

Matters EU

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What's next



1. A reminder about SEAP
2. And on EPACA
3. EU Transparency update

1. Society of European Affairs Professionals



Vision



To advance the European affairs profession so that it will contribute to ever better policy outcomes

Mission of SEAP



With respect to European affairs professionals:

- to be the trust mark of the profession by setting and promoting standards of ethical conduct
- to provide networking on issues of common interest.

With respect to the EU institutions:

- to represent the interests of the profession to the EU institutions
- to be recognized as an essential partner by the EU institutions.

With respect to the public:

- to improve the understanding of the role of European affairs professionals in the policy process.

Our activities



- SEAP code – ensures SEAP members are compliant
- Discussion with the European Parliament on access and passes
- Discussion with the Commission Sec Gen and EP on the Transparency Register – lobbying for improvements
- Informational meetings and events

Recent Changes



- A new 17 person Board
- New President: Malte Lohan
- 3 new VPs



2. European Public Affairs Consultancies' Association



EPACA in brief

- 35 members
- Consultancies, not individuals
- Management Committee
- Based on Code of Conduct
- Disciplinary Procedure
- Professional Practices Panel



EPACA in more detail

- EPACA defends and promotes ethical, transparent lobbying with all relevant stakeholders including the media
- EPACA engages with the EU institutions on all issues related to lobbying and transparency that could impact the interests of its members
- EPACA has a Code of Conduct for its members that goes further than the Transparency Register Code, notably in its application to all contacts related to EU lobbying with all external stakeholders (e.g. media, NGOs, etc), not just the European Commission and European Parliament
- EPACA has an independent Professional Practices Panel that reviews complaints when necessary, provides guidance on ethical and industry issues to the EPACA Management Committee, and is invited to participate in the life of the Association in other ways, including participation in the Annual General Meeting of EPACA
- EPACA provides training and promotes best practice to its members
- EPACA promotes the public affairs consultancy sector, particularly as a career choice for young professionals



3. Transparency Register



Timeline



- 1995 first industry initiative on a Code of Conduct
- 2005 start of proposal and consultations
- 2007 SEAP, EPACA, IPRA principles
- 2008 ETI launched
- 2011 Transparency Register / revised Code
- 2013 New guidelines
- 2014 Review by EP
- 2015 Launch of new register
- 2017? “Mandatory” register

The EU Register

Register Now

- 7000+ registrants
- Voluntary for organisations and individuals
- Quasi-mandatory with new Commission access rules
- Listing interests and / or clients
- Disclosure on resources allocated to lobbying
- Disclosure on sources of public funding
- Registry is publicly accessible
- Implies acceptance of EC/EP or another code
- Complaint-based suspension or exclusion

Register Key Changes



- Financial declaration all
- Consultancies asked to disclose both revenue and costs
- Auto “Full time equivalent”
- Alerts and Complaints
- Simpler data download

Codes and Codes



1. TR code is about transparency
2. SEAP/EPACA codes are about conduct
3. SEAP and TR code differ by 9 articles

“Mandatory” Register

**MANDATORY
COMPLIANCE**

- Roadmap 2015
- Consultations second half 2015
- Inter-institutional agreement
- Article 295

Article 295



- “The European Parliament, the Council and the Commission shall consult each other and by common agreement make arrangements for their cooperation.
- To that end, they may, in compliance with the Treaties, conclude **inter-institutional agreements** which may be of a binding nature”.

Is it really mandatory?

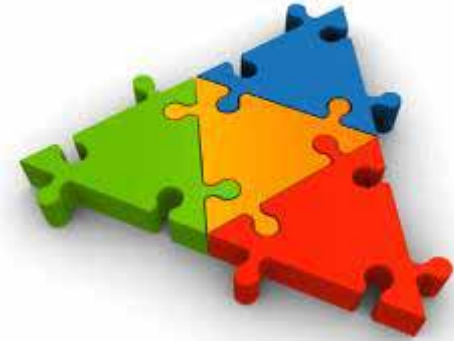


- Enforcement?
- Penalty?
- Sanctions?

EPACA position on next steps

- No disclosure of internal costs for consultancies
 - turnover and client revenue are relevant
- A clear definition of activities included
- A clear complaints and sanctions procedure
- Better enforcement

In summary



- EU is being pragmatic
- Lobbyists are being pragmatic
- New register is an improvement
- The NGOs will still make $2+2 = 17$

Any questions?



UK Update: background



- 2014, the UK Government adopted the [Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014](#). Part 1 of the bill deals with lobbying.
- Establishes a statutory register of 'consultant lobbyists' in the UK.
- Sets up the [Office of the Registrar of Consultant Lobbyists](#)
- Registrants must declare their identity, the names of their clients and income received for lobbying activities for each quarter.
- Register started on 27 March 2015.
- Registrants [pay £750 per year](#). The fees are expected to cover around 25% of the costs of the operating of the register.
- 22 April 2015, 54 organisations registered, mostly public affairs firms.

UK Update: guidelines

- prohibition of lobbying activity without registration (criminal offence)
- civil penalties in cases where an offence has been committed
- narrow definition of lobbying: “when a consultant lobbyist personally makes an oral or written communication to a Minister of the Crown, or permanent secretary; or second permanent secretary of the civil service. A consultant lobbyist is a person who carries out lobbying as business, in return for payment, being VAT registered and on behalf of other persons”.

UK Update: reactions

Severe criticism from many groups.

- Part 1 opposed by the public affairs industry over the fact that the register covers only a handful of players.
- Part 2 (non-party campaigning) severe criticism by most political parties, NGOs, charities and public affairs organisations.
- Part 3 (access to membership records of trade unions and charities) criticised as a potential breach of privacy laws.