update the information in the Register in the way and at the times prescribed by the regulations.	3
	Maximum penalty—20 penalty units.	4
	Maximum penalty—20 penalty units.	5
(3)	The Commission may, at the request of a lobbyist, exclude information from the publicly available copy of the Register if the Commission—	6
	has obtained written advice from the Privacy Commissioner and the Advisory Board, and	7
	is satisfied there is an overriding public interest against disclosure of the information within the meaning of the <i>Government Information (Public Access) Act 2009</i> , section 13.	8
		9
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		12
(4)	The Register must include a list of all lobbyists for whom registration has been cancelled under section 11A that includes the following—	13
	the fact that the lobbyist’s registration has been cancelled under section 11A,	14
		15
	the reasons for the cancellation,	16
		17
	if the Commission has set a disqualification period for the lobbyist—the length of the disqualification period.	18
		19
(5)	Information must be kept in the Register for at least 2 years after the lobbyist ceases to be registered or a longer period prescribed by the regulations.	20
		21
[14]	Section 12 Lobbyists Watch List	22
	Omit “third-party or other” from section 12(1).	23
[15]	Section 12(1)	24
	Omit “Lobbyists Code”.	25
	Insert instead “Lobbying Code of Conduct”.	26
[16]	Sections 12(3) and 20(1)(a)	27
	Omit “Lobbyists Register” wherever occurring.	28
	Insert instead “Register”.	29
[17]	Parts 6–6C	30
	Omit Part 6.	31
	Insert instead—	32
	Part 6 Lobbying exclusion period	33
	18 Definitions	34
	In this part—	35
	<i>exclusion period</i> , for a restricted individual, means 4 years immediately after the restricted individual ceases to hold the office or position in relation to which the person is a restricted individual.	36
		37
		38
	<i>restricted individual</i> means the following—	39
	(a) a former senior public official,	40

	(b) another person prescribed by the regulations.	1
18A	Restriction during exclusion period	2
	During a restricted individual's exclusion period the restricted individual must not lobby, or knowingly participate in lobbying, a public official.	3
	Maximum penalty—200 penalty units.	4
18B	Register of restricted individuals	5
	(1) The Commission must keep a register of restricted individuals.	6
	(2) The register of restricted individuals must be—	7
	(a) kept in accordance with the regulations, and	8
	(b) publicly available free of charge in a searchable document on the Commission's website.	9
18C	Regulations	10
	The regulations may make provision for the following—	11
	(a) activities that are or are not lobbying for this part,	12
	(b) the exemption of persons from the restriction imposed by this part either with or without conditions.	13
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	(i) the date of the meeting or communication,	1
	(ii) for a meeting—the location of the meeting,	2
	(iii) the names and roles of the public officials involved,	3
	(iv) the name of the person or entity on whose behalf the lobbying was undertaken,	4
	(v) a description of the purpose and intended outcome of the lobbying,	5
	(b) other information prescribed by the regulations.	6
(2)	The information must be given to the Commission in the way and in the form determined by the Commission.	7
18F	Information must be publicly available	8
	The Commission must, within 14 days after the end of each month, make the information received in returns under this division publicly available and free of charge in a single searchable document on the Commission’s website.	9
		10
Division 3	Disclosures by senior public officials	11
18G	Diary entries	12
(1)	A senior public official must, for each meeting or communication with a lobbyist, make a record of the meeting or communication in the official’s appointment diary.	13
(2)	Each entry must include the following—	14
	(a) the name of the lobbyist,	15
	(b) the identity of the lobbyist’s client,	16
	(c) the subject of the lobbying activity,	17
	(d) the date, time and duration of the meeting or communication,	18
	(e) if the lobbyist, or another person on the lobbyists behalf, paid for the meeting or communication—	19
	(i) the amount paid, and	20
	(ii) who made the payment, and	21
	(iii) who received the payment,	22
	(f) for an in-person meeting or communication—	23
	(i) the location of the meeting or communication, and	24
	(ii) the names of all other persons present and involved in the meeting or communication,	25
	(g) for an electronic meeting or communication—	26
	(i) the electronic medium used for the meeting or communication, and	27
	(ii) the names of all other persons involved in the meeting or communication,	28
	(h) other information prescribed by the regulations.	29
18H	Communications with prohibited donors	30
(1)	A senior public official who meets or communicates with a prohibited donor about a restricted matter must—	31
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- (a) record the meeting or communication in the official's appointment diary, and
 - (b) within 24 hours after the meeting or communication, give the Commissioner written notice, in the way and the form determined by the Commissioner, of the meeting or communication.
 - (2) Each recording must include the following—
 - (a) the name of the prohibited donor,
 - (b) the subject of the meeting or communication,
 - (c) the date, time and duration of the meeting or communication,
 - (d) for an in-person meeting or communication—
 - (i) the location of the meeting or communication, and
 - (ii) the names of all other person present and involved in the meeting or communication,
 - (e) for an electronic contact—
 - (i) the electronic medium used for the meeting or communication, and
 - (ii) the names of all other persons involved in the meeting or communication,
 - (f) other information prescribed by the regulations.
 - (3) In this section—

restricted matter means the following—

 - (a) for a property developer—matters related to the commercial or residential development of land,
 - (b) for a tobacco industry business entity—matters related to the manufacturing or sale of tobacco products,
 - (c) for a liquor or gambling industry business entity—matters related to the following—
 - (i) the manufacturing or sale of liquor products,
 - (ii) wagering, betting or other gambling, including manufacturing of machines used for gambling.
- 18I Diary must be made publicly available**
- (1) A senior public official must, within 7 days after the end of each month, give the Commission a copy, in the form determined by the Commission, of the official's appointment diary.
 - (2) The Commission must, within 14 days after the end of each month, make the information received from the appointment diaries of senior public officials publicly available, free of charge, in a single searchable document on the Commission's website that displays alongside each entry the name of the senior public official to whom the entry relates.
- Part 6B Other duties of public officials and agencies**
- 18J Duty of senior public officials to consult widely**
- (1) A senior public official who is lobbied about a matter must, before making a decision relating to the matter, make a reasonable effort to obtain and consider the views of a broad and diverse range of stakeholders.

(2)	Senior public officials must keep records of the following—	1
(a)	the efforts made to obtain stakeholder views,	2
(b)	the stakeholder views that were obtained.	3
18K	Duty of agencies	4
(1)	The head of a government sector agency must adopt and make publicly available policies and procedures that provide guidance for the officers and staff of the agency, and for persons interacting with the agency, about compliance with this Act and the Lobbying Code of Conduct.	5 6 7 8
(2)	The head of a government sector agency must consult the Commission when developing policies and procedures under this section.	9 10
(3)	In this section—	11
	<i>government sector agency</i> has the same meaning as in the <i>Government Sector Employment Act 2013</i> .	12 13
	Part 6C Enforcement	14
	Division 1 Preliminary	15
18L	Definitions	16
	In this part—	17
	<i>authorised person</i> means an authorised person appointed in accordance with section 18M.	18 19
	<i>complaint</i> means a complaint made under Part 1C.	20
	<i>related complaint</i> , in relation to a complaint (the <i>first complaint</i>) means a complaint about—	21 22
(a)	the person the subject of the first complaint, or	23
(b)	if the first complaint is about a registered lobbyist (the <i>first lobbyist</i>)—	24
	about another registered lobbyist who—	25
(i)	employs the first lobbyist, or	26
(ii)	is employed by the first lobbyist, or	27
(iii)	works for the same lobbying business or other organisation as the first lobbyist.	28 29
18M	Authorised persons	30
(1)	The Commission may appoint the following persons as authorised persons for this part—	31 32
(a)	a member of staff of the Commission,	33
(b)	a person prescribed by the regulations.	34
(2)	An authorised person must be given a certificate of authority signed by the Commissioner.	35 36
(3)	When exercising a function of an authorised person under this Act, the authorised person must, if requested to do so by a person affected by the exercise of the function, produce the authorised person's certificate of authority for inspection by the person, unless it would defeat the purpose for which the function is exercised.	37 38 39 40 41

Division 2	Investigations	1
18N	Purpose of investigations	2
	The purpose of an investigation by the Commission is to obtain information concerning a complaint and to determine whether action should be taken by the Commission and, if so, what action.	3 4 5
18O	Conduct of investigations	6
(1)	An investigation must be conducted as efficiently and expeditiously as reasonably practicable.	7 8
(2)	The Commission may, if satisfied it is reasonably practicable and appropriate in all the circumstances, conduct an investigation of related complaints concurrently.	9 10 11
(3)	In investigating a complaint about a person, the Commission must have regard to other related complaints, whether or not the related complaints have previously been investigated, to the extent the Commission considers the related complaints to be relevant.	12 13 14 15
18P	Powers of entry, search and seizure	16
(1)	An authorised person may, for the purpose of investigating a complaint, do the following—	17 18
(a)	enter and inspect premises at a reasonable time,	19
(b)	examine, seize, keep or remove equipment the authorised person reasonably believes is, has been or may be used in connection with the complaint,	20 21 22
(c)	require a person in the premises to produce records in the possession or under the control of the person relating to the complaint,	23 24
(d)	take copies of, or extracts or notes from, records, or remove the records to facilitate the taking copies of, or notes from, the records,	25 26
(e)	require a person at the premises to answer questions,	27
(f)	require the owner or occupier of premises entered under this section to provide the authorised person with the assistance and facilities reasonably necessary to enable the authorised person to exercise the authorised person's functions under this section.	28 29 30 31
(2)	If an authorised person removes records to take copies of, or notes from, the records, the records must be returned to the owner of the records as soon as practicable.	32 33 34
18Q	Consent or search warrant required for residential premises	35
	An authorised person must not enter a part of premises used solely for residential purposes and exercise a function under section 18P except—	36 37
(a)	with the consent of the occupier of the premises, or	38
(b)	under the authority of a search warrant.	39
18R	Search warrant	40
(1)	An authorised person may apply to an authorised officer for a search warrant if the authorised person believes on reasonable grounds that entry to premises is necessary for investigating a complaint.	41 42 43

(2)	An authorised officer to whom an application is made under this section may, if satisfied there are reasonable grounds for doing so, issue a search warrant authorising an authorised person named in the search warrant to enter the premises and to exercise there the functions of an authorised person under section 18P.	1 2 3 4 5
(3)	The <i>Law Enforcement (Powers and Responsibilities) Act 2002</i> , Part 5, Division 4 applies to a search warrant issued under this section.	6 7
(4)	In this section— authorised officer has the same meaning as in the <i>Law Enforcement (Powers and Responsibilities) Act 2002</i> .	8 9 10
18S	Power of Commission to obtain information, records and evidence	11
(1)	If the Commission is investigating a complaint and is reasonably satisfied that a person is capable of giving information, documents or evidence that would assist in the investigation, the Commission may, by written notice given to the person, require the person to do one or more of the following—	12 13 14 15
(a)	give the Commission information, of which the person has knowledge, within the reasonable time, and in the way, specified in the notice,	16 17
(b)	give the Commission, in the reasonable time specified in the notice, the documents specified in the notice,	18 19
(c)	appear before the Commissioner or a member of staff of the Commission authorised by the Commissioner at the time and place specified in the notice that is reasonable and give evidence, either orally or in writing, and produce the documents specified in the notice.	20 21 22 23
(2)	Information and documents may be given to the Commission in compliance with this section despite another Act or law.	24 25
(3)	A person who is subject to a requirement under this section must not, without reasonable excuse, fail to comply with the requirement. Maximum penalty—200 penalty units.	26 27 28
18T	Protection from incrimination	29
(1)	A person is not excused from a requirement under section 18S on the ground that the information, answer or document might incriminate the person or make the person liable to a penalty.	30 31 32
(2)	Information or an answer given by an individual is not admissible in evidence against the person in any civil or criminal proceedings if—	33 34
(a)	the person objected at the time to giving the information or answer on the ground that the information or answer might incriminate the person, or	35 36 37
(b)	the person was not warned that the person may object to giving the information or answer on the ground that it might incriminate the person.	38 39 40
(3)	The Commission, the Commissioner or a member of staff of the Commission cannot be required to produce, in connection with civil or criminal proceedings, a document containing information or an answer obtained as a result of a requirement under section 18S if the information or answer is not admissible in evidence in those proceedings because of this section.	41 42 43 44 45

[18] Section 19	1
Omit sections 19 and 19A.	2
Insert instead—	3
19 Commission must give notice and reasons for adverse decision	4
(1) If the Commission makes an adverse decision about a lobbyist, the Commission must give the lobbyist—	5
(a) written notice of the decision, and	6
(b) reasons for the decision.	7
(2) The Commission must publish notice of, and the reasons for, an adverse decision on the Commission's website.	8
(3) Subsection (2) does not apply if the Commission is satisfied there is an overriding public interest against disclosure within the meaning of the <i>Government Information (Public Access) Act 2009</i> .	9
(4) In this section—	10
<i>adverse decision</i> means the following—	11
(a) a decision to refuse to register a lobbyist,	12
(b) a decision to cancel or suspend the registration of a lobbyist,	13
(c) a decision to set a disqualification period for the lobbyist,	14
(d) a decision to place the name of a lobbyist on the Lobbyists Watch List.	15
[19] Section 21	16
Omit the section.	17
Insert instead—	18
21 Regulations	19
(1) The Governor may make regulations, not inconsistent with this Act, for or with respect to a matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act.	20
(2) The Minister may only recommend the making of a regulation under the following sections with the concurrence of the Advisory Board—	21
(a) section 4G(b),	22
(b) section 9(5),	23
(c) section 11A(1)(e),	24
(d) section 18C.	25
[20] Section 22	26
Omit the section.	27
Insert instead—	28
22 Proceedings for offences	29
(1) Proceedings for an offence under this Act or the regulations may be dealt with summarily before—	30
(a) the Local Court, or	31

	(b) the Supreme Court in its summary jurisdiction.	1
(2)	If proceedings are brought in the Local Court, the maximum monetary penalty the Court may impose for the offence is 200 penalty units, despite any higher maximum monetary penalty provided for the offence.	2 3 4
(3)	Proceedings for an offence against this Act or the regulations must be commenced within 3 years after the offence was committed.	5 6
[21]	Section 23A	7
	Insert after section 23—	8
23A	Proof of certain matters not required	9
	In legal proceedings, proof is not required, unless prima facie evidence is given to the contrary, of the following—	10 11
	(a) the constitution of the Commission,	12
	(b) the appointment of, or holding of office by, the Commissioner or a member of staff of the Commission,	13 14
	(c) the appointment of an authorised person.	15
[22]	Schedules 2 and 3	16
	Insert after Schedule 1—	17
	Schedule 2 Provisions relating to Commissioner	18
	section 4B	19
1	Term of office	20
(1)	The Commissioner holds office for the term, not more than 5 years, specified in the Commissioner's instrument of appointment and is eligible, if otherwise qualified, for re-appointment.	21 22 23
(2)	A person is not eligible to be appointed for more than 2 terms of office as Commissioner, whether or not consecutive terms.	24 25
2	Full-time office	26
	The office of Commissioner is a full-time office and the holder of the office is required to hold it on that basis, except to the extent permitted by the Minister.	27 28
3	Employment and remuneration	29
	The Commissioner is entitled to be paid—	30
	(a) remuneration in accordance with the <i>Statutory and Other Offices Remuneration Act 1975</i> , and	31 32
	(b) the travelling and subsistence allowances the Minister decides from time to time.	33 34
4	Vacancy in office	35
(1)	The office of Commissioner becomes vacant if the holder—	36
	(a) dies, or	37
	(b) completes a term of office and is not re-appointed, or	38
	(c) resigns the office by written notice to the Minister, or	39
	(d) becomes personally insolvent, or	40

(e)	becomes a mentally incapacitated person, or	1
(f)	is convicted—	2
(i)	in New South Wales of an offence punishable by imprisonment for 12 months or more, or	3
(ii)	elsewhere of an offence that, if committed in New South Wales, would be an offence punishable by imprisonment for 12 months or more, or	4
(g)	is removed from office under clause 5.	5
(2)	If the office of Commissioner becomes vacant, a person must, subject to this Act, be appointed to fill the vacancy.	6
5	Removal from office	7
(1)	The Governor may remove the Commissioner from office, but only for incompetence, incapacity or misbehaviour.	8
(2)	The Commissioner cannot be removed from office under the <i>Government Sector Employment Act 2013</i> , Part 6.	9
6	Commissioner not Public Service employee	10
	The office of Commissioner is a statutory office and the provisions of the <i>Government Sector Employment Act 2013</i> relating to the employment of Public Service employees do not apply to the office.	11

Schedule 3 Provisions relating to Advisory Board 20

section 4J 21

1	Definition	22
	In this schedule—	23
	member means a member of the Advisory Board.	24
2	Term of office	25
(1)	A member holds office for the term, not more than 5 years, specified in the member's instrument of appointment and is eligible, if otherwise qualified, for re-appointment.	26
(2)	A member must not hold office for a total of more than 10 years.	27
3	Remuneration	28
	A member is entitled to be paid the remuneration determined by the Minister in accordance with the regulations.	29
4	Vacancy in office	30
(1)	The office of a member becomes vacant if the member—	31
(a)	dies, or	32
(b)	completes a term of office and is not re-appointed, or	33
(c)	resigns the office by written notice to the Minister, or	34
(d)	becomes personally insolvent, or	35
(e)	becomes a mentally incapacitated person, or	36
(f)	is convicted—	37

- (i) in New South Wales of an offence that is punishable by imprisonment for 12 months or more, or 1
 - (ii) elsewhere of an offence that, if committed in New South Wales, 2
would be an offence punishable by imprisonment for 12 months 3
or more, or 4
5
 - (g) is removed from office by the Minister. 6
- (2) If the office of a member becomes vacant, a person must, subject to this Act, 7
be appointed to fill the vacancy. 8

Schedule 2 Amendment of Lobbying of Government Officials (Lobbyists Code of Conduct) Regulation 2014

[1] **Clause 1 Name of Regulation**

Omit “*Lobbying of Government Officials (Lobbyists Code of Conduct) Regulation 2014*”.

Insert instead “*Lobbying of Public Officials (Lobbying Code of Conduct) Regulation 2014*”.

[2] **Clause 3 Definition**

Omit “*Lobbying of Government Officials Act 2011*” from the definition of *the Act*.

Insert instead “*Lobbying of Public Officials Act 2011*”.

[3] **Clause 3A, heading**

Omit “**third-party**”.

[4] **Clause 3A(1)**

Omit “*third-party*”.

[5] **Clause 3B**

Insert after clause 3A—

3B Lobbyist exempt from registration—the Act, s 9(5)(a)

(1) A lobbyist is exempt from registration if the lobbyist—

(a) is not a prohibited donor, and

(b) operates on a not-for-profit basis.

(2) In this clause—

prohibited donor has the same meaning as in the *Electoral Funding Act 2018*, Part 3, Division 7.

[6] **Clause 4, heading**

Omit “**NSW Lobbyists**”.

Insert instead “**Lobbying**”.

[7] **Clause 4**

Omit “code of conduct for third-party and other lobbyists”.

Insert instead “Lobbying Code of Conduct”.

[8] **Clause 4A, heading**

Omit “**Lobbyists**” and “**third-party**”.

[9] **Clause 4A**

Omit “the purposes of section 10 (1) (c) of the Act”.

Insert instead “the Act, section 11B(1)(c)”.

[10] **Clause 4A**

Omit “third-party”.

[11] Clause 4B, heading	1
Omit “ Lobbyists Register: section 10 (1) (e) of Act ”.	2
Insert instead “ Register—the Act, section 11B(1)(f) ”.	3
[12] Clause 4B(1)	4
Omit “the purposes of section 10 (1) (e) of the Act, the following information is prescribed in relation to a registered third-party”.	5
Insert instead “the Act, section 11B(1)(f), the following information is prescribed for a”.	6
[13] Clauses 5 and 6	7
Omit clauses 5–7.	8
Insert instead—	9
5 Updating the Register	10
(1) For the Act, section 11B(2), a registered lobbyist must update information in the Register within 10 business days after a change to the information.	11
(2) A registered lobbyist must, on 31 January, 31 May and 30 September each year, give the Commission the following in the way and the form determined by the Commission—	12
(a) confirmation that the information about the lobbyist in the Register is current,	13
(b) the other information about the lobbyist, including information that may be required in an application for registration, required by the approved form.	14
6 Period for which information must be kept in the Register	15
For the Act, section 11B(5), information must be kept in the Register for a minimum of 2 years after a lobbyist ceases to be registered.	16
[14] Schedule 1	17
Omit the schedule.	18
Insert instead—	19
Schedule 1 Lobbying Code of Conduct—the Act, s 5	20
clause 4	21
Part 1 Preliminary	22
1 Name	23
This is the <i>Lobbying Code of Conduct 2026</i> .	24
2 Definitions	25
In this code—	26
<i>communicate</i> includes communicate in person, in writing, by telephone, email or other electronic means.	27
<i>foreign principal</i> has the same meaning as in the <i>Foreign Influence Transparency Scheme Act 2018</i> of the Commonwealth.	28

lobbying meeting means a meeting or other communication for the purpose of lobbying a public official.

meeting with a public official, means a meeting held in person or by electronic means.

planning application means an application or request by a person, other than a public authority, within the meaning of the *Environmental Planning and Assessment Act 1979*—

- (a) to initiate the making of an environmental planning instrument or plan under the *Environmental Planning and Assessment Act 1979* in relation to a development, project or activity on a particular site, or
- (b) for consent to, or approval of, a development, project or activity under the *Environmental Planning and Assessment Act 1979* or for the modification of a consent or approval.

Register means the Register of lobbyists established under the *Lobbying of Public Officials Act 2011*.

3 Application

This code applies to—

- (a) lobbyists, and
- (b) public officials who are lobbied.

4 Purpose

This code sets out the ethical standards of conduct and other requirements to be observed to promote transparency, integrity and honesty, by—

- (a) lobbyists, and
- (b) public officials who are lobbied.

Part 2 Standards of conduct for lobbyists

5 Lobbyist must be registered

A lobbyist must not meet or otherwise communicate with a public official for the purpose of lobbying, unless—

- (a) the lobbyist is registered, and
- (b) the information about the lobbyist in the Register is accurate and current.

6 Lobbyist must disclose information about client

- (1) A lobbyist must disclose the following to a public official being lobbied—

- (a) that the lobbyist is acting as a lobbyist,
- (b) the identity of the individuals or entities whose interests the lobbyist is representing,
- (c) if the lobbyist is representing the interests of a foreign principal—
 - (i) that the individual or entity being represented is a foreign principal, and
 - (ii) the foreign principal's country.

- (2) The information must be disclosed before a lobbying meeting is held.

7	Lobbyist must disclose matter to be discussed at proposed meeting	1
	A lobbyist who seeks a lobbying meeting with a public official must, before the meeting, disclose to the official the nature of the matter to be discussed.	2 3
8	Lobbyist must disclose interest in matters discussed at meeting	4
(1)	A lobbyist who has a lobbying meeting with a public official must, before the meeting commences, disclose to the official a financial or other interest the lobbyist has in the matter to be discussed at the meeting.	5 6 7
(2)	A lobbyist must not lobby on a matter relating to the functions of a NSW Government board or committee if—	8 9
(a)	the lobbyist's client is a member of the board or committee, or	10
(b)	the lobbyist is a member of the board or committee.	11
9	Lobbyist must not engage in misleading, dishonest or corrupt conduct	12
	A lobbyist must not engage in misleading, dishonest, corrupt or other unlawful conduct in connection with a lobbying meeting.	13 14
10	Lobbyist must provide true and accurate information	15
	A lobbyist must take all reasonable steps to satisfy themselves that all material information provided in connection with a lobbying meeting is true and accurate.	16 17 18
11	Lobbyist must not exaggerate or misrepresent access to political parties or Government	19 20
	A lobbyist must not make exaggerated or misleading claims to clients about the nature or extent of the lobbyist's access to political parties, the Government or Government agencies or to persons associated with political parties, the Government or Government agencies.	21 22 23 24
12	Lobbyist must keep party political involvement separate from lobbying activities	25 26
	A lobbyist must keep the lobbyist's lobbying activities separate from personal activity or involvement on behalf of a political party.	27 28
Part 3	Standards of conduct for public officials	29
13	Public official must consult widely after being lobbied	30
	A public official who is lobbied on a matter must take reasonable steps to consult widely and obtain a broad and diverse set of views on the matter before making a decision or recommendation.	31 32 33
14	Public official must keep records	34
	A public official who is lobbied on a matter must keep detailed records of the following—	35 36
(a)	the lobbying,	37
(b)	the consultation undertaken under clause 13.	38
15	Prohibition on gifts and benefits	39
(1)	A lobbyist must not offer a public official a gift or benefit, either in connection with lobbying activity or otherwise.	40 41

(2)	A public official who is lobbied—	1
(a)	must not accept a gift or benefit from the lobbyist or a person associated with the lobbyist, and	2 3
(b)	must immediately notify the Commission that the gift or benefit was offered.	4 5
(3)	Subclause (1) does not apply to a gift or benefit offered in the following circumstances—	6 7
(a)	the lobbyist is not engaged in lobbying the public official,	8
(b)	the lobbyist and public official have a genuine family or personal relationship.	9 10
16	Public official must report suspected contravention of code	11
	A public official who reasonably suspects a lobbyist or another public official has contravened this code must give the Commissioner written notice of the suspected contravention.	12 13 14

Schedule 3	Amendment of Acts	1
3.1	Independent Commission Against Corruption Act 1988 No 35	2
[1]	Section 11 Duty to notify Commission of possible corrupt conduct	3
	Omit “Crown.” from section 11(1)(e).	4
	Insert instead—	5
	Crown,	6
	(f) the Lobbying and Integrity Commissioner.	7
3.2	Interpretation Act 1987 No 15	8
[1]	Schedule 4 Dictionary	9
	Insert in alphabetical order—	10
	<i>Lobbying and Integrity Commissioner</i> means the Lobbying and Integrity Commissioner appointed under the <i>Lobbying of Public Officials Act 2011</i> , section 4B.	11
		12
		13
3.3	Ombudsman Act 1974 No 68	14
[1]	Section 31BA Power to veto proposed appointments	15
	Insert “Lobbying and Integrity Commissioner,” after “Privacy Commissioner,” in section 31BA(1).	16
		17
[2]	Section 31BA(5)(b3)	18
	Insert after section 31BA(5)(b2)—	19
	(b3) in the context of an appointment of the Lobbying and Integrity Commissioner, a reference to the Minister administering the <i>Lobbying of Public Officials Act 2011</i> , section 4B, and	20
		21
		22