European Parliament/European Commission Agreement: transparency register for organisations and self-employed individuals engaged in EU policy-making and policy implementation

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PURPOSE: to reach an interinstitutional agreement on the establishment of a **common transparency register** for European lobbyists.

INTERINSTITUTIONAL AGREEMENT: agreement between the European Parliament and the European Commission on the establishment of a transparency register for organisations and self-employed individuals engaged in EU policy-making and policy implementation.

CONTENT: this text seeks to establish a transparency register common to the three institutions for the registration and monitoring of organisations and self-employed individuals engaged in EU policy-making and policy implementation.

Principles of the register: the establishment and operation of the register shall respect the general principles of Union law, including the principles of proportionality and non-discrimination. The establishment and operation of the register shall respect the rights of Members of the European Parliament to exercise their parliamentary mandate without restriction, and shall not impede access for Members' constituents to the European Parliament's premises. The establishment and operation of the register shall not impinge on the competences or prerogatives of the parties hereto or affect their respective organisational powers. The parties hereto shall strive to treat all operators engaged in similar activities in a similar manner, and to allow for a level playing-field for the registration of lobbyists.

Structure of the register: guidelines are laid down in regard to i)the scope of the register, eligible activities and exemptions; ii) sections open to registration; iii) information required from registrants, including the financial disclosure requirements. The text also includes a specific code of conduct, as well as a complaint mechanism and measures to be applied in the event of non-compliance with the code of conduct.

Scope of the register: the scope of the register covers all activities carried out with the objective of directly or indirectly influencing the formulation or implementation of policy and the decision-making processes of the EU institutions.

Excluded activities: the following activities are excluded from the scope of the register: i) activities concerning the provision of legal and other professional advice; ii) activities of the social partners as participants in the social dialogue (trade unions, employers associations, etc.) when performing the role assigned to them in the Treaties ; iii) activities in response to direct and individual requests from EU institutions or Members of the European Parliament, such as ad hoc or regular requests for factual information, data or expertise and/or individualised invitations to attend public hearings or to participate in the workings of consultative committees or in any similar forums.

Churches and religious communities, political parties, and regional, local and municipal authorities are not concerned by the register. However, networks, platforms or other forms of collective activity which have no legal status or legal personality but which constitute de facto a source of organised influence and which are engaged in activities falling within the scope of the register are expected to register.

Basic rules applicable to registrants: by registering, organisations and individuals concerned:

- agree that the information which they provide for inclusion in the register shall be public,
- agree to act in compliance with the code of conduct and, where relevant, to provide the text of any professional code of conduct by which they are bound,
- guarantee that the information provided for inclusion in the register is correct,
- accept that any complaint against them will be handled on the basis of the rules in the code of conduct underpinning the register,
- agree to be subject to any measures to be applied in the event of infringement of the code of conduct,
- note that the parties hereto may have to disclose correspondence and other documents concerning the activities of registrants.

Code of conduct: non-compliance with the code of conduct by registrants or by their representatives may lead, following an investigation paying due respect to the principle of proportionality and the right of defence, to the application of measures, such as suspension or removal from the register, and, if applicable, withdrawal of the badges affording access to the European Parliament issued to the persons concerned and, if appropriate, their organisations.

General provisions: technical implementation measures are provided for. The Secretaries-General of the European Parliament and the European Commission shall be responsible for supervision of the system and for all key operational aspects. The issue and control of badges affording long-term access to the European Parliament's buildings will remain a process operated by that institution. Such badges will only be issued to individuals representing, or working for, organisations falling within the scope of the register where those organisations or individuals have registered. However, registration shall not confer an automatic entitlement to such a badge.

The European Council and the Council are invited to join the register. Other EU institutions, bodies and agencies are encouraged to use this system themselves as a reference instrument for their own interaction with the organisations and self-employed individuals concerned.

Final provisions: the switchover from the existing registers of the parties hereto to the new common register will take place over a transition period of 12 months from the day of entry into operation of the common register.

Once the common register has entered into operation:

- registrants will be able to switch their existing registration to the common register,
- any new registration or update of existing data will only be possible through the common register.

The common register shall be subject to review no later than 2 years following its entry into operation.