

Federal Lobby Registry Requirements

LOBBYING ACT BACKGROUND:

Enacted in June 2008, the objectives of the Act are to increase transparency and accountability in the lobbying of public office holders and increase the confidence of Canadians in the integrity of the government.

WHAT IS LOBBYING:

Lobbying occurs when a paid employee communicates with a public office holder, in respect of:

- Development of any legislative proposal
- Introduction, defeat or amendment of any Bill or resolution
- Making or amendment of any regulation
- Development or amendment of any policy or program
- Awarding of any grant, contribution or other financial benefit

COMMUNICATION MUST BE DISCLOSED IN A MONTHLY REPORT IF:

- A communication with a Designated Public Office Holder (DPOH) takes place that is oral, arranged in advance, and is requested by someone other than a public office holder; **and**
- A communication with a DPOH that is oral, arranged in advance takes place, that is requested by a public office holder AND concerns the awarding of a grant, contribution, financial benefit, or any contract.

REPORTING REQUIREMENTS:

- Universities are required to report lobbying activity with a Designated Public Office Holder (DPOH).
 - All Members of Parliament, Senators, Minister's office staff, Leader of the Opposition's office staff, Deputy Ministers and Assistant Deputy Ministers are DPOHs. Beyond this group it can be confusing to know who else is a DPOH. The Commissioner of Lobbying suggests that you ask at the beginning of a meeting if they are a DPOH. The onus is on the University to determine if someone is a DPOH.
- The only communications with DPOHs that must be reported are oral and arranged communication (e.g., a meeting or telephone call).
- The regulations do not require monthly reporting of e-mails, letters, and chance encounters.
- Universities are required to include information in their registration on all paid employees who engage in lobbying activities.
 - Individual faculty members who engage in lobbying for their own research or projects and were not assigned to do so by senior administration, do not have to be registered.
- Additionally all applications for research grants provided by organizations with peer review processes are not considered lobbying.
- If a report is not filed, or if it is filed incorrectly, incompletely, or late, then liability rests with the President of the University and they are subject to possible investigation or prosecution. Presidents can and do assign reporting to other employees, but the legal responsibility still rests with them.
- The Lobbying Act provides for criminal monetary fines and the possibility of up to six months imprisonment for lobbyists who do not comply with the requirements of the Act.