



Deutscher Bundestag

UAL ZR / ZR 4

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## **Lobbying Register**

for the representation of Special Interests

vis-à-vis the German Bundestag and the Federal Government

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### **Report of the Registry pursuant to Section 9 (1) of the Lobbying Register Act on the maintenance of the Lobbying Register in the period from January 1, 2022 to December 31, 2024**

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## Imprint

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Communication  
from the President of the German Bundestag

Report by the Registry Established under Section 9 (1) of the Lobbying Register Act on the Maintenance of the Register during the Period from 1 January 2022 to 31 December 2024

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## 1 Introduction

The representation of societal interests to politicians and in public is an essential component of every democracy. The central fundamental rights form the constitutional foundation for such activities. These rights include, for example, freedom of opinion and freedom of association, but also freedom of assembly and the right of petition. In particular, the ability to join together with others and give expression to common interests is a precious good, one by which the degree of liberty enjoyed in any society can also be measured.

The significance and necessity of the representation of special interests are, however, also integral to the participatory nature of the principle of democracy itself: citizens who are constantly being affected by political decisions can be, and are also supposed to be, initiators and drivers of political and social change themselves. By organising in clubs, societies, associations or other social movements, within which they articulate shared political positions or lines of argument, they can stimulate changes in the political and legal parameters for concrete fields of policy that concern them personally or in which they are interested. And this is not just done publicly, but of course through direct contacts with decision makers in Parliament and the government as well.

The representation of special interests directly targeted at decision makers in Parliament and the government is known today as “lobbying”, to which the legislature was also explicitly referring when it passed the *Lobbying Register Act* (Act Introducing a Lobbying Register for the Representation of Special Interests vis-à-vis the German Bundestag and the Federal Government – *Lobbyregistergesetz*, LobbyRG).

During the first few decades of the Federal Republic of Germany, it was above all large organisations concerned with economic and social issues, such as business groups, professional associations and trade unions, but also charities and the churches, that moulded the shape of the lobbying landscape. Since the 1970s, it has been possible to observe continuous growth in other kinds of interest groups: against the background of changes within society – and then later globalisation –, non-governmental organisations, as they are known, think tanks, volunteer organisations and “grassroots movements” have become ever more active. They frequently concentrate on specific sociopolitical issues, such as the environment, climate change, sustainability, animal welfare, human rights, food, health, consumer protection, education, digitalisation, diversity, inclusion and societal participation, to mention just a few examples. These interests, which were regarded for a long time as practically impossible to organise groups around at the national level, are an integral component of the contemporary lobbying landscape. Today, the representation of special interests is therefore as colourful and diverse as society itself.

The lobbying of politicians has been a central part of democratic give and take since ancient times. Democracy lives from dialogue and the balancing of interests. The institutionalised scrutiny of arguments is elementary for a functioning democracy.

In addition, political decision makers in Parliament and the government are, in practice, more reliant than ever on learning about the interests and problems of different societal milieux so they can better understand the background to issues they are dealing with and reach balanced decisions.

In view of the increasing complexity of the matters that need to be regulated in law, neither Germany’s ministerial administrations nor the Members of the German Bundestag are capable of gaining a comprehensive overview of the diverse repercussions and (unwanted) side effects of their decisions without tapping into interest groups’ expertise. Furthermore, technological progress, societal change and increasing international interconnectedness are leading to the constant emergence of ever more new fields that need to be regulated.

What is more, by mirroring a broad diversity of interests and problems, by drawing together information and arguments, the representation of special interests can help to improve the quality of legislation – especially as laws’ consequences and impacts can also be better estimated as a result.

But: no matter how significant the representation of special interests is for the democratic processes of opinion-forming and decision-making, the general societal acceptance of political decisions is just as indispensable.

Not least on account of a small number of – widely publicised – scandals and sometimes perplexing nexuses of interests, the influence exerted by interest groups on political decisions often meets with scepticism and unease among the public. This is true in particular if people suspect impermissible influence is being wielded by organisations that are financially powerful or have particularly good political connections. It can not only prompt worries that individual interests are acquiring too much power, potentially resulting in one-sided influence over decisions or even politicians being “bought”, corruption and nepotism.

It also explains why lobbying frequently has negative connotations. Again and again, it is associated with secret agreements and manipulation, rather than specialist knowledge and participation.

Above all, the assumption that there are excessively close ties between politicians and businesspeople is worrying for many citizens. Suspicions are expressed again and again that lobbyists could be feeding incorrect information to decision makers, without this being detected. In particular due to the fears that, for example, it might remain obscure who is acting on whose behalf, unfair agreements are made out of the public eye and individual interests might consequently be able to get their way contrary to the common good, lobbying is therefore often associated with illegitimate attempts to influence politics.

Where the participation of representatives of special interests in political decision-making stays opaque and it remains impossible for outsiders to work out who the actors are and what exactly is going on, trust in politics and the integrity of democratic institutions and processes may be jeopardised.

If this danger is to be countered, a great deal depends on how comprehensibly political decision-making processes are organised. One key way of improving the situation is to ensure transparency in this field, because **transparency strengthens trust**.

Citizens should know the circumstances under which, and the basis on which, political decisions are taken. This is predicated on access to information about what actors are attempting to influence political decisions, whose interests they are acting in, what budgets they have, and what their aims and arguments are. The transparency of the representation of special interests can therefore be important in helping to **strengthen the legitimacy of political decisions**.

Transparency is obviously not enough on its own to resolve all problems and, in particular, eliminate the imbalances that exist in the broad field of the representation of special interests. However, it promotes a certain equality of opportunity by creating a level playing field for all participating actors, whether they are businesses, associations, legal firms, agencies, non-governmental organisations or other bodies, or even think tanks, loose networks, platforms or individual people. It can thus help to prevent the one-sided capture of politics by influential and particularly well-financed lobbyists.

In order to foster such transparency about the representation of special interests, and thus bolster trust in democratic opinion-forming and decision-making processes at the federal level in Germany, the legislature adopted the **Lobbying Register Act**, which entered into force on 1 January 2022. Furthermore, under the **Code of Conduct** agreed at the same time, representatives of special interests are bound to uphold the principles of openness, transparency, honesty and integrity.

The establishment of this new legal framework followed many years of in-depth discussions, in which numerous representatives of special interests themselves had also called repeatedly for the introduction of a public register that would be mandatory and robust (i.e. underpinned by sanctions).

Although the “lobbying register” is an instrument that has already been used for years in many other democracies around the world (since 1989 in Canada, for instance, since 1995 in the USA and since 2011 at the EU level), all Germany had from 1972 to 2021 was a “Public List” of associations who represented special interests to the German Bundestag or the Federal Government, but this was only based on voluntary entries and was therefore never exhaustive.

With the mandatory Lobbying Register established at the federal level on 1 January 2022, the public was at last put in a position to find out who in the lobbying industry was acting on whose behalf and how their activities representing special interests were being financed.

On account of its broad statutory scope – despite some exemptions from the obligation to register provided for in the Act –, the Lobbying Register does not reflect economic interests alone, but the diversity of different interests within society. Consequently, the Lobbying Register also makes it possible to obtain a good overview of the organisations and persons that pursue aims relating to many topical policy issues at the federal level. The Lobbying Register can therefore serve scholars, the press and the general public, but not least the lobbying sector itself too, as a tool with which to identify relevant initiatives and organisations working on a particular set of issues. The Lobbying Register also gives decision-makers in Parliament and the government a suitable instrument with which they can inform themselves about the people and organisations who approach them in advance of any contacts that take place.

The first version of the Lobbying Register Act, which took effect as of 1 January 2022, obliged representatives of special interests **mainly to provide structural information**. Alongside an expansion of structural transparency, the reform of the Lobbying Register Act that came into effect on 1 March 2024 has now made the **substance of the representation of special interests identifiable** to a far greater extent as well.

In the meantime, it is already possible to find more than two million individual pieces of publicly accessible information in the Lobbying Register about who is representing special interests at the federal level, what their financial expenditure is, who is commissioning their activities, how these activities are financed (potentially with funds from third states as well), how many and which people are deployed to do this, whether these individuals previously worked in politics or public authorities themselves (the “revolving door effect”), what concrete regulatory proposals are being pursued by representatives of special interests and what essential written statements or expert opinions they use to support their arguments.

The Lobbying Register internet application developed by the Bundestag Administration provides this information publicly, offering it in a convenient, searchable, machine-readable format, which makes it a continuously growing source of constantly up-to-date information.

There is no disputing that, in view of the extensive particulars that have to be disclosed under the legislation, the introduction of the Lobbying Register has resulted in considerable efforts being made by representatives of special interests: the many pieces of data that need to be provided have to be identified regularly within these organisations and made available in the Lobbying Register application on an ongoing basis.

The challenges faced applying the Lobbying Register Act are as diverse as the lobbying landscape itself, which consists of about 3,000 smaller organisations and individuals representing special interests on a voluntary basis or with very modest financial expenditure of less than 10,000 euros a year, as well as the big associations and businesses that spend up to 15 million euros within a financial year solely on federal-level political lobbying, some of them entrusting hundreds of people with the representation of special interests.

Again and again, however, the Registry also receives feedback that, despite the effort they demand, the new statutory requirements have certainly had positive effects for the sector’s organisations as well. They are said to have resulted in a sensible tightening-up of lobbyists’ internal *compliance rules* and the introduction of specific *governance models*, which are claimed to have boosted internal transparency and delivered increases in efficiency. Not only that, lobbyists emphasise repeatedly how helpful it is for them to be able to find out about what other actors (with the same or different aims) are doing, and they can therefore pursue their own goals and interests accordingly more effectively.

This is the first report by the Registry established pursuant to Section 9 (1) of the Lobbying Register Act and deals with the period from 1 January 2022 to 31 December 2024, therefore covering the first three years of the Register’s existence. It also had to include the development of the Register application and the establishment of the Registry before the Register was actually launched. Furthermore, it also gives accounts of the phases when the first registrations and first annual updates were being made, the reform of the Lobbying Register Act and the adjustment of the Register’s entries to comply with the new legal regime.

During this period, both the legislation and the Register itself, how it is used, the networks of which it is part and the Registry have constantly been evolving and changing. With the present report, the Registry is creating transparency about these developments.

## 2 Legal framework

The Lobbying Register Act is the first instrument to formulate **binding requirements, underpinned by sanctions**, for lobbying at the federal level.

The core element of the Act is the obligation for representatives of special interests to enrol in the Register and, in so doing, provide various particulars concerning their own identity and the interests they represent. Infringements of the obligations to register and enter the required particulars are regulatory offences and punishable with fines. The Act also regulates how the Register is to be established and maintained. The Act entered into force on 1 January 2022.

By means of a legislative decision of 19 October 2023, the Lobbying Register Act was amended in numerous places and, in particular, extended (“tightened up”) with a view to further increasing transparency in the lobbying industry; the amendments took effect on 1 March 2024.

The following section outlines the original legal regime created by the Lobbying Register Act, including a treatment of the parts of it that remain in force (*section 2.1*). The innovations that resulted from the reform of the Act that entered into force on 1 March 2024, which are significant for efforts to increase transparency, are then presented (*section 2.2*). Lastly, the Code of Conduct is explained (*section 2.3*).

## 2.1 The Lobbying Register Act from 1 January 2022 to 29 February 2024

The Lobbying Register Act which entered into force on 1 January 2022 (“the old Act”, “old LobbyRG”) was already broad in scope. Its starting point was the key concept of the **representation of special interests**, the **legal definition** of which has not changed. Under section 1 (3) of the Act, it is to be understood as

*any contact made for the purpose of directly or indirectly influencing the process of formulating aims or taking decisions conducted by [...] the German Bundestag or [...] the Federal Government.*

This definition already anticipates the second element, namely the **addressees of lobbying** – the Bundestag and the Federal Government. Section 1 (1) and (2) of the old Act indicate which specific subdivisions or levels of those institutions are encompassed.

In the case of the Bundestag, the definition originally covered its bodies, Members, parliamentary groups and groupings; in the case of the Federal Government, the addressees, besides the federal chancellor and the federal ministers (the Federal Government as defined in Article 62 of the Basic Law (*Grundgesetz*)), comprised all subordinate levels, down to the heads of directorates in the Federal Chancellery and the government ministries.

The third and similarly broadly defined element of the scope of the Act, finally, is the **circle of representatives of special interests**. This comprises not only natural and legal persons and partnerships, but also other organisations not specifically defined in legal terms, including those in the form of networks, platforms or other forms of collective activities, which engage in the representation of special interests as defined by law themselves or commission such representation on their behalf (Section 1 (4) LobbyRG).

The scope described above governs the **duty of registration**, which is the core element of the Act, but that duty only comes into play if the representation of special interests reaches a certain **level of significance**. The legislature originally defined significance on the basis of **four criteria** (Section 2 (1) LobbyRG). The first three of these remained unchanged after the reform. Under the relevant provisions, an obligation to register without delay applies if the representation of special interests is carried out on a regular basis (indent (1)), if it is established on a permanent basis (indent (2)) or if it is carried out commercially for third parties (indent (3)). For the fourth criterion, the obligation depended on the number of contacts: registration was mandatory if more than 50 separate contacts had been made in the course of the previous three months for the purpose of representing special interests (indent (4) old LobbyRG).

Even in the original version, the legislature had provided, in Section 2 (2), (3) and (4) of the Act, for numerous **exemptions from the obligation to register**. These were based on various situational, activity-related, personal or organisational factors, all of which exempted lobbyists from the duty of registration only “*if and in so far as*” the relevant ground for exemption applied to the entirety of their representation of special interests. The following are among the most relevant grounds for exemption in practice:

- participation in public committee hearings, public congresses or other public events held by the German Bundestag (Section 2 (2) (4) LobbyRG),
- contacts made in response to direct and individual requests from the addressees of lobbying for factual information, data or specialised knowledge (Section 2 (2) (5) and Section 2 (3) (5) LobbyRG),
- exercise of public offices or mandates (Section 2 (2) (6) LobbyRG),
- efforts to influence working and economic conditions on the part of associations of employers or employees within the meaning of Article 9 (3) of the Basic Law (Section 2 (2) (7) LobbyRG),
- registrants’ provision of legal advice for, or legal representation of, third parties or themselves (Section 2 (2) (8) LobbyRG) and
- acting in the capacity of a church or other community based on a religious or philosophical creed (Section 2 (2) (12) LobbyRG).

With regard to the exemptions from the obligation to register, the original version of the Lobbying Register Act already provided for the option of **voluntary registration** by representatives of special interests, and that provision underwent only editorial adjustment in the reform. As in the case of mandatory registration, all of the required particulars must be entered by voluntary registrants (Section 2 (5) LobbyRG). Exemptions from this rule apply only in cases where the publication of particulars may be waived on grounds of their constitutional sensitivity.

The substantive core of the Lobbying Register Act, finally, is the **mandatory information** listed in Section 3 (1) (1) to (8), of the Act. In the original version, the disclosure obligations were focused predominantly on the lobbyists themselves and their resources, and less on the objectives and substance of their lobbying, which meant that the primary aim of the Lobbying Register Act in its original form was structural transparency.

Accordingly, various particulars had to be provided first of all on the identity of the representatives of special interests, a distinction being drawn between natural persons, on the one hand, and, on the other hand, legal persons, partnerships and other organisations. The former were required to enter the following particulars: forename and surname, date and place of birth, address and electronic contact details (Section 3 (1) (1) (a) to (d) old LobbyRG). In the latter case, the following particulars were required: registered company name, company trading name or name of the organisation, legal form, statutory representatives, address and electronic contact details and, if applicable, number of members, memberships and names of each member of staff engaging directly in the representation of special interests (Section 3 (1) (2) (a) to (e) old LobbyRG).

For all representatives of special interests, information was also to be provided on the number of employees involved in the representation of interests (Section 3 (1) (5) old LobbyRG) and on financial aspects, such as expenditure on the representation of interests, allowances and grants from the public purse, and gifts from third parties. Legal persons not subject to disclosure obligations under commercial law, moreover, were required to submit annual accounts or management reports (Section 3 (1) (6), (7) and (8) old LobbyRG).

Under the old legal regime (Section 3 (2) old LobbyRG), it was possible to withhold the financial particulars. That, however, was noted in the lobbying register and had consequences for the exercise of lobbying activities (*see section 5.3*).

In the case of registrants representing the interests of clients, particulars of the clients' identity had to be provided (Section 3 (1) (4) old LobbyRG).

Under the old legal regime, the only connection with the substance of the representation of special interests lay in the obligation, which still applies, to indicate areas of interest and objectives. That information was to be supplemented with a description of the lobbying activity (Section 3 (1) (3) old LobbyRG).

The other provisions of the Lobbying Register Act on the establishment and maintenance of the Register which are still in force will be examined at the appropriate places in the subsequent sections of this report.

## 2.2 The Lobbying Register Act since 1 March 2024

The reform of the Lobbying Register Act, which was adopted by the German Bundestag on 19 October 2023 and entered into force on 1 March 2024, though it comprised **some 50 individual amendments** to the text of the Act, left its basic formal structure untouched. The changes with substantive relevance are described in this section.

The **scope** of the Lobbying Register Act, which is defined in Section 1 of the Act and was already broadly framed in the original statute, was further **widened to a moderate extent** with regard to the circle of addressees of lobbying activity. As far as the German Bundestag is concerned, panels were added to the existing list in Section 1 (1) of the Act. In addition, in the new first sentence inserted in Section 1 (2), besides the listed subdivisions of the Bundestag, contacts with their staff are also covered. As for the Federal Government, the previous circle of addressees was extended down to the level of heads of division (second sentence of Section 1 (2) LobbyRG).

With regard to the **obligation to register**, the significance threshold based on the number of separate contacts made in the course of three months for the purpose of representing special interests was lowered from 50 to 30 (Section 2 (1) (4) LobbyRG). In addition, to the four existing significance criteria was added a fifth for the sake of clarity. It relates to clients of lobbyists and directly activates the obligation to register when the representation of special interests is commissioned in exchange for compensation (Section 2 (1) (5) LobbyRG).

In the case of the **exemptions from the obligation to register**, only a few editorial and clarifying amendments were made; one example is the exemption for those who exercise a public office or mandate, which now expressly applies to legal persons subject to public law only if they are carrying out public functions (Section 2 (2) (6)

LobbyRG). It was also made clear that participation in the provision of legal advice or legal representation in judicial proceedings, as well as in administrative, contract and tender proceedings is excluded from the obligation to register (Section 2 (2) (8) LobbyRG). The only new additions to the catalogue of exemptions are the youth wings of political parties (Section 2 (2) (9) LobbyRG).

At the heart of the reform was the **extension of the disclosure obligations**. Many of the amendments made in that domain prescribe the disclosure of additional particulars with a view to **further improving the structural transparency** that was already built into the Act.

With regard to the identity of natural persons representing special interests, in addition to the particulars which they were previously required to indicate, they must now give the registered name or trading name of their business, if applicable, and list memberships that have any connection with the representation of special interests (Section 3 (1) (1) (e) and (f) LobbyRG).

Legal persons, partnerships and other organisations are now required to indicate the address of any office they may have in the capital city (Section 3 (1) (2) (a) LobbyRG). Membership organisations must now provide a breakdown of their reported number of members into natural persons on the one hand and, on the other hand, legal persons, partnerships and other organisations (Section 3 (1) (2) (e) LobbyRG).

It is now possible, moreover, for all natural persons who are to be named in the entries made by representatives of special interests to indicate their stage name, pen name or religious name, if applicable (Section 3 (1) (1) (a) and (g) and Section 3 (1) (2) (c) and (d) LobbyRG).

A change was also made to the obligation to name in the Lobbying Register those natural persons who engage directly in the representation of special interests on behalf of the registrant lobbyists. Until the reform, the disclosure obligation was limited to *employees* and applied only to legal persons, partnerships and other organisations. With the reform came a substantive extension of that obligation to all natural persons who are entrusted with the representation of special interests on more than an occasional basis and who engage directly in the representation of special interests (“entrusted persons” – Section 3 (1) (1) (g) and Section 3 (1) (2) (d) LobbyRG). This means that all persons are to be named in the Lobbying Register who, with the knowledge and consent of representatives of special interests, act on their behalf; besides employees, this now includes, for example, persons acting voluntarily or on a freelance basis. This disclosure obligation, moreover, now also applies to representatives of special interests that are natural persons.

Another important innovation is the disclosure obligation which is designed to reveal any possible “revolving door effect”, in other words the phenomenon of individuals switching from a career in politics to activities as a lobbyist. For all natural persons to be listed by name in Register entries, details of any membership, office or function currently held, or held within the past five years, in the German Bundestag, the Federal Government or the federal administration must be disclosed (Section 3 (1) (3) LobbyRG). The particulars to be entered in such cases are the date on which the activity ended, the designation of the former function and, if appropriate, the federal authority concerned.

Another change related to an obligation to indicate the number of employees involved in the representation of special interests. Instead of a “head count” of persons, registrants are now to give the number of full-time equivalents; to simplify matters, the legislature has provided for a *de minimis* threshold (Section 3 (1) (6) LobbyRG), whereby employees are to be taken into account only if the representation of special interests accounts for at least 10 per cent of their work.

In addition, the reform involved numerous innovations and amendments relating to financial particulars:

The original clause giving registrants the option of withholding financial information was deleted without replacement. At the last count under the old legal regime, no fewer than 1,007 of the registered representatives of special interests – about 16 per cent of the total – were exercising that option.

A new obligation was introduced to give precise details of accounting years. Registrants must now give the start and end dates of their current financial year and, where available, of their last and previous financial years (Section 3 (1) (7) LobbyRG), so that their financial details can be unequivocally assigned to the appropriate years.

Based on the EU Transparency Register, there is a new obligation for representatives of special interests to disclose their main sources of financing (Section 3 (1) (8) (a) LobbyRG), which are to be listed in descending order, expressed as proportions of their total income. The following source categories are available for the assignment

of income: economic activity, allowances from the public purse, gifts and other lifetime donations, membership dues, and other sources.

Another subject of amendment was the obligation to give details of membership dues in cases where representatives of special interests are membership organisations (Section 3 (1) (8) (e) LobbyRG). Firstly, their total amount is to be indicated in increments of 10,000 euros. Secondly, in individual cases, if membership dues in excess of 10,000 euros are received from one person or organisation in a single financial year and constitute more than 10 per cent of the reference value, which is the total annual amount of membership dues, the contributing person or organisation is to be named.

The other existing financial disclosure obligations were also modified, except for the particulars of annual financial expenditure involved in the representation of special interests (Section 3 (1) (8) (b) LobbyRG).

These modifications relate, first of all, to the obligation to provide particulars of individual allowances and grants from the public purse (Section 3 (1) (8) (c) LobbyRG), where the threshold above which the disclosure obligation applies was lowered from the original amount of 20,000 euros to 10,000 euros per annum from any one funding body. It was also made clear that the disclosure obligation applies not only to allowances and grants from the German public purse but also those from the European Union, its Member States and third countries.

The obligation to disclose gifts (Section 3 (1) (8) (d) LobbyRG) underwent extensive revision. Its content was widened to include the disclosure of other lifetime donations, thereby encompassing contributions made in the expectation of advertising or other publicity benefits (sponsorship). In every case, registrants are now required to indicate the total amount of gifts and donations in increments of 10,000 euros. The Act does not require individual donors to be named unless their respective donations exceed an amount of 10,000 euros, and that amount also exceeds 10 per cent of the total annual value of gifts and other lifetime donations.

Amendments were also made to the obligation to provide annual accounts or management reports (Section 3 (1) (8) (f) LobbyRG). The disclosure obligation under the Act, which applied only to legal persons until the legislation was reformed, now also applies to partnerships and sole traders. Where there are no other provisions in place and where total income is more than 10,000 euros, the management reports must include at least a statement of revenue and expenditure. To facilitate fulfilment of that obligation, provision was also made for the possibility of providing the annual accounts or management report for the *last-but-one* financial year, if and in so far as the annual accounts or management report for the last financial year are not yet available in individual cases.

The provisions requiring information on commissioned representation of special interests (Section 3 (2) LobbyRG) were also comprehensively recast in order to ensure transparency even in the case of complex commissioning arrangements and address the problem of possible “commissioning chains”. Contractors commissioned to represent special interests are now required to provide various details concerning the commissioned representation of special interests.

They must provide:

- a description of the commissioned representation of special interests,
- particulars of the identity of clients whose interests the registrant represents, even if the clients themselves are not subject to an obligation to register,
- particulars of the specific persons or organisations assigned to carry out the commissioned representation of special interests and
- the financial resources received from each client per commission for the last financial year in increments of 50,000 euros in each case.

Besides these improvements geared towards structural transparency, a key aim of the reform was to reveal the **substance of lobbying efforts**. To that end, the Act provides for the following two complementary disclosure obligations, the purpose of which is to reveal the nature of the influence that representatives of special interests seek to exert:

Registrants must now provide particulars of **all current, planned or intended federal or EU regulatory proposals** to which lobbying of the German Bundestag or the Federal Government relates (Section 3 (1) (5) (a) LobbyRG).

Federal regulatory proposals, according to the explanatory memorandum to the Act, are, in particular, legislative proposals put forward from the floor of the Bundestag or by the Federal Government, as well as Federal Government proposals for statutory instruments. EU regulatory proposals are current or proposed directives or regulations.

These, along with legislative proposals from the Bundesrat, are relevant in terms of the disclosure obligation only in so far as they are the subject of lobbying of the Bundestag or Federal Government.

The reference to a regulatory proposal must include the areas of interest and the aspects of the proposal to which the lobbying relates and, where appropriate, the current laws or statutory instruments to which each regulatory proposal relates.

In the same context, there is also an **obligation to provide** in the Lobbying Register, no later than the end of the current quarter, any **essential written comments and expert opinions** on the specified regulatory projects which have been submitted to the German Bundestag or the Federal Government (Section 3 (1) (5) (b) LobbyRG). The documents are to be anonymised and uploaded as PDF files, in addition to which their text is to be machine-readable. The details to be indicated in this case are the regulatory proposal in question, the date of submission of each comment or expert opinion and a designation in abstract terms of the addressees.

Comments and expert opinions are exempted from the uploading requirement if they are published as part of formal involvement processes administered by the Federal Government (in particular under Section 47 Joint Rules of Procedure of the Federal Ministries (*Gemeinsame Geschäftsordnung der Bundesministerien*)) or the Bundestag (Rule 70 Rules of Procedure of the German Bundestag (*Geschäftsordnung des Deutschen Bundestages*)), the aim being to avoid duplication of effort on the part of representatives of special interests. These comments and expert opinions may, however, be provided voluntarily.

Separate time limits apply to the availability of registered information on regulatory proposals, and uploaded comments and expert opinions. Once the data have been removed from the current version of the entry or a lobbyist's entry has been transferred to the *list of former representatives of special interests*, they remain visible in the public register for eight years (fourth sentence of Section 3 (4) and fifth sentence of Section 3 (5) LobbyRG).

This is intended to enable scholars, researchers, the press and the general public to retrieve comments and expert opinions on regulatory proposals even if they are not shown in the current entry of the representative of special interests any longer.

The other provisions of the Lobbying Register Act on the establishment and maintenance of the Register that have been amended will be examined at the appropriate places in the subsequent sections of this report.

## 2.3 The Code of Conduct

As part of the legislative procedure for the introduction of the Lobbying Register, the Federal Government, on 16 June 2021, and the German Bundestag, on 24 June 2021, adopted identically worded codes of conduct for representatives of special interests in the framework of the Lobbying Register Act; the Code of Conduct entered into force on 1 January 2022.

It contains **rules for the representation of special interests**. **Sanctions** may be imposed for significant infringements of the Code of Conduct as part of an audit procedure defined by Section 5 (8) of the Act (*see section 9*).

When the Lobbying Register Act was reformed, the Code of Conduct merely underwent editorial adjustments to bring it into line with the relevant amendments to the Act. The current version of the Code of Conduct, which has been applicable since 1 March 2024, was adopted by the Federal Government on 21 February 2024 and by the German Bundestag on 22 February 2024.

The legal basis for the Code of Conduct is Section 5 (2) of the Lobbying Register Act, which prescribes that the German Bundestag and the Federal Government, with the participation of civil society, are to establish a code of conduct containing rules for the representation of special interests. Its substantive framework is defined by Section 5 (1) of the Act, which stipulates that the **representation of special interests must be carried out solely on the basis of openness, transparency, honesty and integrity**.

Under the first sentence of Section 5 (3) of the Lobbying Register Act, by enrolling in the Lobbying Register, representatives of special interests accept the Code of Conduct.

In terms of content, the Code of Conduct revisits some of the behavioural rules laid down in Section 5 (4) to (7) regarding lobbying practice and fleshes them out.

These include the following:

- the obligation of representatives of special interests to disclose, in every contact, their identity and their interest and, where appropriate, the identity and interest of their client (Section 5 (4) (1) LobbyRG; point 1 Code of Conduct) and to refer to their registration in the Lobbying Register (Section 5 (5) LobbyRG; point 2 Code of Conduct),
- the rule prohibiting agreements whereby remuneration or its amount is made dependent on the success of the representation of special interests (contingent fees – Section 5 (6) LobbyRG; point 3 Code of Conduct) and
- the conditions under which the designation “registered representative of special interests” (“*registrierte Interessenvertreterin*” or “*registrierter Interessenvertreter*”) may be used (Section 5 (10) LobbyRG; point 6 Code of Conduct).

The Code of Conduct also sets out the following rules:

- a rule prohibiting the acquisition of information by improper means (point 4 Code of Conduct),
- a rule whereby information obtained in the representation of special interests may only be used or passed on in a permissible way and as agreed in each instance (point 5 Code of Conduct),
- a rule whereby representatives of special interests invited to public hearings in the German Bundestag or for what is known as “association involvement” (*Verbändebeteiligung*) at the Federal Government level must inform the hosting body, without delay and without being asked, if their Register entry bears the annotation “not up to date” (“*nicht aktualisiert*”) or contains a reference to an infringement of the Code of Conduct (point 7 Code of Conduct) and
- a rule requiring representatives of special interests to refrain from making false claims alleging the existence of a commissioning, personal or advisory relationship with the addressees of the representation of special interests mentioned in the Lobbying Register Act (point 8 Code of Conduct).

Lastly, relations with the Registry are addressed in point 9 of the Code of Conduct and reflect, in particular, the first two sentences of Section 4 (3) of the Act, which state that, although representatives of special interests have sole responsibility for their respective entries, the task of monitoring the content of the Register lies with the Registry. In that context, the Code of Conduct specifies, firstly, that representatives of special interests must provide without delay any evidence for particulars published in the register that is requested by the Registry under the third sentence of Section 4 (3) of the Act.

Secondly, they must ensure that any other requests from the Registry, particularly in the context of the audit procedure under Section 5 (8) of the Act in the event of infringements of the Code of Conduct, are fulfilled without delay.

### 3 The Registry

Pursuant to the first sentence of Section 4 (1) of the Act, the **Lobbying Register is established and maintained in electronic form by the German Bundestag**. A Registry had to be created within the Bundestag Administration to carry out this work.

Following the adoption of the Lobbying Register Act on 25 March 2021, a “Lobbying Register Project Team” was initially set up on 4 May 2021 under the head of Directorate ID (Library and Documentation) of the Bundestag Administration. The Lobbying Register Project Team was transferred on 1 December 2021 to Division ID 5 – Lobbying Register.

When the head of directorate moved to the Law Directorate (ZR) on 10 September 2022, Division ID 5 was also transferred to the Law Directorate and initially called ZR 6 – Lobbying Register. On account of further restructuring within the Bundestag Administration, the division’s name changed on 6 July 2023 to **ZR 4 – Lobbying Register**.

At the end of the period under review, a head of division, three posts in the higher service, three posts in the higher intermediate service and three posts in the intermediate service were allocated to the Registry. All the posts in the higher service are held by lawyers qualified to exercise judicial office.

Today, the division is divided into the following four units:

- **Development and Administration of the Register Application** (*section 4 and section 5*)

- **Monitoring and Audit Procedure** (*section 7 and section 9*)
- **Regulatory Offences** (*section 8*)
- **International Context**“ (*section 12*)

Furthermore, information and advice for representatives of special interests are provided by all the personnel working in the division equally (*section 6*).

#### **4 The public Register application**

One of the Registry’s central tasks as part of the maintenance of the Register is in the provision and administration of the Lobbying Register’s IT application, which is publicly available on the internet.

##### **4.1 From the legislative procedure to the Act’s entry into force on 1 January 2022**

In order to ensure the prompt implementation of the Lobbying Register Act once the legislation had been adopted, the Secretary-General of the German Bundestag instructed the Bundestag Administration to carry out the requisite preliminary checks while the parliamentary deliberations on the Lobbying Register Act were still continuing. In particular, it was to be sounded out how the requirements the Act was expected to place on a lobbying register could be implemented practically, and who could be commissioned to develop the IT application that would be absolutely vital for this purpose. The aim was to be in a position to sign a corresponding IT development contract immediately after the Act had been passed by the German Bundestag, so ensuring that the statutory requirements could be implemented by the Bundestag Administration in good time as well. The Act was passed by the German Bundestag on 25 March 2021.

To prepare for the conclusion of an appropriate contract for the development of the Register application, a detailed tender specification for the IT service provider was drawn up by April 2021. It stipulated technical and legal parameters, as well as extensive concrete requirements concerning the architecture and configuration of the internet application.

On 7 June 2021, the company CGI Deutschland B.V. & Co. KG was commissioned through the Federal Procurement Office’s *Kaufhaus des Bundes* electronic procurement platform on the basis of an existing IT framework contract.

Various risk analyses were subsequently conducted (in close coordination with the IT division responsible for projects of this kind within the Bundestag Administration, IT 4 (now: DE 3 Project Management), which also provided concerted support for the further development of the Register application), questions about the standards and work processes to be complied with were clarified, consultations were held on compliance with security and data protection requirements and the development of the system architecture, and the standards for ensuring accessibility were specified.

The parties to the contract agreed to implement an “agile methodology” under which new software versions would be implemented on a rolling basis, each developing new functionalities and expanding extant processes. This approach made it possible to respond flexibly and promptly to any new challenges and knock-on problems. The numerous functionalities to be developed were prioritised according to whether their provision was compulsory under the Lobbying Register Act as soon as it entered into force on 1 January 2022 or whether they could also be added later as updates were implemented.

Technically, the Register application was designed as a high-performance **Java-based Web application**, built on the well-established Spring Boot framework and a flexible SQL database.

**Three different access interfaces to the application** were created, which are customised to be compatible with the environment of the German Bundestag’s website:

1. It was made possible for representatives of special interests to set up an administration account (admin account) in the application. The admin account can be used by the administrators authorised by representatives of special interests to create, publish and edit Register entries pursuant to the first sentence of Section 4 (2) of the Act.
2. An area was developed for the Registry where the Register can be administered, and content located, evaluated and, if necessary, duplicated, as long as the preconditions for this are satisfied. Information relating to entries can be stored there in a structured format as well.

3. It was made possible for the general public to view the contents of the public Register freely at any time without prior registration, search them and download information if required. The URL [www.bundestag.de/lobbyregister](http://www.bundestag.de/lobbyregister) and the subdomain [lobbyregister.bundestag.de](http://lobbyregister.bundestag.de) were assigned to the public application.

In order to do justice to the statutory requirement that the Register be searchable, especial emphasis was placed from the outset on storing all the data in the Register in a structured format and linking them with permanently defined relationships so that **extensive search, filtering and sorting functions** could be offered with which to research and evaluate the data. The modern IT architecture that was chosen is characterised by its high scalability and polyglot persistence, and is continuously being further developed.

During the application's development, its **usage-centred design** was therefore accorded particular significance, the intention being to create the most intuitive possible input and search interfaces.

Both when entries were first published, and when changes and updates were made to entries, it had to be ensured that only persons authorised to do so by representatives of special interests could publish them in the Register. Various **authentication methods** were consequently discussed. The process was supposed to be as practical as possible and digitalised as far as it could be. At the same time, it had to be taken into account that the representatives of special interests were persons and organisations with extremely varied structural, legal and organisational backgrounds. Nonetheless, they all had to be granted easy access to the Register equally.

Furthermore, it had to be ensured that the Registry held an address for every entry where documents could be served – for example for potential administrative procedures or the levying of fines – and “joke or fake entries” could be prevented as far as possible.

Authentication by means of what is known as *eID* was rejected because it is technically complex and only used to a very limited extent. In view of the time pressure that would be experienced in the early stages, it was felt building the necessary interface to a third-party eID provider and storing the data in the database would demand a disproportionate amount of effort, while such a system would be potentially susceptible to errors and the Registry would not be able to control it effectively. In addition, there was the fact that representatives of special interests would not only be registering from Germany or the Member States of the European Union, but also from third states (*see section 5.1.2*).

Ultimately, it was decided that, when lobbyists first registered and when they updated their entries annually, a confirmation document including all the data to be published would have to be downloaded, signed (electronically) and then uploaded to the application again.

It was also important to be able to verify the postal address that had been stated, something that was absolutely essential for legal transactions. It was therefore stipulated that, when the confirmation document was requested during the creation of the first entry, a random release code would be automatically generated that would be sent out by post the next working day and would subsequently be permanently valid. After this release code had been input, the entry would be published directly in the Register. If necessary, the release code could be requested again via the admin account.

The **postal delivery of a release code** means registration is not a seamless digital process, which has sometimes been criticised. In practice, however, the approach has **proved to be highly effective**. This is borne out by the fact that the Registry only had to remove twelve improperly published Register entries from the Register over the whole period under review (*see section 5.2.1*).

The IT service provider delivered the application on 15 November 2021, so that an intensive test phase could be conducted, including a “friendly-user test” with third parties. This involved a total of 132 people being invited to thoroughly test the Register application in a test environment between 1 and 6 December 2021, with particular attention being paid to the registration process, and the Lobbying Register's information and search functionalities.

117 testers came from organisations that were assumed would have to enrol in the Lobbying Register as of 1 January 2022. They were invited to test the application before it went live at the numerous meetings held by the Administration with potentially affected parties, so their feedback could also be taken into account when the Register application was being developed and the *Handbook* finalised (*see section 6.1*). In addition, seven different divisions within the Bundestag Administration and seven Federal Government bodies were invited to test the application in order to gain reactions from the widest possible variety of perspectives.

## 4.2 Further development of the Register application from 1 January 2022

The first version of the Register application was available when the Lobbying Register Act entered into force on 1 January 2022. This made it possible for representatives of special interests to comply with their statutory obligations and enrol in the Register without any restrictions applying.

On account of the short development time, however, many functions that went beyond what was necessary for the registration process itself were only provided in rudimentary forms to begin with. Work continued constantly on the completion of the additional functionalities after 1 January 2022. These further developments were intended, among other things, to improve how the Register's contents were displayed, expand the search, sorting and filtering options in the Register, introduce a "historical search" for the data held at a self-selected date within the 18 months previous to the search and allow all public Register data to be downloaded in a machine-readable format.

These further developments resulted in a total of 28 updates. Technical errors that were detected while the application was in operation were always rectified promptly. There were no interruptions to the Register application's availability while this was being done, except for a few short downtimes required for technical reasons when new deployments were implemented.

## 4.3 Implementation of the reform of the Lobbying Register Act in the Register application

During the parliamentary deliberations on the draft Act Amending the Lobbying Register Act in 2023, the Registry was already examining intensively what technical adjustments would be consequent upon the planned reform.

It became apparent early on that representatives of special interests would be granted a **transitional period** by the legislature. Two things had to be possible in parallel during this period: on the one hand, the updating of the extant Register entries as required by the previous legislation and, on the other hand, the revision of the Register entries and their preparation for publication under the new legislation ("migration").

The technical realisation of the **migration of entries** during the transitional period granted by the Act required particularly great effort on the part of the developers, but it proved possible for it to be implemented successfully by the time the amended legislation entered into force on 1 March 2024.

In this respect, it was always borne in mind that the technical design of the migration process was to be as **usage-centred and convenient** as possible. Data already present in the application were to be carried over automatically to a large extent and also prepopulated in the entry fields intended for them, so that users could concentrate exclusively on the additional new particulars that had to be entered.

In particular, the amendment to Section 3 (1) (5) of the Act requiring the aim of the lobbying to be outlined led to a large number of additional disclosure obligations. The listing of current, planned or intended regulatory proposals and the obligation to provide essential comments and expert opinions in the Register with their text content in a machine-readable format demanded a major upgrade of the Register application.

In order to link the large number of additional statutory particulars that were to be expected appropriately and therefore make it possible for them to be evaluated on a permanent basis, **standardised, selectable response options** had to be offered as far as possible in the registration process. Diverse links were therefore created that, at the same time, actually made the use of search filters technically possible in the first place.

It was necessary to prevent relevant data from being difficult to locate on account of broken, incorrect or, in the worst case, originally non-existent relationships and inadequate structuring. The standards set by the German Federal Government's Digital Strategy and the European Commission also had to be borne in mind, the overarching goals of which are to put "people at the centre of digitalization", promote a "focus on users as the overarching principle in the digitalization of administrative work" and make possible the "equal participation of all people through digital, barrier-free services".

This meant that, when declaring the regulatory proposals with which they were concerned, representatives of special interests had to be enabled to add standardised links to printed papers published by the Bundestag and Bundesrat, the ministry drafts published by the federal ministries and the existing federal legislation referred to directly in the regulatory proposal fields:

- This has been ensured for draft bills published as **Bundestag or Bundesrat printed papers** by an integrated tool for searching the Documentation and Information System for Parliamentary Materials (DIP), which allows the relevant printed papers and processes to be located rapidly and linked to directly in the application.

- It was only possible to find a solution for the **titles of ministry drafts** published by the federal ministries on their websites with great difficulty because, unfortunately, agreement could not be reached with the Federal Government during the period under review on a process for the direct digital communication of the titles of ministry drafts published by federal ministries to the Registry.

In order, in spite of this, to be able to offer representatives of special interests the standardised titles of published ministry drafts in the application for selection, and make it possible for them to be evaluated and searched in the Lobbying Register, the websites of the federal ministries have been monitored by the Registry on an ongoing basis since 1 March 2024 to identify any new ministry drafts that may have been published, with their titles then being input manually into the application.

This way of dealing with the problem is highly burdensome for the Registry and should become redundant in 2027 if the legislation portal for the Federal Government, the Bundestag and the Bundesrat planned as part of the E-Legislation (*E-Gesetzgebung*) IT project is available (see section 4.5.3).

- A dedicated search function was also created for the insertion of structured links to the **federal acts** referred to in the regulatory proposals fields during the input process. It is merely necessary to enter a few letters of an act or statutory instrument's title in order to see corresponding suggestions from the total stock of all acts and statutory instruments, which the Federal Office of Justice (*Bundesamt für Justiz*, BfJ) updates on an ongoing basis and makes available in machine-readable formats.

In order to ensure the diverse particulars to be provided pursuant to Section 3 (1) (5) of the Act when **outlining the aim of the lobbying** were also available to the public in a structured format with links so they could be found and evaluated, it was necessary to present this specific content and the new search functions to be created for this purpose together on a **separate page** of the Lobbying Register's website entitled "Substance of the representation of special interests" (*Inhalte der Interessenvertretung*).

This was made necessary above all by the different statutory storage periods for structural particulars in the Register, on the one hand, and the particulars of the substance of the representation of special interests, on the other hand. While the structural particulars only remain visible for another *18 months* in the historical versions of entries after they have been updated, the regulatory proposals and the essential written comments and expert opinions can still be tracked for *eight years* in the public Register after they have been removed from the current version of an entry (fourth sentence of Section 3 (4) LobbyRG). The Act makes the same provision for the particulars of former representatives of special interests. Whereas a Register entry is removed 18 months after being transferred from the public Register to the *list of former representatives of special interests*, the particulars of the substance of the representation of special interests must remain visible for another *eight years* in the public Register (fifth sentence of Section 3 (5) LobbyRG). It was consequently necessary to create an area within the Register application that presented these data separately, displayed the particulars of the aims of lobbying in a comprehensible fashion independently of the Register entries in which they had first been published and allowed them to be searched.

#### 4.4 Further development of the Register application after 1 March 2024

In good time for the amended legislation's entry into force on 1 March 2024, it was made possible for representatives of special interests to revise all their Register entries in the IT application in accordance with the new statutory requirements and publish them in the Register. The entries that already existed could be migrated by representatives of special interests during the **transitional period up to and including 30 June 2024**. Pleasingly, this was done **within the deadline** for about **90 per cent** of the existing entries.

Under the third sentence of Section 8 (2) of the Act, the 663 Register entries that were not revised within the deadline had to be removed from the active Lobbying Register by the system after the expiry of the transitional period and transferred to the *list of former representatives of special interests*. Entries stay publicly visible in this list for 18 months before they are depublished, to which extent transparency continues to be ensured too.

It became evident that this process is likely to have helped **tidy up the Register** to a certain extent as well. It meant entries were also removed from the active Lobbying Register that, for example, had been made by organisations or persons who had never carried out any activities subject to mandatory registration from the beginning or who had ended their activities in the meantime.

In this connection, it was made possible for representatives of special interests to reactivate their Register entry if necessary within 18 months, which they were able to do in the application with technical support. This might be

done, for instance, because a registrant wished to resume their lobbying activities again. Where a **Register entry** is **reactivated** in this way by publishing an updated version, the development of the entry can still be tracked for another 18 months. It is therefore always possible to identify the periods during which entries have been included in the active Lobbying Register or the *list of former representatives of special interests*. It is now not necessary for a new entry to be created any more. Up to 31 December 2024, use had been made of the reactivation option by 110 of the 663 representatives of special interests removed from the active Register in July 2024.

As previously after the Lobbying Register Act entered into force in 2022, numerous further technical updates were also implemented continuously once the amended legislation came into force on 1 March 2024. Among other things, these updates introduced machine-readable evaluations of Register data, expanded search, sorting and filter functions, the presentation of statistical information and the automated communication of Register data to the Parliamentary Archives for archiving.

Furthermore, it was made possible for the public to report potential infringements of copyright or data protection requirements to the Registry directly from the application. Such infringements may be found, for example, in comments or expert opinions published by representatives of special interests in their Register entries.

The Registry partly felt impelled to take this step by a ruling of the Court of Justice of the European Union, which expressed the expectation that all operators of public platforms should take technical precautions to prevent, or put an end to, copyright infringements and mentioned a special alert procedure as one possible way of ensuring this.

Under the **low-threshold reporting procedure** that was developed, a flag symbol is displayed to the right of every comment or expert opinion file listed in a public Register entry. Clicking on the flag opens a prepopulated draft email in the user's email program, including the relevant metadata on the Register entry or the specific file. This can be used to inform the Registry directly of content in the Register that may infringe third-party rights.

#### 4.5 Options for the use of public Register data

Considerable effort was invested in the creation of extensive options to comply with the statutory requirement set out in the fifth sentence of Section 4 (2) of the Act, according to which the content of the Register is to be made available to the public **with a search function and in a machine-readable format**.

##### 4.5.1 Use of data on the Lobbying Register website

The data published by representatives of special interests at their own responsibility are indexed in real time and made immediately available in the internet application. Up-to-date statistics and extensive search mechanisms are always available: from full-text searches using Boolean operators, predefined search queries, a wide range of filters, polyhierarchical faceted classifications and a specific expert search to a special person search tool that can be limited to particular attribute categories.

The application primarily offers **search filters and facets and sorting options** that reflect the questions the Registry has actually received or it anticipates will be of interest to the interested public. These include the option to search the Register data retrospectively to find out what was in the Register at a freely selected date within the previous 18 months ("historical search").

When the amendments to the Lobbying Register Act entered into force, the options for the evaluation of Register data and the forms in which they are displayed were considerably expanded. It was necessary to facilitate the structured, targeted evaluation of the **more than two million individual pieces of data deposited in the Register** at the end of the period under review. The volume of data held will continue to increase ever further in future on account of the long storage periods.

Hence the introduction of the "Substance of the representation of special interests" page mentioned above, which primarily displays the particulars outlining the aims of their lobbying that have to be entered by representatives of special interests pursuant to Section 3 (1) (5) of the Act. The particulars of regulatory proposals, and essential written comments and expert opinions published by representatives of special interests are provided to the public together on this page for evaluation using dedicated search, filter and sorting options.

Although all particulars are also displayed directly in the individual lobbyists' Register entries, they can only be found with some difficulty there, especially if it is considered that an unlimited number of regulatory proposals can be listed in one entry – during the period under review, for example, up to 178 regulatory proposals were

found in a single entry. Furthermore, pursuant to the fourth sentence of Section 3 (4) and the fifth sentence of Section 3 (5) of the Act, the particulars of the substance of the representation of special interests must be publicly available for considerably longer than the other data in the individual Register entries. Apart from this, the queries used for the targeted evaluation of these data usually differ from those used when looking at the structural information about lobbyists. This is why it was necessary to display these extensive data comprehensibly in the application separately from, and independently of, the Register entries to which they belong.

Depending on the kinds of query made, four further groups of search options are therefore offered:

- Search for concrete **regulatory proposals** that are the subjects of lobbying by representatives of special interests
- Search for essential **comments and expert opinions**
- Search for **draft regulatory proposals** put forward by the Federal Government and in the Bundestag that are the subjects of lobbying activities
- Search for **Federal acts** that are the subjects of lobbying activities

All searches generate relevant summaries of pertinent information, allowing the differences between the various results displayed to be easily identified. The targeted placement of numerous links in square brackets (e.g.: [all regulatory proposals on this], [display all representatives of special interests], [display all comments/opinions], [all comments/opinions to this addressee], [all regulatory proposals from this representative]) also make it possible to conduct in-depth searches with which large amounts of data can be evaluated simply and conveniently, and useful findings obtained.

#### 4.5.2 Machine readability

According to the fifth sentence of Section 4 (2) of the Act, all public data in the Lobbying Register's entries must be published in a machine-readable format. This requirement is based on the German Federal Government's Open Data Strategy and is indispensable for the databases provided by public bodies today. It has posed particular challenges for the Registry and the IT service provider.

After intensive examination of the alternatives that were available, it was decided to provide the data to the public in a structured *JavaScript Object Notation download (JSON download)* format. This format has established itself as the standard for data exchange in the IT sector on account of its simplicity, flexibility and widespread support.

Whenever Register entries are searched, it is possible to download summary or detailed search results containing the relevant public particulars in the JSON format. The content of the Register was therefore already available to the public at an early stage for further unrestricted evaluations in a machine-readable format. As help for the use of these JSON data, the Registry offers constantly updated information and detailed JSON documentation on the "Open Data" page of the website, including explanations of the data structure in German and English, and details of the validation of available downloads.

When the legislation was reformed, the JSON structure had to be extensively revised and supplemented in order to integrate the large amounts of additional information the individual Register entries would now contain.

One particular challenge was thrown up by Section 3 (1) (5) (b) of the Act, in which the legislature had stipulated that the essential comments and expert opinions on listed regulatory proposals to be provided by the representatives of special interests also had to be uploaded "in a format in which the text is machine readable".

This issue was discussed at length with the IT service provider, while appropriate methods of ensuring the machine readability of all the comments and expert opinions to be uploaded were examined. The original intention was to capture machine-readable text content automatically from uploaded PDF documents using optical character recognition (OCR) technology. When tests were carried out, however, it rapidly became apparent that OCR capture was error-prone, and it would not have been possible to ensure the text content of the documents made available by representatives of special interests was being captured completely and correctly. On account of the second sentence of Section 4 (3) of the Act, it was necessary to rule out any possibility that the Bundestag Administration might be held liable for potentially incorrect content in lobbyists' machine-readable entries.

Alternatively, registrants could have been required to upload their comments or expert opinions exclusively as machine-readable PDF documents; simple PDF scans would then not have been allowed. This would have meant every single one of the representatives of special interests had to be given the technical capability to manage the formatting of the files they were supposed to upload so they would satisfy the necessary criteria for machine

readability. This would have entailed an amount of administrative effort that could hardly have been justified. In view of this problem, a solution had to be found that would represent a workable means of ensuring the fulfilment of the statutory requirements, both by the whole spectrum of representatives of special interests and by the Registry.

The solution reached was that the application should now ask representatives of special interests to copy the content of any document in their possession they wanted to upload to the Register as a PDF, and paste it into an input field provided in the application. Technical steps were taken to make sure the whole body of a document (including any images, graphics or tables) could be copied and pasted in one go, and the application would then exclusively store the text they contained and discard everything else.

Even though this approach has been criticised occasionally as overly ponderous, it has made it possible to ensure that the whole text content of a comment or expert opinion can be stored in the Register in a machine-readable format without any errors. In practice, the additional work step when uploading comments usually only takes a few seconds, but ensures a correct, machine-readable version of the text is captured.

During the period under review, more than 6,000 documents were uploaded to the Register in this way, with no major technical difficulties being reported to the Registry.

Apart from this, the **JSON data** from the Lobbying Register are already **being used by civil society** as well:

- *Transparency International Germany* has, for example, published the internet application Integrity Watch Deutschland, which presents daily updated data from the Register graphically.
- Another use of the machine-readable data from the Lobbying Register is found in the Lobbygraphs created by *Julian Schibberges*. These visualise the connections between different organisations and persons revealed by searching for a particular term in the Register application (e.g. “cannabis”).

The examples that have been cited merely give some idea of the possible ways of using the data. The Registry has not checked whether they accurately reflect the contents of the Register.

#### 4.5.3 Application programming interface (API)

During the period under review, the public data were, firstly, made available for download in the machine-readable JSON format. Secondly, however, the technical foundations were also laid for the provision of what is known as an “**application programming interface**” (API).

This will allow the Lobbying Register to be integrated dynamically into other digital systems. Apart from expanding the options for its use by the public, this is also intended to make links with other official digital applications possible.

For some time, the Bundestag Administration has therefore also been taking part in the meetings of the working group of the Bundestag, the Federal Government and the Bundesrat on the creation of what is called a **legislation portal** as part of the E-Legislation IT project. In the future, the legislation portal is to supply the public with constantly up-to-date information about current legislative proposals throughout the legislative process. The aim for the Bundestag Administration is to avoid “insular solutions” and ensure the bidirectional exchange of relevant data becomes feasible.

This would allow data from the Lobbying Register to be integrated directly into the legislation portal, while links could be created in the Lobbying Register application to information held in the legislation portal on existing draft acts and statutory instruments, as well as lobbying activities conducted during formal involvement processes administered by the Federal Government. It would also be conceivable for other comparable lobbying register applications to be linked with the Lobbying Register at the federal level via the API.

#### 4.5.4 Website traffic

No reliable statements can be made about the specific numbers of public visits to the Lobbying Register’s website for the first years of the period under review. There were considerable technical problems with the web analytics tool used and the server data drawn on for this purpose, which led to malfunctions and gaps in the recorded data that sometimes lasted for months at a time. Here, it is merely possible to note the trend towards a continuous increase in visit numbers.

It was not until the reform of the Lobbying Register Act had also been implemented technically (*see section 4.3*) and the migration of the Register entries in July 2024 had been completed that a start could be made on rectifying

the problems with web analytics data collection. Attempts were also made to ensure visits to the internet application by humans and visits made purely by machines (e.g. webcrawlers or bots) could be distinguished technically as far as possible in order to obtain more or less informative traffic statistics. It was one advantage of the reconfiguration of the web analytics system after the conclusion of the migration phase that the picture did not end up being falsified by the increased numbers of visits made to the Register application by representatives of special interests themselves while they were adjusting their entries to comply with the new legal regime.

Generally, however, it is to be noted that, on account of the diverse technical challenges faced in this field, such analyses can only ever supply approximate figures.

In order to even more effectively factor out purely machine visits of the kind made regularly by, for instance, search machines with servers abroad to index the data held by the Lobbying Register, the visit numbers discussed below **exclusively include visits from Germany**. Visits from computers at the Bundestag, such as those used by Registry employees or Members' offices, are not counted either.

On this basis, it has now been calculated that, in the course of an average week (Monday to Sunday), the German public make

- **21,912 visits** to the Lobbying Register's website, during which
- **81,415 page views** and
- **8,018 concrete search requests** are recorded, and
- files provided in the Lobbying Register are **downloaded 9,107 times**

from the application. The actual numbers of technical visits (including visits by webcrawlers) are at least twice as high.

Where the URL for the Lobbying Register application is not directly accessed with a browser, visitors navigate to the Lobbying Register application quite overwhelmingly from the search results pages of general search engines, specifically: Google (95 per cent), Bing (2.3 per cent), Ecosia (1.2 per cent), DuckDuckGo (0.7 per cent) or others (0.8 per cent). Thanks to the regular indexing of the Lobbying Register's contents, these search engines are linking ever more frequently to the data it holds. Visits via links on other websites or in postings on social networks only account for a single-figure percentage of visits.

From the beginning, there have been **large numbers of documents** on the Lobbying Register website that are made publicly available **for download**. Firstly, these are materials the Registry itself provides, such as the Handbook, to-do lists, legislative texts and materials, the Code of Conduct, data protection notices or JSON documentation. Secondly, files are compiled ad hoc by the application itself every time users enter queries (search results lists, detailed views, JSON downloads, confirmation documents).

Above all, however, many documents can be downloaded that have been placed in the Register by representatives of special interests themselves. In particular, these include the annual accounts or management reports of registered organisations and, where available, individual codes of conduct that have been provided. As far as these are concerned, it is to be borne in mind that only legal persons had to provide annual accounts or management reports up until 29 February 2024, and then only if they were not subject to any disclosure obligations under commercial law. Furthermore, they had the option to withhold these particulars.

Under the amended Act that entered into force as of 1 March 2024, the number of documents provided by representatives of special interests in the Register has increased significantly. This is partly because, subject to certain preconditions, essential written comments and expert opinions that have been communicated to the Federal Government or the Bundestag are now to be provided in the Lobbying Register as well. Since comments and expert opinions also have to remain publicly available for at least eight years in the Register, even if no lobbying is being conducted on the regulatory proposals to which they relate any more, the number of documents available in the Register is likely to continue to increase in future. The documents published in the Register include, in particular:

### Breakdown of documents made available by representatives of special interests

Date	Codes of conduct	Management reports/ annual accounts	Comments/ expert opinions	Total
31.12.2022	573	3,009	0	3,582
31.12.2023	696	3,343	0	4,039
31.12.2024	985	5,594	7,364	13,943

Since the web analytics system for the Lobbying Register application was reconfigured in the second half of 2024, as discussed above, **files provided in the Lobbying Register have been downloaded 9,107 times a week on average**. About 87 per cent of these downloads are of documents that have been provided by representatives of special interests.

In summary, it can be concluded that the Lobbying Register not only constitutes a central platform for efforts to map the lobbying landscape at the federal level in detail, but has also established itself in the meantime as an information instrument that is genuinely used by the general public.

#### 4.6 Archiving of Register data

Pursuant to the sixth sentence of Section 3 (4) and the sixth sentence of Section 3 (5) of the Act, the Register data (i.e. those public particulars to be published in the Lobbying Register by representatives of special interests under Section 3 (1) and (2) LobbyRG) must be offered to the Parliamentary Archives of the German Bundestag, which are responsible for archiving materials of this kind, before they are finally deleted from the Register application. The deadline for the deletion of data from the Register application is calculated either from the date when the registrant publishes a new version of the entry or the date when the entry is transferred from the active Lobbying Register *to the list of former representatives of special interests*.

Since data are not archived until three years after the dates mentioned, no Register data have yet had to be supplied to the Parliamentary Archives during the period under review. However, it could be foreseen that the first versions of entries would become due for archiving immediately after the end of this period, in the first six months of 2025. The technical systems required for the almost fully automated supply of the data to the Parliamentary Archives were therefore put in place during the period under review.

### 5 Development of the Register's contents during the period under review

After the Lobbying Register Act entered into force on 1 January 2022, and the Register application for enrolment in the Lobbying Register also went online, the scope of the Registry's work expanded to include, alongside the development of the Register application, the supervision of the Register entries that were input from this date on.

#### 5.1 Fundamental statistics

Before the individual measures taken by the Registry in this context are discussed, a fundamental overview of the development of the Register entries during the period under review is initially given below. The first day of each month has been taken as the basis for some of the figures. In these cases, the data always refer to 12 a.m., so definitively represent the situation at the end of the preceding month. The data provided are limited to fundamental aspects of the Register that, in the view of the Registry, may contribute to a better understanding of its contents and maintenance.

##### 5.1.1 Development of the total number of Register entries

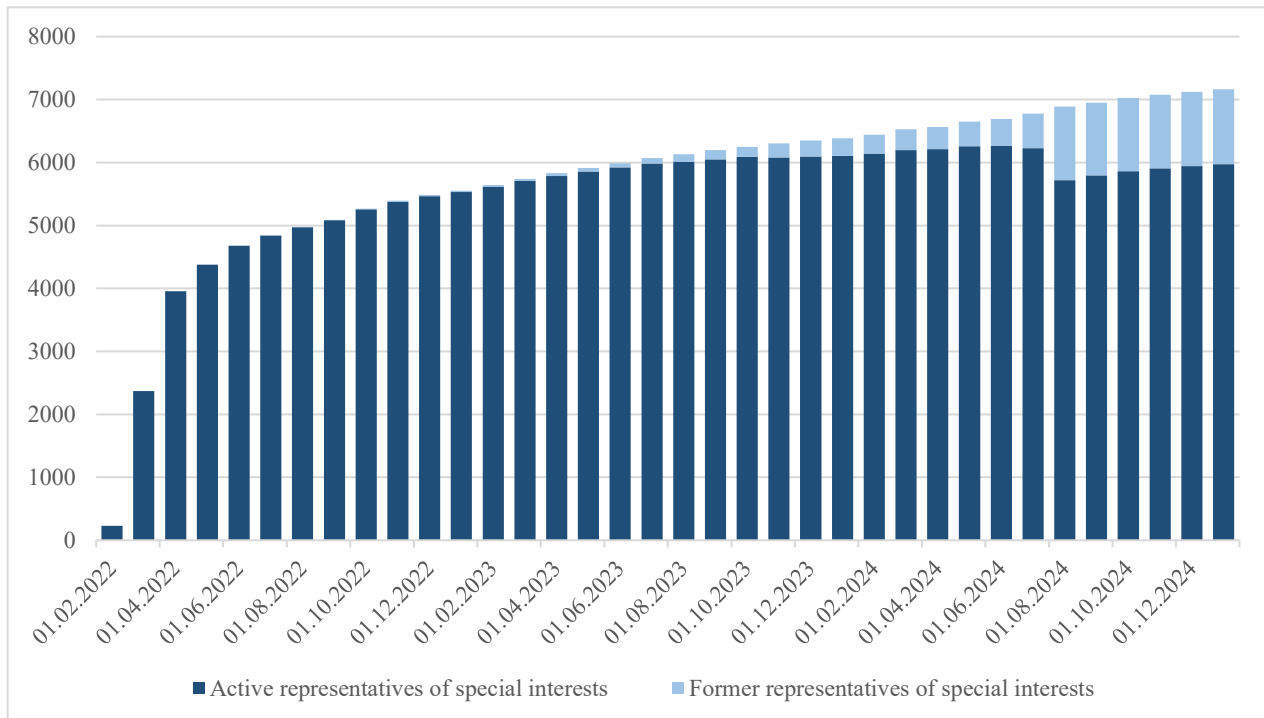
Most of the entries made by representatives of special interests still included in the Register today were input in the first year after the Register had been established. Subsequently, 67 new entries were made each month on average.

**In total, 7,164 entries were published in the Lobbying Register** during the period under review. This figure only includes entries made for the first time in the Register, not publications of changes to existing Register entries

(in total, the Register contained approximately 42,000 different entry versions at the end of the period under review) or reactivations of entries that had already been published previously in the Register.

The total number of entries in the Lobbying Register is found from the entries that are maintained in the active Lobbying Register by registered representatives of special interests and the entries that can still be consulted by the public for 18 months in the *list of former representatives of special interests* after being transferred from the active Lobbying Register.

**Total number of Register entries**



There were **three possible reasons for an entry to be transferred** from the active Lobbying Register to the *list of former representatives of special interests* during the period under review:

- the most important group is made up of representatives of special interests who have given express **notification to the Registry that they are ceasing their lobbying activities** pursuant to the second sentence of Section 3 (5) of the Act (second sentence of Section 3 (4) old LobbyRG).

Overall, the Registry transferred 525 Register entries to the *list of former representatives of special interests* after being notified they were ending their lobbying activities during the period under review.

- In addition, a total of 109 Register entries were transferred to the *list of former representatives of special interests* during the period under review due to **a failure to update them in good time**. This was done from 1 January 2022 to 29 February 2024 pursuant to the third sentence of Section 4 (4) of the old Act; since 1 March 2024, it has been done pursuant to the third sentence of Section 4 (5) of the Act.
- On **2 July 2024**, pursuant to the third sentence of Section 8 (2) of the Act, **663 entries were also removed from the active Lobbying Register** and transferred to the *list of former representatives of special interests* because registrants had neglected to adjust their entries to comply with the new legal regime in good time within the statutory transition period up to and including 30 June 2024 (*see also section 4.4*). As 30 June 2024 fell on a Sunday, the deadline was extended by the Administration up to and including 1 July 2024.

In particular:

**Number of Register entries, 2022–2024**

<b>Date</b>	<b>Total Register entries</b>	<b>Active representatives of special interests</b>	<b>Former representatives of special interests</b>
01.02.2022	229	229	0
01.03.2022	2,370	2,370	0
01.04.2022	3,957	3,957	0
01.05.2022	4,376	4,376	0
01.06.2022	4,682	4,679	3
01.07.2022	4,842	4,838	4
01.08.2022	4,978	4,974	4
01.09.2022	5,092	5,086	6
01.10.2022	5,266	5,256	10
01.11.2022	5,394	5,376	18
01.12.2022	5,485	5,465	20
01.01.2023	5,553	5,532	21
01.02.2023	5,641	5,613	28
01.03.2023	5,741	5,708	33
01.04.2023	5,834	5,787	47
01.05.2023	5,915	5,859	56
01.06.2023	5,991	5,921	70
01.07.2023	6,072	5,985	87
01.08.2023	6,134	6,011	123
01.09.2023	6,196	6,052	144
01.10.2023	6,250	6,089	161
01.11.2023	6,305	6,082	223
01.12.2023	6,352	6,095	257
01.01.2024	6,388	6,107	281
01.02.2024	6,443	6,143	300
01.03.2024	6,527	6,199	328
01.04.2024	6,565	6,211	354
01.05.2024	6,649	6,261	388
01.06.2024	6,692	6,265	427
01.07.2024	6,776	6,227	549
01.08.2024	6,888	5,720	1,168
01.09.2024	6,952	5,794	1,158

Date	Total Register entries	Active representatives of special interests	Former representatives of special interests
01.10.2024	7,025	5,860	1,165
01.11.2024	7,076	5,906	1,170
01.12.2024	7,124	5,944	1,180
01.01.2025	<b>7,164</b>	5,973	1,191

### 5.1.2 Registered offices of representatives of special interests

It is evident that the overwhelming majority of representatives of special interests (always more than 94 per cent) had their registered offices in the Federal Republic of Germany throughout the period under review. During this period, however, there were also always **between 255 and 314 representatives of special interests with registered offices in other countries** enrolled in the German Lobbying Register on 31 December of each reporting year. Most of them had their registered offices in European states and the United States of America. These figures are based on the addresses for representatives of special interests that have to be provided in the Register pursuant to Section 3 (1) (1) (c) and Section 3 (1) 2 (a) of the Act.

At the conclusion of the period under review on 31 December 2024, the following picture was found with regard to the registered offices of registered representatives of special interests:

#### Distribution of registered offices of registered representatives of special interests by state

Registered offices of representatives of special interests	Number	Proportion
Germany	5,693	95.31%
Belgium	33	0.55%
United States	32	0.54%
Netherlands	32	0.54%
United Kingdom	26	0.44%
Switzerland	24	0.40%
France	18	0.30%
Austria	18	0.30%
Ireland	10	0.17%
Luxembourg	7	0.12%
Norway	6	0.10%
Denmark	6	0.10%
Finland	5	0.08%
Spain	5	0.08%
Canada	4	0.07%
Singapore	3	0.05%
Israel	3	0.05%
Italy	3	0.05%
United Arab Emirates	3	0.05%

Registered offices of representatives of special interests	Number	Proportion
Sweden	3	0.05%
Japan	2	0.03%
Liechtenstein	2	0.03%
Czechia	2	0.03%
Brazil	2	0.03%
Malta	2	0.03%
Korea, Republic of	2	0.03%
Bulgaria	1	0.02%
Hong Kong	1	0.02%
Argentina	1	0.02%
Serbia	1	0.02%
China	1	0.02%
Malaysia	1	0.02%
Columbia	1	0.02%
Portugal	1	0.02%
Croatia	1	0.02%
Paraguay	1	0.02%
North Macedonia	1	0.02%
Bolivia, Plurinational State of	1	0.02%
India	1	0.02%
Thailand	1	0.02%
Uruguay	1	0.02%
Tunisia	1	0.02%
Peru	1	0.02%
Slovenia	1	0.02%
South Africa	1	0.02%
Romania	1	0.02%
Slovakia	1	0.02%
Greece	1	0.02%
Ecuador	1	0.02%
Australia	1	0.02%
Turkey	1	0.02%
Hungary	1	0.02%
Morocco	1	0.02%

It should be noted that, of the 280 representatives of special interests with registered offices in other states on 31 December 2024, 36 were bilateral chambers of commerce abroad or chambers of industry and commerce with links to Germany. This is true in particular of the states where just one representative of special interests is listed. There were 24 countries in this group for which the one representative of special interests with its registered office there was a chamber of commerce.

### 5.1.3 Areas of interest and objectives

Furthermore, when they enrol with the Lobbying Register, representatives of special interests have to state the areas of interest and objectives and/or **topics** to which their lobbying relates. It is possible to declare multiple areas of interest and objectives, so the figures given here in per cent reflect the proportions of all representatives of special interests who have declared a particular area of interest (among others). There were no significant changes in the ranking of the four most frequently mentioned areas of interest during the whole period under review:

- “**Business**” was the area of interest selected most frequently throughout. On 31 December 2022, for example, 45.26 per cent of representatives of special interests stated the lobbying they did related to “business”. At the end of December 2023 the figure was 45.36 per cent and at the end of December 2024 it was as high as 47.30 per cent.
- The second most frequently mentioned area of interest was “**environment**” (end of December 2022: 40.30 per cent, end of December 2023: 39.85 per cent and end of December 2024: 42.46 per cent).
- Next came “**science, research and technology**” (33.24 per cent/33.74 per cent/34.90 per cent) and “**European policy and the European Union**” (30.30 per cent/30 per cent/34.45 per cent).
- “**Energy**” (28.39 per cent/29.36 per cent/30.27 per cent) and “**health**” (29.33 per cent/29.46 per cent/29.99 per cent) followed as the fifth and sixth most common areas of interest, but changed their rankings during the period under review.
- “**Training and education**” (23.17 per cent/23.42 per cent/24.72 per cent), “**media, communication and information technologies**” (24.28 per cent/23.91 per cent/24.57 per cent), “**transport**” (23.33 per cent/22.99 per cent/23.05 per cent) and “**work and employment**” (20.13 per cent/20.41 per cent/22.09 per cent) were also among the ten most frequently mentioned areas of interest, appearing in varying order during the period under review.

The latest statistics on areas of interest can always be found on the [Lobbying Register application home page](#).

### 5.1.4 Persons listed by name

The names of a large number of people are listed in the Lobbying Register. These are, firstly, natural persons who carry out lobbying themselves in their own interests or are contracted to work for third parties, as well as, secondly, persons who have to be listed by name because they are either authorised representatives of registered organisations or are deployed by representatives of special interests to carry out lobbying activities in some other capacity.

From the very beginning, organisations’ Register entries have had to state their **authorised persons**. It can usually be assumed that these individuals represent their organisations externally *ex officio* and therefore also in dealings with addressees of the representation of special interests within the meaning of the Lobbying Register Act.

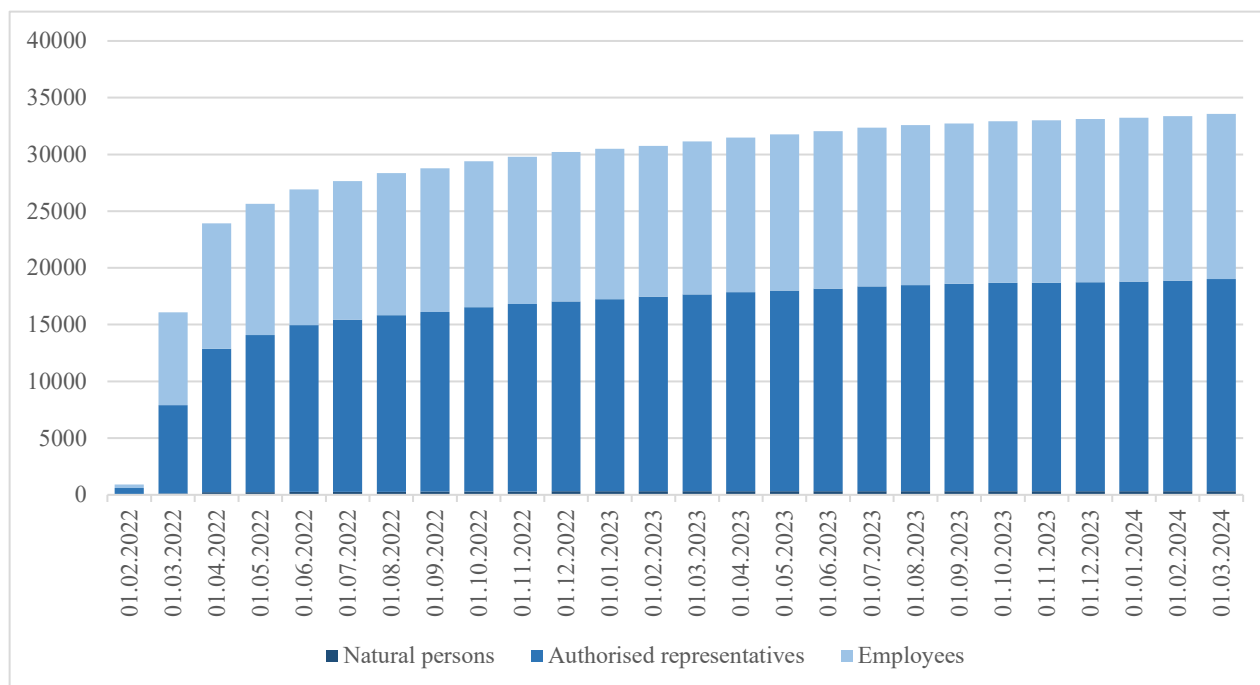
Under the earlier version of the legislation, pursuant to Section 3 (1) (2) (d) of the old Act, the names of **organisations’ employees** were to be entered additionally in Register entries if they engaged directly in the representation of special interests and were not already recorded as authorised persons for the organisation in its Register entry. This provision was intended to ensure people authorised to engage in lobbying for registered representatives of special interests at the federal level would be identifiable.

Under the old legal regime, the total number of persons named in the Lobbying Register was therefore found from the total of representatives of special interests registered as natural persons in the Register, the authorised (natural) persons listed by organisations and the employees who were actively involved in the representation of special interests as well.

However, it was not possible to draw any inferences from these figures about whether the persons listed also actually engaged directly in the representation of special interests within the meaning of the Lobbying Register Act. Furthermore, they did not include persons who were not employed by the organisations they represented.

The number of persons thus **listed by name in the Register** rose continuously until the amendments to the Lobbying Register Act entered into force on 1 March 2024. As of November 2022, it was greater than 30,000 persons, and it had even risen to **33,651 persons** on **1 March 2024**.

#### Listed persons (old legal regime)



In particular:

#### Number of persons listed under the old legal regime

Date	Representatives of special interests registered as natural persons	Authorised representatives	Employees involved in the representation of special interests	Total
01.02.2022	34	556	315	905
01.03.2022	133	7,778	8,186	16,097
01.04.2022	222	12,652	11,050	23,924
01.05.2022	239	13,849	11,545	25,633
01.06.2022	264	14,696	11,954	26,914
01.07.2022	265	15,178	12,207	27,650
01.08.2022	271	15,549	12,523	28,342
01.09.2022	278	15,837	12,653	28,768
01.10.2022	290	16,257	12,852	29,399
01.11.2022	301	16,514	12,983	29,798

Date	Representatives of special interests registered as natural persons	Authorised representatives	Employees involved in the representation of special interests	Total
01.12.2022	310	16,742	13,166	30,218
01.01.2023	311	16,940	13,253	30,504
01.02.2023	317	17,144	13,302	30,763
01.03.2023	318	17,343	13,487	31,148
01.04.2023	324	17,549	13,610	31,483
01.05.2023	328	17,677	13,749	31,754
01.06.2023	324	17,862	13,868	32,054
01.07.2023	325	18,051	13,983	32,359
01.08.2023	319	18,167	14,089	32,575
01.09.2023	323	18,264	14,153	32,739
01.10.2023	328	18,340	14,257	32,925
01.11.2023	322	18,360	14,340	33,022
01.12.2023	316	18,421	14,398	33,135
01.01.2024	315	18,474	14,446	33,235
01.02.2024	319	18,562	14,490	33,378
01.03.2024	322	18,688	14,551	<b>33,561</b>

Since the reform of the Lobbying Register Act as of 1 March 2024, it has no longer been necessary to list *employees* who directly engage in the representation of special interests by name in the Register, but all persons who are entrusted with the representation of special interests on more than an occasional basis and who engage directly in the representation of special interests (“**entrusted persons**”).

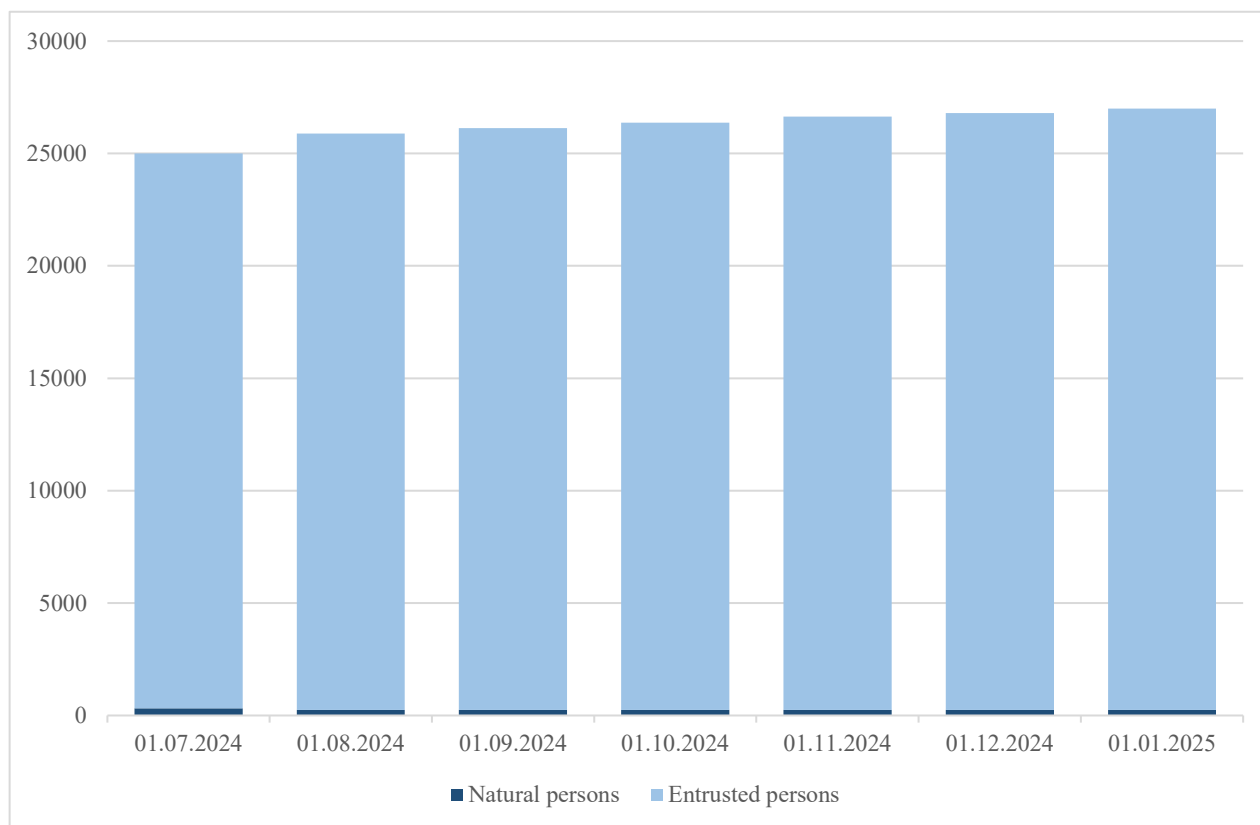
Registrants now have to state whether authorised persons are actually entrusted with the representation of special interests as well. The obligation to declare their names also applies for persons who are not employed by the organisation, for example members of associations constituted as membership organisations who act in a voluntary capacity or members of supervisory boards, provided they have been entrusted with the representation of special interests.

Since the reform, the total number of representatives of special interests registered as natural persons and persons entrusted with the representation of special interests has made it possible to assess more realistically how many personnel are potentially deployed engaging in contacts for lobbying purposes at the federal level on behalf of registered representatives of special interests.

The figures given below are based solely on entries that have been published under the amended legislation following the end of the statutory transition period for the migration of entries.

In July 2024, more than 25,000 persons were listed by name in the Register and could therefore be assumed to be actively involved in the representation of special interests at the federal level. In the second six months of the year, the number grew steadily, but only at a slow pace. On **31 December 2024, 26,998 persons were named in the active Lobbying Register.**

On account of the statutory clarification that authorised persons who directly engage in lobbying are also to be recorded as being involved in the representation of special interests, the total number of authorised persons who continue to be listed is no longer included in the following statistics.

**Persons engaged in the representation of special interests (new legal regime)**

In particular:

**Number of persons engaged in the representation of special interests**

Date	Representatives of special interests registered as natural persons	Persons entrusted with the representation of special interests	Total
01.07.2024	319	24,687	25,006
01.08.2024	252	25,640	25,892
01.09.2024	252	25,872	26,124
01.10.2024	246	26,119	26,365
01.11.2024	243	26,394	26,637
01.12.2024	243	26,561	26,804
01.01.2025	247	26,751	<b>26,998</b>

**5.1.5 Representation of special interests commissioned by third parties**

Where special interests are represented on the basis of commissions from third parties, this is to be made identifiable in the Register entry by the provision of particulars of clients' identities. With regard to the figures given below on clients, persons deployed and sub-contractors, it is to be borne in mind that individual persons and organisations may be listed in multiple Register entries and therefore counted more than once.

- At the **end of 2022**, 483 of the 5,532 active representatives of special interests registered at the time stated they (also) lobbied on behalf of third parties. This corresponds to a proportion of 8.73 per cent. On 31 December 2022, a total of 1,783 clients were listed in contractors' entries.
- At the **end of 2023**, 499 of the 6,107 registered representatives of special interests stated they were contracted to engage in the representation of special interests on behalf of third parties, which corresponded to a slightly reduced proportion of 8.17 per cent. The number of clients listed rose in the course of 2023 to a total of 1,885.
- At the **end of 2024**, 358 of the total of 5,973 representatives of special interests stated they were commissioned by third parties to represent special interests. This corresponds to a proportion of 5.99 per cent.

Since 1 March 2024, an extended range of information on all aspects of concrete commissioning relationships has had to be disclosed in Register entries in order to make what are known as commissioning chains visible. It is evident from this information that, at the end of 2024, representatives of special interests commissioned by third parties were engaged in the representation of special interests under a total of 1,016 commissioning relationships, listing 1,496 clients in their entries.

Since, pursuant to Section 3 (2) (4) of the Act, the financial resources also received from their clients per commission during the last financial year are to be declared in increments of 50,000 euros in each case, adding up the middle values of the increment bands gives a total of approximately 97.2 million euros. This represents a first approximation to the order of magnitude of the value of the lobbying commissioned at the federal level. It is, however, to be taken into account that particulars of the financial volume of commissions only have to be stated if the commissioning relationships already existed during the last financial year. When it comes to commissions that were not placed until the current financial year, no particulars of their value have to be disclosed.

In addition, pursuant to Section 3 (2) (3) of the Act, representatives of special interests are obliged to state what persons within their own organisation are deployed for the representation of special interests on commission. The Register entries indicate that, at the end of 2024, a total of 2,358 persons were listed in contractors' entries who were deployed to engage in the representation of special interests on commission from third parties.

If third parties are deployed as sub-contractors by lobbyists under a contract to represent special interests, these organisations or persons are also to be listed in the Register entry pursuant to Section 3 (2) (3) (b) to (d) of the Act. During the period from July to December 2024, representatives of special interests stated they had commissioned 53 organisations and another 106 natural persons as sub-contractors representing special interests on behalf of third parties.

### 5.1.6 Annual financial expenditure involved in the representation of special interests

Representatives of special interests have to provide information in their Register entries about how high their annual financial expenditure on the representation of special interests was during the last financial year – except where these particulars were withheld (permissibly) under the old legal regime. This figure has to be given in increments of 10,000 euros in each case.

An approximation to the **total amount of annual financial expenditure** involved in the representation of special interests at the federal level is found if the middle values of the increment bands declared in all Register entries of active representatives of special interests and entries that have recently been transferred to the *list of former representatives of special interests* are calculated, and these middle values added together. The entries transferred to the *list of former representatives of special interests* are included in the calculation because the financial expenditure disclosed in them also fell within the last financial year in which lobbying was actually undertaken.

The following totals are found from the middle values of the expenditure declared at the end of each year during the period under review:

**Total of middle values of annual financial expenditure**

<b>Date</b>	<b>Total of middle values of annual financial expenditure involved in the representation of special interests in the last financial year (rounded to nearest thousand euros)</b>
31.12.2022	786,847,000 euros
31.12.2023	881,927,000 euros
31.12.2024	<b>910,578,000 euros</b>

The following totals are found from the increments declared in the particulars given of annual financial expenditure:

**Totals of increments of annual financial expenditure**

<b>Date</b>	<b>Total of lower bounds of increment bands for annual financial expenditure</b>	<b>Total of upper bounds of increment bands for annual financial expenditure</b>
31.12.2022	766,174,135 euros	807,520,000 euros
31.12.2023	858,504,685 euros	905,350,000 euros
31.12.2024	883,835,349 euros	<b>937,320,000 euros</b>

However, the total annual financial expenditure actually devoted to the representation of special interests at the federal level is likely to have been even higher during the period under review. It was permissible for the particulars of such spending to be withheld up to 1 March 2024 (and they were in fact withheld in 507 entries). Apart from this, as a result of the exemptions set out in Section 2 (2) and (3) of the Act, some actors have ceased to be obliged to enrol in the Lobbying Register, so that no information about their financial expenditure is available. If the registered representatives of special interests are grouped by their most recently disclosed financial expenditure, the following distribution is found at the end of the period under review (31 December 2024):

**Levels of annual financial expenditure**

<b>Annual financial expenditure</b>	<b>Number of representatives of special interests</b>	<b>Proportion</b>
0 euros	1,142	19.53%
1–10,000 euros	1,727	28.91%
10,001–50,000 euros	1,077	18.03%
50,001–100,000 euros	540	9.04%
100,001–500,000 euros	997	16.69%
500,001–1,000,000 euros	201	3.37%
1,000,001–10,000,000 euros	163	2.73%
Over 10,000,000 euros	1	0.02%

This overview does not include 125 entries (2.09 per cent) by representatives of special interests who stated they still had no figures for a full financial year, meaning no financial expenditure could be declared.

### 5.1.7 Regulatory proposals

Since 1 March 2024, representatives of special interests have had to outline the aim of their lobbying in the Register pursuant to Section 3 (1) (5) (a) of the Act, stating what **current, planned or intended federal or European regulatory proposals** they are concerned with when they lobby bodies, panels, Members, parliamentary groups or groupings of the German Bundestag, their employees or the Federal Government at the head-of-division level or higher.

If the representation of special interests has merely general purposes without a concrete regulatory objective, no concrete regulatory proposal is stated in the Register entry. If a registrant is lobbying on multiple concrete regulatory proposals, these are to be listed individually in the Register entry.

Approximately half of the representatives of special interests have in the meantime stated their work relates to concrete regulatory proposals. Since the regulatory proposals with which representatives of special interests are concerned still remain visible for eight years in the Register after an entry has been transferred from the active Lobbying Register to the *list of former representatives of special interests*, the following table gives separate figures for regulatory proposals on which active representatives of special interests are working. The following figures are found for the period under review:

**Statistics on listed regulatory proposals**

Date	Number of active representatives of special interests	Representatives of special interests concerned with regulatory proposals	Regulatory proposals with which active representatives of special interests are concerned	Total number of regulatory proposals included in the Register
01.04.2024	6,211	129	208	208
01.05.2024	6,261	309	516	516
01.06.2024	6,265	575	1,177	1,178
01.07.2024	6,227	2,648	10,576	10,579
01.08.2024	5,720	2,771	11,269	11,273
01.09.2024	5,794	2,825	11,698	11,702
01.10.2024	5,860	2,874	12,383	12,387
01.11.2024	5,906	2,914	12,865	12,872
01.12.2024	5,944	2,940	13,176	13,195
01.01.2025	5,973	2,973	13,861	<b>13,884</b>

### 5.1.8 Essential written comments and expert opinions

Since 1 March 2024, pursuant to Section 3 (1) (5) (b) of the Act, where essential written comments and expert opinions concerning the listed regulatory proposals have been submitted to the Bundestag or the Federal Government in the course of the representation of special interests, they have had to be anonymised and provided in the Lobbying Register in a format in which the text they contain is machine readable. There are exemptions for comments and expert opinions published in the course of formal involvement processes.

The number of comments and expert opinions provided in the Register has grown continuously since 1 March 2024. As the comments and expert opinions provided by representatives of special interests still remain visible in the Register for eight years after a Register entry has been transferred from the active Lobbying Register to the *list of former representatives of special interests*, the following table additionally gives separate figures for documents that have been disclosed by active or former representatives of special interests. The following figures are found for the period under review:

### Statistics on disclosed comments and expert opinions

Date	Number of active representatives of special interests	Representatives of special interests disclosing comments and expert opinions	Comments and expert opinions disclosed by active representatives of special interests	Total number of comments and expert opinions included in the Register
01.04.2024	6,211	28	38	38
01.05.2024	6,261	79	114	114
01.06.2024	6,265	181	312	312
01.07.2024	6,227	1,122	3,817	3,817
01.08.2024	5,720	1,204	4,284	4,284
01.09.2024	5,794	1,243	4,588	4,588
01.10.2024	5,860	1,300	5,467	5,467
01.11.2024	5,906	1,345	5,992	5,992
01.12.2024	5,944	1,374	6,396	6,400
01.01.2025	5,973	1,413	7,358	<b>7,364</b>

## 5.2 Non-public entries and particulars

The Lobbying Register is a public register. Apart from a few exceptions, the particulars entered by representatives of special interests are therefore published immediately when they are input on the Register's website.

However, a small number of personal particulars – to be precise, dates of birth, telephone numbers and electronic contact details that are required purely for the maintenance of the Register – are already expressly exempted from publication by the Lobbying Register Act (second sentence of Section 4 (2) old LobbyRG; fifth sentence of Section 4 (2) LobbyRG). In addition, entries or individual particulars can be depublished by the Registry or exempted from publication in specific cases.

### 5.2.1 Depublication of evidently improper entries

Under its statutory remit to maintain the Lobbying Register, the Registry removes evidently improper entries completely or in part from the public Register. This is now also expressly regulated in law by the fourth sentence of Section 4 (3) of the Act, and serves to ensure the correctness and reliability of the Lobbying Register (Bundestag printed paper 20/7346, p. 34).

Since a release code sent out by post is used during the registration process (*see section 4.1*), it has largely been possible to prevent entries from being published improperly. In consequence, only **twelve evidently improper Register entries had to be removed from the public Lobbying Register** overall during the period under review. Some of these entries had been made without the necessary seriousness of intent ("joke entries"). Some registrants appeared to have acted on the basis of the erroneous assumption that the Lobbying Register would enable them to gain addressees' attention without any approaches actually being made subsequently, meaning the fundamental precondition for registration in the Lobbying Register was not fulfilled. In the hearings that were held, none of these registrants were able to substantiate any lobbying activities that would have qualified them for enrolment in the Register.

During the period under review, **17 further erroneously created Register entries were also depublished** because a duplicated entry had inadvertently been created or an organisation's employees had registered with their own additional entries even though they did not personally engage in any representation of special interests that would be subject to mandatory registration other than the lobbying they did on behalf of their employer.

### 5.2.2 Restricted publication of particulars on account of legitimate interests

Pursuant to the first sentence of Section 4 (6) of the Act, the Registry can restrict fully or partially the publication of particulars entered in the Lobbying Register in justified individual cases. This is allowed if a representative of special interests demonstrates to it that, in view of all the circumstances of the individual case, publication runs counter to the overriding legitimate interests of the representative of special interests or the natural persons to be named in the Register entry.

Legitimate interests exist if the facts warrant the assumption that publication would expose the persons named to the risk of falling victim to a crime or an offence under sections 124, 223, 224, 240 or 241 of the German Criminal Code (*Strafgesetzbuch* – StGB). Crimes are illegal acts that are punishable with a custodial sentence of at least one year, for example under Section 211 StGB (murder), Section 212 StGB (manslaughter), Section 226 StGB (grievous bodily harm), Section 249 StGB (robbery) or Section 306 StGB (arson). Furthermore, the Lobbying Register Act definitively lists the following sections of the German Criminal Code as governing offences that provide grounds for protection: Section 124 StGB (aggravated trespass), Section 223 StGB (bodily harm), Section 224 StGB (dangerous bodily harm), Section 240 StGB (coercion) and Section 241 StGB (threatening behaviour).

If the Registry approves a request for the publication of particulars to be restricted due to overriding legitimate interests, the particulars in question are removed from the public Register or not published there in the first place. Pursuant to the third sentence of Section 4 (7) of the Act, however, the Registry is entitled to disclose whether an entry exists and, where applicable, what particulars it includes in response to individual enquiries from Members of the German Bundestag and the federal ministries.

In the whole of the period under review, just **one Register entry was completely exempted from publication for a time** due to overriding legitimate interests. In addition, **22 individual particulars** in a total of ten Register entries were **depublished** due to overriding legitimate interests. Apart from personal data of individual persons listed by name in these Register entries, the particulars exempted were the addresses of individual businesses' representative offices in the capital city. At the end of the period under review on 31 December 2024, **19 individual particulars had been depublished in ten current entries** of active representatives of special interests on account of overriding legitimate interests, and there was no Register entry completely exempted from publication any longer.

### 5.2.3 Depublication of individual comments and expert opinions

When the Lobbying Register Act was reformed, an obligation was placed on representatives of special interests to provide essential written comments and expert opinions that they had submitted to addressees within the meaning of the Lobbying Register Act in connection with a regulatory proposal on which they were working. The explanatory memorandum to the Act explicitly stated that personal data potentially included in comments or expert opinions had to be either redacted or anonymised, or the consent of the person in question obtained prior to publication ([Bundestag printed paper 20/7346](#), p. 29). It is also the task of representatives of special interests to ensure that the publication of the contents of their comments and expert opinions does not infringe any copyrights or other protected rights, such as those over business and commercial secrets ([Bundestag printed paper 20/8828](#), p. 32).

When they go through the process of uploading a comment or expert opinion to the Register, representatives of special interests have their attention expressly drawn to these obligations by a special alert, which they must confirm they have taken note of.

It is possible for the public to inform the Registry about potential infringements of rights in individual comments or expert opinions directly from the Register application using the reporting function that has been created (*see section 4.4*). Any such report must flag up a possible infringement of the member of the public's own data protection rights, personal rights or copyrights. In response, the Registry examines whether it is necessary to depublish the files in question. **Use only had to be made** of this option **in one case** during the whole period under review.

### 5.3 Public labelling of entries with the annotations “particulars partially withheld” and “entry not up to date”

From the beginning, the Lobbying Register Act has provided for the labelling of entries with particular publicly visible annotations to inform the public about misconduct on the part of registered representatives of special interests. In consequence, it is immediately identifiable for the public if particulars have not been updated in good time or the Registry has found an infringement of the Code of Conduct (see [section 9](#)).

Until the reform of the Lobbying Register Act entered into force, Register entries in which particulars had been (permissibly) withheld were labelled additionally.

The labelling of a Register entry has the following consequences in each case:

- The designation “*registered representative of special interests*” may not be used publicly (Section 5 (10) LobbyRG; Section 5 (9) old LobbyRG).
- The German Bundestag may refuse to issue access permits solely because the Register entry in question has been labelled (first sentence of Section 6 (1) LobbyRG).
- Registrants are not allowed to participate in public hearings of the committees of the German Bundestag as persons furnishing information (Section 6 (2) LobbyRG).
- Registrants are not to be involved in deliberations on draft bills under Section 47 of the Joint Rules of Procedure of the Federal Ministries (*Gemeinsame Geschäftsordnung der Bundesministerien*) (Section 6 (3) LobbyRG).

#### 5.3.1 Entries labelled “particulars partially withheld”

Under the legal regime in place until 29 February 2024, representatives of special interests could withhold individual particulars from the Register pursuant to Section 3 (2) of the old Act, namely

- particulars of their annual financial expenditure involved in the representation of special interests,
- particulars of individual allowances and grants from the public purse and individual gifts from third parties, and
- the annual accounts or management reports to be provided by legal persons.

The parts of the relevant Register entries where use was made of this option to withhold particulars were publicly labelled with the annotation “particulars partially withheld”. Furthermore, representatives of special interests who had withheld particulars were identified in a special public list in the Lobbying Register pursuant to the third sentence of Section 3 (2) of the old Act.

The **option to withhold particulars** has been **completely repealed** with the reform of the Lobbying Register Act **as of 1 March 2024**. The will of the legislature was that this option should be removed, thus helping to hinder covert lobbying work and reveal the political influence exerted by donors (cf. Bundestag printed paper 20/7346, p. 31).

The **proportion of entries with (partially) withheld particulars** ranged **between 13 and 17 per cent** during the part of the period under review for which the original version of the Lobbying Register Act applied (up to the end of February 2024).

Immediately before the reform entered into force on 1 March 2024, particulars had been withheld under Section 3 (1) (6) to (8) of the old Act in the entries for 1,007 out of the total of 6,199 active representatives of special interests, and therefore in 16.24 per cent of entries.

In particular:

**Number of Register entries with partially withheld particulars (up to 1 August 2024)**

Date	Number of Register entries	Entries with (partially) withheld particulars
01.02.2022	229	40
01.03.2022	2,370	255
01.04.2022	3,957	515
01.05.2022	4,376	587
01.06.2022	4,679	638
01.07.2022	4,838	659
01.08.2022	4,974	682
01.09.2022	5,086	705
01.10.2022	5,256	750
01.11.2022	5,376	782
01.12.2022	5,465	802
01.01.2023	5,532	816
01.02.2023	5,613	828
01.03.2023	5,708	844
01.04.2023	5,787	860
01.05.2023	5,859	875

Date	Number of Register entries	Entries with (partially) withheld particulars
01.06.2023	5,921	892
01.07.2023	5,985	1,000
01.08.2023	6,011	1,030
01.09.2023	6,052	1,035
01.10.2023	6,089	1,033
01.11.2023	6,082	1,017
01.12.2023	6,095	1,001
01.01.2024	6,107	991
01.02.2024	6,143	999
01.03.2024	6,199	1,007
01.04.2024	6,211	958
01.05.2024	6,261	916
01.06.2024	6,265	817
01.07.2024	6,227	217
01.08.2024	5,720	0

### 5.3.2 Entries labelled “entry not up to date”

From the beginning, the Lobbying Register Act demanded that Register entries and individual particulars be amended and updated by certain statutory deadlines. If an entry has not been updated in good time, this is indicated with the public label “entry not up to date”.

Section 4 (4) of the old Act made the following provisions for situations in which the particulars to be provided in the Lobbying Register under Section 3 (1) of the old Act were not updated in good time once a year. Where the particulars had not been updated for longer than one year, the representative of special interests concerned was informed electronically and requested to update their entry. The deadline was calculated from the date of the entry’s first publication or last annual update. If the particulars were not subsequently updated in the ensuing three weeks, the corresponding public label was attached to the entry.

The reform of the Lobbying Register Act amended these provisions to the effect that the sanction is imposed for failure to carry out the “financial year update”, as it is termed, in good time. According to the second sentence of Section 3 (3) of the Act, particulars entered under Section 3 (1) (1) (f), Section 3 (1) (2) (e) and (f), Section 3 (1) (6) to (8) and Section 3 (2) (4) of the Act are to be updated to cover the last financial year six months after the year end at the latest. This obligation relates in particular to the updating of the financial particulars for the financial year. When these particulars are updated, the whole Register entry is to be checked in its entirety at the same time and its correctness confirmed to the Registry.

If representatives of special interests fail to comply with this obligation in good time, they receive an electronic message requesting that they carry out the overdue update. If they fail to comply with this request within 30 days,

the label “entry not up to date” is attached to their entry. As soon as the representative of special interests publishes an appropriately updated version of their Register entry, the “not up to date” label is removed from the entry again.

**During the whole period under review**, the entries of a total of 1,455 representatives of special interests **were labelled “not up to date” on 1,545 occasions**. The label is removed as soon as the update is made. This is why it was possible for individual entries to be labelled in this way several times over the whole period under review.

### 5.3.3 Automatic transfer to the list of former representatives of special interests

Since the introduction of the Lobbying Register, the Registry has had to ensure that, subject to the fulfilment of particular statutory preconditions, Register entries are removed from the active Lobbying Register and transferred to the *list of former representatives of special interests*:

- During the period from 1 January 2022 to 29 February 2024, Section 4 (4) of the old Act provided for the following procedure. Where entries were labelled with the annotation “entry not up to date” and the representative of special interests continued to take no action, a further message was sent out six months after the first message about their obligation to update the entry. This second message informed them that their entry would be transferred from the active Lobbying Register to the *list of former representatives of special interests* in a month’s time.
- Since 1 March 2024, the following has applied under the third sentence of Section 4 (5) of the Act. If a representative of special interests whose entry has been labelled as “not up to date” takes no action for a further 120 days after it has been labelled, they are notified electronically that their entry will be transferred to the *list of former representatives of special interests* in 30 days.

**During the period under review**, a total of **109 entries were removed from the active Lobbying Register** and transferred to the *list of former representatives of special interests* **because they had not been updated**.

Once it has been transferred to the *list of former representatives of special interests*, an entry is additionally labelled in the public Register with the annotation “former representative of special interests since [date]”; but the entry in question remains visible in the Register for a further 18 months. However, the form of labelling does not differ from that used if the entry has been transferred to the *list of former representatives of special interests* at the registrant’s initiative because they have ceased to engage in the representation of special interests (*see section 5.1.1*). Any registrant whose entry has been transferred to the *list of former representatives of special interests* can no longer engage in lobbying subject to mandatory registration without simultaneously committing a regulatory offence under Section 7 of the Act.

## 6 Information and advice concept

From the beginning, it was a particular concern for the Registry to organise the registration and updating processes in the Lobbying Register as simply and practically as possible for representatives of special interests in order to help the new rules achieve the broadest possible acceptance. A comprehensive information and advice concept was drawn up for this purpose, which the Registry has continually further developed. It is intended to offer prompt, effective support when there are questions about the process for enrolment in the Register or the use of Register data.

The Registry offers a large number of published guidance documents and options to communicate with it via email, online webinars and a Telephone Hotline that has been operated continuously since the start of 2022 and is used enthusiastically by large numbers of representatives of special interests as an easily accessible information service. The great deal of positive feedback received on the advice provided in practice confirms the satisfaction with the services that are offered, as well as the effectiveness of the extensive, continuous support delivered for persons and organisations with obligations to register.

In addition to the advice that is provided, which is specifically aimed at representatives of special interests, the Registry offers interested citizens a broad diversity of information on the “[\*Information/help\*](#)” (*Informationen/Hilfe*) page of the Lobbying Register’s public website, as well as the option to subscribe to its [\*Newsletter\*](#) and receive ad hoc information about news and developments relating to the Lobbying Register.

## 6.1 Handbook for Representatives of Special Interests

The Handbook for Representatives of Special Interests on Making Entries in the Lobbying Register (*Handbuch für Interessenvertreterinnen und Interessenvertreter zur Eintragung in das Lobbyregister*) was published punctually on 1 January 2022 as a 171-page guide to the registration process and a reference work that covered frequently asked questions.

The Handbook contains detailed explanations of the whole registration process illustrated with images of the input screens in the Register application. It deals very comprehensively with most of the practical and legal issues raised by the registration process, but also gives general advice to help registrants understand the rules relating to the obligation to register and interpret the exemptions that are permitted. This makes it the standard work for anyone wishing to get to grips with the Lobbying Register and the Register application.

The size of the Handbook and the level of detail it contains have sometimes been criticised; there have been complaints that it is difficult to read easily as a whole and is also confusing. However, the Handbook is not intended to be a textbook on the Lobbying Register. Rather, it is supposed to be a **guide** for the administrators responsible for Register entries and serve as a reference work. At the same time, it forms the **basis for the Registry's administrative practices**, ensuring entries are consistent and all parties obliged to register are treated equally as it maintains the Register.

The Handbook describes step by step the actions to be taken when setting up an administration account and entering particulars, as well as answering as unambiguously as possible questions of interpretation that were encountered while the Register was in development. The repetitions in which this results are attributable to the Handbook's structure as a **reference work**. The aim was (and still is) to directly support administrators going through the registration process and enable them to find all the explanations of issues they encounter straight away.

Under the reform of the Lobbying Register Act that entered into force on 1 March 2024, the Handbook has been comprehensively revised and adjusted to take account of the new legislation. In line with the innovations introduced into the Act, new sections were developed, in particular on the entry of particulars of regulatory proposals, essential comments and expert opinions, and commissioning relationships. Other sections were expanded with explanations of the additional structural particulars that have to be disclosed.

The revised Handbook, which is now 254 pages long, was published on 1 March 2024 on the Lobbying Register's website. The latest version of the Handbook can be downloaded from the website at any time. Representatives of special interests can search the PDF file for particular topics and terms using the contents table or the full-text search function.

## 6.2 Information and help on the website

Detailed information, explanations and materials on all aspects of the Lobbying Register will be found on the Lobbying Register's website on the "*Information/help*" page. Some of the information materials are also available in English. This part of the website is updated and further developed regularly. It is intended for parties who are obliged to register, as well as the interested general public.

At the top of the sidebar menu, it is possible to find the "*Latest news*" (*Aktuelles*) subpage, with information about the reform or new technical features, as well as the current version of the Handbook for Representatives of Special Interests on Making Entries in the Lobbying Register.

Fundamental information about the Lobbying Register is to be found on the "*Introduction*" (*Einführung*) subpage, while typical concerns about the Lobbying Register are dealt with on the "*Frequently Asked Questions (FAQs)*" (*Häufig gestellte Fragen (FAQ)*) and "*Lobbying Register A–Z*" (*Lobbyregister A – Z*) subpages, which cover the issues the Registry has had to respond to when providing practical advice about the reform to users.

There is also a subpage containing "*Information for addressees of the representation of special interests in the Bundestag and Federal Government*" (*Informationen für Adressatinnen und Adressaten von Interessenvertretung in Bundestag und Bundesregierung*).

In order to make it easier for the public to use the Lobbying Register, the various search, sorting and filter functions that are available in the public Lobbying Register application are explained on the "*Information about searching the Lobbying Register*" (*Informationen zur Suche im Lobbyregister*) subpage.

The “*Explanations concerning the substance of the representation of special interests area*” (*Erläuterungen zum Bereich Inhalte der Interessenvertretung*) subpage gives detailed support for the use of the newly created area of the application where the substance and aims of lobbying activities are outlined. Among other things, this subpage emphasises clearly that the information that can be accessed there consists of particulars and documents published by representatives of special interests themselves in their Register entries pursuant to Section 3 (1) (5) (a) and (b) of the Act.

Links to relevant legal provisions and the parliamentary materials associated with the Lobbying Register Act of 16 April 2021 and the Act Amending the Lobbying Register Act of 15 January 2024 are given on the “Legal provisions, parliamentary materials and legislative procedures” (*Rechtsvorschriften, parlamentarische Materialien und Gesetzgebungsverfahren*) subpage. The Code of Conduct for representatives of special interests in the framework of the Lobbying Register Act and the Administrative Agreement on the Details of the Maintenance of the Lobbying Register between the German Bundestag and the German Federal Government (*Verwaltungsvereinbarung über die Einzelheiten der Führung des Lobbyregisters zwischen dem Deutschen Bundestag und der Bundesregierung*) can be found there.

The various sanctions and the preconditions for their imposition when the Lobbying Register Act and the standards of the Code of Conduct have been infringed are explained on the “*Sanctions for infringements*” (*Sanktionen bei Verstößen*) subpage.

The “Further links” (*Weiterführende Links*) subpage leads to the sign-up page for the Newsletter and the data protection notice.

The legal provisions and some of the information materials are also available in translation on the “*Information in English*” subpage. In particular, the consolidated version of the Act, the Code of Conduct and the first three chapters of the Handbook are available there in English.

The information on the “*Registry*” (*Registerführende Stelle*) subpage includes, in particular, the contact details for the Registry and advice on how third parties can submit reports about infringements of their rights. Furthermore, it explains the circumstances in which particulars may be exempted from publication on account of their sensitivity.

### 6.3 Telephone Advice Hotline

The creation of a Telephone Advice Hotline was also a central element of the Registry’s advice concept from the beginning. Qualified lawyers are always available who can provide support when more complex questions arise, although the Registry cannot offer any legal advice on specific cases. The Hotline was introduced at the beginning of 2022, when the Register was put online, and can be contacted on +49 (0) 30 227-37555 during its opening hours, which are published on the Lobbying Register website. The Telephone Hotline offers representatives of special interests the opportunity to discuss their concerns directly and unbureaucratically with the Registry. They may wish to talk about issues relating to the particulars to be disclosed or technical problems with a Register entry, or may have general requests for information about the Lobbying Register.

When the Lobbying Register was introduced at the beginning of 2022, all members of staff worked regularly on the Hotline in order to meet the heavy demand for advice about how to make the first entries. They also did this during the phase when Register entries were being adjusted to comply with the new legal regime in the spring and early summer of 2024. More than 2,500 calls were taken and actioned just during this period.

### 6.4 Dedicated email address

Representatives of special interests can not only call the Telephone Hotline, but also have the option of contacting the Registry’s dedicated email address, [lobbyregister@bundestag.de](mailto:lobbyregister@bundestag.de). In particular, this option was used a great deal when entries were being adjusted to the new legislation. In this context alone, the Registry received more than 3,000 emails.

### 6.5 Circulars for administrators

The circulars sent out by the Registry to administrators (“admin circulars”) serve as another regular information tool. They provide targeted information for the administrators responsible for Register entries about new content-related features, materials that have been made available and important updates to the Register application. They are also used to invite administrators to join webinars.

## 6.6 Automated alert and reminder emails

In connection with the annual updating of financial year-based particulars provided for under the second sentence of Section 3 (3) of the Act, **up to five alert and reminder emails** are sent out to the administrators of a Register entry and sometimes also to all authorised persons listed for the representative of special interests in question. An **automated system** has been created to do this that reminds representatives of special interests about their obligation to update their particulars several times at an early stage. When particulars have to be updated annually under the second sentence of Section 3 (3) of the Act, the reminder mails draw registrants' attention to, among other things, the fact that the label "entry not up to date" will be attached to their entry following the expiry of the statutory period within which updates are supposed to be published, and that the whole Register entry will be automatically removed from the active Lobbying Register and transferred to the *list of former representatives of special interests* following the expiry of a further statutory period.

During the transitional period allowed up to 30 June 2024 for the adjustment of entries to comply with the new legal regime, the Registry suspended the reminders about updating and automatic transfer to the *list of former representatives of special interests* due to the failure to update entries. This was intended to enable representatives of special interests to concentrate on revising their entries accordingly.

Instead, a total of five automated alert and reminder emails were used during the migration phase to inform administrators about the reform of the Act and the obligation it placed on them to amend their Register entries up to and including 30 June 2024. The administrators and all listed authorised persons were informed that their entry would be transferred automatically to the *list of former representatives of special interests* if migration was not completed in good time. Where migration was not implemented by the deadline, a system message was sent out by email when the entry was transferred.

## 6.7 Special support measures for the migration phase

The adjustment of all Register entries to comply with the new legal regime that would be in place as of 1 March 2024 posed major challenges, both for representatives of special interests and for the Registry. A large number of new information and advice measures were therefore developed to support the affected parties as effectively as possible during the migration process.

Initially, soon after the legislation had been passed, the Registry published a synopsis of the old and new rules and a **consolidated version of the Lobbying Register Act**. This was intended to make it easier for representatives of special interests to work out what information would have to be provided under the new legislation, so they could get ready for it at an early stage. The consolidated version of the Act was also made available in English in order to inform foreign representatives of special interests at the earliest possible opportunity.

Furthermore, detailed "**to-do lists**" for organisations and natural persons were sent out to administrators and published at the end of November 2023. These lists detailed exactly what additional information would be required when adjusting Register entries to comply with the new legal regime as of March 2024. The early issue of the "to-do lists" was intended to bridge over the period until the revised Handbook would be published on 1 March 2024, help the parties affected prepare for the new legal regime and enable them to gather the data they would need in advance.

Furthermore, a technical **migration guide** was provided. Illustrated with images of the Register application, it explained the technical aspects of how Register entries were to be revised and published in line with the new statutory requirements. This made it possible for mandatory registrants to prepare themselves for the adjustment of their Register entries to the new legal regime with a certain amount of advance notice.

## 6.8 Online video conferences (webinars)

Apart from its permanent information and advice services and the special guidance documents on the reform, the Registry additionally offered **twelve public online video conferences** ("webinars") during the period from November 2023 to June 2024 in order to give representatives of special interests even more concrete support in preparing for the adjustment of their existing Register entries to the legal situation that would apply as of 1 March 2024. In all, **more than 6,300 people signed up** for the webinars. Attendees were invited to them both in the admin circulars and also by means of public announcements.

The webinars focussed on explaining the new obligations that had been created by the reform to representatives of special interests and answering individual questions. This dialogue-oriented format enabled representatives of

special interests to describe their impressions, problems and worries, which could then in turn be taken into consideration directly in the application and also when compiling the new Handbook.

The first webinar took place on 28 November 2023 and was aimed primarily at registered legal persons, partnerships and other organisations. It was followed by further webinars, including sessions for natural persons, as well as general webinars on the new statutory obligations. On account of the numerous follow-up queries, four more webinars were offered that were specifically devoted to regulatory proposals and comments/expert opinions. The last webinar on the migration phase was held on 19 June 2024 as an open question session about the new legal regime.

The Registry evaluated the subjects covered by the webinars and identified the most frequently asked questions from the first sessions so they could be addressed thematically in the revised Handbook as well. Many of these questions were about how the reform was to be understood and individual provisions interpreted. This approach made it possible to very rapidly develop and lay down administrative practices for the implementation of the new statutory provisions.

The Registry will also continue to use the webinar format to support representatives of special interests on substantive and technical issues, and initiate reciprocal conversations. At the end of the period under review, for instance, more webinars were already being planned for administrators in order to discuss possible further technical improvements to the Register application or the registration process as a whole with the parties concerned.

## 7 Monitoring of the Register's contents

The first sentence of Section 4 (2) and the second sentence of Section 4 (3) of the Act expressly stipulate that representatives of special interests themselves are solely responsible for the correctness and completeness of all particulars in their Register entries.

As provided for in the Act, the Registry neither reviews particulars nor approves Register entries prior to their publication in the Lobbying Register.

As is to be expected when new legal concepts and a new register are introduced, it was noticeable when looking through the first Register entries published during the initial phase of the Lobbying Register as of 1 January 2022 that many Register entries contained some imprecise, implausible or contradictory particulars.

### 7.1 Treatment of discrepancies in Register entries prior to the reform

It soon became clear that the discrepancies noticed were usually attributable to misunderstandings or misinterpretations of undoubtedly complex statutory requirements, technical problems, or often simply oversights or careless mistakes.

In order not to have to immediately resort to the regulatory offences proceedings provided for in the Act (a formal instrument involving protracted procedures), when the particulars in Register entries were incorrect (*see section 8*), the Administration decided at a very early stage to **initially take a service-oriented approach** to the handling of inconsistencies that were found in Register entries.

This was intended to enhance the quality of the data in the Register as rapidly as possible and ensure the Register entries were authentic, coherent, complete and largely consistent.

The Registry consequently began to gradually and systematically review all new entries during the first six months of 2022, looking for possible errors, inconsistencies or other discrepancies, although the legislature had not originally placed any express obligation on the Registry to check Register entries in the original Lobbying Register Act. A dedicated **“Monitoring Unit” was created in the Registry for this purpose.**

This straightforward approach also appeared sensible because not every discrepancy that was noticed inevitably constituted an infringement of the legal provisions governing the Register. In some cases, for example, it proved to be the case when the evidence was reviewed that the particulars were definitely correct in the specific situation of an individual representative of special interests.

In order to simplify the monitoring process, the Registry developed **text modules with advice about frequently identified discrepancies**. This advice was sent out **by email** to the administrators of the Register entries where problems had been identified. The advice given related to the following aspects, for example:

- Registration as a natural person, although the registrant was acting on behalf of an organisation

- Unclear particulars of an organisation's legal form
- Incomplete particulars of authorised persons (either not all persons to be detailed listed or persons listed who were not statutory representatives)
- Implausible claim that no financial year had yet been completed or the organisation had been newly established
- No or insufficient particulars of financial expenditure on the representation of special interests despite employees involved in lobbying being listed
- Imprecise particulars describing activities involved in the representation of special interests (e.g. merely a description of the enterprise or association's general activities)
- Implausibly high number of areas of interest in which special interests were represented
- Imprecise particulars of existing commissioning relationships

Furthermore, **group messages** were used to pass on generally valid advice about particularly frequent anomalies in Register entries. For example, group messages were sent out about missed update deadlines and lobbying clients listed in entries who did not have their own Register entries. In July 2023, all affected representatives of special interests were also advised that the option to anonymise particulars of individual donors of gifts would cease to be available in future.

In the course of this wide-ranging monitoring process during the first few years of the Register's existence, there were several thousand email and telephone contacts with the administrators of Register entries that had been reviewed. Their attention was drawn to possible problems, inconsistencies or contradictions in the entries, and they were given the opportunity to correct potential errors. Meanwhile, the Registry continued to provide comprehensive support both by means of further email correspondence and via the Telephone Hotline.

Pleasingly, as a general rule, this approach led to appropriate corrections being made promptly to the Register entries in question.

## 7.2 Treatment of discrepancies in Register entries following the reform

With the reform of the Lobbying Register Act, the legislature has now formalised the Registry's power to monitor the contents of the Register in the first sentence of Section 4 (3) of the Act. Since the consistent application of the Lobbying Register Act when entries are created is of decisive importance for the usability of the Register, the Registry has now expressly been given the task of "taking straightforward action to ensure the uniform application of the Lobbying Register Act" (cf. [Bundestag printed paper 20/7346](#), p. 34).

For this purpose, the third sentence of Section 4 (3) of the Act now authorises the Registry to request that representatives of special interests supply evidence for published particulars, where they are evidently incorrect or contradictory, or where there are concrete indications that such particulars may be incorrect. Pursuant to point 9 of the [Code of Conduct](#) (in conjunction with Section 5 (2) and (3) LobbyRG), representatives of special interests have to provide the Registry with any evidence that is requested without delay.

In view of the considerable expansion of the mandatory particulars brought about by the reform, it became necessary to begin **reviewing all the approximately 6,000 (migrated) Register entries in full once again when the new statutory provisions entered into force in order to identify possible discrepancies** and so ensure that all representatives of special interests had correctly understood and implemented the complex new requirements.

Text modules had to be used again when sending out subsequent messages to ensure action was taken as expeditiously as possible. In addition to the possible sources of errors discussed above, a few more came to light that were specifically attributable to the new legal regime, for example:

- Unclear particulars when listing concrete regulatory proposals: particulars were sometimes given with insufficient precision or regulatory proposals listed even though the registrant's concrete lobbying activities were not aimed at the amendment, repeal or retention of existing legal provisions, or the (non-)introduction of new legal provisions
- Implausible particulars of full-time equivalents, for instance because very low annual financial expenditure on the representation of special interests relative to the registrant's stated full-time equivalents was declared,

although the annual financial expenditure disclosed has to include the (proportional) personnel costs incurred for this work as well

- Misunderstandings when giving particulars of persons directly entrusted with the representation of special interests: particulars of such persons were sometimes missing even though the relevant entry stated they were personally engaged in lobbying
- Incomplete particulars of commissioning relationships (key issue: “commissioning chains”)
- Unclear particulars of memberships (abbreviations) and the declaration of membership dues even though no membership organisation was mentioned
- A lack of clarity about the order of the registrant’s main sources of financing

In view of the complexity of the new statutory provisions, the Registry preferred not to immediately institute formal regulatory offence proceedings on these issues either. Rather, it was decided to take a service-oriented approach again to begin with and once more contact the administrators of the Register entries straightforwardly by email, passing on appropriate advice, so that necessary corrections could be made quickly as appropriate.

It was not possible for this comprehensive new monitoring process to be concluded fully during the period under review. But it was also noticeable again during this phase that the advice from the Registry was being taken on board gratefully and, as a general rule, any required corrections to the particulars were being made promptly.

Should sanctionable discrepancies continue to be found in entries following the conclusion of the first review of all migrated Register entries in spite of the advice given by the Registry, and should it become evident that there is a lack of willingness to make corrections, audit procedures will be commenced under Section 5 (8) of the Act concerning possible significant infringements of point 9 of the Code of Conduct and, where appropriate, regulatory offence proceedings will be instituted under Section 7 of the Act.

Given that registered representatives of special interests can make changes to their entries independently at any time and also have an obligation to do so (without delay) for the most part, the monitoring of entries remains a **permanent process** that will be conducted continually by the Registry in future.

## 8 Regulatory offence proceedings

Under Section 7 of the Act, intentional and negligent infringements of Register-related obligations by representatives of special interests are punishable by fines. Anyone who fails to enrol in the Lobbying Register despite an existing obligation to do so, fails to make entries, changes or updates or confirm particulars in the relevant Register entries, fails to make such entries, changes or updates correctly, fails to make them in full or fails to make them in good time is committing a regulatory offence (Section 7 (1) (1) to (4) LobbyRG).

Intentionally committed infringements can be punished with **fines of up to 50,000 euros**, and negligently committed infringements with fines of up to 20,000 euros (Section 7 (3) LobbyRG).

As part of the reform of the Lobbying Register Act, the provisions concerning fines in Section 7 of the Act were also amended. The changes relate exclusively to the grounds for the imposition of fines set out in Section 7 (1) (1), (3) and (4). While indents (1) and (3) were merely adjusted editorially to take account of the changed obligations concerning the amendment and updating of particulars, the grounds for the imposition of fines set out in indent (4) are new.

Substantively, this indent sanctions infringements of the newly introduced obligation for representatives of special interests to confirm the correctness and completeness of their particulars when they first register and when their entry is updated annually (second and third sentences of Section 4 (2) LobbyRG).

The Secretary-General of the German Bundestag is formally responsible for the conduct of regulatory offence proceedings under the Lobbying Register Act and is therefore the administrative authority within the meaning of Section 36 (1) (1) of the Regulatory Offences Act (*Gesetz über Ordnungswidrigkeiten*, OWiG) in conjunction with Section 7 (4) of the Lobbying Register Act. Under the Bundestag Administration’s division-of-responsibilities’ schedule, their powers have been assigned to Division ZR 4 – Lobbying Register, which acts as the Registry.

In its application of the principle of discretionary prosecution, which pertains in regulatory offence proceedings (first sentence of Section 47 (1) OWiG), the Registry deliberately refrained from making use of its power to prosecute during the first two years after the Lobbying Register Act entered into force.

In view of the legislation's broad scope, the novelty of the obligation to register it imposes in this field and the complexity of the particulars to be entered in the Register, the initial intention was to promote a broader appreciation of the statutory requirements among the public and the persons and organisations affected. Furthermore, the emphasis of the action taken to enforce the Act was on support and guidance for the approximately 6,000 first entries made during this period. In order to ensure the correctness of every entry promptly, a non-formalised, service-oriented monitoring procedure (*see section 7*) was preferred over formal regulatory offence proceedings, which can be highly time-consuming.

When the legislative procedure for the reform of the Lobbying Register Act was concluded, it was finally decided to institute regulatory offence proceedings for the enforcement of the Act as well, in particular where an illegal failure to register was suspected. Consequently, the Registry has begun to systematically investigate possible infringements of the fundamental statutory obligation to enrol in the Lobbying Register.

In view of the heterogeneity of the lobbying landscape, *Fining Guidelines (Bußgeldleitlinien)* have been drawn up and published on the Lobbying Register's website, making it possible to ensure the determination of fines is standardised and therefore upholding the principle of equal treatment.

Firstly, the Guidelines stipulate particular basic rates for each of the infringements punishable by fines that are covered in Section 7 (1) (1) to (4) of the Act, weighted depending on the severity of the infringement. Secondly, the Fining Guidelines include a formula for the calculation of the fine imposed in each concrete case. The basic rate that is relevant is multiplied by three further factors that were not incorporated into the determination and weighting of the basic rates. The first factor distinguishes between negligently and intentionally committed offences, the second reflects the economic strength of the representative of special interests, and the third takes account of individual criteria for assessing the level of the fine and the degree of fault.

**Overall**, the Registry instituted **20 regulatory offence proceedings** during the period under review.

These proceedings were focussed on suspected cases of failure to enrol in the Lobbying Register in breach of the obligation to do so. The point of departure for the proceedings instituted was, first and foremost, a systematic review of established associations that were potentially engaged in activities involved in the representation of special interest above the significance threshold set in the Act (Section 2 (1) LobbyRG) without being enrolled in the Lobbying Register. Apart from this, the Registry followed up individual tip-offs from third parties about possibly illegal failures to register.

Of these 20 cases, **four were abandoned** prior to 31 December 2024 after the initial suspicion had not been substantiated in the course of further investigations or it had emerged that no activities connected with the representation of special interests had been carried out that would have given rise to a statutory obligation to register during the period when an offence was allegedly committed.

**Orders imposing fines** were handed down in **three cases** during the period under review:

Two of these orders, imposing regulatory fines worth **660 euros** and **495 euros**, became effective during the period under review.

A representative of special interests had appealed against one other regulatory fine order for **5,550 euros**. The proceedings were therefore referred to the Berlin public prosecutor's office, which has jurisdiction over these matters, in order that the case could be resolved by a judicial decision of Tiergarten Local Court. The appeal was dropped following the end of the period under review, so that this regulatory fine order has become legally effective in the meantime as well.

Hearings have been conducted in the remaining 13 ongoing regulatory offence proceedings and further investigatory measures initiated in some of them, the evaluation of which had not yet been concluded by the end of the period under review.

In future, apart from continuing the thorough investigation of failures by persons or organisations to comply with their obligations to enrol in the active Lobbying Register, the Registry will, when prosecuting regulatory offences, also focus in particular on sanctioning lobbyists' failure to make corrections despite being reminded to do in the course of monitoring activities (*see section 7.2*).

## **9 Audit procedure on suspected infringements of the Code of Conduct**

Under Section 5 (8) of the Act, the Registry is able to conduct an audit procedure to establish whether there has been a significant infringement of the Code of Conduct, where there are reasons to suspect such an infringement

has been committed. This is an administrative procedure for the sanctioning of misdemeanours connected with the manner in which special interests are represented.

The Code of Conduct was adopted by the Bundestag and the Federal Government with the participation of civil society and has to be accepted by every representative of special interests when they enrol in the Register (*see section 2.3*). It commits them to engage in the representation of special interests on the basis of openness, transparency, honesty and integrity, and provides for various behavioural obligations. For instance, they must disclose their identity and their interest whenever they interact with addressees and, where relevant, also the identity and interest of their client, refer to their registration in the Lobbying Register and refrain from making false claims alleging the existence of a commissioning, personal or advisory relationship with addressees of the representation of special interests referred to in the Lobbying Register Act.

Grounds to suspect infringements of these rules of conduct are therefore not usually found directly in a public Register entry. Rather, the Registry is reliant here on tip-offs about possible misconduct from addressees of the representation of special interests or the public.

If a possible infringement of the Code of Conduct partly or exclusively relates to lobbying of the Federal Government, the second sentence of Section 5 (9) of the Act lays down the following provisions. The comments made in the course of the administrative procedure by the representative of special interests in question will be submitted to the Federal Ministry of the Interior and Community (*Bundesministerium des Innern und für Heimat*, BMI), which will be given the opportunity to comment on the matter for its part. Irrespective of this, depending on the nature of the infringement being prosecuted, the Registry may need to approach the federal ministries concerned and request information about the matter.

If the outcome is a finding that there has been a significant infringement of the Code of Conduct, under the first sentence of Section 5 (8) of the Act, this finding is to be published in the Register with the type of infringement being indicated by citing the relevant point of the Code of Conduct. Pursuant to the fourth sentence of Section 5 (8) of the Act, this public labelling of the infringement remains visible for 24 months. An objection to the finding may be lodged with the Registry under the second sentence of Section 5 (8) of the Act.

Where an entry is publicly labelled due to a significant infringement of the Code of Conduct, the Lobbying Register Act also provides for the legal consequences discussed above in *section 5.3*. They relate in particular to access permits to the German Bundestag, and the ability to participate in public hearings held by German Bundestag committees and involvement processes administered by the Federal Government under Section 47 of the Joint Rules of Procedure of the Federal Ministries.

During the period under review, **one audit procedure under Section 5 (8) of the Act** was conducted, with a significant infringement of point 8 of the Code of Conduct being found due to a false claim alleging the existence of an actually non-existent personal relationship with addressees within the meaning of the Lobbying Register Act. The public Register entry of the representative of special interests in question was labelled accordingly following the issue of the immediate enforcement order by the Registry. The representative of special interests lodged an objection to the order and applied before court for temporary relief. Following the end of the period under review, the Registry rejected the objection in an objection notice. The judicial proceedings have still not been concluded.

## **10 Reporting to the Committee for the Scrutiny of Elections, Immunity and the Rules of Procedure**

The Bundestag Administration reported on recent developments relating to the maintenance of the Register at several meetings of the Committee for the Scrutiny of Elections, Immunity and the Rules of Procedure, which takes the lead role in deliberations on the Lobbying Register Act, including the meetings held on 26 January 2023, 20 April 2023 and 1 February 2024.

The practice followed by the Registry when monitoring the Register's content (*see section 7*) and its application of the principle of discretionary prosecution when conducting regulatory offence proceedings (*see section 8*) were also explained to the Committee on these occasions.

At the request of the chairwoman, an extensive written briefing on the European Commission's Proposal for a Directive of the European Parliament and the Council establishing harmonised requirements in the internal market on transparency of interest representation carried out on behalf of third countries and amending Directive (EU)

2019/1937 (COM (2023) 637 final) was also forwarded to the Committee on 5 July 2024. This explored the proposed directive's possible repercussions for the German Lobbying Register.

The objective of the proposed directive is to counteract malign interference by third states in democratic processes in the Member States. This is to be achieved by the introduction of common transparency and accountability standards for interest representation activities carried out against remuneration on behalf of third states in the internal market. According to the proposed directive, activities of this kind are to be documented in a register, while interest representation activities within the meaning of the proposed directive are also to include attempts to influence the public, and not solely parliaments and governments.

With the inclusion of third states' attempts to influence public debates ("foreign interference") within the scope of such a register, it would fundamentally differ from classic lobbying registers, which solely regulate the representation of special interests to parliaments and governments that is indispensable in every democracy. To this extent, a register established under the proposed directive would be more of a "foreign influence register".

From the point of view of the Registry, the integration of such an approach into the German Lobbying Register, would not be possible, if only for structural reasons. Instead, an additional register would have to be established *alongside* the existing Lobbying Register, which would involve disproportionately great administrative and bureaucratic effort, and be of doubtful utility.

Apart from this, various other significant reservations about the proposed directive – not least with regard to the danger of civil society organisations being stigmatised and the repercussions for the German federal states (*Länder*) – had also prompted the Bundesrat to adopt an opinion on the matter pursuant to sections 3 and 5 of the Act on Cooperation between the Federation and the Federal States in Matters concerning the European Union (*Gesetz über die Zusammenarbeit von Bund und Ländern in Angelegenheiten der European Union* – EUZBLG).

## 11 Cooperation with the Federal Government

Since the Lobbying Register documents the representation of special interests both to the German Bundestag and to the Federal Government, close cooperation between the Registry and the Federal Government's ministries has been, and still is, necessary.

As the foundation for this cooperation with the Federal Government, an Administrative Agreement has been concluded. This also provides for close involvement of the Federal Government in audit procedures under Section 5 (8) of the Act and an obligation to provide information about action taken by the Registry with regard to the conduct of regulatory offence proceedings under Section 7 of the Act.

Division DG I 3 (Integrity; Corruption Prevention; Sponsoring) of the Federal Ministry of the Interior and Community was nominated as the central point of contact for the Federal Government.

Pursuant to Section 11 of the Administrative Agreement, a joint working group has also been established to promote regular dialogue between the Bundestag Administration and the Federal Government's ministries.

Complementing the continuous dialogue carried on in a spirit of trust between the Registry and the BMI, the joint working group met twice during the period under review at the invitation of the Registry, with numerous representatives attending from the Federal Government ministries. Its constituent meeting was held on 29 June 2022, when a thoroughgoing discussion about the Register's launch took place. The joint working group assembled again on 8 October 2024 to deliberate on the migration of the Register entries and the measures taken by the Registry to implement the reform of the Lobbying Register Act.

An exhaustive discussion also took place about the legal stipulations laid down by the Registry in the Handbook for Representatives of Special Interests on Making Entries in the Lobbying Register.

In addition, the Registry has discussed in detail with the BMI how the European Commission's Proposal for a Directive of the European Parliament and the Council establishing harmonised requirements in the internal market on transparency of interest representation carried out on behalf of third countries and amending Directive (EU) 2019/1937 (COM (2023) 637 final) is to be interpreted and assessed.

In this respect, the critical attitude towards the proposed legislation expressed by the Registry to the Committee for the Scrutiny of Elections, Immunity and the Rules of Procedure (*see section 10*) is shared to a very great extent by Division DG I 3 of the BMI.

## 12 International context

The establishment of a Lobbying Register at the federal level on 1 January 2022 and the reform of the Lobbying Register Act in 2024 have also met with a great deal of interest internationally. The Registry has therefore reported on its practical approach to the maintenance of the Register in order to help the competent divisions within the Federal Government contribute to international processes (*see section 12.1 and section 12.2*).

Furthermore, there has been extensive dialogue between the Bundestag Administration and the bodies responsible for comparable transparency registers in other states and at the European Union level (*see section 12.3 and section 12.4*).

### 12.1 European Commission

To assist in the drafting of the Federal Government's contributions to the chapters on Germany in the European Commission's 2023 and 2024 Rule of Law Reports, which are coordinated by the Federal Ministry of the Interior and Community, the Registry has explained the practice followed by the German Lobbying Register in writing and at meetings requested by the Commission.

### 12.2 Group of States against Corruption (GRECO)

Furthermore, the Federal Ministry of Justice (*Bundesministerium der Justiz*, BMJ) was supported by the Registry – through Division PM 1 (Remuneration of Members) of the Bundestag Administration – in preparing Germany's contributions to the reports of the Council of Europe's Group of States against Corruption (GRECO).

This is a monitoring mechanism set up by the Council of Europe to which 48 member states belong. GRECO conducts ongoing evaluation rounds that examine whether its member states' efforts to combat corruption satisfy the relevant international standards. The evaluations are carried out as what are known as a "peer reviews", which involve the member states assessing each other before adopting the evaluation reports and the recommendations they contain in the GRECO Plenary. An overview of GRECO's reports concerning Germany can be found on the Federal Ministry of Justice website.

In the past, Germany has been urged again and again by GRECO – for instance in the Interim Compliance Report for the Fourth Evaluation Round adopted on 25 March 2021 (para. 8) – to further improve "the transparency of the parliamentary process [...], e.g. by introducing rules for members of parliament on how to interact with lobbyists and other third parties seeking to influence the parliamentary process."

In the Second Interim Compliance Report adopted on 17 June 2022 (paras 9 to 17), the GRECO recommendation was still regarded as only partially having been complied with – despite the adoption of the Lobbying Register Act in the intervening period. Firstly, there was criticism of the exemptions from the obligation to register (para. 15); secondly, it was found that Members of the Bundestag who initiated contacts with lobbyists themselves were not subject to any requirements, either to register or to declare such contacts. GRECO was still of the opinion that specific rules should be introduced for parliamentarians as well to govern their interactions with representatives of special interests and so further increase transparency (para. 16). Although it was acknowledged that progress had been made, the report said further measures would be needed before the objective of the recommendation could be considered to have been fully attained.

Following the reform of the Lobbying Register Act with effect from 1 March 2024 (*see section 2.2*), GRECO has now come to the conclusion in its Addendum to the Second Compliance Report adopted on 22 March 2024 (paras 9 to 16) that the relevant **recommendation has been dealt with in a satisfactory manner**. The report discusses the matter as follows (paras 14 to 16):

As a result of the substantial increase in the information to be disclosed in the register (notably widening the scope to the working level, the indication of a "revolving doors effect" and the obligation to upload important written opinions and expert reports), the adopted amendments do not provide for the disclosure of MP's individual personal contacts. In addition, transparency regarding MP's individual personal contacts is unlikely to comply with Article 38(1) sentence 2 of the German Basic Law. Furthermore, a more effective regulation has been put in place to increase the visibility of the concerns raised and steps taken by representatives of special interests.

GRECO takes note of and welcomes these developments. The adopted amendments significantly strengthen the coverage of the Lobbying Register Act, thus further increasing the transparency of the parliamentary process. GRECO acknowledges that, although this section of the report is dedicated to members of parliament, and the introduction of rules/guidance on their interactions with lobbyists would have been welcome, the wording of this recommendation only gave this as an example that could be followed. By placing the burden on lobbyists/third parties (but not on MPs) to disclose contacts with members of parliament, the authorities have nonetheless addressed the issue of improving the transparency of the parliamentary process as per the overall objective of the recommendation. Therefore, GRECO concludes that recommendation i has been dealt with in a satisfactory manner.

The conclusive GRECO evaluation of this topic makes it plain that the far-reaching changes to the Lobbying Register Act brought in by the reform have been greeted positively by international observers.

### 12.3 Organisation For Economic Co-ordination and Development (OECD)

During the period under review, the Bundestag Administration was also represented at the Global Anti-Corruption and Integrity Forums held by the Organisation for Economic Co-ordination and Development in Paris in 2023 and 2024. At both these forums, a “*meeting of the lobbying commissioners, registrars & oversight entities*” from the participating states took place as a “side event” where new legislative and institutional reforms in the field were discussed, emerging new challenges explored and solutions identified that would ensure public standards for the regulation of lobbying also continued to fulfil their purpose.

### 12.4 European Lobbying Registrars Network (ELRN)

The Bundestag Administration has also taken part in the annual conferences of the European Lobbying Registrars Network (ELRN). The Network facilitates direct dialogue between regulatory and administrative authorities in charge of lobbying registers in Europe.

## 13 Public relations work

Apart from its extensive support for representatives of special interests in the fulfilment of their statutory obligations (*see section 6*), the Registry also sees it as its task to strengthen awareness of the Register and its diverse search options among the general public. This is important not least because representatives of special interests have told the Registry again and again they hope the diverse information they go to such great lengths to provide will genuinely foster transparency and spread greater knowledge among the public as intended. On this point, it is to be noted that the number of visits to the Register’s public internet application rose continuously during the period under review (*see section 4.5.4*).

During the period under review, the Registry also used the German Bundestag’s annual “**Insights and Outlooks Day**” to introduce the Lobbying Register to many of the up to 30,000 visitors. Firstly, talks were given on the Lobbying Register. Secondly, visitors who went to the stand run by the Registry, both years under the motto “**Transparency Creates Trust**”, were able to find out about the (newly created) Lobbying Register and the Registry’s work, do a quiz on the Lobbying Register and also search the Register right there and then. These activities met with strong interest throughout.

The Registry also produces a Newsletter, which provides information by email about recent developments relating to the Lobbying Register.

## 14 Prospects

Although the searchability of the Register is now ensured comprehensively with diverse search, filter and sorting functions on the Lobbying Register’s website, a number of further technical functionalities are still to be put into operation by May 2025:

Firstly, the planned **application programming interface (API)** is also to be completed by then, allowing the use of electronic systems to directly access data held in the Lobbying Register (*see section 4.5.3*).

Secondly, a **message portal** is to be established for both Register entry administrators and **the general public**. It will be possible for members of the public to sign up with no more than an email address and a password without meeting any other requirements. They will then receive individually tailored information about particular changes

and developments in Register entries, with email messages sent out at intervals of their own choosing. They will be able to save concrete Register entries, draft regulatory proposals or federal acts that are subjects of lobbying and they wish to observe. Automated email messages will then be sent out if additions have been made to the Register entries they are observing, further regulatory proposals have been declared or new comments/expert opinions on a particular draft bill have been added to the Register by registered representatives of special interests within the set interval between messages.

Furthermore, there are plans to introduce **automated plausibility checks** to assist administrators during the registration and updating processes, and support the Registry in its monitoring of Register entries (*see section 7*). In future, the administrators of Register entries are automatically to be alerted to possibly implausible, imprecise or contradictory particulars in their entry *before* they first publish it and *before* they publish entries revised in a financial year update. The hope is that this measure will enhance the quality of the data input into the Register, prevent recurrent inputting errors before particulars are published if at all possible and pre-empt misunderstandings on the part of representatives of special interests. The particulars in each entry will undergo rule-based checks to ascertain whether they appear to be consistent. Administrators will receive alerts from the check on their particulars directly in the Register application and by email. This will, however, be offered purely as a service. It will remain possible for the particulars input into the Register to be published as they are, so the sole responsibility of representatives of special interests for their entries pursuant to the second sentence of Section 4 (3) of the Act will remain unaffected.

After first court cases on individual provisions in the Lobbying Register Act became pending during the period under review, the Registry anticipates further court rulings on the Lobbying Register Act and its application in the forthcoming review period. Since this is a rather new area of the law, court cases about the administrative activities based on it are a manifestation of the rule-of-law scrutiny of new legislation. The Registry will evaluate these cases and also discuss the courts' rulings with federal states where comparable cases are pending.

A meeting about this with the officers responsible for the lobbying registers in Germany's federal states is also envisaged. Apart from discussing the administration of the registers, possible sanctions and court cases, options for the simplification of registration processes for representatives of special interests are also to be discussed at this event.

Furthermore, given that the transition is currently taking place from one electoral term to the next, the Registry is planning more information services and webinars for addressees of the representation of special interests on the German Bundestag's website and intranet. They are to be informed about the legal parameters laid down in the Lobbying Register Act and the obligations the Act imposes on representatives of special interests. In addition, the Registry intends to demonstrate how the Register can be used in their daily business.

One priority for the Registry's public relations work will be to take suitable measures that make the Lobbying Register even better known among the general public and, in doing so, draw attention to the potential the Lobbying Register has as an ever-expanding source of original information for the general public, especially for the press, scholars, educational institutions and civil society actors.

The next report on the maintenance of the Lobbying Register under Section 9 (1) of the Act will be presented on 31 March 2027.

Furthermore, pursuant to Section 9 (2) of the Act, the German Bundestag and the Federal Government will review the impacts of the Lobbying Register Act for the first time five years after it entered into force on 1 January 2022, then present an evaluation report on the conclusions they reach.

## **Annexes**

### **Annex 1**

Lobbying Register Act

### **Annex 2**

Code of Conduct for representatives of special interests in the framework of the Lobbying Register Act



Head of Directorate ZR / Division ZR 4

## Consolidated version of the Lobbying Register Act

### Note:

This is an unofficial consolidated version of the Lobbying Register Act of 16 April 2021 (Federal Law Gazette I 2021, p. 818), taking into account the amendments made by the Act Amending the Lobbying Register Act of 15 January 2024 (Federal Law Gazette 2024 I No. 10), which entered into force on 1 March 2024. The Lobbying Register Act was last amended by Article 4 of the Act of 12 June 2024 (Federal Law Gazette 2024 I No. 190).

### Section 1

#### **Scope**

(1) This Act applies to the representation of special interests vis-à-vis the bodies, panels, Members, parliamentary groups or groupings of the German Bundestag and to the representation of special interests vis-à-vis the Federal Government.

(2) The regulations for the representation of special interests vis-à-vis the bodies, panels, Members, parliamentary groups or groupings of the German Bundestag also apply to contact with the employees of these. The regulations for the representation of special interests vis-à-vis the Federal Government also apply to contact with Parliamentary State Secretaries, State Secretaries, Heads of Directorates-General, Heads of Directorates, and Heads of Division.

(3) Representation of special interests means any contact made for the purpose of directly or indirectly influencing the process of formulating aims or taking decisions conducted by the bodies, panels, Members, parliamentary groups or groupings of the German Bundestag or for the purpose of directly or indirectly influencing the process of formulating aims or taking decisions conducted by the Federal Government.

(4) Representatives of special interests are all natural or legal persons, partnerships or other organisations, including those in the form of networks, platforms or other forms of collective activities, which engage in the representation of special interests as defined in subsection 3, above, themselves, or commission such representation on their behalf.

### Section 2

#### **Obligation to register**

(1) Representatives of special interests as defined in section 1 (4) of this Act are required to register the particulars specified in section 3 (1) and (2) in a public register (Lobbying Register) in accordance with sentence 2 of this subsection if:

1. the representation of special interests is carried out on a regular basis,

2. the representation of special interests is established on a permanent basis,
3. the representation of special interests is carried out commercially for third parties,
4. more than 30 separate contacts have been made in the course of the past three months for the purpose of representing special interests, or
5. the representation of special interests is commissioned in exchange for compensation.

Registration must be effected without delay as soon as any of the conditions specified in sentence 1 of this subsection is met.

(2) Representatives of special interests in accordance with subsection (1), above, are not required to register representation of interests vis-à-vis the bodies, panels, Members, parliamentary groups or groupings of the German Bundestag if and in so far as they:

1. are natural persons who, in their submission, formulate exclusively personal interests, regardless of whether these coincide with business or other interests,
2. are expressing concerns of an exclusively local nature, provided that no more than two constituencies are directly affected,
3. are submitting a petition under Article 17 of the Basic Law (*Grundgesetz*),
4. are participating in public committee hearings, public congresses or other public events held by the bodies, panels, Members, parliamentary groups or groupings of the German Bundestag,
5. are responding to direct and individual requests from the bodies, panels, Members, parliamentary groups or groupings of the German Bundestag for factual information, data or specialised knowledge,
6. are exercising a public office or mandate as a natural person or are carrying out public functions as a legal person under public law,

7. are seeking to influence working and economic conditions as an association of employers or employees (Article 9 (3) of the Basic Law),
8. are providing legal advice or representation for a third party or for themselves, including the delivery of scientific opinions or the presentation and discussion of legal issues aimed at the general public, unless this representation is targeting the enactment, the amendment or the non-adoption of a legal provision by the German Bundestag or a decision by the Federal Government outside of administrative, contract or tender proceedings,
9. are acting in the capacity of a political party under the Political Parties Act (*Parteiengesetz*) or in the capacity of the youth wing of a political party,
10. are acting in the capacity of an establishment for socio-political and democratic education (political foundation), in so far as the relevant budgetary legislator allocates block grants for the performance of their statutory tasks,
11. are acting in the capacity of an intermediary organisation in the field of foreign cultural and education policy, in so far as they receive institutional funding from the federal budget,
12. are acting in the capacity of a church or other community based on a religious or philosophical creed,
13. are engaged in a protected activity as defined in Article 5 (1) sentence 2 of the Basic Law,
14. are acting in the capacity of a federal or *Land* association of local authorities,
15. are acting in the capacity of a national minority recognised in Germany, of a group of Low German speakers, of the German minority in Denmark or of an organisation or establishment of the aforementioned groups,
16. possess no permanent representation in Germany but campaign for human rights, democracy, the rule of law, humanitarian causes or sustainability issues and focus their work primarily on other countries or regions of the world, or
17. are engaged in diplomatic or consular activities.

(3) Representatives of special interests are not required to register representation of special interests vis-à-vis the Federal Government if and in so far as they:

1. are making a request under a statutory right of access to information,
2. are making a citizen's enquiry (*Bürgeranfrage*),
3. are participating in programmes of visits or attending lectures, conferences or other public events held by the Federal Government,
4. are acting on behalf of specialised advisory boards or other panels of experts established by the Federal Government,
5. are responding to direct and individual requests from the Federal Government for factual information, data or specialised knowledge, or
6. are engaging in any of the activities specified above in subsection (2) nos. 1, 3 or 6 to 17.

(4) The obligation to register also does not apply to anyone acting on behalf of the representatives of special interests referred to in subsection (2) nos. 7, 11, 12, 15 or 16, above, in the context of their activities specified therein.

(5) All representatives of special interests who are exempt from the obligation to register in accordance with subsection (2) or (3), above, may register voluntarily. In the case of voluntary registration in accordance with sentence 1 of this subsection, representatives of special interests must enter the particulars specified in section 3 (1) and (2) of this Act in the Lobbying Register.

### Section 3

#### Content of the Register

(1) Representatives of special interests must provide the following information in the Lobbying Register:

1. if they are natural persons:
  - a) surname, forename, academic qualification (optional), stage or pen name or religious name (optional),
  - b) date and place of birth,
  - c) address,
  - d) electronic contact details,
  - e) company name or designation of the company, if applicable,
  - f) memberships that have any connection with the representation of special interests,
  - g) surname, forename, academic qualification (optional), stage or pen name or religious name (optional) of those persons who are entrusted with the representation of special interests on more than an occasional basis, and who engage directly in the representation of special interests,
2. if they are legal persons, partnerships or other organisations:
  - a) company, name or designation of the organisation, its website, electronic contact details, address and, if applicable, the address and electronic contact details of the branch office at the seat of the German Bundestag and the Federal Government,
  - b) legal form or type of organisation,
  - c) surname, forename, academic qualification (optional), stage or pen name or religious name (optional) and electronic contact details of all statutory or other authorised representatives,
  - d) surname, forename, academic qualification (optional), stage or pen name or religious name (optional) of those persons who are entrusted with the representation of special interests on more than an occasional basis, and who engage directly in the representation of special interests,

- e) number of members, broken down into natural persons, legal persons, partnerships and other organisations,
  - f) memberships that have any connection with the representation of special interests,
  - g) legal persons under public law may optionally provide the information that they have a legal mandate to engage in the representation of special interests within the meaning of section 1 (3),
3. additional general particulars for the natural persons listed in numbers 1 and 2 (c) and (d)
    - a) of any office they currently hold, or have held within the last five years, as a member of the Federal Government,
    - b) of any office they currently hold, or have held within the last five years, as a Parliamentary State Secretary,
    - c) of any current Membership of the German Bundestag, or any such Membership within the last five years, provided that the person has not held office as defined in (a) or (b) at the same time,
    - d) of any function they currently perform, or have performed within the last five years, for a Member of the German Bundestag,
    - e) of any function they currently perform, or have performed within the last five years, for a parliamentary group or a grouping in the German Bundestag, or
    - f) of any function they currently perform or office they hold, or have performed or held within the last five years, in the federal administration,
 and, if applicable, the date they ceased these activities,
  4. areas of interests and objectives and a description of the activity carried out for the purposes of the representation of special interests,
  5. to outline the aim of the lobbying
    - a) the particulars of the current, planned or intended regulatory proposal at federal level or European Union level in regard to which the representation of special interests is carried out vis-à-vis the addressees as defined in section 1 (1) and (2) of this Act, providing the title of the regulation to which the representation of special interests applies in each case as applicable, together with the particulars of the relevant areas of interests and objectives in accordance with number 4, above, and
    - b) essential comments and expert opinions in regard to the regulatory proposals specified, in anonymised form and in a format in which the text is machine readable, that have been submitted to at least one of the addressees as defined in section 1 (1) and (2), provided that they are not published within formal involvement processes, stating the date of submission and a designation in abstract terms of the addressees as defined in section 1 (1) and (2); essential comments and expert opinions are, in particular, those that contain material arguments or positions in regard to specific regulatory proposals,
  6. the number of employees involved in the representation of special interests, provided that this representation accounts for at least 10 percent of their work, expressed as full-time equivalents on the basis of estimates for the employees in question for the last financial year,
  7. the start and end of the current, the last and the previous financial year,
  8. financial particulars for the last financial year, specifically
    - a) the following categories for the main sources of financing, in descending order of their proportion of total income:
      - aa) economic activity
      - bb) allowances from the public purse
      - cc) gifts and other lifetime donations
      - dd) membership dues, and
      - ee) other,
    - b) particulars of annual financial expenditure involved in the representation of special interests, in increments of EUR 10,000,
    - c) particulars of individual allowances and grants from the German public purse, the European Union, its Member States or from third countries, that are related to the primary object of the company or organisation, in increments of EUR 10,000, if a total value of EUR 10,000 is exceeded for one body providing funding in the financial year, specifically
      - aa) name and registered office of the body providing funding and
      - bb) a brief description of the contribution,
    - d) particulars of gifts and other lifetime donations from third parties, specifically
      - aa) the total amount in increments of EUR 10,000
      - bb) in increments of EUR 10,000, each amount that exceeds a total value of EUR 10,000 from one donor in a single financial year and at the same time also exceeds 10 percent of the total annual amount provided in (aa), above, providing particulars of the surname and forename, company or designation of the donor, and
      - cc) a brief description of the contribution,
    - e) particulars of membership dues, specifically
      - aa) the total amount in increments of EUR 10,000, and
      - bb) the surname and forename, company or designation of the donor if the relevant membership dues exceed a total value of EUR 10,000 from one member who pays dues in a single financial year and at the same time also exceed 10 percent of the

total annual amount provided in (aa), above,

- f) annual accounts or management reports of legal persons, partnerships and sole traders. Where there are no other provisions in place and where total income is more than EUR 10,000, the management reports must include a minimum of a statement of revenue and expenditure. If the annual accounts or management report for the last financial year are not yet available, then the annual accounts or management report of the previous financial year may be provided. The annual accounts or management report of the last financial year are to be provided without delay on their completion.

(2) Representatives of special interests who engage in the representation of special interests based on commissions by others must provide the following information in addition to the particulars required in subsection 1, above:

1. a description of the commissioned representation of special interests corresponding to the particulars in subsection 1 no. 4 and no. 5 (a),
2. particulars of the identity of clients whose interests the registrant represents, even if the client is themselves not subject to an obligation to register, provided that no exception as defined in section 2 (4) exists; subsection 1 no. 1 (a) and (c) to (e) and no. 2 (a) to (c) apply accordingly,
3. particulars of the specific persons or organisations deployed to carry out the commissioned representation of special interests,
  - a) if representatives of special interests who have been personally entrusted with the commission are deployed, the particulars of the persons as defined in subsection 1 no. 1 (g) or no. 2 (d) who are deployed for each commission,
  - b) if natural persons or legal persons, partnerships or other organisations are deployed as sub-contractors and have their own Register entry, then the particulars of the relevant register entry,
  - c) if natural persons are deployed as sub-contractors and do not have their own Register entry, then the particulars in accordance with subsection 1 no. 1 (a) and (c) to (e); subsection 1 no. 3 applies accordingly,
  - d) if legal persons, partnerships or other organisations are deployed as sub-contractors and do not have their own Register entry, then the particulars in accordance with subsection 1 no. 2 (a) to (c) and particulars according to (d) solely for the natural person deployed to carry out the commissioned representation of special interests; subsection 1 no. 3 applies accordingly,
4. the financial resources received from each client per commission for the last financial year in increments of EUR 50,000 in each case.

(3) Representatives of special interests must enter changes to the particulars specified in subsections (1)

and (2), above, without delay, except in the case of particulars specified in subsection 1 no. 5 (b), which they must enter by the end of the quarter at the latest. Notwithstanding sentence 1, the particulars specified in subsection 1 no. 1 (f), no. 2 (e) and (f), nos. 6 to 8, and subsection 2 no. 4, are to be updated no later than six months after the end of the financial year to which they relate. When updating the entry in accordance with sentence 2, the entire Register entry is to be checked at the same time and its correctness confirmed to the registry.

(4) Each time an entry is updated or changed, a historical version of the relevant Register entry is generated with the full scope of information provided up to that point. The historical versions are published in the Lobbying Register for 18 months following the relevant update or change, and are then removed from the public Register. After that, the data are stored by the registry for a further 18 months, and are then deleted. Notwithstanding sentences 2 and 3, the particulars specified in subsection 1 no 5 remain visible in the public Register for eight years after their removal from the current version of the entry. After that time, these data are deleted. The Register data are to be offered for transfer to the relevant archive in accordance with section 5 (4) of the Federal Archives Act (*Bundesarchivgesetz*) as federal archive material before they are definitively deleted.

(5) Alongside the active Lobbying Register, a list of former representatives of special interests will be maintained and published. The entries of those representatives of special interests who have notified the German Bundestag that they no longer engage in or commission the representation of special interests, or whose entry is transferred to this list in accordance with section 4 (5) sentence 3 of this Act, will be transferred to this list with the latest available set of data. As of the point in time at which the entry of a representative of special interests is transferred to the list as specified in sentence 1, above, the representative of special interests is no longer considered to be a registrant in the Lobbying Register. Entries are removed from this list after 18 months have elapsed, and the data are stored by the registry for a further 18 months and then deleted. Notwithstanding sentence 4, above, the particulars specified in section 3 (1) no. 5 remain visible in the public Register for eight years after the transfer of the register entry to the list in accordance with sentence 1, and are then deleted. The Register data are to be offered for transfer to the relevant archive in accordance with section 5 (4) of the Federal Archives Act as federal archive material before they are definitively deleted.

## Section 4

### Establishment and maintenance of the Register

(1) The Lobbying Register is to be established and maintained in electronic form by the German Bundestag. The German Bundestag and the Federal Government are to conclude an administrative agreement laying down details of the maintenance of the Lobbying Register.

(2) Representatives of special interests are to register, make necessary changes and updates, and upload necessary documentation electronically by using the internet access provided by the German Bundestag. They must confirm the correctness and completeness of particulars to the registry when registering and updating in accordance with section 3 (3) sentences 2 and 3 of this Act. If the representative of special interests is a legal person or association of persons within the meaning of section 30 (1) of the Act on Regulatory Offences (*Gesetz über Ordnungswidrigkeiten*), then confirmation in accordance with sentence 2 is to be provided by a person in a managerial position within the meaning of section 30 (1) nos. 1 to 4 of the Act on Regulatory Offences. If the representative of special interests is another organisation as defined in section 1 (4) of this Act, then the confirmation is to be provided by an authorised representative appointed by the organisation in question. Entries and text content will be published in a machine-readable format stipulated by the registry and with a search function, with the exception of the particulars specified in section 3 (1) no. 1 (b) to (d), the electronic contact details specified in section 3 (1) no. 2 (c), and the address and electronic contact details, if the entry relates to a natural person.

(3) The registry monitors the content of the Register. This does not affect the sole responsibility of representatives of special interests for their respective entries. The registry is authorised to demand evidence in support of particulars published that are evidently incorrect or inconsistent or where there are concrete indications that particulars are potentially incorrect. The registry may remove entries in full or in part from the Register that are evidently improper. Entries removed from the public Register are deleted 36 months after their removal.

(4) The date of entry in the Lobbying Register and the date of the last change and update are automatically displayed.

(5) If particulars under section 3 (1) and (2) are not updated in accordance with section 3 (3) sentence 2, and if the entire Register entry is not checked and its correctness confirmed in accordance with section 3 (3) sentence 3, then the representatives of special interests affected are sent an electronic message requesting them to rectify this. If they do not respond to this request within 30 days, then the entry is labelled "not up to date". If they still have not responded to the request as specified in sentence 1 within a further 120 days, then they receive an electronic notification that in 30 days, the entry will be transferred to the list specified in section 3 (5).

(6) Over and above the limitation set out in subsection (2) sentence 5, above, the registry will, on written request, fully or partially restrict the publication of the registered particulars (section 3 (1) and (2) of this Act) if the representative of a special interest demonstrates to it that, in view of all the circumstances of the individual case, publication conflicts with overriding legitimate interests of the representative of special interests or of the registrants referred to in section 3 (1) nos. 1 and 2, and section 3 (2) nos. 2 and 3. Legitimate interests exist if facts warrant the assumption that publication would expose persons referred to in sentence 1 of this subsection to the danger of falling victim to a crime or an offence under section 124, 223, 224, 240 or 241 of the German Criminal Code (*Strafgesetzbuch*). If the request is rejected, an objection may be lodged with the registry.

(7) In the maintenance of the Register, appropriate technical and organisational measures are to be taken to ensure that the confidentiality of non-public particulars is preserved. This is without prejudice to the use of such particulars in so far as this is required for the proper maintenance of the Register and for procedures under section 7 of this Act. In response to individual enquiries from Members of the German Bundestag and federal ministries, information may be disclosed as to whether an entry exists and, if applicable, which particulars it includes. Otherwise, there are no entitlements on the basis of other legal provisions to access information from the non-public content of the Register and other associated information.

## Section 5

### Integrity in the representation of special interests

(1) The representation of special interests within the meaning of this Act must be carried out solely on the basis of openness, transparency, honesty and integrity.

(2) The German Bundestag and the Federal Government, with the participation of civil society, are to establish a code of conduct containing rules for the representation of special interests on the basis of the principles specified in subsection (1), above.

(3) By enrolling in the Lobbying Register, representatives of special interests accept this code of conduct. It is possible to specify further codes of conduct as an additional basis for the representation of special interests.

(4) The representation of special interests must be carried out transparently in every contact with the bodies, panels, Members, parliamentary groups or groupings of the German Bundestag or with the Federal Government. Representatives of special interests must:

1. disclose their identity and their interest and, where appropriate, the identity and interest of their client and, if the representation of special interests is sub-contracted, the identity and the interest of the main client,

2. provide accurate particulars about themselves and their mandate to represent special interests.

(5) Registered representatives of special interests must refer to their registration on their initial contact with the respective bodies, panels, Members, parliamentary groups or groupings of the German Bundestag or with the respective members of the Federal Government and must name the codes of conduct on the basis of which the representation of special interests is being pursued.

(6) Agreements whereby remuneration or the amount thereof is made dependent on the success of the representation of special interests (contingent fees) are inadmissible.

(7) Representatives of special interests must ensure that all information provided at the time of registration and thereafter in connection with activities falling within the scope of the Register is correct, complete and up to date and is not misleading, and that any necessary additional information and updates requested by the registry are provided without delay.

(8) If the registry, after conducting an appropriate audit procedure, finds that a representative of special interests has significantly infringed the code of conduct referred to in subsection (2), above, this finding will be published in the Register, stating the type of infringement with reference to the relevant section of the code of conduct. An objection to this finding may be lodged with the registry. Section 3 (4) sentence 6 of this Act is to be applied to the documentation generated as a result of the objection procedure. When 24 months have elapsed after the publication of the infringement, the notification of the infringement will be removed from the Register.

(9) The registry will inform the Federal Ministry of the Interior and Community of the initiation of an audit procedure in accordance with section 5 (8) sentence 1, above, with reference to the relevant section of the code of conduct as defined in section 5 (2). If there is a possible infringement of the code of conduct involving or solely related to the representation of special interests vis-à-vis the Federal Government, then the registry is additionally to submit to the Federal Ministry of the Interior and Community comments from the representative of special interests and is to provide the opportunity for comment; section 1 (2) sentence 2 applies accordingly. The Federal Ministry of the Interior and Community may only process the transmitted data within the audit procedure for the purpose of investigating any potential infringement. If the audit procedure also affects other federal ministries or the Federal Chancellery, then the Federal Ministry of the Interior and Community may forward the relevant information to them.

(10) Registrants may publicly use the designation "registered representative of special interests" ("*registrierte Interessenvertreterin*" or "*registrierter Interessenvertreter*") if their particulars have been registered in accordance with section 3 (1) and (2) of this Act; the Register entry does not bear the annotation "not up to date" ("*nicht aktualisiert*"); and

no reference to an infringement within the meaning of section 5 (8) has been published in the Register.

## Section 6

### Access to the buildings of the German Bundestag and participation in public hearings

(1) The German Bundestag may reserve the right not to issue access permits to representatives of special interests unless their particulars have been duly registered in accordance with section 3 (1) and (2) of this Act and the Register entry does not bear the annotation "not up to date" ("*nicht aktualisiert*") or indicate a finding of infringement as defined in section 5 (8). Being issued with an access permit is not a right. Access is regulated by the President of the German Bundestag.

(2) Registrants are only to participate in public hearings of German Bundestag committees as persons furnishing information if the Register entry does not bear the annotation "not up to date" ("*nicht aktualisiert*") or indicate a finding of infringement as defined in section 5 (8).

(3) Involvement of registrants under section 47 of the Joint Rules of Procedure of the Federal Ministries (*Gemeinsame Geschäftsordnung der Bundesministerien*) is not to be permitted if the Register entry bears the annotation "not up to date" ("*nicht aktualisiert*") or indicates a finding of infringement within the meaning of section 5 (8).

## Section 7

### Fines

(1) It is a regulatory offence:

1. not to enter a particular or a change, or not to enter it correctly, completely or in good time in breach of section 2 (1) sentence 1 or section 3 (3) sentence 1 of this Act,
2. not to enter a particular correctly or completely in breach of section 2 (5) sentence 2 of this Act,
3. not to update a particular or not to update it correctly, completely or in good time in breach of section 3 (3) sentence 2 of this Act, or
4. not to confirm a particular or not to confirm it correctly, completely or in good time in breach of section 4 (2) sentence 2 of this Act or in breach of that provision read in conjunction with sentences 3 or 4 of the same subsection.

(2) It is a regulatory offence to commit any of the acts described in subsection (1), above, as a result of negligence.

(3) In the cases referred to in subsection (1), the regulatory offence may be punishable with a fine of up to fifty thousand euros (EUR 50,000) and in the cases referred to in subsection (2), with a fine of up to twenty thousand euros (EUR 20,000).

(4) The administrative authority within the meaning of section 36 (1) no. 1 of the Act on Regulatory Offences is the Secretary-General of the German Bundestag.

## Section 8

### **Transitional provision**

(1) Registrations under section 2 (1) of this Act which are effected within two months from the date of entry into force of this Act are regarded as having been effected without delay within the meaning of section 2 (1) sentence 2.

(2) Entries made before 1 March 2024 are to be adapted to the new legislation and necessary additional particulars added by 30 June 2024 (inclusive). The correctness of the particulars provided there is to be confirmed to the registry. Entries that are not updated by this deadline will subsequently be transferred to the list defined in section 3 (5) of this Act. If the particulars specified in section 3 (1) no. 8 (a) to (e) are not yet available for the last financial year by the deadline stipulated in sentence 1, above, then the data for the previous financial year may initially be provided. The updating requirement in accordance with section 3 (3)

sentence 2 in conjunction with section 4 (5) applies accordingly.

(3) Particulars for gifts from third parties received before 1 March 2024 may, in accordance with section 3 (1) no. 8 (d), be provided in anonymised form.

## Section 9

### **Report and evaluation**

(1) The registry is to compile a report every two years on the maintenance of the Lobbying Register, the first report being due on 31 March 2025; the report is then to be submitted to the Federal Government and the German Bundestag.

(2) The German Bundestag and the Federal Government are to review the effects of this Act for the first time five years after its entry into force and are to publish the results of their review.

**Code of Conduct  
for representatives of special interests in the framework of the  
Lobbying Register Act**

(Federal Government decision of 21 February 2024, Bundestag decision of 22 February 2024)

*Applicable from 1 March 2024*

Persons engaged in the representation of special interests within the meaning of the Lobbying Register Act (*Lobbyregistergesetz*, LobbyRG) who are subject to an obligation to register under the Act or who have registered voluntarily must operate on the basis of openness, transparency, honesty and integrity and, by enrolling in the Register, accept the following principles and Code of Conduct for themselves and their employees:

1. The representation of special interests must be carried out transparently in every contact occurring within the scope of the Lobbying Register Act. To this end, representatives of special interests must disclose their identity and their interest and, where appropriate, the identity and interest of their client, and provide accurate particulars about themselves and their mandate to represent special interests.
2. In addition, registrants must refer to their registration in the Lobbying Register on their initial contact made for the purpose of representing special interests, specifying the codes of conduct on the basis of which the representation of special interests is carried out. In the event of a change in the office or function of an addressee of the representation of special interests, the registrant's contact will be deemed to have taken place with the person and not with the office or function.
3. Agreements whereby remuneration or the amount thereof is made dependent on the success of the representation of special interests (contingent fees) must not be made.
4. Information must never be obtained by improper means. These include, in particular, providing or promising direct or indirect financial incentives to addressees of the representation of special interests, if the latter would breach their obligations by accepting such offers.
5. Confidential information obtained by representatives of special interests or their employees in the context of their representation of special interests vis-à-vis the German Bundestag or the Federal Government must only be used or passed on in a permissible way and as agreed in each instance.
6. The designation "registered representative of special interests" ("*registrierte Interessenvertreterin*" or "*registrierter Interessenvertreter*") may only be used by a person if their particulars have been properly entered in the Lobbying Register, the Register entry does not bear the annotation "not up to date" ("*nicht aktualisiert*") and no reference to an infringement of this Code of Conduct has been published in the Register.
7. If representatives of special interests are invited to public hearings in the German Bundestag as persons furnishing information or are involved in public hearings within the meaning of section 47 (3) and section 47 (5) sentence 2 of the Joint Rules of Procedure of the Federal Ministries (*Gemeinsame Geschäftsordnung der Bundesministerien*, GGO) even though the relevant Register entry bears the annotation "not up to date" ("*nicht aktualisiert*") or a reference to an infringement of this Code of Conduct has been published in the Register, this must be communicated by the representative of special interests concerned to the body responsible for the invitation or the involvement without delay and without prior request.
8. When making contact with clients, customers or other third parties, representatives of special interests must refrain from making false claims alleging the existence of a commissioning, personal or advisory relationship with the addressees of the representation of special interests referred to in the Lobbying Register Act.
9. Representatives of special interests bear sole responsibility for ensuring the correctness and completeness of particulars when registering and updating their entry. The registry monitors the content of the Register in accordance with section 4 (3) sentence 1 of the Lobbying Register Act. Representatives of special interests therefore accept that the particulars in the Lobbying Register may be reviewed by the registry and that the registry works towards ensuring that entries in the Register are revised by representatives of special interests if necessary. Representatives of special interests must provide any evidence requested by the registry in accordance with section 4 (3) sentence 3 of the Lobbying Register Act without delay. They must also ensure that questions from the registry, particularly in the context of the audit procedure under section 5 (8) of the Lobbying Register Act, are answered without delay.