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INTERNATIONAL CODE OF ETHICS FOR PROFESSIONAL LOBBYISTS©

INTRODUCTION

This International Code is intended to serve as a model on which to base national ethical guidance. It sets standards of conduct for professional lobbyists and states the fundamental principles that should be observed by professional lobbyists in order to achieve common objectives. The lobbying profession throughout the world operates in an environment with different cultures and regulatory requirements. The basic intent of the Code, however, should always be respected. It is also acknowledged that, in those instances where a national requirement is in conflict with a provision in the Code, the national requirement would prevail.

This Code is established on the basis that unless a limitation is specifically stated, the objectives and fundamental principles are equally valid for all professional lobbyists, whether they are consultants, permanent employees of interest groups or occasionally engaged in lobbying activities.

A profession is distinguished by certain characteristics including

- mastery of a particular intellectual skill, acquired by training and education,
- adherence by its members to a common code of values and conduct including
- maintaining an outlook, which is essentially objective, and
- acceptance of a duty to society as a whole.

Lobbyists' duty to their profession and to society may at times seem to conflict with their immediate self-interest or their duty of loyalty to employer.

Against this background it is beholden on member bodies to lay down ethical requirements for their members to ensure the highest quality of performance and to maintain public confidence in the profession.

THE PUBLIC INTEREST

A distinguishing mark of a profession is acceptance of its responsibility to the public. The lobbying profession's public consists of clients, public officials, employers and others who rely on the objectivity and integrity of professional lobbyists.

Professional lobbyists have an important role in society- public officials and the public at large rely on professional lobbyists for competent advice on a variety of matters. The attitude and behaviour of professional lobbyists in providing such services have an impact on the economic and social well-being of their community and country.

Professional lobbyists can remain in this advantageous position only by continuing to provide the public with these unique services at a level which demonstrates that the public confidence is firmly founded. It is in the best interest of the worldwide lobbying profession to make known to users of the services provided by professional lobbyists that they are executed at the highest level of performance and in accordance with ethical requirements that strive to ensure such performance.

In formulating their national code of ethics, member bodies should therefore consider the public service and user expectations of the ethical standards of professional lobbyists and take their views into account. By doing so, any existing "expectation gap" between the standards expected and those prescribed can be addressed or explained.

OBJECTIVES

The Code recognizes that the objectives of the lobbying profession are to work to the highest standards of professionalism, to attain the highest level of performance and generally to meet the public interest requirements set out above. These objectives require four basic needs to be met:

Credibility

In the whole of society there is a need for credibility in information transmitted.

Professionalism

There is a need for individuals who can clearly be identified by clients, employers, public officials and other interested parties as professional persons in the lobbying field.

Quality of Services

There is a need for assurance that all services obtained from a professional lobbyist are carried out to the highest standards of performance.

Confidence

Users of the services of professional lobbyists should be able to feel confident that there exists a framework of professional ethics which govern the provision of those services.

FUNDAMENTAL PRINCIPLES

In order to achieve the objectives of the lobbying profession, professional lobbyists have to observe a number of prerequisites or fundamental principles. The fundamental principles are:

Integrity

A professional lobbyist should be straightforward and honest in performing professional services.

Objectivity

A professional lobbyist should be fair and should not allow prejudice or bias, conflict of interest or influence of others to override objectivity.

Professional Competence and Due care

A professional lobbyist should perform professional services with due care, competence and diligence and has a continuing duty to maintain professional knowledge and skills at a level required to ensure that a client or employer receives the advantage of competent professional services based on up-to-date developments in practice, legislation and techniques.

Confidentiality

A professional lobbyist should respect the confidentiality of information acquired during the course of performing professional services and should not use or disclose any such information without proper and specific authority or unless there is a legal or professional right or duty to disclose.

Professional Behaviour

A professional lobbyist should act in a manner consistent with the good reputation of the profession and refrain from any conduct which might bring discredit to the profession. The obligation to refrain from any conduct which might bring discredit to the profession requires member bodies to consider when developing ethical requirements, the responsibilities of a professional lobbyist to public officials, legislators and decision-makers, clients, other members of the lobbying profession, staffs, employers, media and the general public.

Professional Standards

A professional lobbyist should carry out professional services in accordance with the relevant professional standards. Professional lobbyists have a duty to carry out with care and skills the instructions of the client or employer insofar as they are compatible with the requirements of integrity, objectivity and independence. In addition, they should conform with the professional standards promulgated by the

- the member's professional body or other regulatory body
- relevant legislation where applicable.

THE CODE

The objectives as well as the fundamental principles are of a general nature and are not intended to be used to solve a professional lobbyist's ethical problems in a specific case. However, the Code provides some guidance as to the application in practice of the objectives

and fundamental principles with regard to a number of typical situations occurring in the lobbying profession.

1. Integrity and Objectivity

- 1.1. Integrity implies not merely honesty but fair dealing and truthfulness. The principle of objectivity imposes the obligation on all professional lobbyists to be fair, intellectually honest and free of conflicts of interest.
- 1.2. Professional lobbyists should demonstrate their objectivity in varying circumstances. The reliance on lobbyists imposes a public interest responsibility on the lobbying profession. The public interest is defined as the collective well-being of the community of people and institutions the professional lobbyist serves.
- 1.3. A professional lobbyist's responsibility is not exclusively to satisfy the needs of an individual client or employer. The standards of the lobbying profession are heavily determined by the public interest. Therefore professional lobbyists should protect the integrity of their professional services and maintain objectivity in their judgment.
- 1.4. In selecting the situations and practices to be specifically dealt within ethic requirements relating to objectivity, adequate consideration should be given to the following factors
 - (a) Professional lobbyists are exposed to situations which involve the possibility of pressures being exerted on them. These pressures may impair their objectivity.
 - (b) It is impracticable to define and prescribe all such situations where these possible pressures exist. Reasonableness should prevail in establishing standards for identifying relationships that are likely to or appear to impair a professional lobbyist's objectivity.
 - (c) Relationships should be avoided which allow prejudice, bias or influences of others to override objectivity.
 - (d) Professional lobbyists have an obligation to ensure that personnel engaged on professional services adhere to the principle of objectivity.

2. Resolution of Ethical Conflicts

- 2.1. From time to time professional lobbyists encounter situations which give rise to conflicts of interest. Such conflicts may arise in a wide variety of ways, ranging from the relatively trivial dilemma to the extreme case of fraud and other similar illegal activities. It is not possible to attempt to itemize a comprehensive checklist of potential cases where conflicts of interest might occur. The professional lobbyist should be constantly conscious of and be alert to factors which give rise to conflicts of interest. It should be noted that an honest difference of opinion between a professional lobbyist and another party is not in itself an ethical issue. However, the facts and circumstances of each case need investigation by the parties concerned.

2.2. It is recognized, however, that there can be particular factors which occur when the responsibilities of a professional lobbyist may conflict with internal or external demands of one type or another. Hence

- There may be the danger of pressure from an overbearing supervisor, manager, director or partner; or when there are family or personal relationships which can give rise to the possibility of pressures being exerted upon them. Indeed, relationships or interests which could adversely influence, impair or threaten a professional lobbyist's integrity should be discouraged.
- A professional lobbyist may be asked to act contrary to professional standards.
- A question of divided loyalty as between the professional lobbyist's superior and the required professional standards of conduct could occur.
- Conflict could arise when misleading information is published which may be to the advantage of the employer or client and which may or not benefit the professional lobbyist as a result of such publication.

2.3. In applying standards of ethical conduct professional lobbyists may encounter problems in identifying unethical behaviour or in resolving an ethical conflict. When faced with significant ethical issues, professional lobbyists should follow the established policies of the employing organization to seek a resolution of such conflict. If those policies do not resolve the ethical conflict, the following should be considered:

- Review the conflict problem with the immediate superior. If the problem is not resolved with the immediate superior and the professional lobbyist determines to go to the next higher managerial level, the immediate supervisor should be notified of the decision. If it appears that the superior is involved in the conflict problem, the professional lobbyist should raise the issue with the next higher level of management. When the immediate superior is the Chief Executive Officer (or equivalent) the next higher reviewing level may be the Executive Committee, Board of Directors, Non-Executive Directors, Partners' Management Committee or Shareholders.
- Seek counseling or advice on a confidential basis with an independent advisor or the applicable professional lobbying body to obtain an understanding of possible courses of action.
- If the ethical conflict still exists after fully exhausting all levels of internal review, the professional lobbyist as a last resort may have no other recourse on significant matters (e.g. fraud) than to resign and to submit an information memorandum to an appropriate representative of that organization.

2.4. Furthermore in some countries local laws, regulations or professional standards may require certain serious matters to be reported to an external body such as an enforcement or supervisory authority.

- 2.5. Any professional lobbyist in a senior position should endeavour to ensure that policies are established within his or her employing organization to seek resolution of conflicts.
- 2.6. Member bodies are urged to ensure that confidential counseling and advice is available to members who experience ethical conflicts.

3. Professional Competence

- 3.1. Professional lobbyists should not portray themselves as having expertise or experience they do not possess.
- 3.2. Professional competence may be divided in two separate phases:
 - (a) Attainment of professional competence
The attainment of professional competence requires initially a high standard of general education followed by specific education, training and examination in professionally relevant subjects, and whether prescribed or not, a period of work experience. This should be the normal pattern of development for a professional lobbyist.
 - (b) Maintenance of professional competence
 - (i) The maintenance of professional competence requires a continuing awareness of awareness of developments in the lobbying profession including relevant

national and international regulations and statutory requirements.

- (ii) A professional lobbyist should adopt a program designed to ensure quality control in the performance of professional services consistent with appropriate national and international practices.

4. Confidentiality

- 4.1 Professional lobbyists have an obligation to respect the confidentiality of information about a client's or employer's affairs acquired in the course of professional services. The duty of confidentiality continues even after the end of the relationship between the professional lobbyist and the client or employer.
- 4.2 Confidentiality should always be observed by a professional lobbyist unless specific authority has been given to disclose information or there is a legal or professional duty to disclose.
- 4.3 Professional lobbyists have an obligation to ensure that staff under their control and persons from whom advice and assistance is obtained respect the principle of confidentiality.
- 4.4 Confidentiality is not only a matter of disclosure of information. It also requires that a professional lobbyist acquiring information in the course of performing professional services does neither use nor appear to use that information for personal advantage or for the advantage of a third party.
- 4.5 A professional lobbyist has access to much confidential information about a client's or employer's affairs not otherwise disclosed to the public. Therefore, the professional lobbyist should be relied upon not to make unauthorized disclosures to other persons. This does not apply to disclosure of such information in order to discharge the professional lobbyist's responsibility according to the profession's standards.
- 4.6. It is in the interest of the public and the profession that the profession's standards relating to confidentiality be defined and guidance given on the nature and extent of the duty of confidentiality and the circumstances in which disclosure of information acquired during the course of providing professional services shall be permitted or required.
- 4.7. It should be recognized, however that confidentiality of information is part of statute or common law and therefore detailed ethical requirements in respect thereof will depend on the law of each country.
- 4.8. The following are examples of the points which should be considered in determining whether confidential information may be disclosed.
 - (a) When disclosure is authorized. When authorization to disclose is given by the client or employer the interests of all the parties including those third parties whose interests might be affected should be considered.
 - (b) When disclosure is required by law. Examples of when a professional lobbyist is required by law to disclose confidential information are

- (i) To produce documents or to give evidence in the course of legal proceedings; and
- (ii) To disclose to the appropriate public authorities infringements of the law which come to light.

(c) When there is a professional duty or right to disclose:

- (i) To comply with professional standards and ethic requirements such disclosure is not contrary to this section;
- (ii) To protect the professional interests of a professional lobbyist in legal proceedings;
- (iii) To comply with the quality (or peer) review of a member body or professional body;
- (iv) To respond to an inquiry or investigation by a member body or regulatory body.

4.9. When the professional lobbyist has determined that confidential information can be disclosed, the following points should be considered:

- Whether or not all the relevant facts are known and substantiated, to the extent it is practical to do so; when the situation involves unsubstantiated fact or opinion professional judgement should be used in determining the type of disclosure to be made, if any;
- What type of communication is expected and the addressee; in particular the professional lobbyist should be satisfied that the parties to whom the communication is addressed are appropriate recipients and have the responsibility to act on it; and
- Whether or not the professional lobbyist would incur any legal liability having made a communication and the consequences thereof.

In all such situations the professional lobbyist should consider the need to consult legal counsel and/or the professional organization (s) concerned.

5. Publicity

5.1. In the marketing and promotion of themselves and their work, professional lobbyists should:

- (a) not use means which bring the profession into disrepute
- (b) not make exaggerated claims for the services they are able to offer, the qualifications they possess, or experience they have gained, and
- (c) not denigrate the work of other lobbyists.

GUIDELINES

1. ETHICAL GUIDELINES FOR RELATIONS WITH LEGISLATORS, LEGISLATOR STAFF AND OTHER POLICY MAKERS

1.1. The ethical qualities of respect for persons, credibility, honesty, accuracy and civility should especially characterize the lobbyist's relations to policy makers. Respect for others implies that one does not manipulate their choice by presentations that one knows are untruthful or misleading. Legislators must rely on lobbyists for relevant information in drafting laws and regulations. Lobbyists serve both an educational and advocacy role. Since the educational role enhances lobbyists' access to legislators and enable them to perform their advocacy role, lobbyists have an especially stringent obligation to handle information with integrity in order to preserve the system of government.

1.2. In order to discharge his/her responsibilities, the lobbyist should undertake whatever inquiry is reasonably necessary to learn the salient facts bearing on the position being advocated and the statements being made.

1.3. The lobbyist has an obligation to provide accurate and updated information and representations made to policy makers and an obligation to refrain from misleading them by providing distorted information. If a change in the facts underlying important information that the lobbyist has already provided makes the information inaccurate, or if the lobbyist learns that the underlying facts were not as previously understood and that the information was inaccurate, and if the lobbyist knows that the policy maker may still be relying upon the information, the lobbyist has an obligation to correct the record.

1.4. The lobbyist has an obligation to avoid misrepresenting to policy makers the source and degree of the policy maker's constituent support for a position for which the lobbyist is advocating e.g. attempting to create the appearance of citizen support for a special (often unpopular) interest.

1.5. The lobbyist has an obligation, in at least some instances to provide a policy maker with considerations that may weigh against the lobbyist's own position. Lobbyists may find themselves in a non adversarial situation and believe themselves to be the primary source of information for a policy maker. If the lobbyist believes that there is a substantial risk that the policy maker may be unaware of important information adverse to the position being advocated and that no one else is likely to bring that information to the policy maker's attention, the lobbyist should do so, but may explain why the policy maker should not find the adverse information influential or decisive. This approach will ensure fair deliberation in the process of government for the citizens. It will also help the policy maker avoid being blindsided by future criticism of the oversight, and will give lobbyists the opportunity to fully serve their clients by ensuring that the full force of the clients' case against the other point of view is fully appreciated.

1.6. The lobbyist should not conceal or misrepresent the identity of the client whose interests and positions are being advanced. Because the policy maker's choice may turn not only on the arguments advanced by the proponents and advocates of a position, but also on their identity, the lobbyist should not participate in creating or representing a 'front organization' that conceals the true identity of the clients whose interests and positions are being advanced.

1.7. The lobbying strategies used with policy makers should not compromise their real or perceived independence. This could occur in several ways, such as when fund raising efforts or campaign contributions or the threat of negative publicity are linked to support of a particular policy objective.

1.8. The lobbyist has an obligation to avoid the use of false claims, half truths, distortions and misrepresentations in advocating on behalf of a client and an obligation to refrain from unjustified attacks on the character of opponents.

Unethical advocacy poisons and polarizes the civic and legislative atmosphere, undermines the democratic process by making future policy deliberations and appropriate political compromise much more difficult and corrupts citizens' deliberative process by confusing voters with misinformation on legislative issues.

This obligation does not preclude a lobbyist's duty to be the strongest advocate for a client's position within the constraints of the law, morality and the public interest. It does not preclude pointing out the flaws in an opponent's case; it does not preclude responding to unfounded charges. It does remind lobbyists that advocacy for the client is not the highest obligation, but is subject to the constraints of the law, morality and the public interest. The obligation applies to lobbyist's efforts in the legislative process. Unethical behaviour as described above can have the same deleterious effects on the legislative process in whichever arena in which it occurs.

1.9. The lobbyist has an obligation to show respect for the policy makers by not encouraging them to violate the law or their own professional standards of ethics.

1.10. Certain tactics are inappropriate in pursuing a lobbying engagement. The responsible exercise of the lobbying profession constrains the selection of lobbying strategies and tactics.

(a) It is wrong to knowingly sponsor or disseminate false information about a candidate, person or issue. Unless the information is not likely to be harmful to another person or to affect a policy-maker's decision, the lobbyist must promptly take steps to rectify the situation after learning that he/she has disseminated such false information without knowing that it was false.

(b) It is wrong to engage in attacks on a person's character, or participate in the process of doing so, unless the information offered is directly relevant to the merits of the issue being advocated.

(c) It is wrong for the lobbyist to design a campaign that is intended to divert attention from the actual impact of the policy being advocated by focusing on irrelevant or "phantom" issues intended to frighten any group or divert the public's attention from the true issues at stake.

1.11. Because a policy maker's judgement may inappropriately consider not only the nature of a proposal but also to identify the identity of the active proponents or opponents of a position, the integrity of the lobbying process requires, that except in extraordinary circumstances, the lobbyist should clearly identify all of the interests being represented in an attempt to influence policy.

2. ETHICAL GUIDELINES FOR RELATIONS WITH CLIENTS

A 'client' refers to any entity that compensates lobbyists for services, including corporations, labour unions and associations that have employees serving as lobbyists as well as institutions with contract lobbyists.

The ethical qualities of loyalty, confidentiality, forthrightness, honesty and obedience to the law especially characterize a lobbyist's relation to clients.

2.1. The lobbyist should only undertake or pursue an assignment for a client whose senior management is genuinely committed to acceptable ethical conduct. The lobbyist has a responsibility to advise the client about the potentially harmful impact of the lobbying objectives, strategies and tactics being considered. This principle applies not only to the client's explicit interests and public reputation, but also to the probable effect of the lobbying goals and strategies on the common good and on the legitimate concerns of other groups, especially the poor or under-represented.

2.2. In determining whether to retain a particular lobbyist, a client should examine and evaluate the lobbyist's ethical history in the practice of lobbying. A client should not knowingly retain a lobbyist or lobbying firm found to have acted unethically, without first candidly discussing this history with the lobbyist and evaluating the response.

2.3. In discussing potential retention by a prospective client, the lobbyist should not misrepresent his/her experience, political skills, and probable access in lobbying for a particular policy. If the lobbyist or the lobbyist's firm lacks adequate resources or the relevant contacts to represent a client effectively on a particular matter, the lobbyist should inform the client or prospective client. The lobbyist should also inform the client or potential client of all prior lobbying efforts on the issue in which the lobbyist has engaged.

2.4. Before accepting an engagement or assignment from a prospective client, the lobbyist should examine and evaluate the prospective client's history as it relates to lobbying. The lobbyist should not knowingly accept an engagement from a client found to have acted unethically, without first discussing this history with the prospective client and evaluating the response.

2.5. The lobbyist has an obligation to be completely truthful and honest with clients and to provide them with the lobbyist's best judgement about the most effective and ethically acceptable lobbying options and strategies to promote the client's best interests and give the clients the opportunity, whenever appropriate to choose between those options and strategies. Lobbyists have an obligation to keep the client reasonably informed of the progress of lobbying activity on behalf of the client.

2.6. In formulating advice, the lobbyist is not limited only to issues of political feasibility and legal compliance but should also discuss the moral, economic, social and civic factors that may be relevant to the client's situation and objectives.

2.7. The lobbyist should inform the client whether the proposed lobbying objectives and strategies are, in the lobbyist's judgement, ethically questionable.

2.8. The lobbyist has a responsibility to give advice to the client concerning the potentially harmful impact of the lobbying objectives, strategies and tactics. This principle applies not only to the client's objectives and public reputation but also to the probable effect of the lobbying objectives and strategies on the common good or on the legitimate interests of other persons or groups, especially the poor and under-represented.

2.9. The lobbyist should maintain appropriate confidentiality of client information and should not disclose confidential information without the client's informed consent.

2.10. The lobbyist should inform the client of all significant actions taken on its behalf, including coalitions formed and political contacts pursued.

2.11. It is wrong for the lobbyist to claim credit for accomplishments for which he/ she did not contribute or to which the contribution was minimal.

2.12. The lobbyist has an obligation to disclose fully to the client any conflicts of interest, anticipated conflicts of interest or, in the judgement of the lobbyist, appearances of conflicts of interest and an obligation to rectify such conflicts when the lobbyist becomes aware of them. A conflict of interest exists (i) if the lobbyist will be called upon to advocate a position on an issue when the lobbyist is also representing another client on the same issue with a conflicting position or (ii) if the lobbyist's own personal beliefs, relationships or interests, including a sense of civic obligation are likely to compromise the effort with which the lobbyist advocates the client's position on an issue. This obligation is especially important for lobbyists serving multiple clients whose interests may conflict on particular occasions and with respect to particular issues.

2.13. The lobbyist has an obligation of loyalty to clients. Lobbyists are expected to be the most effective advocates they can be on behalf of their clients, within the constraints of law, common morality and the public interest. Unethical behaviour is not justified in the pursuit of the client's ends.

3. ETHICAL GUIDELINES FOR RELATIONS WITH FELLOW LOBBYISTS

Lobbyists need to maintain collegial relations with fellow lobbyists over extended periods of time. Adversaries may need to work together in the future. Pressures in the lobbyist environment increasingly create a competitive and contentious atmosphere that can lead to perceptions of unethical treatment by colleagues and ruptured relations. Consequently, relations between fellow lobbyists should be especially characterized by mutual respect, truthfulness, civility and tolerance for opposing points of view. An atmosphere of mutual respect, civility, trust and collegiality among lobbyists enhances the quality of the legislative process and elevates the profession.

3.1. The lobbyist has an obligation to respect all lobbyists' professional relations with their clients and an obligation not to attempt to undermine or interfere with that relationship or to solicit the business of a colleague's client. A lobbyist is free to respond to inquiries initiated by clients who may be seeking to change or increase their representation.

3.2. The lobbyist has an obligation to be honest and truthful with lobbyist colleagues. This obligation does not imply an obligation to reveal appropriately confidential information regarding strategy or tactics of a lobbyist on behalf of a client.

3.3. To promote the integrity of the profession, the lobbyist who obtains information establishing that another lobbyist has engaged in unlawful conduct as part of the lobbying process, including violations of the laws regarding bribes, gratuities should bring this information to the attention of the appropriate public officials charged with dealing with such violations.

3.4. The lobbyist has an obligation to treat fellow lobbyists, both allies and adversaries, with respect and civility during the sometimes heated lobbying process and an obligation to avoid contributing to an atmosphere of mean-spiritedness or uncollegial behaviour. Lobbyists have an obligation to be truthful about colleagues and to avoid even the appearance of undermining a colleague. One manifestation of this respect for fellow lobbyists is that lobbyists will refrain from efforts to undermine a fellow lobbyist by criticizing legislative initiatives or that fellow lobbyist in matters unrelated to the lobbyist's lobbying responsibilities.

3.5. The lobbyist has an obligation to make a good faith effort to restore and maintain civil relations with colleagues if those relations have been ruptured. It is easier to avoid a rupture in collegial relations than to repair it. Consequently, lobbyists should do all they can to resist elevating a conflict with a colleague, but rather, to take measured steps to defuse a conflict. The ideal should be to reach a reconciliation that allows lobbyists to continue working together with mutual respect. The following procedures are recommended:

3.6. Lobbyists who believe they have a conflict with a colleague should try to ascertain all the facts before acting. Mutual respect requires the lobbyist approach the colleague to discuss the issue and try to resolve the issue immediately.

If this approach does not resolve the issue or dispute, both lobbyists may seek a mediator. When the issue in dispute is ethical, resolution can be difficult because both parties may feel they have been morally wronged. Traditional mediation techniques of seeking compromise from both sides may not be effective in such situations. Consequently it may be important to have someone as mediator who can assist in thinking through the ethical issues involved.

4. ETHICAL GUIDELINES FOR RELATIONS WITH THE LARGER COMMUNITY

4.1. The pursuit of lobbying must take into account the common good, not merely a particular client's interest narrowly considered.

4.2. A genuine commitment to the common good, the comprehensive and enduring well being of the political community as a whole, by clients, lobbyists, and policy makers, is essential if the integrity of democracy is to be preserved and enhanced. To secure this end, the concerns of all citizens who may be affected by specific legislative and policy decisions should be effectively represented in the decision-making process.

4.3. Since the purpose of lobbying is to influence the making of public policy, lobbyists should recognize that their responsibilities are different from those of an advocate in a purely private controversies between two adversaries, such as the parties to a lawsuit. By its nature, the lobbying process is designed to influence policy makers whose choices will have much broader political consequences.

4.4. In deciding whether to undertake an engagement or assignment and in determining what arguments to advance in support of, or in opposition a lobbyist should weigh the implications of their efforts for the well-being of the country as a whole; and should inform both their client and the policy maker to the probable economic, social and political consequences of the policy objectives being pursued.

4.5. The lobbyist should give special attention to the effects of government action or inaction on the least advantaged and most vulnerable citizens.

4.6. While serving as an advocate for a client's position, the lobbyist retains a personal responsibility as a citizen for the fairness, integrity and effectiveness of the policy making process as well as for the substantive political outcomes to which it leads.

4.7. Citizens have a right to expect that lobbyists recognize a general obligation to protect the integrity of the entire political system within which the profession works.

4.8. Lobbyists have an obligation to avoid distorting policy makers' perceptions of citizen support for policies.

4.9. Lobbyists have an obligation to avoid engaging in unlawful behaviour or practices on behalf of positions advocated.

4.10. Lobbyists have an obligation to refrain from taking advantage of any relationship with policy makers to further legislation or regulation the lobbyist can reasonably be expected to believe will be injurious to the public.

4.11. Reasonable persons may differ on the effects of legislation in many instances. Nevertheless, there are sometimes clear cut instances in which the lobbyist may be asked to lobby for something in the client's interest that is not in the public interest, for example, if it clearly puts the public's safety at risk.

4.12. The lobbyist has an obligation to deal honestly and forthrightly with all other publics including the news media. The media are the prime source of information regarding legislative business for most citizens. Therefore, any intentional misrepresentation in the media could be construed as an unethical misrepresentation to the citizens.

5. ETHICAL GUIDELINERS FOR RELATIONS WITH THE MEDIA

National public opinion is heavily influenced by the communications media. The democratic process requires that the policy maker, the communications media and the public are accurately informed about who is promoting a particular policy and who is funding and supporting the efforts made on its behalf. The use of the media in lobbying campaigns is therefore subject to the following principles.

5.1. The lobbyist may implement a lobbying strategy that involves attempting to influence policy makers through media reporting and editorial commentary. In pursuing such a strategy, the lobbyist should not engage in conduct with the media that would be improper if addressed directly to the policy maker. This principle includes the obligations to avoid misleading statements of fact and to avoid misrepresenting the identity of the client.

5.2. In dealing with the media on behalf of a client, and subject to the obligation to maintain the confidentiality of the client's confidential information, it is wrong for the lobbyist to intentionally obstruct or manipulate a journalist's efforts to seek accurate information that affects public policy decisions and to report on that information fairly and objectively.

5.3. It is wrong for the lobbyist to use campaign strategies that create unfair advantages in the decision making process for their clients. Such strategies could include "phantom" grass roots campaigns, "front" groups intended to conceal the true identity of the clients whose interests are being advocated, saturation advertising that distorts the merits of a particular issue, unscrupulous pressure on public officials, or the inordinate expenditure of money to create a very uneven playing field. This principle is particularly important in the use of political advertising in which the public has the right to know the true identity of the clients whose interests are being advocated.

6. ETHICAL GUIDELINES FOR RELATIONS WITH THE PROFESSION

6.1. The lobbyist has an obligation to promote the integrity of the lobbying profession and public understanding of the lobbying process. Lobbyists have an obligation to conduct themselves in such a way that they maintain public respect for the profession. Respect is essential for lobbyists to be able to perform their professional functions and contribute to the public good.

6.2. The lobbyist has an important and legitimate role to play in the political and decision-making process. At this time there is much public ignorance and distrust of the lobbying profession. Many members of the public are openly critical of lobbyists' political influence. Many other critics misunderstand the nature of the lobbying process and its appropriate role in shaping public policy. It is in the common interest of the lobbying profession and citizens that the public become better educated about the systemic effects of lobbying on the health of democracy. The responsibility for this educational mission clearly rests in part with lobbyists themselves.

6.3. The lobbyist should help educate the public about the appropriate role of lobbying in a democratic society and should promote understanding of and confidence in the lobbying process.

6.4. The lobbyist should be actively concerned not only about personally observing standards of ethical conduct, but also about enhancing the public image and reputation of the lobbying profession.

6.5. As a particularly active and influential participant in the democratic political process, the lobbyist should recognise that the quality, depth and fairness of public debate on a question of

public policy is more important than the quantity of pressure used to influence the policy makers.

6.6. Lobbyists have an obligation to avoid wrongdoing and the appearance of wrongdoing in all professional activity. The public can sometimes judge only on the appearance of wrongdoing, and even the appearance of wrongdoing undermines the credibility of the profession, lobbyists' clients and employers, legislators and the legislative and political process.

6.7. As a citizen engaged in a profession with a central role in the political process, the lobbyist should inform and educate both the client and the policy maker rather than simply reinforcing that person's pre-existing views. The lobbyist should inform clients and public officials about any significant, unjust consequences of a policy position being advocated.

6.8. Lobbyists have an obligation to take responsibility for their personal ethical integrity. This obligation includes abiding by and publicly supporting ethical guidelines, participating in educational programmes in ethics and self-policing.