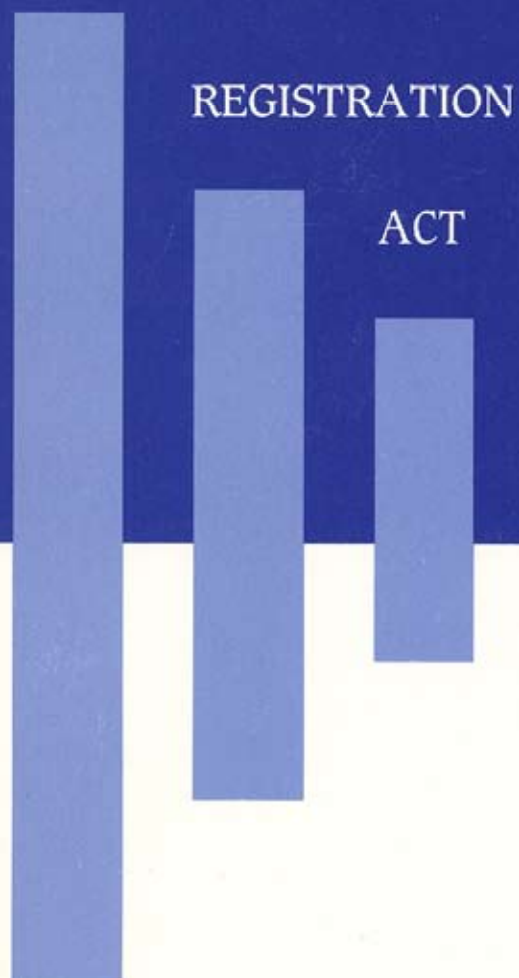




Consumer and
Corporate Affairs Canada

Consommation
et Corporations Canada

LOBBYISTS



ANNUAL REPORT
for the year ended March 31, 1991

Canada

LOBBYISTS
REGISTRATION
ACT

ANNUAL REPORT
for the year ended March 31, 1991



Consumer and
Corporate Affairs Canada

Consommation
et Corporations Canada

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Consommation
et Corporations Canada

Consumer and
Corporate Affairs Canada

Direction de l'enregistrement
des lobbyistes

Lobbyists Registration
Branch

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Tour II, 4ième étage
165, rue Hôtel-de-Ville
Hull (Québec)
K1A 0C9

Place du Portage
Tower II, 4th floor
165 Hôtel-de-Ville Street
Hull, Quebec
K1A 0C9

June 11, 1991

The Honourable Pierre Blais, P.C., M.P.
Registrar General of Canada
House of Commons, Room 448
Confederation Building
Ottawa, Ontario
K1A 0A6

Dear Sir:

I have the honour to present to you the second Annual Report on the administration of the *Lobbyists Registration Act* in accordance with the provisions of subsection 11(1) of the Act. The report covers the fiscal year ending March 31, 1991.

Yours sincerely,

Corinne MacLaurin
Registrar

Canada

TABLE OF CONTENTS

1.	PURPOSE AND DESCRIPTION OF THE ACT	5
2.	REGISTRY ACTIVITY	6
3.	STATISTICAL REVIEW	7
4.	COMPLIANCE	12
5.	INFORMATION REQUESTS	12

This is the second Annual Report on the administration of the *Lobbyists Registration Act* (R.S.C. 1985, c. 44 (4th Supp.)). This report covers the period from April 1, 1990 to March 31, 1991.

1. PURPOSE AND DESCRIPTION OF THE ACT

The purpose of the *Lobbyists Registration Act*, as recited in its preamble, is to bring transparency to the activities of paid lobbyists without impeding free and open access to government. The Act accomplishes this purpose by requiring that individuals who, for pay, engage in certain lobbying activities, register so that the public, as well as those holding public office, can be aware of who they are and on whose behalf they are lobbying.

The Act distinguishes between two types of lobbyists: Tier I and Tier II. A Tier I lobbyist is an individual who, for payment and on behalf of a client, undertakes to arrange a meeting with a public office holder or to communicate with a public office holder in an attempt to influence the development, making or amendment of any federal law, regulation, policy or program or the award of any federal monetary grant or the award of any federal contract. "Public officer holder" means any officer or employee of Her Majesty in right of Canada and includes virtually everyone occupying a position in the federal government.

Tier I lobbyists (sometimes referred to as "professional lobbyists") must file one registration for each of their undertakings to lobby on behalf of a client. These lobbyists are required to disclose their clients, and if the client is a corporation, the parents and subsidiaries of that corporation. They are also required to disclose the subject-matter of their undertaking. Tier I lobbyists must register within 10 days of commencing their lobbying activity.

A Tier II lobbyist is an individual who, on behalf of an employer, communicates as a significant part of his or her duties with a public office holder in an attempt to influence the same type of activities as apply to Tier I lobbyists, except for the awarding of contracts.

Tier II lobbyists (sometimes referred to as "employee lobbyists") are required to register annually, providing their name and the name and address of their employer. These lobbyists must register within two months of assuming their duties and must renew their registration before the end of February each year.

The *Lobbyists Registration Regulations* set out the manner and form of the returns to be filed and the applicable fees for services provided by the Registry of Lobbyists. Registration forms for Tier I and Tier II lobbyists are reproduced in the Annex.

Responsibility for the administration of the Act is assigned to a registrar who is appointed by the Registrar General of Canada and who is required to establish and maintain a public Registry of Lobbyists.

The Act was proclaimed in force on September 30, 1989. There is a provision after three years for a comprehensive review of the administration and operation of the Act by a parliamentary committee.

2. REGISTRY ACTIVITY

For administrative purposes, the Registry of Lobbyists is established within the Department of Consumer and Corporate Affairs as the Lobbyists Registration Branch.

In 1990-91, the Lobbyists Registration Branch had an indeterminate allocation of four person-years. One and one-half additional person-years were required to provide service and to develop and implement a consistent approach to the interpretation of the legislation. The Branch expenditures were \$315 000, including salaries and operating costs.

The Branch provides advisory assistance to potential lobbyists, public office holders, and the general public with respect to filing requirements under the Act and the Regulations. It also disseminates information by a variety of other means, including distributing information packages, corresponding with potential lobbyists, providing interviews to the media, and giving presentations to professional associations and federal government officials.

Public office holders were reminded about the registration requirements for lobbyists, and informed about the services of the Registry, in letters sent with the 1989-90 Annual Report to federal cabinet ministers and other members of Parliament, federal deputy ministers and Governor in Council appointees.

Branch staff review the returns submitted for registration. Information is checked for completeness, and inconsistencies or obvious omissions are communicated to the lobbyist for correction or for supplementary information. A short instruction guide to completing the registration forms was produced during the year, and will be included in the information packages sent to potential new registrants.

The Registry's computer system stores optically-scanned images of the registration forms, and is combined with a database capacity for producing reports by registrant, employer or client names. Branch staff maintain the system, and assist members of the general public and public office holders to obtain information from this Registry. The Registry is also set up to be self-operational, and users may search all information in the database, view individual registration returns on computer terminals, and print copies of the documents with little or no assistance from Branch personnel.

In April 1990, the Branch worked with the Parliamentary Exchanges and Protocol Directorate of Parliament, participating in three days of meetings with six members of Parliament from the United Kingdom who were studying the Canadian lobbying legislation and supporting systems. As well, in January 1991, the Branch held in-depth information sessions on the *Lobbyists Registration Act* for representatives of the United States General Accounting Office who were reviewing the U.S. law on foreign agent lobbyists registration.

3. STATISTICAL REVIEW

Registrations

In 1990-91, a total of 7 798 transactions were processed. Table 1 provides data on the numbers of new returns processed. Last fiscal year, Tier II (employee) lobbyists registered when the Act was proclaimed in September 1989, and renewed their registrations by the end of February as required by the law. Amendments include changes to existing returns as well as notifications of termination of lobbying activity.

The number of registrations and lobbyists represent the total active population on March 31. At the end of the 1990-91 fiscal year, there were 658 active Tier I lobbyists registered, an increase of 41% over the previous year. Tier II lobbyists increased by 3% over the same period, to 2 182.

Table 1: Registration Information

		1989-90	1990-91
Registrations Processed between April 1 and March 31	Tier I	2 099	1 547
	Tier II	4 122	2 556
	Amendments	<u>2 140</u>	<u>3 695</u>
		8 361	7 798
Registrations Active on March 31	Tier I	2 016	2 878
	Tier II	<u>2 179</u>	<u>2 249</u>
		4 195	5 127
Lobbyists Active on March 31	Tier I	464	658
	Tier II	<u>2 111</u>	<u>2 182</u>
		2 575	2 840

Subject-Matter of Tier I Lobbying Undertakings

Tier I lobbyists are required to disclose the subject-matter of their lobbying undertakings. The registration form lists 52 general subject-matter categories. Table 2 provides a ranking of the various subject areas and indicates the frequency with which each was identified in all active Tier I registrations filed through March 31, 1991. Comparative data is provided for last year.

Table 2: Frequency of Subject-Matter

SUBJECT-MATTER	1989-1990		1990-1991	
	FREQUENCY	RANK	FREQUENCY	RANK
International Trade	2 095	1	2 751	1
Government Procurement	1 952	4	2 716	2
Industry	2 022	3	2 714	3
Regional Economic Development	2 042	2	2 529	4
Science and Technology	1 745	5	2 213	5
Taxation	1 328	12	2 075	6
Corporate Affairs	1 667	6	2 060	7
Investment	1 504	7	2 013	8
Environment	1 387	10	1 826	9
Transportation	1 483	9	1 792	10
Consumer Issues	1 501	8	1 763	11
Federal-Provincial Relations	1 363	11	1 492	12
Communications	1 218	13	1 349	13
Foreign Affairs	1 039	16	1 337	14
Defence	1 167	14	1 316	15
Intellectual Property	1 000	17	1 288	16
Health	973	18	1 144	17
Financial Institutions	809	20	1 127	18

Table 2 (continued)

SUBJECT-MATTER	1989-1990		1990-1991	
	FREQUENCY	RANK	FREQUENCY	RANK
Employment	1 068	15	1 064	19
Energy	750	22	1 041	20
Small Business	753	21	939	21
Public Works	840	19	862	22
Privatization	749	23	857	23
Fiscal and Monetary Policy	624	27	702	24
Public Safety	632	26	665	25
Agriculture	542	29	642	26
Labour	582	28	642	27
International Development	724	24	610	28
Natural Resources	497	34	589	29
Fisheries and Oceans	635	25	580	30
Immigration	419	37	572	31
Social Policy	520	32	571	32
Administration of Justice	214	43	527	33
Tourism	516	33	526	34
Aboriginal Affairs	310	39	524	35
Youth Issues	542	30	494	36
Arts and Culture	388	38	490	37
Post-Secondary Education	527	31	463	38
Postal Services	420	36	422	39
Women's Issues	472	35	416	40
Housing	251	42	288	41
Forestry	290	40	282	42

Table 2 (continued)

SUBJECT-MATTER	1989-1990		1990-1991	
	FREQUENCY	RANK	FREQUENCY	RANK
Mining	261	41	261	43
Criminal Law	210	44	218	44
Citizenship	200	45	209	45
Other	139	47	158	46
Senior Citizen Issues	155	46	139	47
Amateur Sports	103	49	137	48
Human Rights	67	50	123	49
Veterans Affairs	118	48	106	50
Parole and Penitentiaries	45	51	75	51
Multiculturalism	22	52	68	52

Types of Tier I Lobbying Activities

Tier I lobbyists are also required to disclose the type of lobbying activity involved. Seven types of activity are identified on the registration form. Table 3 shows the frequency with which each was identified in all active registrations filed through March 31, 1991. Comparative data is provided for the previous year.

Table 3: Frequency of Lobbying Activities

TYPE OF ACTIVITY	1989-1990		1990-1991	
	FREQUENCY	RANK	FREQUENCY	RANK
Communicating with a public office holder in an attempt to influence the development or amendment of a policy or program of the Government of Canada	10 260	1	12 295	1
Communicating with a public office holder in an attempt to influence the making or amending of any regulation within the meaning of the <i>Statutory Instruments Act</i>	7 966	2	8 046	2
Communicating with a public office holder in an attempt to influence the awarding of any contract by or on behalf of Her Majesty in right of Canada	5 599	3	7 853	3
Arranging a meeting with a public office holder	4 891	5	6 582	4
Communicating with a public office holder in an attempt to influence the awarding of any monetary grant or contribution or any other financial benefit by or on behalf of Her Majesty in right of Canada	5 164	4	6 430	5
Communicating with a public office holder in an attempt to influence the development of a legislative proposal by the Government of Canada or by a member of the Senate or the House of Commons	4 048	6	4 829	6
Communicating with a public office holder in an attempt to influence the introduction, passage, defeat or amendment of any Bill or resolution before either House of Parliament	2 952	7	3 732	7

4. COMPLIANCE

For the period covered by this report, compliance by the lobbyists community with the registration requirements of the Act appeared to be reasonable. However, there was an increase in the frequency of incomplete information on Tier I registrations, and this was addressed, in part, by the issuance of a short instruction guide to completing registration returns. The Lobbyists Registration Branch also continued to initiate appropriate action to correct observed deficiencies. One complaint respecting the alleged failure to file a return required by the Act was referred to the Royal Canadian Mounted Police, the principal enforcement authority for the law.

5. INFORMATION REQUESTS

In 1990-91, 1 019 telephone calls for information on the legislation, as well as on registered lobbyists and their clients, were received from public office holders, the media, and members of the general public. There were 93 visitors. Branch staff produced 1 003 reports from the Registry's database. Initial discussions were held with Canada Communication Group regarding their publication of a compendium of registered lobbyists, which would complement private sector news reporting.

Branch revenues from copies of documents and Registry reports amounted to \$7 521.90 for the period ending March 31, 1991.

The Registry is open for public inspection Monday to Friday, except holidays, between 8:30 a.m. and 4:30 p.m. It is located at:

Consumer and Corporate Affairs Canada
Place du Portage, Phase II, 4th floor
165 Hôtel-de-Ville Street
Hull, Quebec
K1A 0C9

General:	(819) 953-7144
Legislative Enquiries:	(819) 953-7272
Lobbyists Registry Information:	(819) 953-9246
FAX:	(819) 953-9247



TIER I LOBBYISTS REGISTRATION

DEFINITION

Tier I Professional Lobbyist

A Tier I professional lobbyist is every individual who, for payment, on behalf of any person or organization, undertakes to arrange a meeting with a public office holder or to communicate with a public office holder in an attempt to influence one or more of the activities listed below under Type of activity, A through F. (See subsection 5(1) of the Lobbyists Registration Act.)

INSTRUCTIONS

A Tier I lobbyist shall file with the registrar the information requested on the right-hand page, not later than ten (10) days after entering into an undertaking as described in subsection 5(1) of the Act.

Under subsection 5(3) of the Act, the lobbyist is required to advise the Registrar in writing, as soon as practicable, of any changes in the information previously filed. Such notice should include the registration number assigned to the original return to which the changes apply. The registration number will be communicated to the lobbyist through an acknowledgement.

The termination of a lobbying undertaking is a change in the information. A Tier I lobbyist must therefore notify the Registrar of each such termination.

Returns or notices may be filed by mail, delivery in person, or, under certain conditions, by facsimile. (See subsection 3(2) of the Regulations.)

For a definition of subsidiary or parent, please refer to subsection 2(2) and paragraph 5(2)(c) of the Act.

If space is insufficient in section C of the return, please use a separate sheet.

Note: For each additional lobbyist working on the same undertaking, a separate return is required.

Failure to comply with any provision of the Act, or making any false or misleading statement in any return to be filed under the Act, is subject to a fine and/or imprisonment.

SUBJECT-MATTER

Area of concern*

- | | |
|---|--|
| 01 – Aboriginal Affairs (04) | 26 – Industry (23) |
| 02 – Administration of Justice (01) | 27 – Intellectual Property (37) |
| 03 – Agriculture (05) | 28 – International Development (13) |
| 04 – Amateur Sports (48) | 29 – International Trade (09) |
| 05 – Arts and Culture (07) | 30 – Investment (25) |
| 06 – Citizenship (08) | 31 – Labour (28) |
| 07 – Communications (10) | 32 – Mining (30) |
| 08 – Consumer Issues (38) | 33 – Multiculturalism (31) |
| 09 – Corporate Affairs (02) | 34 – Natural Resources (43) |
| 10 – Criminal Law (14) | 35 – Parole and Penitentiaries (26) |
| 11 – Defence (11) | 36 – Postal Services (47) |
| 12 – Employment (16) | 37 – Post-Secondary Education (19) |
| 13 – Energy (17) | 38 – Privatization (36) |
| 14 – Environment (18) | 39 – Public Safety (46) |
| 15 – Federal-Provincial Relations (42) | 40 – Public Works (51) |
| 16 – Financial Institutions (24) | 41 – Regional Economic Development (12) |
| 17 – Fiscal and Monetary Policy (34) | 42 – Science and Technology (45) |
| 18 – Fisheries and Oceans (32) | 43 – Senior Citizen Issues (40) |
| 19 – Foreign Affairs (03) | 44 – Small Business (33) |
| 20 – Forestry (20) | 45 – Social Policy (35) |
| 21 – Government Procurement (29) | 46 – Taxation (22) |
| 22 – Health (44) | 47 – Tourism (49) |
| 23 – Housing (27) | 48 – Transportation (50) |
| 24 – Human Rights (15) | 49 – Veterans Affairs (06) |
| 25 – Immigration (21) | 50 – Women's Issues (41) |
| | 51 – Youth Issues (39) |
| | 99 – Other (please specify) |

Type of activity

- **To communicate with a public office holder in an attempt to influence:**
 - A** – the development of a legislative proposal by the Government of Canada or by a member of the Senate or the House of Commons,
 - B** – the introduction, passage, defeat or amendment of any Bill or resolution before either House of Parliament,
 - C** – the making or amending of any regulation within the meaning of the *Statutory Instruments Act*,
 - D** – the development or amendment of any policy or program of the Government of Canada,
 - E** – the awarding of any monetary grant or contribution or any other financial benefit by or on behalf of Her Majesty in right of Canada,
 - F** – the awarding of any contract by or on behalf of Her Majesty in right of Canada.
- **X – To arrange a meeting with a public office holder.**

*The numbers in parentheses correspond to the French equivalents.

Please send completed return to:

Registrar of Lobbyists
Consumer and Corporate Affairs Canada
Place du Portage II, 4th Floor
165 Hotel de Ville Street
Hull, Quebec
Canada
K1A 0C9
(819) 953-7144
Facsimile: (819) 953-9247

TIER I LOBBYISTS REGISTRATION

This information is collected under the authority of the Lobbyists Registration Act, and will be a matter of public record.

It is stored in Personal Information Bank CCA/P-PU-095.

For registry use only	
DATE	of
DOC #	

RETURN (Please type or print in a legible manner.)

A: Individual

Surname		Given names and initials	
Title			
Legal name of your firm		Facsimile no. ()	
Your business address		City	
Number	Street		
Province	Postal code	Country	Telephone no. ()

B: Client

Legal name of corporation, organization or person on whose behalf you lobby			
If client is a corporation or organization, give the name of the principal representative with whom you deal			
Address		City	
Number	Street		
Province	Postal code	Country	Telephone no. ()
Name of parent(s) of the client corporation (FOR ADDITIONAL PARENT(S) USE SEPARATE SHEET)			
Head Office address		City	
Number	Street		
Province	Postal code	Country	Telephone no. ()
Name of subsidiary(ies) of the client corporation (FOR ADDITIONAL SUBSIDIARY(IES) USE SEPARATE SHEET)			
Head Office address		City	
Number	Street		
Province	Postal code	Country	Telephone no. ()

C: Subject-matter (See paragraph 5(2)(d) of the Act): Define the subject-matter of your undertaking by reporting one or more applicable combinations of a number, representing the area of concern, and a letter, representing the type of activity (e.g., 16A).

Language used to define subject-matter: English <input type="checkbox"/> French <input type="checkbox"/>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border: 1px solid black; width: 25px; height: 20px;"></td> <td style="border: 1px solid black; width: 25px; height: 20px;"></td> <td style="border: 1px solid black; width: 25px; height: 20px;"></td> <td style="border: 1px solid black; width: 25px; height: 20px;"></td> <td style="border: 1px solid black; width: 25px; height: 20px;"></td> <td style="border: 1px solid black; width: 25px; height: 20px;"></td> <td style="border: 1px solid black; width: 25px; height: 20px;"></td> <td style="border: 1px solid black; width: 25px; height: 20px;"></td> </tr> <tr> <td style="border: 1px solid black; width: 25px; height: 20px;"></td> <td style="border: 1px solid black; width: 25px; height: 20px;"></td> <td style="border: 1px solid black; width: 25px; height: 20px; text-align: center;">Other</td> <td style="border: 1px solid black; width: 25px; height: 20px; text-align: center;">9</td> <td style="border: 1px solid black; width: 25px; height: 20px; text-align: center;">9</td> <td colspan="3"></td> </tr> </table>											Other	9	9				Please specify:
		Other	9	9														

D: Certification

I hereby certify that the information contained in this return is true to the best of my knowledge and belief.		
Signature of lobbyist:	_____ Day	_____ Month
	_____ Year	

**TIER II LOBBYISTS REGISTRATION****DEFINITION****Tier II Lobbyist**

A Tier II lobbyist is every employee of a person or organization for whom a significant part of the duties is to communicate with public office holders, on behalf of the employer, in an attempt to influence the Government of Canada in respect of: (a) the development of a legislative proposal; (b) the introduction, passage, defeat or amendment of any bill or resolution; (c) the making or amending of any regulation; (d) the development or amendment of any policy or program; or (e) the awarding of any monetary grant, contribution or any other financial benefit. (See subsection 6(1) of the Lobbyists Registration Act.)

INSTRUCTIONS

A Tier II lobbyist shall file with the registrar the information requested below, not later than two (2) months after the coming into force of the Act or after first undertaking any activities described above. Within two (2) months after the end of each calendar year, a Tier II lobbyist shall provide the registrar with an updated registration.

Under subsection 6(2) of the Act, the lobbyist is required to advise the registrar in writing, as soon as practicable, of any changes in the information previously filed. Such notice should include the registration number assigned to the original return to which the changes apply. The registration number will be communicated to the lobbyist through an acknowledgement.

The termination of lobbying duties is a change in the information. A Tier II lobbyist must therefore notify the registrar of such termination.

Returns or notices may be filed by mail or delivery in person. (See subsection 3(2) of the Regulations.)

Failure to comply with any provision of the Act, or making any false or misleading statement in any return to be filed under the Act, is subject to a fine and/or imprisonment.

This information is collected under the authority of the Lobbyists Registration Act and will be a matter of public record. **It is stored in Personal Information Bank CCA/P-PU-095.**

RETURN (Please type or print in a legible manner.)

APPLICABLE YEAR: 19 __

A: Individual and employer information

Surname		Given names and initials	
Title		Telephone no. ()	
Legal name of employer		Facsimile no. ()	
Address of the employer Number Street		City	
Province	Postal code	Country	Telephone no. ()

B: Certification

I hereby certify that the information contained in this return is true to the best of my knowledge and belief.			
Signature of lobbyist:		Day	Month Year

Please send completed return to:

Registrar of Lobbyists
Consumer and Corporate Affairs Canada
Place du Portage II, 4th Floor
165 Hôtel de Ville Street
Hull, Quebec
Canada
K1A 0C9
(819) 953-7144
Facsimile: (819) 953-9247

For registry use only	
DATE	of
DOC #	