



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.