

Office of the Registrar of Lobbyists

2007-2008

Report on Plans and Priorities

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President of the Treasury Board

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SECTION I – OVERVIEW

Registrar's Message

The purpose of the *Lobbyists Registration Act* is to contribute in an important way to confidence in the integrity of government decision-making. This purpose was reinforced throughout 2006 as Members of Parliament and Senators discussed and debated Bill C-2, the *Federal Accountability Act*. On December 12, 2006, Bill C-2 received Royal Assent, setting the stage for amendments to the *Lobbyists Registration Act* and changes in the work of the Office of the Registrar of Lobbyists. The *Lobbyists Registration Act* will be renamed the *Lobbying Act* and will include:



- An independent Commissioner of Lobbying with a strong mandate to investigate violations of the *Lobbying Act* and the *Lobbyists' Code of Conduct*;
- A five year ban on lobbying for ministers, ministerial staff, and senior public servants after they leave office, as well as for members of Prime Ministers' transition teams;
- A ban on the payment and receipt of success or contingency fees;
- Requirements that contacts with certain designated public office holders be recorded; and
- A longer period under which lobbying violations can be investigated and prosecuted

Work to prepare for and implement these and other changes brought by the *Federal Accountability Act* will be included in each of the three priority areas for the Office during the planning period.

The Registry of Lobbyists is our principal instrument of transparency. Accessible over the internet, it is well-known and well-used by lobbyists, journalists, public office holders, citizens and others. The immediate priority for the planning period will be to enable the Registry to accommodate the increased disclosure requirements of the *Lobbying Act*. Improvements to the search capabilities of the Registry are also planned.

Increasing awareness of the *Lobbyists Registration Act* and when it is in force, the *Lobbying Act*, is key to increasing compliance. We will continue our current outreach efforts and will develop a comprehensive education and awareness strategy for the *Lobbying Act* aimed at public office holders, lobbyists and those who employ them.

There are consequences for failing to comply with federal lobbying law. These penalties are doubled under the *Lobbying Act*. Several investigations are underway now, and with the increased enforcement powers that will be available to the Commissioner of Lobbying, more activity in this area can be expected. Additional resources will be assigned to reviews and investigations within the Office, and relationships with the RCMP will be strengthened.

I am confident that the work set out in this Report will play a key role in ensuring that the intent of Parliament in enacting Canada's federal lobbying legislation is respected.

Michael Nelson
Registrar of Lobbyists

Management Representation Statement

I submit for tabling in Parliament, the 2007-2008 Report on Plans and Priorities (RPP) for the Office of the Registrar of Lobbyists.

This document has been prepared based on the reporting principles contained in *Guide for the Preparation of Part III of the 2007-2008 Estimates: Reports on Plans and Priorities and Departmental Performance Reports*:

- It adheres to the specific reporting requirements outlined in the TBS guidance;
- It is based on the department's strategic outcome(s) and Program Activity Architecture that were approved by the Treasury Board;
- It presents consistent, comprehensive, balanced and reliable information;
- It provides a basis of accountability for the results achieved with the resources and authorities entrusted to it; and
- It reports finances based on approved planned spending numbers from the Treasury Board Secretariat.

Michael Nelson
Registrar of Lobbyists

Summary Information

Reason for Existence

The Office of the Registrar of Lobbyists's mandate is derived from the <i>Lobbyists Registration Act</i> (www.orl-bdl.gc.ca). Its purpose is to ensure transparency and accountability in the lobbying of public office holders in order to contribute to confidence in the integrity of government decision making.

Financial Resources (Millions of dollars)

2007-2008	2008-2009	2009-2010
\$4.3	\$4.3	\$4.3

Human Resources

2007-2008	2008-2009	2009-2010
24	24	24

Departmental Priorities

Name	Type
1. Update the Registry and enhance its transparency	Ongoing
2. Increase awareness of Act and Code requirements	Ongoing
3. Pursue enforcement of the Act and the Code and communicate the results achieved	Ongoing

Program Activities by Strategic Outcome

(Thousands of dollars)	Expected Results	Planned Spending			Contributes to the following priority
		2007-2008	2008-2009	2009-2010	
Strategic Outcome:	Transparency and accountability in the lobbying of public office holders contribute to confidence in the integrity of government decision-making.				
Registration of Lobbyists	7,500 active registrations	2,395	2,395	2,395	Priority No. 1
Education and Research	10% increase over previous fiscal year	899	899	899	Priority No. 2
Reviews and Investigations under the Lobbyists Registration Act and the Lobbyists' code of Conduct	At least 80% of complaints received result in the initiation of an enforcement action	1,039	1,039	1,039	Priority No. 3

Departmental Plans and Priorities

The Office's operating environment has changed substantially over the past two years. Structurally, the Office has moved from being one element of a large organization within Industry Canada, to having the status of a stand-alone department within the Treasury Board portfolio. Even the Lobbyists Registration Act itself has changed during this period, with amendments coming into force mid-way through 2005. These amendments contributed to a dramatic increase in the number of registrations. Finally, there has been a total change in staff – every member of the Office's current staff has been hired since the summer of 2004.

The Office and its role will change further with the coming into force of the *Federal Accountability Act's* lobbying provisions. Internally there will be increased responsibilities to manage as a fully independent entity. Externally, there will be a need to assist public office holders, lobbyists, their clients, and others in understanding the *Lobbying Act* while carrying out an expanded investigation mandate.

The Office will deal with the challenges of this evolving operating environment by integrating sound business planning, risk management and human resource planning in each of its priority areas for the planning period.

Priority #1: Update the Registry and enhance its transparency. The Registry of Lobbyists is the legislation's principal instrument of transparency. Accessible over the internet, it is well-known and well-used by lobbyists, journalists, public office holders, citizen and others. However, when the on-line Registry was launched in 1996, it was not designed for the volumes of data it now contains. Increased disclosure requirements in the *Lobbying Act* cannot be implemented without major system re-design. \$1.5 million will be spent in 2007-2008 to implement this redesign, of which \$970 thousand will be new funding and the remainder will come from existing reference levels. \$970 thousand will be spent on enhancing Registry operations in 2008-2009 and on-going. This planned spending relates to the Registration of Lobbyists program activity. The Office will work with its information technology service provider to put in place a project management regime to control costs and schedule, and to ensure quality control.

Priority #2: Increase awareness of Act and Code requirements. Increasing awareness of the *Lobbying Act*, including how it operates and who needs to register, is key to increasing compliance. The *Lobbying Act* will bring many changes that will need to be explained to a variety of audiences. The Office will develop a comprehensive education and awareness strategy to enhance its current outreach efforts using existing funds from its reference levels. Maximum use will be made of partnerships and information technology in order to leverage the Office's outreach capacity.

Priority #3: Pursue enforcement of the Act and the Code and communicate the results. The emphasis in Priority 2 above, will be on assisting those who intend to comply with the *Lobbying Act*. Priority 3 is aimed at those who do not comply and those who are considering not complying. The Office will enhance its capacity to monitor media and other sources for indications of illegal or unethical lobbying activity through the use of electronic monitoring tools. Existing funds from the Office's reference levels will be used for this priority. Outcomes of reviews and investigations will be publicized, while respecting the Privacy Act and other appropriate legislation, and will be integrated with educational materials where appropriate.

Link to the Government of Canada Outcome areas

The *Lobbyists Registration Act* is about much more than simply creating a public registry. Parliamentarians intended the *Lobbyists Registration Act* to contribute in an important way to confidence in the integrity of government decision-making. The *Lobbying Act* will provide for a strong regime of transparency and accountability for those who communicate with public office holders with respect to a wide range of government decisions on legislation, regulations, policies, programs, grants, contributions and other areas of importance. Through administration and enforcement of federal lobbying legislation, the Office will contribute to all Government of Canada Outcome areas.

**SECTION II – ANALYSIS OF PROGRAM ACTIVITIES BY
STRATEGIC OUTCOME**

Analysis by Program Activity

Strategic Outcome:

Transparency and accountability in the lobbying of public office holders contribute to confidence in the integrity of government decision-making.

Program Activity Name:

Registration of Lobbyists

Financial Resources: (Thousands of dollars)

2007-2008	2008-2009	2009-2010
\$2,395	\$2,395	\$2,395

Human Resources:

2007-2008	2008-2009	2009-2010
8	8	8

This Program Activity is in direct support of Priority #1: Update the Registry and enhance its transparency. Registrations have been increasing steadily for the past two years. This trend is expected to continue. In order to implement the lobbying provisions of the *Federal Accountability Act*, \$1.5 million will be spent in 2007-2008 to redesign the Registry, of which \$970 thousand will be new funding and the remainder will come from existing reference levels. \$970 thousand will be spent on enhancing Registry operations in 2008-2009 and on-going. For the first year of the planning period, the Office will consider the number of active registrations as of the end of the fiscal year as the principal performance measure for this Activity. The expected result is 7500 active registrations as of March 31, 2008. Tools to further measure performance in this Activity will be built into the online registry in 2008-2009. Identification of performance measures and indicators forms the basis for reporting on performance in the Departmental Performance Report and will enable the Office to explain whether results achieved were successful.

Analysis by Program Activity

Strategic Outcome:

Transparency and accountability in the lobbying of public office holders contribute to confidence in the integrity of government decision-making.

Program Activity Name:

Education and Research

Financial Resources: (Thousands of dollars)

2007-2008	2008-2009	2009-2010
\$899	\$899	\$899

Human Resources:

2007-2008	2008-2009	2009-2010
8	8	8

This Program Activity is in direct support of Priority #2: Increase awareness of Act and Code requirements. The new Commissioner of Lobbying will have an explicit mandate for education and outreach. In the first year of the planning period, the emphasis will be on ensuring that public office holders, lobbyists and those who hire them, understand the new requirements under the *Lobbying Act*. Performance for this activity will be measured in the first year by the number of outreach activities (training and information sessions, interviews, presentations, appearances before Parliamentary Committees, contacts with other jurisdictions, advisory letters) undertaken by the Office. We expect that as our understanding increases of the relationship between education and increased registrations, we will be able to add other performance measures to this Activity during the planning period, in 2009-2010. The expected result during 2007-2008 is a 10% increase in outreach activities over the previous fiscal year, during which 30 outreach activities took place. Identification of performance measures and indicators forms the basis for reporting on performance in the Departmental Performance Report and will enable the Office to explain whether results achieved were successful.

Analysis by Program Activity

Strategic Outcome:

Transparency and accountability in the lobbying of public office holders contribute to confidence in the integrity of government decision-making.

Program Activity Name:

Reviews and Investigations under the *Lobbyists Registration Act* and the *Lobbyists' Code of Conduct*

Financial Resources: (Thousands of dollars)

2007-2008	2008-2009	2009-2010
\$1,039	\$1,039	\$1,039

Human Resources:

2007-2008	2008-2009	2009-2010
8	8	8

This Program Activity is in direct support of Priority #3: Pursue enforcement of the Act and the Code and communicate the results. It is important that the lobbying community, public office holders, and the public, know that the Office is enforcing the law. Over the past year, the Office has increased its capacity to become aware of potential breaches of the *Lobbyists Registration Act* as well as to carry out reviews and investigations. It is not possible to predict the number of enforcement actions that will take place over a given period. However, it is possible to set a target related to how the Office deals with those that do occur. The Office will measure the number of enforcement actions initiated during the fiscal year (complaints, administrative reviews, investigations, cases referred to police authorities, judicial reviews, verifications, etc). The expected result is that at least 80% of complaints received result in the initiation of an enforcement action. No historical data available, since 2006-2007 is the first year that this program activity has taken place at its current resource level. However, results to date indicate that 80% is a reasonable expectation. The percentage will be revised in 2008-2009 as more experience is gained. Identification of performance measures and indicators forms the basis for reporting on performance in the Departmental Performance Report and will enable the Office to explain whether results achieved were successful.

SECTION III – SUPPLEMENTARY INFORMATION

Organizational Information

The Office of the Registrar of Lobbyists (ORL) is divided into three groups.

The Office of the Registrar is primarily responsible for the overall management and coordination of the ORL. The Office is responsible for the ORL budget, including contracting and purchasing, payment of invoices, security, human resources coordination, workplace safety, and facilities.

The Investigations Directorate is primarily responsible for ensuring that a monitoring program is in place to identify lobbying activities where there may be non-compliance with the Act or the Code. The Directorate enforces the Act by conducting administrative reviews and referring cases to the RCMP or conducting Investigations under the Code and tabling the final report in Parliament. The Directorate also provides overall strategic policy advice for the Office of the Registrar of Lobbyists including developing proposals for changes to the Act and drafting interpretation bulletins.

The Operations Directorate is responsible for: developing, maintaining and ensuring the continuing effectiveness of the public registry; providing a client support function to respond to enquiries and requests for assistance; directing communications, including media responses, the ORL website and outreach programs; business and financial planning; handling of Access to Information and Privacy Act requests; and for preparing the Registrar's Annual Reports to Parliament.

Departmental links to the Government of Canada Outcomes (for RPPs)

2007-2008											
	Budgetary (Thousands of dollars)							Non-Budgetary	Total Main Estimates	Adjustments (planned spending not in Main Estimates)	Total Planned Spending
	Operating	Capital	Grants	Contributions and Other Transfer Payments	Gross	Responsible Revenue	Net	Loans, Investments and Advances			
Strategic Outcome:											
Registration of Lobbyists	1,425				1,425				1,425	970	2,395
Education and Research	899				899				899		899
Reviews and Investigations under the Lobbyists Registration Act and the Lobbyists' Code of Conduct	1,039				1,039				1,039		1,039

All three Program Activities contribute to all Government of Canada Outcomes

Table 1: Departmental Planned Spending Table and Full-time Equivalents

	<i>Forecast Spending 2006-2007</i>	<i>Planned Spending 2007-2008</i>	<i>Planned Spending 2008-2009</i>	<i>Planned Spending 2009-2010</i>
<i>(Thousands of dollars)</i>				
<i>Budgetary Main Estimates (gross)*</i>		3,363	3,363	3,363
<i>Registration of Lobbyists</i>		1,425	1,425	1,425
<i>Education and Research</i>		899	899	899
<i>Reviews and Investigations under the Lobbyists Registration Act and the Lobbyists' Code of Conduct</i>		1,039	1,039	1,039
<i>Non-budgetary Main Estimates (gross)</i>				
<i>Less: Respendable revenue</i>				
<i>Total Main Estimates</i>		3,363	3,363	3,363
<i>Adjustment</i>				
<i>Procurement Savings</i>				
<i>Supplementary Estimates</i>	2,852			
<i>Budget Announcement</i>				
<i>Other</i>		970	970	970
<i>Treasury Board Vote 15</i>				
<i>Employee Benefit Plan (EBP)</i>				
<i>Total Adjustments</i>				
<i>Total Planned Spending</i>	2,852	4,333	4,333	4,333
<i>Total Planned Spending</i>	2,852	4,333	4,333	4,333
<i>Less: Non-respendable revenue</i>	2	2	2	2
<i>Plus: Cost of services received without charge</i>	145	145	145	145
<i>Total Departmental Spending</i>	2,995	4,476	4,476	4,476
<i>Full-time Equivalents</i>	20	24	24	24

* *Industry Canada will report on the Mains.*

Table 2: Voted and Statutory Items listed in Main Estimates (Thousands of dollars)

<i>Vote or Statutory Item</i>	<i>Truncated Vote or Statutory Wording</i>	<i>2007-2008 Main Estimates</i>	<i>2006-2007 Main Estimates</i>
30	<i>Program expenditures</i>	3,026	0
(S)	<i>Contributions to employee benefit plans</i>	337	0
	<i>Total Department</i>	3,363	0

Table 3: Services Received Without Charge

<i>(Thousands of dollars)</i>	<i>2007-2008</i>
<i>Accommodation provided by Public Works and Government Services Canada</i>	
<i>Contributions covering employers' share of employees' insurance premiums and expenditures paid by Treasury Board of Canada Secretariat (excluding revolving funds)</i>	145
<i>Salary and associated expenditures of legal services provided by the Department of Justice Canada</i>	
<i>Total 2007-2008 Services received without charge</i>	145

Table 4: Sources of Respendable and Non-Respendable Revenue

Non-Respendable Revenue

<i>(Thousands of dollars)</i>	<i>Forecast Revenue 2006-2007</i>	<i>Planned Revenue 2007-2008</i>	<i>Planned Revenue 2008-2009</i>	<i>Planned Revenue 2009-2010</i>
<i>Registration of Lobbyists</i>	2	2	2	2
<i>Total Non-Respendable Revenue</i>	2	2	2	2
<i>Total Respendable and Non-respendable Revenue</i>	2	2	2	2