Question on Notice

No. 408

Asked on 24 March 2011

MR HOBBS asked the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State (MR LUCAS)–

QUESTION:

With reference to comments in the Gold Coast Bulletin (1 March 2011) which stated that consultants such as lawyers, engineers, accountants and architects were specifically deemed not to be lobbyists under the Integrity Act 2009—

Will the Minister advise whether or not the department has legal advice to this effect and if any Queensland council met with, visited or consulted with the Integrity Commissioner for purposes related to the lobbyist provisions of the Integrity Act 2009?

ANSWER:

I thank the Member for Warrego for his question.

The *Integrity Act 2009* (the Act) does not automatically deem certain consultants not to be lobbyists.

Section 41 of the Act specifies that a person carrying out incidental lobbying activities is not a lobbyist. The Act clarifies that a person carries out incidental lobbying activities if they undertake, or carry on a business primarily intended to allow individuals to undertake a technical or professional occupation in which lobbying activities are occasional only and incidental to the provision of professional or technical services.

Section 41 of the Act contains some examples of entities that may provide incidental lobbying activities including a person carrying on the business of providing architectural services, professional engineering services, legal services or accounting services. It is important to remember that these are provided by way of example only and are in no way a definitive list. Nor does the inclusion of these examples in the Act automatically exempt these professionals from being considered lobbyists if their lobbying activities are not merely incidental.

It is not Government practice to comment on whether legal advice has been received or the content of any such advice.

In exercising the functions under the Act, the Integrity Commissioner meets with representatives of entities subject to the Act on a regular basis. Whether any local government has met with the Integrity Commissioner in relation to this matter is a matter for individual local governments and the Integrity Commissioner.