

		Lobbyist Registration in Canada										
		FED	BC	AB	SK	MB	ON	QC	NB	NS	PEI	NL
Activities which Require Registration												
Communicating with a Public Officer Holder in an attempt to influence:	The development of a legislative proposal	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	The introduction of a bill or resolution, or the passage, defeat or amendment of any bill	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	The making or amendment of a regulation	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	The development, amendment or termination of any government policy or program	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	The awarding of any grant contribution or other financial benefit by or on behalf of the government	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	A decision by the Executive to transfer from the government all or part of, or any interest in or asset of, any business enterprise or institution that provides goods or services to the government or the public	-	✓	✓	✓	-	✓	-	✓	✓	✓	✓
	A decision by the cabinet or a member to privatize the provision of any goods or services to the government	-	✓	✓	✓	-	-	-	✓	✓	✓	✓
	The awarding of any contract by or on behalf of the government, or the terms of a tender or RFP prior to the awarding of that tender or acceptance	✓ (Consultant only)	✓	✓ (Consultant only)	✓	✓ (Consultant only)	✓ (Consultant only)	✓	✓ (Consultant only)	✓ (Consultant only)	✓	✓
	The appointment of a public official	-	-	-	-	-	-	✓	-	-	-	✓
	The issuance of any permit, license, certificate or other authorization	-	-	-	-	-	-	✓	-	-	-	-
	Arranging a meeting between a public office holder and any other person	✓ (Consultant only)	✓ (Consultant only)	✓ (Consultant only)	✓	✓ (Consultant only)	✓ (Consultant only)	✓	✓ (Consultant only)	✓ (Consultant only)	✓	✓
Activities which Do Not Require Registration <sup>1</sup>												
	Making submissions to committees of Parliament, the Legislative Assembly, or a body or person having jurisdiction or powers conferred by or under an Act in proceedings that are a matter of public record	●	●	●	●	●	●	●	●	●	●	●
	Communications that are restricted to requests for information	●	-	-	-	-	●	-	-	-	-	-
	Making submissions in direct response to a public office holder's request for comments	-	●	-	●	●	-	●	●	●	●	●
	Making submissions to your Member of Parliament, the Legislative Assembly, or a comparable municipal body unless the submission concerns private bills benefitting the constituent	-	●	●	●	●	●	-	●	●	●	●
	Making submissions prior to judicial or adjudicative proceedings, or in public proceedings	-	-	-	-	-	-	●	-	-	-	-
	Making submissions in the negotiation of an individual or collective labour contract	-	-	-	-	●	-	●	●	●	●	●

<sup>1</sup> Entries marked with a ● denote activities which are excluded expressly by statute, while entries marked with – denote activities which are excluded either by guidance documents or by implication.

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	Communications concerning the enforcement, interpretation, or the application of any Act or regulation	●	●	●	●	●	●	-	●	●	●	●
	Making submissions to a public office holder concerning the implementation or administration of any program, policy, directive or guideline by the public office holder with respect to the person or organization	-	●	●	●	●	●	?	●	●	●	●
Threshold Requirements for In-house Lobbyists												
	Hours <sup>2</sup>	20% of the working hours of one employee	100 per year	50 per year	100 per year	100 per year	50 per year	“Significant part of [the individual's] job” <sup>3</sup>	20% of one employee's time over a 3-month period	20% of one employee's time over a 3-month period	50 hours in a 3-month period	20% of one employee's time over a 3-month period
	Whose activities count?											
	• Employees	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	• Officers	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	• Directors (employee/paid)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	• Directors (non-employee/unpaid) <sup>4</sup>	-	-	-	-	-	-	-	-	-	-	-
	Which activities count											
	• Preparation <sup>5</sup>	✓	✓	✓	✓	✓	-	Likely	? <sup>6</sup>	?	?	?
	• Communication	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Ongoing Reporting Requirements												
	Type of activity required to be reported	Communication with a DPOH <sup>7</sup>	-	-	-	-	-	-	-	-	-	-
	Frequency											
	• Consultant Lobbyists	Monthly – within 15 days after end of month	-	-	-	-	-	-	-	-	-	-
	• In-house Lobbyists	Monthly – within 15 days after end of month	-	-	-	-	-	-	-	-	-	-
Renewal Requirements												

<sup>2</sup> Note that collective activities of all employees of a corporation or organization count towards the time, despite some jurisdictions wording the threshold in terms of the time of one employee.

<sup>3</sup> Quebec used to use 20% of one employee's time, however a recent court decision has held that this is now a case-specific determination.

<sup>4</sup> Advisory Opinions and Guidance Documents from the Federal government, British Columbia, Alberta, and Ontario all suggest that if a Director is not an employee of a company/organization and does not receive remuneration beyond reasonable reimbursement of expenses then they do not need to register as a lobbyist. However, if a Director is compensated beyond reasonable reimbursement of expenses, the Federal Advisory Opinion and British Columbia's Advisory Bulletin say that that individual needs to register as a consultant lobbyist. While the other provinces do not have such explicit guidance, given that the definitions of “in-house lobbyist” and “consultant lobbyist” in every province includes language about compensation, it is likely that a similar approach would be taken in every province. There is no explicit guidance about Industry Associations – while registration may not be required for an unpaid director of an Industry Association, that individual may be required to register by virtue of their employment with regards to their employer (i.e. register as an in-house lobbyist for their employer).

<sup>5</sup> Note that they type of activity that a regulator considers to be included in the calculation of the registration threshold varies widely. The statute, regulations and guidance for each jurisdiction should be reviewed to ensure proper calculation of this aspect of the threshold.

<sup>6</sup> Entries marked with a question mark indicate that the relevant law, regulations and guidance either do not speak to the issue in question, or are not clear as to what is required.

<sup>7</sup> Designated Public Office Holder – defined to be elected officials and most senior civil servants and appointees.

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	Consultant Lobbyists	None – must inform OCL when lobbying undertaking has been performed or is terminated within 15 days after the end of the month	None – a new return must be filed for each undertaking	None – a new return must be filed for each undertaking	Every 6 months, within 30 days	None – a new return must be filed for each undertaking	Annual renewal	30 days after the anniversary of initial registration	Every 6 months, within 30 days	Every 6 months, within 30 days	Every 6 months, within 30 days	Every 6 months, within 30 days
	In-house Lobbyists	None – must inform OCL when the organization of corporation no longer meets the threshold within 15 days after the end of the month	Every 6 months, within 30 days after	Every 6 months, within 30 days after	Every 6 months, within 30 days after	Every 6 months, within 2 months after	Every 6 months, within 30 days before or after	60 days after the end of the financial year of the enterprise or organization	Every 6 months, within 30 days after	Every 6 months, within 30 days after	Renewal every 6 months OR New registration for every new undertaking	Every 6 months, within 30 days after
Registration												
	Who is responsible for registration											
	<ul style="list-style-type: none"><li>Consultant Lobbyists</li><li>In-house Lobbyists</li></ul>	The individual	The individual	The individual	The individual	The individual	The individual	The individual	The individual	The individual	The individual	The individual
		The most senior paid officer	The most senior paid officer	The most senior paid officer	The most senior paid officer	The most senior paid officer	The most senior paid officer	The most senior paid officer	The most senior paid officer	The most senior paid officer	For-profit – the individual Non-profit-senior officer	The most senior paid officer
	When must registration occur											
	<ul style="list-style-type: none"><li>Consultant Lobbyists</li><li>Within X days of undertaking lobbying activity</li></ul>	10	10	10	10	10	10	30 <sup>a</sup>	15	10	10	10
	<ul style="list-style-type: none"><li>In-house Lobbyists</li><li>Within X of reaching the threshold</li></ul>	2 months	60 days	2 months	60 days	2 months	2 months	60 days	2 months	60 days <sup>9</sup>	2 months	10 days

<sup>8</sup> Note that in Quebec the time starts to run from when lobbying activity is commenced.

<sup>9</sup> Note that in Nova Scotia the time starts to run from when it is determined that lobbying will take up a significant part of the duties of one employee.