

Public Consultation on a proposal for a mandatory Transparency Register

Fields marked with * are mandatory.

Public Consultation on a proposal for a mandatory Transparency Register

The European Commission seeks the views of all interested parties on the performance of the current Transparency Register for organisations and self-employed individuals engaged in EU policy-making and policy implementation and on its future evolution towards a mandatory scheme covering the European Parliament, the Council of the EU and the European Commission.

QUESTIONNAIRE

* Are you responding as:

- An individual in my personal capacity
- The representative of an organisation registered in the [Transparency Register](#)
- The representative of an organisation not registered in the Transparency Register

* Please provide your Register ID no:

460594519070-95

* Name of the organisation:

Adaptant Solutions AG

* The organisation's head office is in:

- Austria
- Belgium

- Bulgaria
- Cyprus
- Czech Republic
- Germany
- Denmark
- Estonia
- Greece
- Spain
- Finland
- France
- Hungary
- Croatia
- Ireland
- Italy
- Lithuania
- Luxembourg
- Latvia
- Malta
- Netherlands
- Poland
- Portugal
- Romania
- Sweden
- Slovenia
- Slovak Republic
- United Kingdom
- Other country

*Your organisation belongs to the following type:

See a description of the below categories [here](#)

- Professional consultancies
- Law-firms
- Self-employed consultants
- Companies and groups
- Trade and business associations
- Trade unions and professional associations
 - Other organisations including: event-organising entities (profit or non- profit making);
- interest-related media or research oriented entities linked to private profit making interests; ad-hoc coalitions and temporary structures (with profit-making membership)
- Non-governmental organisations, platforms, networks, ad-hoc coalitions, temporary structures and other similar organisations
- Think tanks and research institutions
- Academic institutions
- Organisations representing churches and religious communities
- Regional structures
- Other sub-national public authorities

- Transnational associations and networks of public regional or other sub-national authorities
- Other public or mixed entities, created by law whose purpose is to act in the public interest

Contact for this public consultation:

* Name

Paul

* Surname

Mundt

* Email address (this information will not be published)

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A. GENERAL PART (7 questions)

1. Transparency and the EU

1.1 The EU institutions interact with a wide range of groups and organisations representing specific interests. This is a legitimate and necessary part of the decision-making process to make sure that EU policies reflect the interests of citizens, businesses and other stakeholders. The decision-making process must be transparent to allow for proper scrutiny and to ensure that the Union's institutions are accountable.

* a) Do you agree that ethical and transparent lobbying helps policy development?

- Fully agree
- Partially agree
- Disagree
- No opinion

Comments or suggestions (Optional)

3000 character(s) maximum

* b) It is often said that achieving appropriate lobbying regulation is not just about transparency, i.e. shedding light on the way in which lobbyists and policy-makers are operating. Which of the below other principles do you also consider important for achieving a sound framework for relations with interest representatives?

More than one answer possible

- Integrity
- Equality of access
- Other (please elaborate in the comments box below)
- No opinion

Comments or suggestions (Optional)

3000 character(s) maximum

* c) In your opinion, how transparent are the European institutions as public institutions?

- They are highly transparent
- They are relatively transparent
- They are not transparent at all
- No opinion

Comments or suggestions (Optional)

3000 character(s) maximum

The use of expert groups by the various European institutions remains relatively opaque, with expert group composition being largely decoupled from the transparency register itself. More effort needs to be taken to ensure that this information is readily discoverable and reflected in the registry.

* 1.2 The Transparency Register provides information to politicians and public officials about those who approach them with a view to influencing the decision-making and policy formulation and implementation process. The Register also allows for public scrutiny; giving citizens and other interest groups the possibility to track the activities and potential influence of lobbyists.

Do you consider the Transparency Register a useful tool for regulating lobbying?

- Very useful
- Somewhat useful
- Not useful at all
- No opinion

Comments or suggestions (Optional)

3000 character(s) maximum

2. Scope of the Register

* 2.1 Activities covered by the Register include lobbying, interest representation and advocacy. It covers all activities carried out to influence - directly or indirectly - policymaking, policy implementation and decision-making in the European Parliament and the European Commission, no matter where they are carried out or which channel or method of communication is used.

This definition is appropriate:

- Fully agree
- Partially agree
- Disagree
- No opinion

Comments or suggestions (Optional)

3000 character(s) maximum

* 2.2 The Register does not apply to certain entities, for example, churches and religious communities, political parties, Member States' government services, third countries' governments, international intergovernmental organisations and their diplomatic missions. Regional public authorities and their representative offices do not have to register but can register if they wish to do so. On the other hand, the Register applies to local, municipal authorities and cities as well as to associations and networks created to represent them.

The scope of the Register should be:

- Changed to exclude certain types of entities (please elaborate in the comments box below)
- Changed to include certain types of entities (please elaborate in the comments box below)
- Preserved the same as currently
- No opinion

Comments or suggestions (Optional)

3000 character(s) maximum

3. Register website

3.1 What is your impression of the Register [web site](#)?

	Good	Average	Poor	No opinion
*Design and structure	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Availability of information / documents	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

*Ease of search function	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Accessibility (e.g. features for visually impaired persons, ease of reading page)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
*Access via mobile devices	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments or suggestions (Optional)

3000 character(s) maximum

4. Additional comments

Final comments or ideas on any additional subjects that you consider important in the context of this public consultation (Optional)

3000 character(s) maximum

If you wish you may provide additional information (position papers, reports, etc) in support of your answers to this public consultation. Please upload no more than three files of up to 1Mb each. Attachments above this number will not be considered.

Attach files

End of Part A

Part B includes questions that require a certain knowledge of the Transparency Register. Proceed to Part B (optional).

* Do you want to proceed to Part B ?

- Yes
 No

B. SPECIFIC PART (13 questions)

1. Structure of the Register

- * 1.1 The Register invites organisations to sign up under a particular section, for example, professional consultancies, NGOs, trade associations, etc (Annex I of the [Interinstitutional Agreement](#)). Have you encountered any difficulties with this categorisation?

- Yes
 No
 No opinion

Comments or suggestions (Optional)

3000 character(s) maximum

We observe two main limitations to the current approach:

1. Organizations are required to select a single classification, but may themselves be engaged in more than one of these activities. An organization that carries out its own in-house lobbying under section II of Annex I, may very well also do the same for its clients in an advisory or consultancy capacity as defined in section I.

2. At present the register requires an organization to register as a single entity with subsidiary entities and structure loosely outlined under the member organization section. In the case of multi-national or group companies, the register entry itself is likely to refer to a public and regulatory affairs entity within the larger group, which itself may not be in a position to accurately report on consolidated group finances and spending related to activities outlined in the register.

We would advise the Commission to take a firmer position on multi-national or group company entries. In the case of a single registry entry being mandated, multiple classifications that adequately reflect the scope of the organization's activities as outlined in Annex I should be taken. In the case where a single entry is only able to define a single classification, we would suggest requiring additional entries in the registry for activities carried out under each unique classification that differ from the initial entry.

2. Data disclosure and quality

- * 2.1 Entities joining the Register are asked to provide certain information (contact details, goals and remit of the organisation, legislative dossiers followed, fields of interest, membership, financial data, etc) in order to identify the profile, the capacity of the entity and the interest represented (Annex I of the [Interinstitutional Agreement](#)).

The right type of information is required from the registrant:

- Fully agree
 Too much is asked

- Too little is asked
- No opinion

Comments or suggestions (Optional)

3000 character(s) maximum

Concerning entities classifying under Annex I Section I (as well as Associations falling under Section II), the actual list of clients being lobbied on behalf of is typically not divulged. This creates a situation where a company may register in good faith under its own entry, but may still be engaged in additional related activities through a third party without divulging the relationship, the effect of which may be a drastic under-representation of the actual amount of time and money spent on the activities outlined, the accuracy and veracity of which appears to be an area in which the transparency register initiative still has much progress to make.

We would advise the Commission to require entities falling under a Section I (or II, in the case of Associations) classification to provide a client list as part of their registration, with respective cross-linking with the individual clients' own registry entries in order to make the relationship clear, regardless of which entry is consulted. This approach has been adopted by the Australian lobby register for example, and has provided a better overall view of which policy areas are being driven by which grouping of actors through which advisory and consultancy organizations, ultimately making these types of organizations' interests and activities far more transparent.

* 2.2 It is easy to provide the information required:

- Fully agree
- Partially agree
- Disagree
- No opinion

Comments or suggestions (Optional)

3000 character(s) maximum

* 2.3 Do you see any room for simplification as regards the data disclosure requirements?

- Yes
- No
- No opinion

Comments or suggestions (Optional)

3000 character(s) maximum

* 2.4 What is your impression of the overall data quality in the Register:

- Good
- Average
- Poor
- No opinion

Comments or suggestions (Optional)

3000 character(s) maximum

3. Code of Conduct and procedure for Alerts and Complaints

* 3.1 The Code of Conduct sets out the rules for all those who register and establishes the underlying principles for standards of behaviour in all relations with the EU institutions (Annex III of the [Interinstitutional Agreement](#)).

The Code is based on a sound set of rules and principles:

- Fully agree
- Partially agree
- Disagree
- No opinion

Comments or suggestions (Optional)

3000 character(s) maximum

Point (h) concerning the employment of former EU officials and staff is principally concerned with maintaining confidentiality, but places little emphasis on greater transparency concerning their employment. We would suggest that companies employing former officials be required to list the names, positions, and terms of service, for each individual in their employ. This approach has been taken by the lobby registers of other nations (for example, Australia), and has contributed greatly to more objectively identifying conflicts of interest as well as improving general transparency.

3.2 Anyone may trigger an alert or make a complaint about possible breaches of the Code of Conduct. Alerts concern factual errors and complaints relate to more serious breaches of behavioural nature (Annex IV of the Interinstitutional Agreement).

* a) The present procedure for dealing with alerts and complaints is adequate:

- Fully agree
- Partially agree
- Disagree

No opinion

Comments or suggestions (Optional)

3000 character(s) maximum

* b) Do you think that the names of organisations that are suspended under the alerts and complaints procedure should be made public?

Yes

No

No opinion

Comments or suggestions (Optional)

3000 character(s) maximum

At present the lobby registers of the individual member states (where applicable) vary widely in the amount of information and transparency accorded. Examples of impropriety at the EU level would aid in more objectively assessing conduct and enabling a more quantifiable risk assessment to be carried out at a national level where transparency may otherwise be lacking.

4. Register website – registration and updating

4.1 How user-friendly is in your opinion the Register [website](#) in relation to registration and updating?

	Straightforward	Satisfactory but can be improved	Cumbersome	No opinion
*Registration process	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Updating process (annual & partial)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments or suggestions (Optional)

3000 character(s) maximum

5. Current advantages linked to registration

5.1 The European Parliament and the European Commission currently offer certain practical advantages (incentives) linked to being on the Register. The Commission has also announced its intention to soon amend its rules on Expert groups to link membership to registration. Which of these advantages are important to you?

In the European Parliament (EP)

	Very important	Somewhat important	Not important	No opinion
<p>*Access to Parliament buildings: long-term access passes to the EP's premises are only issued to individuals representing, or working for registered organisations</p>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>*Committee public hearings: guests invited to speak at a hearing need to be registered</p>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>*Patronage: Parliament does not grant its patronage to relevant organisations that are not registered</p>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

In the European Commission

	Very important	Somewhat important	Not important	No opinion
<p>*Meetings: organisations or self-employed individuals engaged in relevant activities must be registered in order to hold meetings with Commissioners, Cabinet members and Directors-General</p>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>*Public consultations: the Commission sends automatic alerts to registered entities about consultations in areas of interest indicated by them; it differentiates between registered and non-registered entities when publishing the results</p>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

<p>*Patronage: Commissioners do not grant their patronage to relevant organisations that are not registered</p>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>*Mailing lists: organisations featuring on any mailing lists set up to alert them about certain Commission activities are asked to register</p>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>*Expert groups: registration in the Transparency Register is required in order for members to be appointed (refers to organisations and individuals appointed to represent a common interest shared by stakeholders in a particular policy area)</p>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments or suggestions (Optional)

3000 character(s) maximum

Expert group transparency has been one area where improvement is needed, we are pleased to see the Commission addressing this point in the updated rules.

6. Features of a future mandatory system

* 6.1 Do you believe that there are further interactions between the EU institutions and interest groups that could be made conditional upon prior registration (e. g. access to MEPs and EU officials, events, premises, or featuring on specific mailing lists)?

- Yes
- No
- No opinion

Comments or suggestions (Optional)

3000 character(s) maximum

* 6.2 Do you agree with the Commission's view that the Council of the EU should participate in the new Interinstitutional Agreement on a mandatory Register?

- Yes
- No
- No opinion

Comments or suggestions (Optional)

3000 character(s) maximum

7. Looking beyond Brussels

* 7.1 How does the Transparency Register compare overall to 'lobby registers' at the EU Member State level?

- It is better
- It is worse
- It is neither better, nor worse
- No opinion

Good practices or lessons learned at the EU Member State level to be considered, or pitfalls to be avoided. (Optional)

4000 character(s) maximum

The transparency register itself is significantly more transparent and accessible than the lobby registers employed by certain member states (such as Germany). It is our opinion that addressing some of the short comings outlined in this response as well as a shift towards mandatory registration would go a long way in encouraging individual member states to improve their own registers and approaches to transparency.

8. Additional comments

Final comments or ideas on any additional subjects that you consider important in the context of this public consultation (Optional)

3000 character(s) maximum

* Publication of your consultation

- I agree to my contribution being published.
- I do not agree to my contribution being published.

[Specific privacy statement](#)

Useful links

Read more on the public consultation homepage
(http://ec.europa.eu/transparency/civil_society/public_consultation_en.htm)

Contact

✉ SG-TRANSPARENCY-REGISTER-PUBLIC-CONSULTATION@ec.europa.eu
