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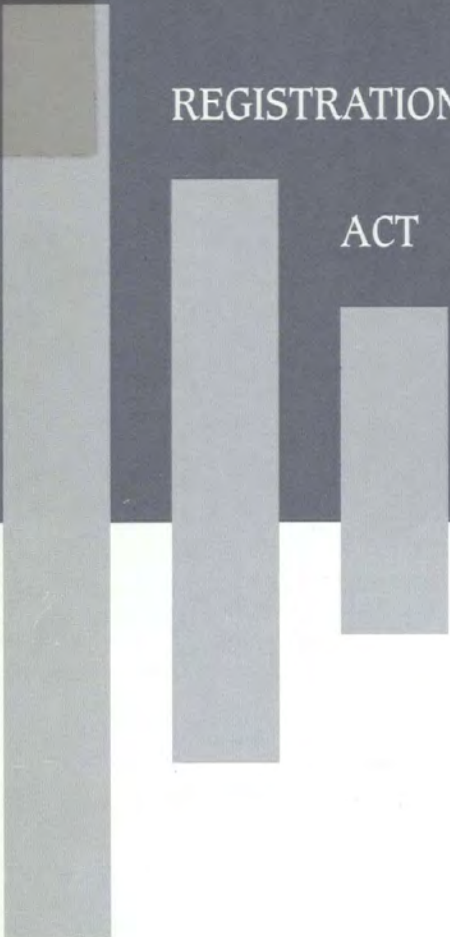
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LOBBYISTS

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REGISTRATION

ACT



ANNUAL REPORT
for the year ended March 31, 1995

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REGISTRATION
ACT**

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Industry Canada

Industrie Canada

Lobbyists Registration
Branch

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June 7, 1995

The Honourable John Manley, P.C., M.P.
Registrar General of Canada
House of Commons, Room 356
Confederation Building
Ottawa, Ontario
K1A 0A6

Dear Sir:

I have the honour to present to you the sixth 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, 1995.

Yours sincerely,

Corinne MacLaurin
Registrar



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This is the sixth 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, 1994, to March 31, 1995.

1. PURPOSE AND DESCRIPTION OF THE ACT

The preamble of the *Lobbyists Registration Act* reflects four principles: (1) the importance of open access to government; (2) the legitimacy of lobbying; (3) the need for public awareness of the various influences upon government; and (4) that the requirements of a registration process for lobbyists should not impede access to government. The Act accomplishes the purpose of bringing transparency to lobbying activity by requiring that individuals who are paid to engage in certain lobbying activities must register. Information on who is lobbying and on whose behalf is held in a registry system available to those holding public office and the general public.

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 and as a significant part of his or her duties, communicates with a public office holder in an attempt to influence the same type of activities as apply to Tier I lobbyists, except 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.

The *Budget Implementation (fiscal measures) Act 1992* received Royal Assent on April 2, 1993. It amends the *Lobbyists Registration Act* to give the authority to charge lobbyists fees for registration. This provision has not yet been enacted.

2. REVIEW BY PARLIAMENT

On June 16, 1994, subsequent to the recommendations from the 1993 report of the House of Commons Standing Committee on Consumer and Corporate Affairs and Government Operations, the Honourable John Manley, Minister of Industry and Registrar General of Canada, introduced Bill C-43, *An Act to amend the Lobbyists Registration Act and to make related amendments to other Acts*.

Bill C-43 was referred for study to the Standing Committee on Industry before second reading. The Subcommittee on Bill C-43, established by the Standing Committee on Industry to undertake this review, heard from witnesses during public hearings from September 27 to November 17, 1994.

On March 14, 1995, this subcommittee submitted to the House of Commons their report entitled *Rebuilding Trust* and an amended bill. The proposals would significantly increase the public information which all paid lobbyists would disclose, and provide stronger measures for compliance and enforcement.

3. REGISTRY ACTIVITY

The current law assigns the responsibility for administration of the Act to a registrar designated by the Registrar General of Canada. The registrar must maintain a public Registry of Lobbyists. The Registry is located at the Lobbyists Registration Branch of the Office of the Ethics Counsellor within Industry Canada.

The Lobbyists Registration Branch provides advice about filing requirements under the Act and Regulations to potential lobbyists, public office holders, and the general public. It also disseminates information through distribution of information packages, correspondence with potential lobbyists, interviews with the media, and presentations to professional associations, universities and federal government officials.

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.

The Registry is computerized and reports can be produced from the database by registrant, employer or client name. Branch staff assist members of the general public and public office holders to obtain information from the Registry. During 1994-1995, work began on development of computer systems for the increased information requirements and electronic filing capabilities from proposed new lobbyists registration legislation.

In 1994-1995, the Branch needed five full-time employees to provide service, to work on new computer system development, and to maintain a consistent approach to the interpretation of the legislation.

4. STATISTICAL REVIEW

Registrations

In 1994-95, a total of 6 624 registrations were processed, an increase of 6% over last year. Table 1 provides data on the number of new returns processed. Amendments include changes to existing returns as well as notifications of termination of lobbying activity.

On March 31, 1995, there were 1 006 active Tier I lobbyists registered, an increase of 7% over the previous year. These Tier I professional lobbyists worked for 552 different firms. An estimated 75% of their clients were corporations.

There were 1 744 Tier II lobbyists registered at the end of the 1994-95 fiscal year, a decrease of 4% since last year. These Tier II employee-lobbyists represented 821 employers, of which 42% were corporations and 58% were organizations.

Table 1: Registration Information

		1993-1994	1994-1995
Registrations Processed between April 1 and March 31	Tier I	1 234	973
	Tier II	2 016	2 074
	Amendments	2 986	3 577
		<u>6 236</u>	<u>6 624</u>
Registrations Active on March 31	Tier I	3 421	3 510
	Tier II	1 880	1 809
		<u>5 301</u>	<u>5 319</u>
Lobbyists Active on March 31	Tier I	944	1 006
	Tier II	1 815	1 744
		<u>2 759</u>	<u>2 750</u>

Subject-Matter of Tier I Lobbying Undertakings

Tier I lobbyists are required to disclose the subject-matters of their lobbying undertakings from a pre-selected listing of 52 subjects. Table 2 lists, in descending order of frequency, the subject areas lobbied.

Table 2: Ranking of Subject-Matter

SUBJECT-MATTER	1993-1994 RANK	1994-1995 RANK
Industry	1	1
Taxation	5	2
International Trade	2	3
Government Procurement	4	4
Science and Technology	6	5
Regional and Economic Development	3	6
Environment	9	7
Transportation	11	8
Corporate Affairs	7	9
Investment	8	10
Fiscal and Monetary Policy	15	11
Consumer Issues	10	12
Communications	18	13
Defence	19	14
Health	12	15
Energy	17	16
Employment	20	17
Foreign Affairs	13	18

Table 2: (continued)

SUBJECT-MATTER	1993-1994	1994-1995
	RANK	RANK
Public Works	21	19
Federal-Provincial Relations	16	20
Financial Institutions	22	21
Intellectual Property	14	22
Aboriginal Affairs	25	23
Privatization	26	24
Agriculture	30	25
International Development	28	26
Small Business	27	27
Natural Resources	23	28
Labour	31	29
Arts and Culture	33	30
Social Policy	29	31
Fisheries and Oceans	32	32
Postal Services	37	33
Immigration	38	34
Public Safety	34	35
Forestry	36	36
Tourism	35	37
Post-Secondary Education	42	38
Mining	39	39
Senior Citizens Issues	41	40

Table 2: (continued)

SUBJECT-MATTER	1993-1994	1994-1995
	RANK	RANK
Amateur Sports	47	41
Veterans Affairs	49	42
Administration of Justice	24	43
Housing	40	44
Parole and Penitentiaries	46	45
Other (not listed elsewhere)	43	46
Criminal Law	48	47
Women's Issues	45	48
Multiculturalism	52	49
Youth Issues	44	50
Human Rights	50	51
Citizenship	51	52

Types of Tier I Lobbying Activities

Tier I lobbyists are also required to disclose the purpose of their lobbying activity. Seven types of activity are identified on the registration form. Table 3 lists, in descending frequency, the type of lobbying activities identified in registrations filed.

Table 3: Ranking of Lobbying Activities

TYPE OF ACTIVITY	1993-1994	1994-1995
	RANK	RANK
Arranging a meeting with a public office holder	1	1
Communicating with a public office holder in an attempt to influence the development of a policy or program of the Government of Canada	2	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	3	3
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	4	4
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>	5	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	6	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	7	7

5. COMPLIANCE

Investigation and enforcement of the Act is the responsibility of the Royal Canadian Mounted Police. Potential lobbyists are informed of the registration requirements of the Act through information campaigns, speeches, the publication of guidelines and information kits, and provision of advice. When incomplete registration returns are filed, the Lobbyists Registration Branch requests that lobbyists correct the observed deficiencies.

6. INFORMATION REQUESTS

In 1994-95, 1 312 telephone calls for information on the legislation, and on registered lobbyists and their clients, were received from public office holders, the media, and members of the general public. Staff produced 749 reports from the Registry's database, an increase of 48% over last year.

The Registry is open to the public Monday to Friday, except holidays, between 8:30 a.m. and 4:30 p.m.

For further information, contact:

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