



Consumer and
Corporate Affairs Canada

Consommation et
Affaires commerciales Canada

LOBBYISTS



ANNUAL REPORT
for the year ended March 31, 1992

Canada

LOBBYISTS
REGISTRATION
ACT

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Cat. No. RG77-1/1992

ISBN 0-662-59069-4

CCAC No. 10736 B 92-06

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Consommation et
Affaires commerciales Canada

Consumer and
Corporate Affairs Canada

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des lobbyistes

Lobbyists Registration
Branch

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June 30, 1992

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 third 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, 1992.

Yours sincerely,

Corinne MacLaurin
Registrar



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This is the third 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, 1991 to March 31, 1992.

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 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 1991-92, the Lobbyists Registration Branch had an indeterminate allocation of four person-years. One additional person-year was required to provide service and to maintain a consistent approach to the interpretation of the legislation. The Branch expenditures were \$375 190, 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 notices sent to federal cabinet ministers and other members of Parliament following the tabling of the 1990-91 Annual Report, as well as in letters sent with the reports to 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. During the year, the Question and Answer fact sheet on the *Lobbyists Registration Act* was revised, and an interpretation bulletin for potential Tier II employee lobbyists was issued.

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.

3. STATISTICAL REVIEW

Registrations

In 1991-92, a total of 7 591 registrations were processed. Table 1 provides data on the numbers of new returns processed. 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 1991-92 fiscal year, there were 790 active Tier I lobbyists registered, an increase of 20% over the previous year. Tier II lobbyists decreased slightly by 10% over the same period, to 1 961.

Table 1: Registration Information

		1990-1991	1991-1992
Registrations Processed between April 1 and March 31	Tier I	1 547	1 438
	Tier II	2 556	2 277
	Amendments	<u>3 695</u>	<u>3 876</u>
		7 798	7 591
Registrations Active on March 31	Tier I	2 878	3 441
	Tier II	<u>2 249</u>	<u>2 030</u>
		5 127	5 471
Lobbyists Active on March 31	Tier I	658	790
	Tier II	<u>2 182</u>	<u>1 961</u>
		2 840	2 751

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, 1992. Comparative data is provided for last year.

Table 2: Frequency of Subject-Matter

SUBJECT-MATTER	1990-1991		1991-1992	
	FREQUENCY	RANK	FREQUENCY	RANK
International Trade	2 751	1	3 622	1
Industry	2 714	3	3 601	2
Regional Economic Development	2 529	4	3 338	3
Government Procurement	2 716	2	3 313	4
Science and Technology	2 213	5	2 913	5
Investment	2 013	8	2 874	6
Corporate Affairs	2 060	7	2 793	7
Taxation	2 075	6	2 616	8
Consumer Issues	1 763	11	2 350	9
Environment	1 826	9	2 135	10
Transportation	1 792	10	2 090	11
Health	1 144	17	1 780	12
Foreign Affairs	1 337	14	1 767	13
Intellectual Property	1 288	16	1 690	14
Federal-Provincial Relations	1 492	12	1 431	15
Defence	1 316	15	1 173	16
Energy	1 041	20	1 173	17
Communications	1 349	13	1 105	18

Table 2 (continued)

SUBJECT-MATTER	1990-1991		1991-1992	
	FREQUENCY	RANK	FREQUENCY	RANK
Financial Institutions	1 127	18	1 088	19
Administration of Justice	527	33	1 051	20
Public Works	862	22	1 002	21
Fiscal and Monetary Policy	702	24	967	22
Employment	1 064	19	940	23
Natural Resources	589	29	918	24
Small Business	939	21	859	25
Social Policy	571	32	831	26
Privatization	857	23	796	27
Agriculture	642	26	681	28
Labour	642	27	674	29
Aboriginal Affairs	524	35	613	30
Fisheries and Oceans	580	30	594	31
International Development	610	28	589	32
Immigration	572	31	528	33
Arts and Culture	490	37	474	34
Public Safety	665	25	447	35
Tourism	526	34	383	36
Postal Services	422	39	298	37
Youth Issues	494	36	288	38
Mining	261	43	286	39
Post-Secondary Education	463	38	282	40
Forestry	282	42	278	41
Women's Issues	416	40	238	42

Table 2 (*continued*)

SUBJECT-MATTER	1990-1991		1991-1992	
	FREQUENCY	RANK	FREQUENCY	RANK
Housing	288	41	226	43
Criminal Law	218	44	184	44
Senior Citizen Issues	139	47	177	45
Other	158	46	156	46
Human Rights	123	49	130	47
Amateur Sports	137	48	119	48
Multiculturalism	68	52	116	49
Veterans Affairs	106	50	102	50
Citizenship	209	45	99	51
Parole and Penitentiaries	75	51	76	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, 1992. Comparative data is provided for the previous year.

Table 3: Frequency of Lobbying Activities

TYPE OF ACTIVITY	1990-1991		1991-1992	
	FREQUENCY	RANK	FREQUENCY	RANK
Communicating with a public office holder in an attempt to influence the development of a policy or program of the Government of Canada	12 295	1	13 571	1
Arranging a meeting with a public office holder	6 582	4	9 544	2
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>	8 046	2	8 444	3
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	7 853	3	7 568	4
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	4 829	6	6 721	5
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	6 430	5	6 462	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	3 732	7	5 944	7

4. COMPLIANCE

An information campaign was undertaken to inform potential lobbyists of the registration requirements of the Act. Where returns are incomplete, the Lobbyists Registration Branch continues to request lobbyists to correct the deficiencies observed. The Royal Canadian Mounted Police, the principal enforcement authority for the law, discontinued its investigation of one case referred last year for alleged failure to register. A second case was reviewed but did not proceed because the statutory period for action had elapsed prior to information concerning the alleged noncompliance becoming known.

5. INFORMATION REQUESTS

In 1991-92, 1 068 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 47 visitors. Branch staff produced 575 reports from the Registry's database.

Branch revenues from copies of documents and Registry reports amounted to \$7 374 for the period ending March 31, 1992.

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
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General:	(819) 953-7144
Legislative Enquiries:	(819) 953-7272
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