



## **Protocol on Unsolicited Written and Electronic Communications to Members of Council**

This protocol, issued by the Lobbyist Registrar and Integrity Commissioner, clarifies the obligations of members of council or their staff acting on their behalf when they receive unsolicited written or electronic communications.

Chapter 140 of the Toronto Municipal Code, Lobbying defines lobbying as communication with a public office holder about listed subjects, which generally relate to decisions that Council, its committees or other City officials may make. Communication is defined as “expressive contact, including written and electronic communication”.

Article XIII, Conduct Respecting Lobbyists of the Code of Conduct for Members of Council provides in part:

Members of Council and their staff are public office holders. As a matter of general principle, as public office holders, members of Council should be familiar with the terms of this Lobbying By-law inclusive of the Lobbyists’ Code of Conduct (Chapter 140).

Specifically, members of Council should not engage knowingly in communications in respect of the list of subject matters contained in the definition of “Lobby” as set out in Chapter 140 with a person who is not registered as required by Chapter 140. Members of Council should also not knowingly communicate with a registered lobbyist who is acting in violation of Chapter 140. (Underlining added.)

A member does not contravene this Article when a member (or the member’s staff on the member’s behalf) simply receives an unsolicited written or electronic communication. This exception applies if the member (or the member's staff acting on the member's behalf) does not take any action on the basis of the communication or respond to the communication. This exception also applies if the member (or staff acting on behalf of the member) sends a form letter in response to all unsolicited communications. When this exception applies, there is no duty on the member to take further action under this Article.

May 21, 2009