

Based on Article 24 paragraph 1 of the Law on Lobbying ("Official Gazette of the Republic of North Macedonia no. 122/2021), the Agency for the Protection of the Right to Free Access to Public Information, on 07.06.2022 adopted the following

INTERNAL ACT

for establishing rules in accordance with Article 24 of the Law on Lobbying

1. Subject to editing

This act regulates rules for:

- realization and recording of contacts for the purpose of lobbying;
- the identification and records of the persons who make contacts in the institutions;
- transparent processes of preparing, adopting and amending public policies, i.e. programs, laws or by-laws or other general acts, which include the publication of data on the identity of all participants in the process, the subjects whose interests were represented, the conditions under which the participation was carried out and the payments allowances for the same and
- proactive publication of announcements about held official meetings and meetings, with data on the participants present and the subject of discussion.

2. MAKING AND RECORDING CONTACTS FOR LOBBYING PURPOSES

Persons who are lobbied in the Agency for the Protection of the Right to Free Access to Public Information in the sense of Article 2 of the Law on Lobbying are: Director, Deputy Director and General Secretary.

Contact for the purpose of lobbying is indirect or direct communication with the persons who are being lobbied, regardless of the location where it takes place, and the method and means of communication used.

2.1 Making contacts for the purpose of lobbying

A request to make contact for the purpose of lobbying can be any oral/written request for a meeting or meeting, telephone contact or contact via e-mail, aimed at the persons who are being lobbied at the Agency for the Protection of the Right to Free Access to Public Information.

The persons being lobbied should determine the purpose of the requested contact and may request more information about the requested contact if necessary. If the person contacting them does not receive the data needed to determine the purpose of the requested contact, the persons being lobbied stop further contact with that person.

When the persons being lobbied determine that the contact is for the purpose of lobbying, they further proceed to verify the person contacting them and for this purpose require the person contacting them to submit identification data as a lobbyist or representative of a lobby organization, as well as data on the client of the lobbying.

If the person who contacts them does not provide or refuses to provide the data required for verification, that is, provides untrue or incomplete data for verification, the persons being lobbied stop further contact with that person.

The verification is performed by comparing the identification data with the data recorded in the Register of lobbyists, lobby organizations and lobbying on the website of the State Commission for the Prevention of Corruption.

If it is established through the check that the person who contacts them is registered in the Register of lobbyists, lobby organizations and lobbying and has an active status of lobbyist / representative of a lobby organization, the persons who are being lobbied can arrange to make contact with that person, in at a certain time and at a certain place.

Contact for lobbying can be made through a meeting/meeting, a phone call, as well as through electronic means (e-mail, internet meeting platform, etc.).

When making contact for the purpose of lobbying, the lobbyist/representative of the lobby organization can provide data and information about the object of lobbying, orally or in writing, as well as submit material related to the object of lobbying.

Persons being lobbied shall cease contact and refuse further contact with the lobbyist, lobby organization or representative of the lobby organization when they determine that they are acting contrary to the provisions of the Law on Lobbying.

2.2 Logging of contacts for the purpose of lobbying

The Agency for the Protection of the Right to Free Access to Public Information keeps records of contacts made for the purpose of lobbying.

The record of the contacts made is kept by a person from among the administrative officers, determined by the Director of the Agency for that purpose.

The record of contacts for the purpose of lobbying is kept on a special form, which contains the following data:

- Name and surname of the natural person/title of the legal entity that made

contact for the purpose of lobbying;

- Contact information for the lobbyist/representative of the lobby organization;
- Name, surname and function of the person/persons who were lobbied;
- Date, place and method of making the contact;
- Subject of lobbying and
- Other relevant data.

The contact record form is an integral part of this act.

3. IDENTIFICATION AND RECORD OF PERSONS WHO MAKE CONTACTS WITH THE AGENCY FOR PROTECTION OF THE RIGHT OF FREE ACCESS TO PUBLIC INFORMATION

In addition to contacts made for the purpose of lobbying, all persons who make contacts in the Agency for the Protection of the Right to Free Access to Public Information should be identified and records kept.

Records of contacts are kept by a person from among the administrative officers, determined by the Director of the Agency.

In order to make contact with officials in the Agency for the Protection of the Right to Free Access to Public Information, the person who is interested in making contact is obliged to identify himself, that is, to state his name and surname and the purpose for which he is requesting contact.

If the person does not provide the above data, the person in charge of keeping the records of contacts will ask the person to provide the requested information, and if he does not act on the request, the communication will be terminated.

The person in charge of keeping records of contacts informs the Director of the Agency about the requested contact, who determines which official/officials will make contact with the contact requester.

The person in charge of keeping records of contacts orally and via e-mail notifies the official who is determined to make contact with the requester of the contact, specifying the data of the requester and the purpose of the requested contact and determines the way and time of making the contact.

The contact can be made in person at the premises of the Agency for the Protection of the Right to Free Access to Public Information, by telephone conversation or by using electronic means (e-mail, internet platform for meetings, etc.).

When making contact in the official premises of the Agency for the Protection of the Right to Free Access to Public Information, the person is obliged to identify himself by showing an identification document to the official with whom the contact is made.

The records of contacts are kept on a special form, which contains the following data:

- Name and surname of the contact requester;
- Name, surname and function of the representative(s) of the Agency for the Protection of the Right to Free Access to Public Information who participated in the meeting(s);
- Date and method of making the contact;
- Purpose of the contact and
- Other data.

The contact record form is an integral part of this act.

4. PREPARATION, ADOPTION AND AMENDMENT OF PUBLIC POLICIES, PROGRAMS, LAWS, BY-LAWS OR OTHER GENERAL ACTS

NOTE: In this part of the internal act, each body that is lobbied, due to the specificity of the legal competencies, should separately arrange the procedures for preparing, adopting and amending the acts for which it has established legal competence:

- laws, by-laws, and other general acts;
- public policies/programs, especially when they refer to spatial and urban planning, development and allocation/distribution of public funds.

At the same time, it is necessary to publish in a transparent manner the data on the identity of all participants in the process, the subjects whose interests were represented, the conditions under which the participation was achieved and the compensations paid for the same.

5. PROACTIVE PUBLICATION OF ANNOUNCEMENTS ON OFFICIALLY HELD MEETINGS

The Agency for the Protection of the Right to Free Access to Public Information on its official website will regularly publish announcements about all official meetings and meetings held, regardless of whether the meeting/meeting is for the purpose of lobbying or for another purpose.

The employees of the Agency in charge of managing and updating the website of the Agency publish the announcement in Macedonian and Albanian immediately, and at the latest within 3 working days after holding the official meeting, i.e. the meeting.

The announcement about the official meetings and meetings held, depending

on the purpose of the meeting/meeting, contains the following data:

A) MEETINGS HELD WITH THE PURPOSE OF LOBBYING

1. date, time, manner and place of meeting/meeting;
2. to state that the meeting is for the purpose of lobbying;
3. name, surname and function of the person/persons who are being lobbied, other representatives of the Agency for the Protection of the Right to Free Access to Public Information who participated in the meeting/meeting;
4. name and surname of the lobbyist/name of the lobby organization - who participated in the meeting/meeting;
5. data on the client of the lobbying;
6. a brief description of the lobbying subject discussed at the meeting/meeting;
7. a brief description of the documentation shared regarding the subject matter of the lobbying and
8. photos/video recording of the meeting/meeting (if possible)

B) MEETINGS AND MEETINGS HELD WITH ANOTHER PURPOSE

1. date, time, manner and place of meeting/meeting;
2. purpose of the meeting/meeting;
3. name, surname and function of the representative(s) of the Agency for the Protection of the Right to Free Access to Public Information who participated in the meeting(s);
4. name, surname/title of legal entity/ of the participants with whom the meeting was held and in what capacity they participated;
5. a brief description of the subject of discussion at the meeting/meeting;
6. a brief description of the shared documentation (if any) and
7. photos/video recording of the meeting/meeting (if possible).

The published announcements about the official meetings/meetings held will be available on the official website for a period of five years from the date of publication.

8. TRANSITIONAL AND FINAL PROVISIONS

The internal act for establishing rules in accordance with Article 24 of the Law on Lobbying has an obligation to be respected by all officials employed in the Agency for the Protection of the Right to Free Access to Public Information, without exception.

Within 30 days from the date of adoption, the Agency for the Protection of the Right to Free Access to Public Information will notify the State Commission for the

Prevention of Corruption of the established rules and procedures and will submit the internal act for publication in the Register of lobbyists, lobby organizations and lobbying.

This internal act enters into force on the day of its adoption and will be published on the website of the Agency for the Protection of the Right to Free Access to Public Information.

Бр. 01-403/1
07.06. 22 година

Агенцијата за заштита на правото на слободен пристап до информациите од јавен карактер



Директор
Пламенка Бојчева