



# Foreign Influence Transparency Scheme

Factsheet 15

April 2019

## Information and document requirements

Persons registering under the Foreign Influence Transparency Scheme are required to provide information and supporting documentation relating to their registration. This information and documentation is integral to the transparency objectives of the scheme.

The specific information and documents that registrants are required to provide will depend on their particular circumstances, including the types of registrable activities they are undertaking and the nature of their relationship with the foreign principal. This factsheet sets out the information and documents that must be provided in relation to these matters, whether at the time of initial registration or during the registration period.

### Updating your registration

Registrants are required to report material changes in circumstances, including updating their information to ensure that it is not misleading or inaccurate. Where a registrant becomes aware that information provided is or will become inaccurate or misleading, they are required to correct that information within 14 days.<sup>1</sup> Registrants may commit an offence if they fail to update their information. Please refer to **Factsheet 17** for guidance on penalties for non-compliance and enforcement of the scheme.

Registrants should update their registration when:

- they start to undertake another kind of registrable activity on behalf of the foreign principal
- another kind of registrable activity is added to the activities the person is to undertake under an arrangement with the foreign principal
- an exemption ceases to apply
- the person starts to be paid or receive another type of 'consideration' from the foreign principal, or there is a change in the consideration payable to the person, or
- a voting period is declared.

This means that even if not all of the information listed below is available or relevant at the time of initial registration, it may become required at a later stage. Registrants can easily update their registration through the secure portal at <https://www.ag.gov.au/transparency>.

### Information about registrable activities

When providing information about their registrable activities, registrants should address the matters listed below and provide all relevant supporting documentation. This can be done through the registration portal at any time.

<sup>1</sup> Section 34 *Foreign Influence Transparency Scheme Act 2018*

Registrants must provide details of:

- the type or types of registrable activity they are or will be undertaking
- dates, including:
  - the commencement date of the activity or arrangement
  - for parliamentary lobbying or general political lobbying, the dates of any meetings held or other specific activities undertaken as part of the lobbying
  - for communications and disbursement activities, the dates of specific instances of activity
  - the frequency of the activity, and
  - the end date of the activity or arrangement (where applicable), including the anticipated end date.
- details about the purpose of the activity, including:
  - the governmental or political process the activity is aimed at influencing (for example, the federal budget), and
  - the particular subject matter or issue in relation to which the activity is being undertaken (for example, the federal government's policy on a particular matter, or a specific funding decision).
- for lobbying activities:
  - the type of lobbying (for example, meetings or correspondence)
  - dates, times and locations of any meetings held or correspondence exchanged
  - the person or group subject to the lobbying (for example, the recipients of communications or other parties to meetings), and
  - copies of any correspondence or minutes from meetings.
- for disbursement activities:
  - the value of each disbursement
  - whether the activity consists of the disbursement of money or things of value, and if so, what things of value
  - recipient of the disbursement
  - if the value of the money or things of value disbursed in the course of the disbursement activity reaches the electoral donations threshold or a multiple of that threshold, the total value reached, and
  - copies of any invoices, receipts or other evidence of the activity.
- for communications activities:
  - format of the communications activity (for example, radio broadcast, article, speech, text message)
  - details about the audience or recipient of the communication
  - copies of written or printed communications (such as newspaper articles, pamphlets, posters, whether communication was online or paper)
  - copies of communications in message form (such as screenshots of text messages or WhatsApp messages)
  - screenshots of any image-based communications (such as communications using social media, projections)
  - transcripts of audio communications (such as radio broadcast), or
  - links to urls of any online communications
- for other activities undertaken by former Cabinet ministers or recent designated position holders:
  - information about the activities
  - copies of correspondence or other documentation relating to their relationship with the foreign principal, and
  - information about any connection between the registrant's status as former Cabinet minister or recent designated position holder and the activity undertaken (for example, whether the activity involves engagement with the registrant's former colleagues, or relies on skills or knowledge gained through the registrant's former position).

## Information describing the nature of the relationship with the foreign principal<sup>2</sup>

When providing information about their relationship with a foreign principal, registrants should cover the matters listed below and provide all relevant supporting documentation. This includes:

- the basis on which the activities are or will be undertaken on behalf of the foreign principal, specifically, whether this is:
  - under an arrangement with the foreign principal
  - in the service of the foreign principal
  - on the order or at the request of the foreign principal, or
  - under the direction of the foreign principal.
- information about the activities to be undertaken, including for example:
  - what activities the registrant is expected to undertake
  - information about the knowledge or expectation of the registrant and foreign principal that the registrant would undertake the activities
  - correspondence between the registrant and the foreign principal about the activities or the arrangement, or
  - evidence of any formal or informal arrangement, including copies of any contracts or other documentation relating to the arrangement.
- Information about any consideration (payment; whether money or other value) from the foreign principal including;
  - details of any consideration provided by foreign principal to the registrant in relation to the activities, whether directly or indirectly, and including monetary payments and other benefits
  - information about when consideration starts, stops, or changes in value, or
  - any transaction receipts or other evidence of the consideration being provided.

It is important to note that even if no consideration or payment is provided, activities and/or arrangements with a foreign principal may still be registrable.

## Information which is published on the scheme's website

Registrants should be aware that some of the information provided as part of their registration may be made publicly available on the Foreign Influence Transparency Scheme register on the website of the Attorney-General's Department. This will occur in accordance with the *Foreign Influence Transparency Scheme Rules 2018*.

However, the information that is made publicly available will not include information that the Secretary of the department is satisfied is commercially sensitive, is sensitive and relates to a confidential government consultation on proposed policy changes, or affects national security. Please refer to **Factsheet 14** for guidance on what information will be considered commercially sensitive.

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<sup>2</sup> Sections 45 to 49