



ONTARIO NONPROFIT NETWORK

WEBINAR WEDNESDAYS

We Need To Talk About 'Lobbying'

Changes to the Lobbyists Registration Act that
will affect Ontario nonprofits

Wednesday, June 29, 2016

@o_n_n | theonn.ca



OFFICE OF THE
INTEGRITY
COMMISSIONER OF ONTARIO

*Encouraging
A Culture of Integrity*

Presentation to Ontario Nonprofit Network
June 29, 2016

ABOUT THE OIC

The Office was established in 1988 under the *Members' Conflict of Interest Act*.

Ontario was the first province to enact legislation appointing an arm's-length commissioner to determine issues under the legislation.

THE INTEGRITY COMMISSIONER

Officer of the Legislative Assembly

Appointed on the address of the Legislative Assembly
for five-year term

Independent of the government



RESPONSIBILITIES

Members' Integrity Act, 1994

Lobbyists Registration Act, 1998


Cabinet Ministers' and Opposition Leaders' Expenses Review and Accountability Act, 2002

Public Sector Expenses Review Act, 2009

Public Service of Ontario Act, 2006

- Disclosure of Wrongdoing
 - Ethics Executive for Ministers' Staff
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WHAT WE'LL COVER TODAY

- What is lobbying
 - New powers for the Registrar
 - Changes that affect non-profit organizations
 - Changes that affect all lobbyists
 - Next steps for non-profits
 - Resources
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THE LOBBYISTS REGISTRY

There is a registry of lobbyists in Ontario available online which identifies who is lobbying the government about what

The Integrity Commissioner is the Registrar and is responsible for administering the lobbyists registration process and ensuring public access to the registry

Office of the Integrity Commissioner

MPP
INTEGRITY

MINISTERS' STAFF
ETHICAL CONDUCT

LOBBYISTS
REGISTRATION

EXPENSES
REVIEW

DISCLOSURE OF
WRONGDOING

OFFICE OF THE
INTEGRITY COMMISSIONER

Overview

Resources

Types of Lobbyists

Interpretation Bulletins

The Registration Process

Information for Primary
Contacts

Lobbyists Registration

Welcome to the Ontario lobbyists registry. You will find everything you need to create an account, file a registration, search the registry and more. Please note: this site is optimized for use with Internet Explorer.

Login

Create An
Account

Search

Statistics


What's New

Lobbyist Registration Checklists

Registration and Compliance Checklists are now available to assist Lobbyists in ensuring complete and compliant registrations. [Find them in Resources](#)

Amendments to the Act

WHAT IS LOBBYING?

- Are you paid?
 - What are you communicating about? Section 1(1) of the LRA defines lobbying as “to communicate with a public office holder in an attempt to influence...”
 - How much time you spend lobbying?
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YOU ARE LOBBYING IF YOU...


Communicate with a public office holder about:

- The development of any legislative proposal
- The introduction of any bill or resolution, or the passage, defeat or amendment of any bill or resolution before the Assembly
- The making or amendment of any regulation
- The development, amendment or termination of any policy or program


(cont'd)

YOU ARE LOBBYING IF YOU...


Are communicating about:

- A decision to transfer from the Crown any interest in or asset of, any business, enterprise or institution that provides goods or services to the Crown or the public
 - A decision to have the private sector, instead of the Crown, provide goods or services to the Crown
 - The awarding of any grant, contribution or other financial benefit
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YOU ARE NOT LOBBYING IF ...


- Pay close attention to section 3 (2) of the Act. It makes clear what types of communication do not require registration. These include when you are making an oral or written presentation:
 - to a committee of the Legislative Assembly
 - to a public office holder about the enforcement, interpretation or application of an act
 - in direct response to a written request from a public office holder
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THE LRA AND NON-PROFITS


- Non-profit entities are called Organizations under the Act
 - Any Organization that meets the lobbying threshold is required to register under the name of the Senior Officer
 - The registration contains the name of all paid employees whose positions require them to lobby the provincial government
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WHAT'S NEW FOR NON-PROFITS?


- Key Changes:
 - You will provide information about lobbying activity for the current six months only – no longer asked for the next six months
 - Required to update registrations within 30 days of a change
 - As of July 1, there is a registration threshold of 50 hours
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- ‘in-house lobbyist’ means an individual who is employed by an organization if,
 - a) as part of his or her duties as an employee, the individual spends at least 50 hours a year, or such other number of hours as may be prescribed, lobbying on behalf of the organization, or
 - b) the individual’s duties as an employee involve lobbying on behalf of the organization and his or her duties to lobby, taken together with the duties of other employees to lobby, constitute at least 50 hours a year, or such other number of hours as may be prescribed.
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50 HOURS

- Review your communication with public office holders
 - Does your communication on any of those matters reach 50 hours individually, or when combined with other paid employees who lobby?
 - If so, then registration will be required
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CHANGES AFFECTING ALL LOBBYISTS


- New questions on the forms
 - Did the lobbyist hold certain government positions? S. 3 (8)
 - Additional information about your lobbying goal
 - Additional information about lobbying target, including identifying the ministers' offices, as well as MPPs by riding
 - Renewals can be submitted 30 days before the anniversary date, and up to 30 days after
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NEW POWERS FOR THE REGISTRAR


Investigative powers come into effect on July 1, 2016.

The Commissioner will have the authority to name any lobbyist who does not comply with the Act


If found guilty of an offence under the Act, a lobbyist can be removed from the registry for up to two years or fined up to \$25,000. Second offences are subject to fines of up to \$100,000




WHAT DO YOU NEED TO DO NOW?

- If you are already registered, it is recommended that you gather the additional information that will be required so that you have it available at your next renewal
 - If you would like to update your registration before then, you can use the change function
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WHAT DO YOU NEED TO DO NOW?

- If you are not registered, but wonder if you should be, start counting the hours spent lobbying
 - Once you hit the 50-hour mark, go to the registry website to complete an application to use the registry
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THE REGISTRATION PROCESS

- Online
 - Easy to follow
 - Free
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NEW RESOURCES

- Updated Guide to the LRA, Interpretation Bulletins covering the 50-hour threshold, etc.
 - Compliance checklists
 - Registration checklists
 - Video tutorials covering every step of the registration process
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QUESTIONS?

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