

The Lobbyists Regulations

being

[Chapter L-27.01 Reg 1](#) (effective August 23, 2016).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER L-27.01 REG 1

The Lobbyists Act

Title

1 These regulations may be cited as *The Lobbyists Regulations*.

Interpretation

2 In these regulations:

- (a) “**Act**” means *The Lobbyists Act*;
- (b) “**business day**” means a day other than a Saturday, Sunday or holiday;
- (c) “**fiscal year**” means the period commencing on April 1 in one year and ending on March 31 of the following year;
- (d) “**Form**” means a Form as set out in the Appendix to these regulations.

12 Dec 2014 cL-27.01 Reg 1 s2.

In-house lobbyist hours

3 For the purposes of paragraph 2(1)(h)(ii)(A) of the Act, in calculating how many hours that lobbying activities are performed, an employee, officer or director of an organization shall include all time spent on lobbying activities, including the following time that is directly related to and necessary for carrying out lobbying:

- (a) preparation time;
- (b) time spent communicating with public office holders;
- (c) travel time.

12 Dec 2014 cL-27.01 Reg 1 s3.

Prescribed forms for returns

4(1) Form A is the form for the return for a consultant lobbyist pursuant to subsection 6(1) of the Act.

(2) Form B is the form for the return for an in-house lobbyist pursuant to subsection 7(1) of the Act.

12 Dec 2014 cL-27.01 Reg 1 s4.

Manner and form of providing information to the registrar

5 For the purposes of subsection 8(5) of the Act, information required pursuant to subsections 8(3) and (4) of the Act must be supplied to the registrar in the following manner and form:

- (a) in the case of information required pursuant to subsection 8(3), in the form of a written letter from the consultant lobbyist indicating that the undertaking is completed or has terminated;
- (b) in the case of information required pursuant to subsection 8(4), in the form of a written letter from the designated filer indicating that the in-house lobbyist has ceased to be an in-house lobbyist for the organization.

12 Dec 2014 cL-27.01 Reg 1 s5.

Prescribed positions in government institution

6 For the purposes of subsection 9(7) of the Act, the following are prescribed as positions within a government institution:

- (a) the highest-ranking executive of a government institution;
- (b) the next highest-ranking executive to the highest-ranking executive of a government institution;
- (c) if the government institution is managed by a board of directors or other governing body, the members of the board of directors or governing body.

12 Dec 2014 cL-27.01 Reg 1 s6.

Publishing payment information

7(1) Subject to subsection (3), for the purposes of section 11 of the Act, the Minister of Finance shall cause a statement of the following information to be published in the Gazette within 120 days after the end of the fiscal year to which the information relates:

- (a) the name of each ministry that has provided payment to a lobbyist;
- (b) the name of each lobbyist who received payment from the ministry mentioned in clause (a);
- (c) the amount of payment received by each lobbyist mentioned in clause (b).

(2) Subject to subsection (3), for the purposes of section 11 of the Act, a government institution shall cause a statement of the following information to be published in the Gazette within 120 days after the end of the fiscal year to which the information relates:

- (a) the name of the government institution that has provided payment to a lobbyist;
- (b) the name of each lobbyist who received payment from the government institution mentioned in clause (a);
- (c) the amount of payment received by each lobbyist mentioned in clause (b).

(3) A statement of information for a fiscal year is not required pursuant to this section if:

- (a) in the case of a statement of information by the Minister of Finance, no payments were made to lobbyists in the fiscal year by any ministry; or
- (b) in the case of a statement of information by a government institution, no payments were made to lobbyists in the fiscal year by the government institution.

12 Dec 2014 cL-27.01 Reg 1 s7.

Receiving submitted returns and other documents

8(1) A return filed with, or other document submitted to, the registrar in the manner and by the means described in section 12 of the Act is deemed to be received by the registrar:

- (a) on the day the registrar actually receives the return or document if:
 - (i) that day is a business day; and
 - (ii) the return or document is received at or before 5 p.m. on that day; or
- (b) on the first business day after the day the registrar actually receives the return or document if the return or document is received:
 - (i) after 5 p.m. on a business day; or
 - (ii) on a day other than a business day.

(2) Notwithstanding subsection (1), if the registrar requests that corrections be made to a return filed with the registrar, the return as corrected is deemed to have been received by the registrar:

- (a) if all of the corrections are submitted to the registrar within 10 business days after the day on which the registrar makes the request, on the day on which the return would have been deemed pursuant to subsection (1) to have been received if no corrections had been requested; or
- (b) if all of the corrections are not submitted to the registrar until more than 10 business days after the day on which the registrar makes the request, on the day on which the last correction is received by the registrar as though that last correction were a return filed as described in subsection (1).

12 Dec 2014 cL-27.01 Reg 1 s8.

Administrative penalties

9 In determining the amount of an administrative penalty to be assessed pursuant to section 20 of the Act, the registrar shall take into account the following factors:

- (a) the severity of the contravention;
- (b) the degree of wilfulness or negligence in the contravention;
- (c) whether or not there was any mitigation relating to the contravention;
- (d) whether or not steps have been taken to prevent reoccurrence of the contravention;
- (e) whether or not the person who received the notice of the administrative penalty has a history of non-compliance with the Act;
- (f) whether or not the person who received notice of the administrative penalty reported himself or herself on discovery of the contravention;
- (g) whether or not the person who received notice of the administrative penalty has received an economic benefit as a result of the contravention;
- (h) any other factors that, in the opinion of the registrar, are relevant.

12 Dec 2014 cL-27.01 Reg 1 s9.

Fees

10(1) Subject to subsection (2), the fee payable for filing a return pursuant to section 6 or 7 of the Act is \$150.

(2) No fee is payable if the return is filed electronically.

(3) On application by a designated filer, the registrar may reduce or waive the payment of the filing fee payable by the designated filer pursuant to this section if the registrar is of the opinion that to require payment of the filing fee would cause undue financial hardship to the designated filer.

12 Dec 2014 cL-27.01 Reg 1 s10.

Coming into force

11(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Lobbyists Act* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the day on which section 1 of *The Lobbyists Act* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

12 Dec 2014 cL-27.01 Reg 1 s11.

Appendix

FORM A

[Subsection 4(1)]

Return Form for Consultant Lobbyist**A. Designated Filer**

Name and Business Address of Designated Filer:

B. Information re Organization**(1) Name and Business Address of Firm**

Name and Business Address of firm where the consultant lobbyist is engaged in business:

(2) Information re Undertaking

2.1 The date on which the undertaking with the client was entered into and the date it is scheduled to terminate:

2.2 The names of each individual engaged by the consultant lobbyist to lobby on behalf of the client:

(3) Description of the Client's Business or Activities

A summary of the business of the client;

(4) Control over client

Does another individual or organization have control over or direct the client's activities and have a direct interest in the outcome of the lobbying activities? If yes, provide Name and Business Address of the individual or organization:

(5) Funding

5.1 Is the client funded in whole or in part by the government or a government institution? If so, provide particulars:

5.2 In the fiscal year that preceded the filing of this return, did any individual or organization contribute \$1,000 or more towards the lobbying activities on behalf of the client? If yes, provide name and business address of the individual or organization;

(6) Affiliates/Subsidiaries/Coalition Members

6.1 The name and business address for each affiliate of the client that to the knowledge, after reasonable inquiry, of the designated filer has a direct interest in the outcome of the lobbying activities:

6.2 The name and business address of any corporation of which the client is a subsidiary:

6.3 If the client is a member of a coalition, the name and business address of each member of the coalition:

C. Particulars of Lobbying

(1) Subject-matters/Areas of Concern

1.1 Particulars of the subject-matter concerning which you have lobbied or expect to lobby during the period covered by this return (6 months):

1.2 Particulars of any legislative proposal, Bill, resolution or other enactment that is or will be the subject of lobbying:

(2) Persons/Organizations Lobbied or to be Lobbied

2.1 The name of any ministry or government institution any of whose public office holders a lobbyist has lobbied or expects to lobby:

2.2 The name of any member of the Legislative Assembly the lobbyist has lobbied or expects to lobby (include the name of any staff of the member if the lobbyist expects to lobby a staff member):

2.3 The name of any minister of the Crown the lobbyist has lobbied or expects to lobby (include the name of any staff member of the minister if the lobbyist expects to lobby a staff member):

D. Former Public Office Holders
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List any consultant lobbyist named in the return who is a former public office holder:

E. Communication Techniques

The following techniques of communication were used/are expected to be used in the course of lobbying activities (check all applicable):

(1) Current six months

- arranging one or more meetings
- informal communications
- meetings
- presentations
- phone calls
- written communication whether in hard copy or electronic format

(2) Next six months

- arranging one or more meetings
- informal communications
- meetings
- presentations
- phone calls
- written communication whether in hard copy or electronic format

F. Contracts for Providing Paid Advice

Does any consultant lobbyist named in the return hold a contract for providing paid advice to a ministry or another government institution? If so, provide the name of the ministry or government institution:

To my knowledge, after reasonable inquiry, no person associated with a consultant lobbyist named in this return holds a contract for providing paid advice to a ministry or government institution:

OR

A person associated with a consultant lobbyist named in this return holds a contract for providing paid advice to the following ministry or government institution: (list)

G. Declaration

I, _____, declare that no consultant lobbyist
(name of designated filer)
named in this return is in contravention of section 9 (prohibitions on former public officer holders lobbying) or 10 (prohibitions respecting contracting) of *The Lobbyists Act*.

Dated this _____ day of _____, _____.

FORM B
[Subsection 4(2)]

Return Form for In-House Lobbyist

A. Designated Filer

Name and Business Address of Designated Filer:

B. Information re Organization

(1) Name and Business Address

Name and Business Address of Organization that employs the in-house lobbyists
(if address is different from above):

(2) In-House Lobbyists

2.1 In-House Lobbyists in the Organization:

2.2 In-House Lobbyists identified in the last return who have ceased to be employed
by the Organization:

(3) Description of the Organization's Business or Activities

A summary of the business of the organization:

(4) Control over organization

Does another individual or organization have control over or direct the
organization's activities and have a direct interest in the outcome of the
lobbying activities? If yes provide name and business address of the individual
or organization:

(5) Funding

5.1 Is the organization funded in whole or in part by the government or a government institution? If so, provide particulars:

5.2 In the fiscal year that preceded the filing of this return, did any individual or organization contribute \$1,000 or more towards the lobbying activities on behalf of the client? If yes, provide name and business address of the individual or organization;

(6) Affiliates/Subsidiaries/Coalition Members

6.1 The name and business address for each affiliate of the organization that to the knowledge, after reasonable inquiry, of the designated filer has a direct interest in the outcome of the lobbying activities:

6.2 The name and business address of any corporation of which the organization is a subsidiary:

6.3 If the organization is a member of a coalition, the name and business address of each member of the coalition:

C. Particulars of Lobbying

(1) Subject-matters/Areas of Concern

1.1 Particulars of the subject-matter concerning which you have lobbied or expect to lobby during the period covered by this return (6 months):

1.2 Particulars of any legislative proposal, Bill, resolution or other enactment that is or will be the subject of lobbying:

(2) Persons/Organizations Lobbied or to be Lobbied

2.1 The name of any ministry or government institution any of whose public office holders a lobbyist has lobbied or expects to lobby:

2.2 The name of any member of the Legislative Assembly the lobbyist has lobbied or expects to lobby (include the name of any staff of the member if the lobbyist expects to lobby a staff member):

2.3 The name of any minister of the Crown the lobbyist has lobbied or expects to lobby (include the name of any staff member of the minister if the lobbyist expects to lobby a staff member):

D. Former Public Office Holders

List any in-house lobbyist named in the return who is a former public office holder:

E. Communication Techniques

The following techniques of communication were used/are expected to be used in the course of lobbying activities (check all applicable):

(1) Current six months

- arranging one or more meetings
- informal communications
- meetings
- presentations
- phone calls
- written communication whether in hard copy or electronic format

(2) Next six months

- arranging one or more meetings
- informal communications
- meetings
- presentations
- phone calls
- written communication whether in hard copy or electronic format

F. Contracts for Providing Paid Advice

Does any in-house lobbyist named in the return hold a contract for providing paid advice to a ministry or another government institution? If so provide the name of the ministry or government institution:

- To my knowledge, after reasonable inquiry, no person associated with an in-house lobbyist named in this return holds a contract for providing paid advice to a ministry or government institution:

OR

- A person associated with an in-house lobbyist named in this return holds a contract for providing paid advice to the following ministry or government institution: (list)

G. Declaration

I, _____, declare that in-house lobbyist
(name of designated filer)

named in this return is in contravention of section 9 (prohibitions on former public officer holders lobbying) or 10 (prohibitions respecting contracting) of *The Lobbyists Act*.

Dated this _____ day of _____, _____