



STRATEGIC & EXTERNAL ENVIRONMENT

Government Relations: A Real Exemption, With Real Limits

Most association advocacy is exempt from lobbyist registration. The exemption's edges vary meaningfully by state

An association's own CEO or staff meeting with a minister or department official to advocate for their members generally does not need to register as a lobbyist, a reassuring fact many boards have never actually confirmed. The exemption has real limits, though, and they vary meaningfully by jurisdiction in ways worth understanding rather than assuming.

Which rules apply to your association?

The law depends on how your association is set up. A **company limited by guarantee** follows the Corporations Act 2001 (Cth) and its constitution. An **incorporated association** follows its state or territory associations Act and its rules. A **registered charity** also follows the ACNC Act and the ACNC Governance Standards, and some Corporations Act rules are replaced for charities that are companies. Check your own governing documents, and get advice before decisions with legal consequences.

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The Exemption Most Associations Already Qualify For

The Australian Government Lobbying Code of Conduct covers lobbyists acting for third-party clients, so an association's own staff advocating for its members are generally outside it. The Code also expressly excludes non-profit associations constituted to represent their members' interests, and endorsed deductible gift recipients. The logic is straightforward: when an association's own staff speak for its members, it is clear to government whose interests are being represented, unlike a paid third-party lobbyist whose client might otherwise remain undisclosed. This is precisely the kind of advocacy most associations undertake on their members' behalf, and at the federal level it sits outside the registration scheme.

Where This Gets More Complex: State Variation

The exemption pattern is not uniform across Australia, and an association advocating at both federal and state level needs to check each relevant jurisdiction separately rather than assuming one set of rules applies everywhere. Most registers, including Queensland's, focus on third-party lobbyists, and Queensland also exempts an entity constituted to represent its members when it lobbies only for their interests. The Northern Territory has operated a Register of Lobbyists for third-party lobbyists since early 2025. Definitions, exemptions and contact rules still differ between jurisdictions. An association running a national advocacy campaign cannot rely on a single jurisdiction's rules as a safe default for every state it engages with. The exemption protecting most in-house association advocacy is broad, but it is not universal, and the specific rules that apply depend on which jurisdiction your association is engaging with at any given time.

The Specific Trigger That Actually Requires Registration

The exemption applies to in-house advocacy conducted by an association's own staff on its own members' behalf. It does not extend to a paid third-party lobbyist or consultancy engaged specifically to lobby government on the association's behalf. If you engage an external government relations firm, the firm must be registered in each relevant jurisdiction and will usually list your association as a client, so check its registration before engaging it. Associations engaging on planning, property, or development-adjacent matters should also be aware that New South Wales and Queensland ban political donations from property developers. If your members include developers, take care that advocacy activity does not become a channel for prohibited donations.

- Confirm your association's own advocacy activities fall within the in-house exemption, rather than assuming registration is either always required or never required.
- Check the specific rules in every jurisdiction your association actually engages with, given variation between the federal Code, individual state requirements, and the Northern Territory's register, which has operated since early 2025.
- Before engaging an external government relations consultant or lobbying firm, check that it is registered in each relevant jurisdiction, and expect your association to be listed as its client.
- Exercise particular caution around property, planning, and development-adjacent advocacy specifically, given the bans on political donations from property developers in New South Wales and Queensland.
- If your association is a registered charity, keep advocacy within its charitable purpose, and never promote or oppose a political party or candidate.
- Document your association's advocacy activities and the basis for relying on the in-house exemption, since being able to demonstrate this clearly protects the organisation if the exemption's application is ever questioned.

Advocacy on behalf of members is a legitimate, valuable, and generally well-protected activity for an association to undertake directly. The complexity sits not in whether the activity itself is permitted, but in understanding which jurisdiction's specific rules apply to it, and confirming the association has not quietly stepped outside an exemption it has always assumed covers everything it does. This is one of the practical governance topics built into our Association CEO course, alongside the papers, tools and frameworks that turn the principle into your board's actual practice. [Explore the course](#)

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BOARDROOM ACTION WORKSHEET

Government Relations: A Real Exemption, With Real Limits

Turn the resource into evidence, a decision and an accountable next step. Keep the completed record in your association's approved board records system.

1 What is the issue or decision?

State the governance question in one clear sentence.

2 What evidence do we already have?

Record the facts, source documents and stakeholder evidence available now.

3 What evidence is still needed?

Identify the legal, regulatory, financial, member or operational information still required.

4 What is the agreed next action?

Capture the owner, timeframe and how the matter will return to the board.

Action owner	Review date	Board decision or resolution

General education, not legal, financial, tax, clinical or governance advice. Confirm specifics at the relevant primary source or with your own qualified adviser. Nexus Leadership is operated by Lipstick Consulting Pty Ltd · ABN 15 619 120 482.

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