



IFA Submission

to

Department of Public Expenditure and Reform

on

Regulation of Lobbyists

February 2012

Background Information

The Irish Farmers' Association (IFA) is a professional representative organisation with a membership of over 87,000 farmers.

The Association is recognised nationally, in Europe and internationally as the main national representative organisation for Irish farmers.

Objects of the Association

The objects of the Irish Farmers' Association are clearly set out in its Constitution and Rules¹ as follows:

- a) To promote, foster and develop agriculture in all its Branches including horticulture, arboriculture, mariculture and farm tourism by doing all such things as are, or may be incidental and conducive thereto, including affiliation to such National and International Organisations as shall be deemed appropriate, provided always that it shall remain non-sectarian and shall not sponsor, put forward or support any candidate for political office.
- b) To secure an adequate living, evolving in line with prevailing standards, economic and social, for the maximum number of families living on the land in Ireland as enshrined in Article 45 of Bunreacht na hEireann and within the European Community in Article 39 of the Treaty of Rome (EEC) and economic and social cohesion within the European Community required by Title V Part Three of the European Community Treaties.
- c) To have effective negotiating rights for farmers and farm families and full recognition by the Irish Government and the Institutions of the European Community.
- d) To represent, advance and protect the particular interests of members, both collectively and where appropriate individually, and to develop services for members and the direct benefits of IFA membership.
- e) To promote and defend the particular interests of the farming community.
- f) To improve the expansion of industrialisation and the development of tourism, fishing, forestry and other activities beneficial to rural areas.
- g) To improve the conditions of rural life generally.

Democratic Structure

The Association is a voluntary organisation of farmers and has a democratic structure of representation to ensure the views of members are effectively represented at local, county and national level.

Branches -the Association's 947 Branches are the basic organisational unit in IFA, providing a countrywide network, reaching into every parish across rural Ireland. Each branch elects four delegates to represent the branch at county executive level. The Association has over 3,700 officers nationally.

¹ IFA Constitution and Rules

County Executives - the Association's 29 County Executives provide the link in each county between the membership in the Branches and the organisation at national level. Each County Executive is led by a County Chairman. The job of the County Executives is to canvass the views of members and Branches on policy and other issues, and to represent those views within the Association, through the various National Committees and at the Executive Council.

Executive Council - the 53 member Executive Council is the national governing body of the IFA, bringing together the democratically elected County Chairmen, National Committee Chairmen and National Officers under the leadership of the President.

President - the President is at the head of the organisation, democratically elected by the ordinary members as leader and chief spokesman of IFA.

Professional Staff - the General Secretary is the Chief Executive Officer of the Association and is supported by 13 executive staff based in head office and 10 regional development officers based in IFA offices around the country. IFA also has an office in Brussels and a European Director.

Specific Comments on the Design and Implementation of a Regulatory System for Lobbying in Ireland

IFA acknowledges the provision made in the Programme for Government² to “introduce a statutory register of lobbyists, and rules concerning the practice of lobbying.”

In reference to the OECD *Principles for Transparency and Integrity in Lobbying* IFA makes the following observations.

Transparency on Policy and Activities

As a voluntary body in civil society, with a national network, IFA is a transparent and democratically structured representative organisation.

The Association is solely involved in the legitimate pursuit of the interests of its members.

IFA acts openly on behalf of its members. Our submissions, policy proposals and views are widely published in the farming, local and national media. All public submissions and all media releases are placed in the public domain and are available on the Association’s website.

In addition, IFA regularly makes written communications to Government Ministers and senior civil servants on issues relating to the food and agriculture sector and the wider rural economy. All of these communications can be accessed through the Freedom of Information route and are therefore accessible to the media and available for public scrutiny.

Register of Lobbyists

Should the Government proceed to introduce a register of lobbyists, IFA is prepared to make an annual return including:

- the full list of national officers, including President, Deputy-President, Regional Vice-Presidents, National Treasurer/Returning Officer, National Committee Chairmen and County Chairmen;
- the list of professional executive staff engaged in lobbying, and
- a statement of the organisation’s structure, objects and policies.

IFA has no difficulty with this information being made fully available to the public through an electronic register.

Any proposal for a statutory register of lobbyists must recognise the need for a tiered approach in terms of the level of reporting required.

- IFA’s position is that there must be a clear differentiation in the requirements expected from bodies/individuals carrying out lobbying for commercial gain and those employed in a representative capacity acting in the interests of their members.
 - IFA notes that the recent Bill³ in the UK, proposes to “establish a public register of organisations that carry out lobbying of Parliament for commercial gain; to make provision for disclosure of expenditure by such organisations; and for connected purposes”.

² Government for National Recovery 2011-2016

³ Registration of Commercial Lobbying Interests Bill – House of Commons, UK, 6 December 2011

- IFA is a not-for-profit representative organisation. The IFA staff are professionally employed to work on behalf of farmers, along with voluntary officers, in an open and transparent manner. IFA lobbying activities do not result in personal gain for IFA staff.
- In any statutory register of lobbyists, the burden for a not-for-profit organisation should be significantly less than for organisations lobbying for commercial gain.
- Clearly, membership organisations such as IFA have a public profile and accountability in respect of their positions on legislative and policy development, which is not the case for bodies/individuals lobbying privately or for commercial gain. Therefore, there is no justification for membership organisations such as IFA to be required to make more than an annual return.
- IFA insists that a distinction must also be made concerning the reporting requirements for membership organisations representing individuals and family-scale enterprises on the one hand and on the other hand membership organisations representing large-scale corporations.

In IFA's case, we represent a sector where the average farm income in 2011 was just €21,500. Any proposed legislation must place a lessor burden on membership organisations such as IFA.

Rejection of Multiple Annual Reporting Requirements

IFA is strongly opposed to any requirement which goes beyond an annual return as described above.

There should be no fee for making an annual return or any other report.

IFA will strongly resist any proposals to list all contacts between IFA officers and staff and public representatives/officials.

The scale and nature of IFA activities, with 947 branches spread across 29 County Executives, would make it impossible to make returns of all contacts at representative level with public representatives/officials.

With an IFA officership in excess of 3,700 individuals, and executive staff engaged in daily contacts/meetings with public representatives/officials, any such requirement would be totally impractical, highly wasteful of resources and prohibitively costly.

Such a requirement would be gravely excessive and would damage the principle of free and open access to policy-makers, which is essential to the working of a democratic society.

IFA finds the Bills⁴ published by the Fianna Fáil Party in 2012 and the Labour Party when in opposition unworkable, excessive and impossible to implement.

Burden of Multiple Reporting must be carried by Public Officials

Should the Government insist on requiring more than a single annual return in respect of activities by membership organisations such as IFA, then IFA's position would be that the burden of reporting must rest with the public officer, as is the case with the current Ethics in Public Office legislation.

⁴ Lobbyists Bill 2012 and Registration of Lobbyists Bill 2008 and 2003

- The public officer who is the subject of meetings and other communications should be required to make any disclosures.
- This is fully justified on the grounds of efficiency, practicality and resources as public officers' diaries will contain all relevant meetings and officials have access to support staff to produce records.
- All returns made by public officers should be copied to the relevant membership organisation.

Further Consultation

Because of the importance of lobbying in the activities of IFA, we wish to stress our desire to be fully consulted at every stage in the development of any legislative proposals or lobbyists' Code of Conduct by the Government.