



# New South Wales Local Government, Clerical, Administrative, Energy, Airlines & Utilities Union

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Lobbyists Code Committee Hearing

Finance and Public Administration Committee

Parliament House

Canberra ACT 2600

10<sup>th</sup> June 2008

Dear Sir/Madam

Re: Lobbying Code of Conduct 2008

On behalf of our Union, Union members and employees eligible to become members of the United Services Union we make the following submissions relating to the Lobbying Code of Conduct.

If appropriate the Union would like to reserve its position to make further submissions on this matter as information on this matter was only brought to the attention of the Union late on Friday the 6<sup>th</sup> June 2008, and as we understand submissions close on Tuesday 10<sup>th</sup> June 2008.

The Union respectfully submits;

1. The proposed code should only apply to those individuals not directly employed by Government, Negotiations for the renewal of the MoPS Agreement are set to commence shortly, and matters raised in the proposed code should be subject to these negotiations and ultimately agreement reached for the inclusion of a code covering employees covered by the MoPS Agreement.
2. 7.1, If implemented, includes a proposition that the affect of this code will be retrospective, which will see staff having unknowingly breached the code, this proposition is completely unacceptable, the code should have a future affective operative date; this date must only have affect once those affected have had every opportunity to familiarize themselves with its content.
3. 7.1 excludes individuals from participating in lobbying activities for up to 18 months; The affect of such an exclusion will restrict an individual from the using their "trade" for a period of up to 18 months, therefore severely limiting their abilities to earn a future income.
4. The proposed code does not include an explanation of potential penalties that would apply should a breach of the code occur, an

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obligation of Government is to fully inform individuals of the potential consequences should a breach occur.


5. The proposed code does not include details of either an appeal process or a program of review. Both processes are extremely important, in the first instance to ensure individuals of their natural justice rights, and secondly to ensure the code is as effective as anticipated, or to correct any unforeseen circumstances or effects arising from the implementation of the code.

The Union does not object to the rational of the proposed code, and supports the Government in its efforts to ensure transparency at all levels of Government when dealing with Lobbyist, these efforts should not and must not encroach on employees rights for future employment opportunities either within Government or in the private sector, the current proposed code, the Union submits has the affect of restricting the trade of a lobbyist.

Should you require any further information relating to the Union submission on this matter please do not hesitate to contact our Union Official Mr. Rudi Oppitz on 0409662460.

Thank you for the opportunity to submit our Unions submission.

Respectfully



BEN KRUSE

Ben Kruse  
General Secretary  
United Services Union