

## 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 FedNor 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 FedNor/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](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](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**

Project Number (if known):

Applicant Name:

**APPLICANT DECLARATION ON LOBBYING**

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](mailto: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 FedNor Officer in your area.***