

APPLICANT DECLARATION ON LOBBYING

Lobbyist Registration Requirements

Industry Canada's Policy on Lobbyists and Contingency Fees states that no part of a contribution will be paid towards the cost of lobbyist services, and that a contribution cannot be offered to an applicant that:

- a) for the purpose of its application for financial assistance, has retained a lobbyist that is not in compliance with the *Lobbyist Registration Act*; or;
- b) has retained a lobbyist for a commission, contingency fee or any other consideration dependant upon the execution of the Agreement.

Please complete the attached *Applicant Declaration on Lobbying* form and return to the Information Highway Applications Branch as part of your application for financial assistance.

Lobbyist Registration Act

The *Lobbyist Registration Act* dictates disclosure requirements to make more information about lobbyists and what they do available to Canadians. This Act also provides for the development of a code of conduct to assure the Canadian public that lobbying is done ethically, with the highest standards and with a view to conserving and enhancing public confidence and trust in the integrity, objectivity and impartiality of government decision-making.

Who Must Register?

The Act requires registration as a lobbyist when an individual is:

- *paid (either as an employee, or as a consultant); and,*
- *undertakes to communicate with a public office holder, orally or in writing, with respect to the awarding of any grant, contribution or other financial benefit by or on behalf of the Federal government, or;*
- *participates in a meeting between a public office holder and any other person with respect to the awarding of any grant, contribution or other financial benefit by or on behalf of the Federal government.*

NOTE: There is an exclusion to the above requirement if the communication or meeting is restricted to a request for information.

"Lobbying" consists of "any oral or written communication made to a public office holder by a paid individual on behalf of any person or organization" with respect to the awarding of a grant, contribution or any other financial benefit by or on behalf of the Federal government, except for communications which are restricted to a request for information.

"Public office holder" means anyone occupying a position in the federal government, such as

Industry Canada staff, Members of Parliament, Ministers and their staffs. Any person lobbying on behalf of an applicant is required to be registered pursuant to the *Lobbyists Registration Act*.

There are three categories of lobbyists:

- Consultant lobbyists - individuals who, for pay, lobby for clients;
- In-house lobbyists (corporate) - employees who, as a significant part of their duties, * lobby for an employer that carries out commercial activities for financial gain;

* *For a interpretation on “a significant part of duties,” see*

<http://strategis.ic.gc.ca/epic/internet/inlobbyist-lobbyiste.nsf/en/nx00111e.html>

- **In-house lobbyists (organizations)** - refers to not-for-profit organizations in which one or more employees lobby, and the collective time devoted to lobbying amounts to the equivalent of a significant part of one employee's duties (see * above).

Some public officials are not required to register as lobbyists when they are acting in their official capacity (e.g. members of provincial legislature of a province or their staff, provincial or municipal governments or their staffs, band council members or their staff). However, third party consultants hired by the above public officials or their organizations for the purpose of lobbying, would be subject to registration requirements. For more information on **exclusions** for public office holders, please refer to:

<http://strategis.ic.gc.ca/epic/internet/inlobbyist-lobbyiste.nsf/en/nx00101e.html>

In addition to registration, lobbyists are required to comply with the **Lobbyist's Code of Conduct**, available at:

http://strategis.ic.gc.ca/epic/internet/inlobbyist-lobbyiste.nsf/en/h_nx00013e.html

How to Register?

Industry Canada's Lobbyist Registration Branch is responsible for administering the *Lobbyist Registration Act*, including the registration of lobbyists. Lobbyists may register online at http://strategis.ic.gc.ca/epic/internet/inlobbyist-lobbyiste.nsf/en/h_nx00008e.html free of charge.

There is an approximate 24-hour turnaround for registration approval. A toll-free number (1-800-328-6189) is available to help lobbyists with first-time registrations. Lobbyists who do not have access to the Internet may request a form by fax or mail. Please note that there is a fee (ranging from \$75 to \$150) for registering by paper.

The *Guide to Registration* is available at:

<http://strategis.ic.gc.ca/epic/internet/inlobbyist-lobbyiste.nsf/en/nx00112e.html>

You may also contact:

The Registrar
Lobbyists Registration Branch
Office of the Ethics Counsellor
Industry Canada
22nd floor, 66 Slater Street

Ottawa ON K1A 0C9
Tel.: (613) 957-2760
Fax: (613) 957-3078
E-mail: lobbyists.reg@ic.gc.ca

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Is (or has) the Applicant or a third party acting on its behalf, using (or used) the services of a lobbyist (*as defined by the Lobbyist Registration Act*) for the purpose of its application for financial assistance?

Yes

No **If no**, please sign form at bottom.

If yes, and a third party is involved, please identify the third party:

Name: _____

Address: _____

Has the Applicant retained a lobbyist for a commission, contingency fee or any other consideration dependant upon the execution of a potential contribution agreement related to this application for financial assistance?

Yes **If yes**, your application is **not eligible** for financial assistance. Industry Canada Policy states that a contribution cannot be offered to an applicant that has retained a lobbyist for a commission, contingency fee or any other consideration dependant upon the execution of the Agreement.

No

If the services of a lobbyist(s) are being used (or have been used) for the purpose of the application for financial assistance, is (are) the lobbyist(s) in compliance with the Lobbyist Registration Act?

Yes **If yes**, please sign form at bottom.

No **If no**, your application cannot be considered eligible for financial assistance at this time. Industry Canada Policy states that a contribution cannot be offered to an applicant that, for the purposes of its application for financial assistance, has retained a lobbyist that is not in compliance with the Lobbyist Registration Act.

For assistance in determining whether you or the third party lobbying on your behalf are required to register as a lobbyist, or to further discuss compliance matters, please contact the Lobbyist Registration Branch. A toll-free number is available (1-800-328-6189) to help lobbyists with first-time registration. You may also communicate by e-mail to lobbyists.reg@ic.gc.ca. General information was also provided with this form.

Certification

The undersigned certifies:

- *that the undersigned has read and understands the information provided above; and*
- *that the information provided herein is exact, true and complete.*

Name: _____

(Officer with signing authority)

Signature: _____

Applicant: _____

(Name of organization or firm)

Date: _____

*Please complete and return to the **Information Highway Applications Branch, Industry Canada.***