Registration of Clients of Consultant Lobbyists

Introduction

Section 140-15 of the Lobbying By-law requires a consultant lobbyist to provide information about the client or clients on whose behalf the consultant lobbyist is lobbying. The purpose for requiring information about the client in the consultant lobbyist's return is to provide transparency. The public and public office holders should know on whose behalf the consultant lobbyist is attempting to influence City government.

Clients of consultant lobbyists must also register before communicating with public office holders or conducting a grass-roots campaign.

When must the client register?

- If the client intends to communicate with public office holders or conduct a grass-roots campaign and is not otherwise exempted from the by-law, the client must register. The client must register before meeting, phoning or writing to any public office holders. The client must also register before conducting a grass-roots campaign.

- The client does not need to register if the client does not intend to communicate with public office holders or conduct a grass-roots campaign.

Information about the Client required in the Consultant Lobbyist's Return

The purpose of the requirements for information about clients in the consultant lobbyist's return is to provide transparency through disclosure in the public lobbyist registry of all entities on whose behalf the consultant lobbyist intends to lobby. Public office holders and the public should be able to know who is attempting to influence City government.

In the return, the consultant lobbyist is required to provide the following information about the client on whose behalf the consultant lobbyist is lobbying.

Section 140-15 provides in part:

A consultant lobbyist shall set out in the return the following information, declarations, acknowledgements and agreements with respect to the undertaking:

. . . .

B. *The name and business address of the client and the name and business address of any person, partnership or organization that, to the knowledge of the consultant lobbyist, controls or directs the activities of the client and has a direct interest in the outcome of the consultant lobbyist's activities on behalf of the client.*

C. *If the client is a corporation, the name and business address of each subsidiary of the corporation that, to the knowledge of the consultant lobbyist, has a direct interest in the outcome of the consultant lobbyist's activities on behalf of the client.*

D. *If the client is a corporation that is a subsidiary of any other corporation, the name and business address of that other corporation.*

E. *If the client is a coalition, the name and business address of each partnership, corporation or organization that is a member of the coalition.*

F. *If, during the client's fiscal year preceding the registration, or if no fiscal year applies, the calendar year preceding the registration, the client received funding from a government or government agency, the name of the government or government agency and the ministry, department, or program, as the case may be, that provided the funding.*

G. *If, to the knowledge of the consultant lobbyist, during the client's fiscal year preceding the registration, or if no fiscal year applies, the calendar year preceding the registration, the client received a contribution of $750 or more to the consultant lobbyist's activities on behalf of the client:*

   (1) *In the case of a contribution from an entity or organization that is not a government or government agency, the name of the entity or organization, the name of the contact person and the telephone number of the entity or organization;*

   (2) *In the case of a contribution from an individual, the name and telephone number of the individual; and*

   (3) *If, to the knowledge of the consultant lobbyist the contribution was made by a party described in Subsection G(1) or (2), on behalf of another entity, organization or individual:*

      (a) *The name of the other entity or organization, the name of the contact person and the telephone number of the entity or organization; and*

      (b) *The name and telephone number of the other individual.*

The Office of the Lobbyist Registrar presumes that consultant lobbyists will make appropriate enquiries of their clients in order to provide this information. The OLR requires this information before approving a registration. A knowing failure to fully disclose required information about clients may be found to be a breach of Chapter 140. This in turn may lead to the non-approval or revocation of the registration, a report to Council, or to a charge under the *Provincial Offences Act*.