

# A Guide to the *Lobbyists Registration Act*

Ontario Lobbyists Registry  
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## *INTRODUCTION*

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### **The Integrity Commissioner, as Lobbyists Registrar:**

The *Lobbyists Registration Act, 1998* (LRA) appoints the Integrity Commissioner of Ontario as the Lobbyists Registrar of Ontario. The Commissioner, as Lobbyists Registrar maintains an online public record of lobbyists and may conduct investigations into allegations of non-compliance under the LRA.

The Commissioner may:

- Verify information on a registration form. The Commissioner may refuse to accept a new registration or remove an existing registration if the requested information is not provided within certain timelines.
- Identify omissions and inconsistencies and communicate with lobbyists to ensure correction, or to request supplementary information.
- Provide information about the registration system.
- Ensure public accessibility to the information contained in the lobbyists registry.
- Remove an existing registration if a lobbyist fails to confirm that the registration is still valid within the prescribed timelines. (Fails to renew a registration).
- Remove an existing registration if a lobbyist fails to remove a registration within prescribed timelines after the lobbyist has completed or terminated the registered lobbying activities.
- Issue advisory opinions and interpretation bulletins about the enforcement, interpretation or application of the LRA.
- Issue a lobbyists' code of conduct. At present, a code of conduct has not been issued.
- Conduct investigations into allegations of non-compliance with the LRA.
- Submit an annual report to the Legislative Assembly.

## **How to use this guide:**

This guide is designed to help lobbyists register by explaining the terms and requirements under the LRA.

General information and definitions that are common to all lobbyists are located at the beginning of this document. These are followed by specific information that applies to each of the three categories of lobbyists – consultant, in-house persons and partnerships and in-house organizations.

Details about how to create a lobbyist account and password and instructions about how to register and search the lobbyists registry can be found under the How-to's section.

Information about the Investigation provisions of the LRA can be found at the end of this document.

## **Other resources:**

This guide is one of many resources. Additional resources are available on the Office of the Integrity Commissioner website at [www.oico.on.ca](http://www.oico.on.ca), including the following:

- Interpretation Bulletins;
- Registration and Compliance Checklists;
- Annual Reports; and
- Links to other lobbyists registration jurisdictions.

## What is lobbying?

**Lobbying** occurs when an individual or group is paid to communicate with a public office holder in an attempt to influence:

- the development of any legislative proposal by any member of the Legislative Assembly;
- the introduction, passage, defeat or amendment of any bill or resolution;
- the making or amendment of any regulation;
- the development, amendment or termination of any policy or program;
- any decision about privatization or outsourcing;
- the awarding of any grant, contribution or other financial benefit by or on behalf of the Crown;
- the awarding of any contract (**consultant lobbyists only**); or
- the arrangement of meetings between a public office holder and any other person (**consultant lobbyists only**).

## What communication activities do not require registration?

Not all communications between public office holders and individuals or groups require registration. Registration is not required for:

- Submissions to legislative committees that are a matter of public record;
- Inquiries made with respect to the enforcement, interpretation, application, implementation or administration of any act, policy, program, directive, or guideline;
- Responses to written requests for information, advice or comment from a public office holder; and
- Routine constituency communications about matters of private interest.

**Note:** Unlike the Office of the Commissioner of Lobbying of Canada, there are no provisions in the LRA that require a lobbyist to provide monthly reports on meetings or communications with specific public office holders.

# ***PUBLIC OFFICE HOLDERS & PUBLIC OFFICIALS***

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## **Who is a public office holder?**

- an employee of a ministry of the Government of Ontario,
- a minister,
- an employee in a minister's office,
- a Member of Provincial Parliament ("MPP"),
- an employee in an MPP's office,
- a member of the Ontario Provincial Police Force,
- an officer, director or employee of Ontario Power Generation Inc. or its subsidiaries,
- an officer, director or employee of Independent Electricity System Operator,
- an officer, director or employee of a public body listed in O. Reg. 146/10 under the *Public Service of Ontario Act, 2006*.

An officer, director or employee of other entities MAY be public office holders if the entity has a governing body with Government of Ontario appointees.

A public office holder does not include the following public officials:

- Judges;
- justices of the peace; or
- officers of the Legislative Assembly (e.g. Ombudsman, Information & Privacy Commissioner)

See *Interpretation Bulletins* at [www.oico.on.ca](http://www.oico.on.ca) for more information about whether you are lobbying a public office holder.

## **Restriction on application:**

The LRA does not require the following public officials to register as lobbyists when they act in their official capacities:

- Members of the Senate or House of Commons of Canada, the legislative assembly of another province, the council or legislative assembly of a territory, or persons on the staff of these members;
- Government of Canada employees or employees of other provincial or territorial governments;
- Members of a municipality as defined in the *Municipal Act* and members of a local board as defined in the *Municipal Affairs Act*, the staff of these members or officers or employees of a municipality or local board;
- Members of the council of a band as defined in subsection 2(1) of the *Indian Act (Canada)* or of the council of an Indian band established by an *Act of the Parliament of Canada*, the staff of these members or employees of the council;
- Diplomatic agents, consular officers or official representatives in Canada of a foreign government.

## *CONFLICTS OF INTEREST*

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While lobbying a public office holder in Ontario, a consultant lobbyist or in-house lobbyist cannot knowingly place the public office holder in a position of real or potential conflict of interest.

A public office holder is in a position of conflict of interest if he or she engages in an activity that is prohibited by sections 2, 3, or 4 or subsection 6(1) of the *Members' Integrity Act, 1994*.

These activities include:

- Making or participating in decision-making that could further public office holder's private interests or improperly further those of another person;
- Using confidential information to further the public office holder's private interests or improperly further those of another person;
- Using a public office's position to influence decisions of others to further a public office holder's private interests or improperly further those of another person, and;
- Accepting a fee, gift or personal benefit that is connected directly or indirectly with the performance of the public office holder's duties.

Additional information and guidance about the gift rules for MPPs and their staff can be found at [www.oico.on.ca](http://www.oico.on.ca) under 'MPP Integrity – Guidance on the Gift Rule' and/or 'Ministers' Staff Ethical Conduct – Guidance on the Gift Rule'.

## ***REGISTRATION REQUIREMENTS: CONSULTANT LOBBYISTS***

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### **Who is a consultant lobbyist?**

- A **consultant lobbyist** is an individual who is paid to lobby on behalf of a client. Within specified time limits, he/she must register when he/she begins an undertaking to lobbying for a client and update when information previously submitted changes or the lobbying activity is terminated or completed. Consultant lobbyists typically include public affairs and government relations staff, lawyers, accountants and other professionals who provide lobbying services to their clients.
- Payment includes receiving money or anything of value, such as a contract, promise or agreement to pay money.

### **What is an undertaking?**

- An **undertaking** is a contract or agreement entered into when a consultant lobbies on behalf of a client. An undertaking may be very broad and require lobbying on several activities, or it may be narrowly focused on only one activity.

### **When must I register? When must I renew?**

- A consultant lobbyist must file a registration with the Commissioner within 10 calendar days of beginning an undertaking to lobby on behalf of a client. That is, when a consultant lobbyist begins communicating with public office holders.
- A consultant must complete a registration for each client they are lobbying for.
- If the lobbying activities are ongoing, an annual renewal confirming the information on the registration must be made either 30 days before or 30 days after the initial registration has expired, and each subsequent year from the date of filing the registration.

*See Interpretation Bulletins at [www.oico.on.ca](http://www.oico.on.ca) for more information about how to determine at which point in time a consultant lobbyist is required to register.*

### **When must I report changes or new information?**

- New information, changes to previously submitted information or reporting the completion of an undertaking must be provided to the Commissioner no later than 30 calendar days after the change occurs.
- Changes and updates to registration information (excluding contact information) can be done by submitting a change to a registration.
- Contact information such as address or telephone number on a registration can be updated by submitting a profile change application online.

## What information must consultant lobbyists provide?

- The following information must be provided for each undertaking:
  - the lobbyist's name and business address and, if applicable, the business name and address of the firm where the consultant lobbyist engages in business;
  - the business name and address of the client and the business name and address of any person, partnership or organization that controls or directs the activities of the client or has a direct interest in the outcome of the lobbyist's undertaking;
  - whether the consultant lobbyist was, at any time,
    - a minister,
    - an employee in a minister's office,
    - a deputy minister, associate/assistant deputy minister, or an equivalent classification
    - a chief executive officer or chair of the board of directors of an agency, board or commission of the Crown
    - a senior employee of an agency, board or commission of the Crown who reports directly to its chief executive officer
    - a chief executive officer or chair of the board of directors of
      - Ontario Power Generation Inc. or a subsidiary of it
      - Ontario Power Authority
      - Independent Electricity System Operator
    - a senior employee who reports directly to the chief executive officer of
      - Ontario Power Generation Inc. or a subsidiary of it
      - Ontario Power Authority
      - Independent Electricity System Operator
  - if the client is a corporation, the business name and address of each subsidiary of the corporation that has a direct interest in the outcome of the lobbyist's undertaking;
  - if the client is a corporation that is a subsidiary of any other corporation, the business name and address of the parent corporation;
  - if the client is an organization, the business name and address of each partnership, corporation or entity that is a part of the organization;
  - the source and amount of any funding received by the client from any level of government or its agencies, during that government's previous fiscal year, through a grant or transfer payment or other funding arrangement, other than:
    - money that is paid for the provision of goods or services;
    - money that is paid under a fee for service arrangement; or
    - money that is provided by way of a loan or loan guarantee.

*See Interpretation Bulletins at [www.oico.on.ca](http://www.oico.on.ca) for more information about how to determine and input government funding in a registration.*

- the name of any non-government entity or organization which, in the fiscal year prior to the date of registering the undertaking, provided \$750 or more to the consultant lobbyist's client in support of the lobbying undertaking. This does not include individual membership fees but would include membership assessments intended specifically to support the lobbying undertaking;
- the subject matter of the lobbying;
- specific information about the lobbying goals and the intended outcome of the lobbying activities including the name and a fulsome description of a:
  - Legislative proposal - an idea or proposal that has not yet been drafted into new legislation or a proposed amendment or repeal of existing legislation.
  - Bill or Resolution – a bill or resolution that is still working its way through the legislative process and has yet to be proclaimed.
  - Regulation - based on legislation that has already been passed and serves as a means to make the legislation easier to follow and adhere to.
  - Policy, Program or Decision - the development or amendment of any policy, program or decision, the implementation of acts/legislation that are already in force and have been proclaimed, and specific government initiatives.
  - The awarding of a grant, contribution or other financial benefit.
  - Privatization/Outsourcing Decision – a decision to privatize any interest in, or asset of, the Crown or a decision to have the private sector, instead of the Crown, provide goods and services to the public.
  - Communications in an attempt to influence the awarding of a contract by, or on behalf of the Crown.

*Only those applicable subsections under 'Lobbying Activity' in the registration form are required to be filled in, however, at least one subsection requires an entry. The registration cannot be submitted if the 'Lobbying Activity' section is blank.*

- whether a minister or employee in the office of a minister is to be lobbied;
- whether the office of an MPP of a particular riding or staff member of that MPP is to be lobbied;
- the name of any ministry or agency (public body) that will be lobbied;

- communication techniques used, including **grass-roots lobbying**.
  - Grass-roots lobbying is an indirect form of communication with public office holders. Grass-roots communication may use any means, including advertisements, website(s) or social media tools to encourage members of the public to communicate with public office holders directly through any means including letters, email, social media tools (e.g. posting, direct messaging, tweeting), text, phone or in-person demonstrations.

*See Interpretation Bulletins at [www.oico.on.ca](http://www.oico.on.ca) for more information about grass-roots communications registration requirements.*

- confirmation that the consultant lobbyist has not been engaged by a client who meets the definition of a designated broader public sector organization and who is prohibited from engaging lobbyist services under the *Broader Public Sector Accountability Act, 2010* (BPSAA). If a consultant lobbyist provides lobbyist services to a client who is a designated broader public sector organization, an attestation is required from the head of the designated broader public sector organization confirming that the consultant lobbyist has not been paid, and will not be paid, for his/her lobbyist services with public funds or other revenues that are not permitted to be used for that purpose.

*See Interpretation Bulletins at [www.oico.on.ca](http://www.oico.on.ca) for more information about whether the BPSAA affects your registration requirements.*

## ***PROHIBITED LOBBYING ACTIVITIES: CONSULTANT LOBBYIST***

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### **Publicly Funded Lobbyists Restriction under the *Broader Public Sector Accountability Act, 2010***

The *Broader Public Sector Accountability Act, 2010* (BPSAA) came into effect on January 1, 2011 and restricts the use of public funds to pay for lobbyists.

This restriction applies to the following entities:

- all public bodies listed in O.Reg. 146/10 under the *Public Service of Ontario Act, 2006*.
- Ontario Power Generation and its subsidiaries; and
- Independent Electricity System Operator.
- hospitals;
- school boards;
- universities;
- colleges;
- children's aid societies; and
- community care access corporations.

Other entities may be affected by the restriction if they are a “publicly funded organization” that has received \$10 million or more in the previous fiscal year from the Ontario government.

Consultant lobbyists whose clients are affected by the restriction must file, with the Office of the Integrity Commissioner, an attestation that has been signed by their client stating that public funds are not being used to pay for the lobbying services. The blank attestation form can be found on the website at [www.oico.on.ca](http://www.oico.on.ca) in the Forms Library.

### **Contingent Payments Restriction**

A consultant lobbyist cannot accept payment or fees, in whole or in part, that are contingent on the degree of success of their lobbying activities and outcomes.

### **Lobbying & Providing Paid Advice Restriction**

A consultant lobbyist cannot be paid to lobby a public office holder on a subject matter if they are being paid to provide advice or have a contract to be paid to provide advice to any public office holder on the same subject matter.

A consultant lobbyist must choose between being paid to lobby and being paid to provide advice to a public office holder.

## ***REGISTRATION REQUIREMENTS: IN-HOUSE LOBBYISTS (Persons & Partnerships)***

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### **Who is an in-house lobbyist (persons & partnerships)?**

- An in-house lobbyist (persons & partnerships) is an employee, paid director, group of employees and/or group of paid directors who either individually or collectively spends at least 50 hours in a calendar year lobbying on behalf of the person or partnership (for-profit entity).

The following individuals are not in-house lobbyists:

- Officers of the Assembly who are appointed on the address of the Assembly and individuals employed in the office of such officers
- Public servants as defined by the *Public Service of Ontario Act, 2006*

### **Who is the senior officer?**

- The **senior officer** is the most senior officer of an entity who is paid for the performance of his or her duties. It is usually the CEO.

### **When must the senior officer register? When must the senior officer re-register?**

- The senior officer must file a registration when the entity employs an in-house lobbyist. The registration must be filed within two months of the lobbyist meeting the definition of in-house lobbyist as defined in the LRA.
- The senior officer must re-register (renew) either 30 days before or 30 days after the expiration of each six-month period from the initial filing date.

### **When must the senior officer report changes or new information?**

- The senior officer has 30 calendar days to report new information or changes to information, including if they have ceased to lobby for the entity or ceased to be employed by that entity.
- Changes and updates to registration information (excluding contact information) can be done by submitting a change to a registration.
- Contact information such as address or telephone number on a registration can be updated by submitting a 'change profile' application online.

## What is meant by 50 hours per year in reference to in-house lobbyists?

- Section 5(7) of the LRA defines an in-house lobbyist (persons & partnerships) as an employee, paid director, group of employees and/or group of paid directors who spend at least 50 hours a year lobbying on behalf of the person or partnership (for-profit entity).
- The 50-hour threshold applies to time spent lobbying, that is communicating with public office holders in an attempt to influence certain government activities. This can include time spent managing grass-roots communication campaigns.
- The 50-hour threshold does not include time spent preparing for communications such as developing research papers or other resources.
- The 50-hour threshold does not include communications with public office holders that do not trigger a requirement to register under the LRA such as making submissions to a committee of the Legislative Assembly that are a matter of public record, responding directly to written requests for advice or comment from public office holders or seeking information or clarification about the enforcement, interpretation or application of an Act or regulation or, the implementation or administration of any government policy, program, directive or guideline.
- When an entity determines that it has reached 50 hours, one registration must be filed on the Ontario Lobbyists Registry under the name of the entity's senior officer, the highest ranking, paid officer. All in-house lobbyists must be listed on the registration form, including the senior officer, if applicable.
- The registration must include the activities that lead to the 50-hour threshold as well as subsequent, ongoing activities that contribute to 50 hours within the calendar year.
- It is the responsibility of each entity to keep track of the lobbying activities relevant to determining if it has reached the 50-hour threshold.

*See Interpretation Bulletins at [www.oico.on.ca](http://www.oico.on.ca) to assist in determining whether you are an in-house lobbyist and required to register.*

## What information must the senior officer provide?

- The senior officer must provide the following:
  - the senior officer's name and business address and the person's or partnership's business name and address;
  - the name of each in-house lobbyist employed by the person or partnership;
  - the name of any in-house lobbyist who has been identified in the last registration filed and has ceased to be an in-house lobbyist or to be employed by the organization;
  - whether the in-house lobbyist was, at any time,

- a minister,
  - an employee in a minister's office,
  - a deputy minister, associate/assistant deputy minister, or an equivalent classification
  - a chief executive officer or chair of the board of directors of an agency, board or commission of the Crown
  - a senior employee of an agency, board or commission of the Crown who reports directly to its chief executive officer
  - a chief executive officer or chair of the board of directors of
    - Ontario Power Generation Inc. or a subsidiary of it
    - Ontario Power Authority
    - Independent Electricity System Operator
  - a senior employee who reports directly to the chief executive officer of
    - Ontario Power Generation Inc. or a subsidiary of it
    - Ontario Power Authority
    - Independent Electricity System Operator
- If the entity is a corporation, the business name and address of each subsidiary of the corporation that has a direct interest in the outcome of the in-house lobbyist's activities on behalf of the person;
  - if the entity is a corporation that is a subsidiary of any other corporation, the business name and address of that other corporation;
  - a summary description of the person's or partnership's business or activities;
  - the source and amount of any funding received by the client from any level of government or its agencies, during that government's previous fiscal year, through a grant or transfer payment or other funding arrangement, other than:
    - money that is paid for the provision of goods or services;
    - money that is paid under a fee for service arrangement; or
    - money that is provided by way of a loan or loan guarantee.

*See Interpretation Bulletins at [www.oico.on.ca](http://www.oico.on.ca) for more information about how to determine and input government funding in a registration.*

- the name of any non-government entity or organization which, in the fiscal year prior to the date of filing a registration, provided \$750 or more to the person or partnership in support of the lobbying activity. This does not include individual membership fees but would include membership assessments intended specifically to support the lobbying initiative;
- the subject matter that the in-house lobbyist has lobbied or expects to lobby;
- specific information about the lobbying goals and the intended outcome of the lobbying activities including the name and a fulsome description of a:

- Legislative proposal - an idea or proposal that has not yet been drafted into new legislation or a proposed amendment or repeal of existing legislation.
  - Bill or Resolution – a bill or resolution that is still working its way through the legislative process and has yet to be proclaimed.
  - Regulation - based on legislation that has already been passed and serves as a means to make the legislation easier to follow and adhere to.
  - Policy, Program or Decision - the development or amendment of any policy, program or decision, the implementation of acts/legislation that are already in force and have been proclaimed, and specific government initiatives.
  - The awarding of a grant, contribution or other financial benefit.
  - Privatization/Outsourcing Decision – a decision to privatize any interest in, or asset of, the Crown or a decision to have the private sector, instead of the Crown, provide goods and services to the public.
- whether a minister or employee in the office of a minister is to be lobbied;
  - whether the office of an MPP of a particular riding or staff member of that MPP is to be lobbied;
  - the name of any ministry or agency that will be lobbied;

*Only those applicable subsections under ‘Lobbying Activity’ in the registration form are required to be filled in, however, at least one subsection requires an entry. The registration cannot be submitted if the ‘Lobbying Activity’ section is blank.*

- communication techniques used, including **grass-roots lobbying**.
  - Grass-roots communication is an indirect form of communication with public office holders. Grass-roots communication may use any means, including advertisements, website(s) or social media tools to encourage members of the public to communicate with public office holders directly through any means including letters, email, social media tools (e.g. posting, direct messaging, tweeting), text, phone or in-person demonstrations.

*See Interpretation Bulletins at [www.oico.on.ca](http://www.oico.on.ca) for more information about grass-roots communications registration requirements.*

## ***REGISTRATION REQUIREMENTS: IN-HOUSE LOBBYISTS (Organization)***

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### **Who is an in-house lobbyist (organization)?**

- An in-house lobbyist (organization) is an employee or group of employees who either individually or collectively spends at least 50 hours in a calendar year lobbying on behalf of a not-for-profit organization.

The following are specifically excluded from being in-house lobbyists:

- Officers of the Assembly who are appointed on the address of the Assembly and individuals employed in the office of such officers.
- Public servants as defined under the *Public Service of Ontario Act*.

### **Who is the senior officer?**

- The **senior officer** is the most senior officer of an organization who is paid for the performance of his or her duties.

### **When must the senior officer register? When must the senior officer re-register?**

- The senior officer must file a registration when the organization employs an in-house lobbyist. The registration must be filed within two months of the lobbyist meeting the definition of in-house lobbyist as defined in the LRA.
- The senior officer must re-register (renew) either 30 days before or 30 days after the expiration of each six-month period from the initial filing date.

### **When must the senior officer report changes or new information?**

- The senior officer has 30 calendar days to report new information, changes to information, including if they have ceased to lobby for the organization or ceased to be employed by that organization.
- Changes and updates to registration information (excluding contact information) can be done by submitting a change to a registration.
- Contact information such as address or telephone number on a registration can be updated by submitting a 'change profile' application online.

## What is meant by 50 hours per year in reference to in-house lobbyists?

- Section 6(5) of the LRA defines an in-house lobbyist (organizations) as an employee, and/or group of employees who spend at least 50 hours in a calendar year lobbying on behalf of the organization (not-for-profit entity).
- The 50-hour threshold applies to time spent lobbying, that is communicating with public office holders in an attempt to influence certain government activities. This can include time spent managing grass-roots communication campaigns.
- The 50-hour threshold does not include time spent preparing for communications such as developing research papers or other resources.
- The 50-hour threshold does not include communications with public office holders that do not trigger a requirement to register under the LRA such as making submissions to a committee of the Legislative Assembly that are a matter of public record, responding directly to written requests for advice or comment from public office holders or seeking information or clarification about the enforcement, interpretation or application of an Act or regulation or, the implementation or administration of any government policy, program, directive or guideline.
- When an organization determines that it has reached 50 hours, one registration must be filed on the Ontario Lobbyists Registry under the name of the organization's senior officer, the highest paid officer. All in-house lobbyists must be listed on the registration form, including the senior officer, if applicable.
- The registration must include the activities that lead to the 50-hour threshold as well as subsequent, ongoing activities that contribute to 50 hours within the calendar year.
- It is the responsibility of each organization to keep track of the lobbying activities relevant to determining if it has reached the 50-hour threshold.

*See Interpretation Bulletins at [www.oico.on.ca](http://www.oico.on.ca) to assist in determining whether you are an in-house lobbyist and required to register.*

## What must the senior officer provide?

- The senior officer must provide the following information:
  - the senior officer's name and business address and the organization's name and business address;
  - the name of each in-house lobbyist employed by the organization;
  - the name of any in-house lobbyist who has been identified in the last registration filed and has ceased to be an in-house lobbyist or to be employed by the organization;

- whether the in-house lobbyist was, at any time,
  - a minister,
  - an employee in a minister's office,
  - a deputy minister, associate/assistant deputy minister, or an equivalent classification
  - a chief executive officer or chair of the board of directors of an agency, board or commission of the Crown
  - a senior employee of an agency, board or commission of the Crown who reports directly to its chief executive officer
  - a chief executive officer or chair of the board of directors of
    - Ontario Power Generation Inc. or a subsidiary of it
    - Ontario Power Authority
    - Independent Electricity System Operator
  - a senior employee who reports directly to the chief executive officer of
    - Ontario Power Generation Inc. or a subsidiary of it
    - Ontario Power Authority
    - Independent Electricity System Operator
- a summary description of the organization's businesses or activities;
- a description of the organization's membership (but not personal names of members) and the names of officers or directors of the organization;
- the source and amount of any funding received by the client from any level of government or its agencies, during that government's previous fiscal year, through a grant or transfer payment or other funding arrangement, other than:
  - money that is paid for the provision of goods or services;
  - money that is paid under a fee for service arrangement; or
  - money that is provided by way of a loan or loan guarantee.

*See Interpretation Bulletins at [www.oico.on.ca](http://www.oico.on.ca) for more information about how to determine and input government funding in a registration.*

- the name of any non-government entity or organization which, in the fiscal year prior to the date of filing a registration, provided \$750 or more to the organization in support of the lobbying activity. This does not include individual membership fees but would include membership assessments intended specifically to support the lobbying initiative;
- the subject matter that the in-house lobbyist has lobbied or expects to lobby;
- specific information about the lobbying goals and the intended outcome of the lobbying activities including the name and a fulsome description of a:
  - Legislative proposal - an idea or proposal that has not yet been drafted into new legislation or a proposed amendment or repeal of existing legislation.
  - Bill or Resolution – a bill or resolution that is still working its way through the legislative process and has yet to be proclaimed.

- Regulation - based on legislation that has already been passed and serves as a means to make the legislation easier to follow and adhere to.
  - Policy, Program or Decision - the development or amendment of any policy, program or decision, the implementation of acts/legislation that are already in force and have been proclaimed, and specific government initiatives.
  - The awarding of a grant, contribution or other financial benefit.
  - Privatization/Outsourcing Decision – a decision to privatize any interest in, or asset of, the Crown or a decision to have the private sector, instead of the Crown, provide goods and services to the public.
- whether a minister or employee in the office of a minister is to be lobbied;
  - whether the office of an MPP of a particular riding or staff member of that MPP is to be lobbied;
  - the name of any ministry or agency that will be lobbied;

*Only those applicable subsections under 'Lobbying Activity' in the registration form are required to be filled in, however, at least one subsection requires an entry. The registration cannot be submitted if the 'Lobbying Activity' section is blank.*

- communication techniques used, including **grass-roots lobbying**.
  - Grass-roots communication is an indirect form of communication with public office holders. Grass-roots communication may use any means, including advertisements, website(s) or social media tools to encourage members of the public to communicate with public office holders directly through any means including letters, email, social media tools (e.g. posting, direct messaging, tweeting), text, phone or in-person demonstrations.

*See Interpretation Bulletins at [www.oico.on.ca](http://www.oico.on.ca) for more information about grass-roots communications registration requirements.*

## *THE HOW-TOS*

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### **How to create a lobbyist account/profile**

A lobbyist can register on the Ontario Lobbyist Registry online, free of charge.

Registering as a lobbyist is a four-step process:

#### **(1) Initial Application Form**

The initial application form is submitted online. The contact information provided in the application form is necessary to establish a profile in our database. [Note that the email address listed in your initial application form will be your Lobbyist email when you login.]

The initial application form is available by clicking *Getting Started* from the *Lobbyist Login* page and then clicking *Complete the Initial Application Form*. A confirmation page will appear indicating that the initial application has been submitted.

#### **(2) Certification**

After the initial application form has been submitted, an email will be sent to the lobbyist or senior officer with a link to the certification page.

The certification page outlines the lobbyist's or senior officer's legal responsibilities regarding access and use of the Ontario Lobbyists Registry.

The lobbyist or senior officer must review and check the tick boxes beside each term and condition within the certification page and then click *I Certify* at the end of the form. (Before clicking *I Certify*, the lobbyist or senior officer may wish to print a copy of the certification page for his/her records.)

#### **(3) Password and Security Questions**

Once your initial application has been approved, the Office will send you a confirmation email containing an activation code and a link to the *Account Activation* page so that you can create your password.

You will be prompted to enter your *Lobbyist email* (this is the same email address that you entered on the initial application form) and *Activation Code* and click *Submit*.

You will then be asked to create your password. Your password must be 6 characters or longer.

After you have created your password, you will be required to select three security questions and provide their responses. You will be asked one of these questions every time you login with your password. These questions may also be used by the Office to verify your identity when information is requested over the telephone.

#### **(4) Create your registration.**

Once you are logged in, go to *Create a registration* from the *I would like to... Menu* page to get started on your registration form. See 'How to create a registration' for more details.

### **Primary Contacts:**

The initial application refers to *Primary Contact Information*. If another person will be managing the registration(s) on a lobbyist's behalf, the lobbyist can authorize that person as their *primary contact* by listing the person's name and contact information on the application form.

The primary contact can use the lobbyist's email address and password to submit a registration. The lobbyist/senior officer and the primary contact will receive the registration renewal notices and any other written correspondence.

### **Designated Primary Contacts:**

Designated primary contact accounts can be set up for individuals managing registrations for multiple Consultant Lobbyists without having to close and reopen the browser for each lobbyist.

Designates will have the ability to activate his/her own account and create his/her own password. The consultant lobbyist and designated primary contact will receive the registration renewal notices.

The designated primary contact can also use the *Copy Registration* feature to create a new registration for another lobbyist from a copy of an existing registration.

### **How to copy a registration**

This feature is only available to **designated primary contacts for Consultant Lobbyists**. Once logged in, you will be on the *I would like to... Menu* page. Select *Create a registration* which will take you to the *Lobbyist List* page. Select the lobbyist for whom you wish to create a registration.

If the lobbyist's name does not appear in this list, you will need to create a profile by going through the four-step application process (see *How to create a profile* section). If you have already created a profile for the lobbyist and their name does not appear in your list, please contact the Office for assistance.

You will be directed to the *Registration Checklist* page. Select *Click Here to copy an existing registration for another lobbyist* at the bottom of the *Registration Checklist* page which will take you to the *Registration List* page. Select the registration you wish to copy.

Preview the contents of the registration and make any necessary changes using the *Edit* buttons in each section, if required, and then scroll down to the bottom of the page and click *Submit*.

## How to create a registration

### Logging in:

Go to the website and click on *Lobbyist Login*. You will be prompted to enter your email address and password. You will be required to respond to one of your three security questions.

Once logged in, you will be on the *I would like to... Menu* page. Select *Create a registration*.

The contact information, which was completed in the initial application process, will already be entered in the registration form. To navigate through your registration, click *Next* to save your information and proceed to the next page.

You are required to answer all questions on the forms. If you are unsure about a question, hover your mouse over the question mark icons for handy tool tips.

When you have completed all of the steps of the registration form, you will be directed to *Preview* your registration before submitting it. Review each section carefully and make any necessary changes by using the *Edit* buttons at the bottom of each section. When you are done, click the *Submit* button at the bottom of the page.

If you are not ready to submit your registration, click the *Save As Draft* button to return to the home page. You will be able to access your draft registrations at any time, simply login and select *View my drafts* from the *I would like to... Menu* page.

When your initial registration has been submitted it will be reviewed by the Office. If the registration is incomplete or requires further information/clarification, it will be reset to draft and you will receive an email outlining the deficiencies. You will be given a deadline to provide a completed form.

An email confirmation will be sent to you when the initial registration has been approved and published to the registry.

## How to renew a registration

### Annual/Semi-Annual Renewals (Re-registering):

The LRA requires that all consultant lobbyists renew their registrations on an annual basis and senior officers for persons and partnerships and organizations renew their registrations on a semi-annual basis. A lobbyist or senior officer will receive an email when their registration is due for renewal.

Once logged in, select *Renew a registration* from the *I would like to... Menu* page to renew the contents of your registration (excluding contact information).

When you have gone through the steps of the registration form, you will be directed to *Preview* your registration before submitting it. Review each section carefully and make all of the necessary changes by using the *Edit* buttons at the bottom of each section. When you are done, click the *Submit* button at the bottom of the page.

If you are not ready to submit your registration, click the *Save As Draft* button to return to the home page. You will be able to access your draft registrations at any time, simply login and select *View my drafts* from the *I would like to... Menu* page.

When your registration renewal has been submitted it will be reviewed by the Office. If the registration renewal is incomplete or requires further information/clarification, it will be reset to draft and you will receive an email outlining the deficiencies. You will be given a deadline to provide a completed form.

An email confirmation will be sent to you when the registration renewal has been approved and published to the registry.

### **Due Dates:**

A lobbyist or senior officer can renew their registration either 30 days before or 30 days after the anniversary date of the registration. The anniversary date depends on the type of lobbyist.

A consultant lobbyist renews his/her registration(s) annually. The consultant lobbyist has 30 calendar days before or 30 calendar days after the anniversary of his/her registration to submit the renewal.

In-house lobbyists for persons and partnerships and in-house lobbyists for organizations renew every six months from the anniversary date of the initial registration. In-house lobbyists have 30 calendar days before and 30 calendar days after the anniversary date of his/her registration to submit the renewal.

### **Corrections to registrations once submitted to the Commissioner:**

Once your registration renewal has been submitted, you may no longer edit the registration until it has been reviewed by the Office.

If you wish to amend your registration renewal before it is reviewed and subsequently posted to the public registry, you must contact the Office immediately. The Office may then reset your registration to *draft* mode which will enable you to make changes.

If an error is identified after the registration renewal has been approved, a *Change a Registration* may be submitted with the corrections.

## **How to change or update content in registration**

The LRA requires that all consultant lobbyists and all senior officers of persons and partnerships and organizations provide any changes to the information contained in the registration within 30 calendar days after the change occurs or after the lobbyist/senior officer becomes aware of the change.

To make a change, select *Change an existing registration (not a renewal)* from the *I would like to... Menu* page to update the information listed in your registration (excluding contact information). Changes and updates to registration information can be done at any time throughout the year before or after the anniversary of the registration's renewal date. **It is important to note, however, that submitting a Change is not an Annual or Semi-Annual Renewal.**

When you select *Change an existing registration (not a renewal)*, you will be directed to *Preview* your registration before submitting it. Review each section carefully and make any necessary changes by using the *Edit* buttons at the bottom of each section. When you are done, click the *Submit* button at the bottom of the page.

If you are not ready to submit the change to your registration, click the *Save As Draft* button to return to the home page. You will be able to access your draft registrations at any time, simply login and select *View my drafts* from the *I would like to... Menu* page.

When the change to your registration has been submitted it will be reviewed by the Office. If the registration is incomplete or requires further information/clarification, it will be reset to draft and you will receive an email outlining the deficiencies. You will be given a deadline to provide a completed form.

An email confirmation will be sent to you when the change to your registration(s) has been approved and published to the registry.

## **How to terminate a registration**

Once a lobbyist has completed their lobbying undertaking on behalf of a client (consultant lobbyist) or ceased lobbying or no longer works for the person or partnership or organization (in-house lobbyists), you have 30 days to terminate a registration or report this information to the Commissioner.

Select *Terminate a registration* from the *I would like to... Menu* page to terminate the registration and move it to the Inactive Registry.

An email confirmation will be sent to you indicating that the request to terminate a registration has been received. Once the termination has been approved, it will be published to the inactive registry.

## **How to change name of senior officer (applies only to in-house lobbyists)**

If the senior officer of your entity or organization changes or no longer works for your entity or organization, you do not have to terminate the registration, you can simply update the senior officer's name.

To update the name of the senior officer of your organization, select *Change Name of Senior Officer* from the *I would like to... Menu* page. Update the information on the online form and select *Submit*.

The new senior officer will receive an email with a link to the online certification page. The online certification page outlines the senior officer's legal responsibilities regarding access and use of the Ontario Lobbyists Registry.

The senior officer must review and electronically check the tick boxes beside each term and condition within the certification page and then click 'I Certify' at the end of the form. (Before clicking 'I Certify', the senior officer may wish to print a copy of the certification page for his/her records.)

An email confirmation will be sent to the senior officer indicating that the registration and the profile have been updated.

## How to change my profile

To update contact information or primary contact information, select *Make changes to my profile* from the *I would like to... Menu* page. Update the information on the online form and select *Submit*.

An email confirmation will be sent to you indicating that the registration(s) and your profile have been updated.

## How to delete my profile

If you are leaving your firm/company or you are no longer lobbying the Ontario government, you are required to delete your profile.

Select *Delete my profile* from the *I would like to... Menu* page to delete your profile. By deleting your profile, all associated active registrations will be terminated. The registrations are still available to the public in the Inactive Registry.

If you are a senior officer who is leaving your organization, you do not need to delete your profile. Use the Change Senior Officer function on the *I would like to... Menu* page.

## How to change my password

Your password can be changed at any time. Once logged in to the Ontario Lobbyists Registry, select *Change Password* under the *Security* section. You will be prompted to enter the old password, enter a new password and re-enter the new password. Click *Save* and then *Finish* with your computer mouse in order for the system to remember the new password. Do not hit Enter on your computer keyboard, otherwise you will have to start the process again.

## How to change my security questions

Your security questions can be changed at any time. Once logged in to the Lobbyists Registration System, select *Change Security Questions* under the *Security* section. Choose three questions and provide your answers. Click *Save* and then *Finish* with your computer mouse in order for the system to remember your answers. Do not hit Enter on your computer keyboard, otherwise you will have to start the process again.

**Note:** Passwords and security question responses are case sensitive. It is recommended that you do not copy and paste the password or security question responses into the system as a space can be inadvertently added to the end of the password or security question response.

## How to search the Lobbyists Registry

The Lobbyists Registry search function can be found on the Lobbyists Registration main page at [www.oico.on.ca](http://www.oico.on.ca).

The search function allows the public to search for any information found in the content of a lobbyist's active or inactive registration form, including key word searches, by lobbyist name, employer name, client name (consultant lobbyists only), subject matter, ministry/agency or by the date on which the registration was filed.

The Active Registry includes those registrations that reflect current lobbying activities.

The Inactive Registry includes those registrations that have been terminated due to cessation of lobbying activities, or non-compliance under the LRA.

If you have any questions or require assistance with using the search function of the Lobbyists Registry, please contact the Office at 416-327-4053 or [lobbyist.mail@oico.on.ca](mailto:lobbyist.mail@oico.on.ca).

## ***INTERPRETATION BULLETINS & ADVISORY OPINIONS***

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The Registrar may issue interpretation bulletins or advisory opinions as set out in section 15 of the LRA. Interpretation Bulletins and Advisory Opinions are intended solely to provide information and are not a substitute for independent legal advice. Neither is a binding statement of how the legislation will be interpreted or applied in a particular circumstance. Final interpretation of the law is the responsibility of the courts.

### **Interpretation Bulletins**

The Commissioner issues Interpretation Bulletins which provide an interpretation of a specific section of the LRA and which also provide a rationale for the interpretation.

Interpretation Bulletins are made available to the public at [www.oico.on.ca](http://www.oico.on.ca).

### **Advisory Opinions**

An Advisory Opinion offers individualized guidance on how the LRA or a section of the LRA applies to them. An Advisory Opinion is provided in writing only to the intended party and not made public.

## ***INVESTIGATION***

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The Integrity Commissioner, as Lobbyists Registrar, has the authority to investigate allegations that a consultant lobbyist, senior officer or in-house lobbyist is not in compliance with the LRA.

If a consultant lobbyist, senior officer or in-house lobbyist is found by the Commissioner to not be in compliance with the LRA, penalties can include:

- A prohibition from lobbying for up to two years, or
- Public statements on the Ontario Lobbyists Registry listing the name of the lobbyist and a description of the non-compliance, as well as any other information the Commissioner considers necessary.