



# Annual Report

## Toronto Lobbyist Registrar for the Year 2022

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Lobbyist Registrar

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# Message from the Lobbyist Registrar

I am pleased to provide the Annual Report for the Toronto Lobbyist Registrar (TLR) for the period of January 1 to December 31, 2022. This is the TLR's 15<sup>th</sup> Annual Report to Toronto City Council (Council). The purpose of this report is to highlight actions and key accomplishments in 2022. As my term as Lobbyist Registrar (Registrar) ends in September 2023, this will be my final Annual Report to Council.

## Mandate of the Lobbyist Registrar Legislative Framework

The *City of Toronto Act, 2006* (COTA), Toronto Municipal Code Chapter 140. Lobbying (the By-law), and Toronto Municipal Code Chapter 3, Accountability Officers, outline the legislation, which gives the TLR its authority, and which provides the standards that lobbyists must adhere to.

## Role of the Lobbyist Registrar

As the Lobbyist Registrar, my duties are to promote and enhance transparency through administering and upholding the By-law in the public interest. The Registrar is an Accountability Officer established by the City of Toronto (City) to promote and enhance the transparency and integrity of the City decision-making by regulating lobbying activity in the public interest. The TLR mandate ensures transparency by overseeing the public disclosure of lobbying activities on the Lobbyist Registry (Registry) and adherence to the Lobbyists' Code of Conduct (Code of Conduct).

The 2 (two) important tools in the By-law which guarantee transparency and integrity are the Registry and the Code of Conduct. The By-law's disclosure requirement ensures that lobbying activities at the City are transparent. The Code of Conduct sets out the high ethical standards that are expected of lobbyists when they communicate with City Public Office Holders (POH).

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## Building Public Trust

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"..... Addressing concerns related to lobbying practices and undue influence in the decision making process is a key lever for restoring trust in government."

*Implementing OECD Principles for Transparency and Integrity in Lobbying,  
OECD (2014) Lobbyist Government and Public Trust  
Volume3, Pg 4*

[Lobbyists, Governments and Public Trust, Volume 3: Implementing the OECD Principles for Transparency and Integrity in Lobbying | en | OECD](#)



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By providing public disclosure of who spoke to whom and about what, the Registry can further the exchange of diverse views on issues before City government. This brings about more informed policy considerations and generates better policy development. As a civic engagement tool, the Registry affords participation in public policy decisions to all stakeholders, including the private sector, media, constituents, POH, and the public. Therefore, trust in City government is enhanced by the disclosure of lobbying activities provided through the Registry.

The Code of Conduct also serves the public interest by guaranteeing that lobbyists are required to abide by the ethical standards in the Code of Conduct. Thus, while the Registry attests to the integrity of Council decisions, the Code of Conduct entrenches the City's standards for ethical lobbying. It mandates that those who lobbied POH must act within the standards for responsible conduct set into law by the City. With the By-law guaranteeing, both the disclosure requirements and the ethical standards for lobbyists, trustworthiness in City government decisions is enhanced.

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"..... Lobbying can be a legitimate way for diverse interest to bring their voices before the the people who will shape and make decisions."

*The Honourable Madam Justice Denise E. Bellamy, Commissioner  
Report of the Toronto Computer Leasing Inquiry and the Toronto External Contracts Inquiry  
Vol. 2, Pg 80, Good Government*

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# Key Accomplishments

I wish to thank all Members of Council for entrusting me with the important role of serving the public as Registrar. Council appointed me to the role in 2016 which will end in September 2023, pursuant to the 7 (seven) year term outlined in the By-law. It has been an honour and a privilege to serve in this role, which has been the highlight of my career. I am grateful for the generous support that I have received during my tenure from City stakeholders, POH, members of the public, and lobbyists.

I would also like to recognize the important contributions made by the TLR staff team to the success of the TLR mandate during my term; their hard work and dedication has contributed to TLR's regulatory effectiveness. Together, we have made many improvements to the regulatory regime and have upheld ethical and professional standards for lobbyists. I wish to thank them for their ongoing commitment to serving the public.

I am pleased to highlight below the key accomplishments from my term;

## 1. Strengthening Stakeholder Engagement

### A. Expansion of Website and On-line Tools:

The TLR strengthened its stakeholder engagement activities by broadening and expanding its education and outreach initiatives and tools. A new website was developed enabling the public to easily access the Registry, information about the TLR and tools supporting compliance. Interactive online questionnaires and flowcharts were created and made available to support lobbyists, the public, and POH in understanding their obligations under the By-law. Both the use of and activity in social media outlets has been expanded to disseminate information to broader audiences. As part of the enhancements to the web site, the TLR created a new logo and visual identity that allowed lobbyists, the public, and POH to further clarify the association with the City. These improvements support the success of the TLR mandate by assuring that all stakeholders have access to critical compliance information and tools through our on-line platforms.

### B. Expansion of Educational Training Opportunities for Lobbyists and the Public

The TLR increased training opportunities by augmenting the frequency of sessions. It improved accessibility through hosting sessions on multiple platforms and in different formats. Training sessions were expanded to include: in-person and virtual sessions,

on-site workplace training, presentations to professional associations, and one-on-one personal support.

C. Expansion of Education and Advice for POH:

The TLR has also broadened its education and outreach activities to include opportunities to provide training and advice to City Staff, elected officials, and appointed officials. POH play an important role in contributing to the City's model for transparency and accountability for communications by lobbyists. Providing support to POH is critical to the TLR mandate. When lobbyists are referred to TLR by POH for advice about registration requirements, lobbyists can be given the information required to comply with the By-law. In addition to referring lobbyists to our office for direct advice about their registration requirements, POH have been encouraged to also seek advice from the TLR regarding best practices in their dealings with lobbyists.

New initiatives included:

- a) delivering one-on-one onboarding with POH at the beginning of term;
- b) transition training for POH at the end of term, regarding post-term restrictions on lobbying activity;
- c) providing monthly educational sessions for new vendors at the City about lobbying activity and procurement, in collaboration with Purchasing & Materials Management Division (PMMD); and
- d) delivering support and training opportunities for Members of Council and their staff regarding the obligations of lobbyists under the By-law to register and comply with the Code of Conduct.

The TLR looks forward to continuing this important collaboration with POH in support of lobbying regulation at the City.

D. Collaboration with Stakeholders:

Lobbyists have demonstrated a willingness to comply with the By-law, their adherence to the obligations under the By-law, in conjunction with the ongoing support of the TLR's many stakeholders, have underscored the By-law and Registry's success in delivering transparency and accountability. Together with our office, the stakeholder community has embraced the TLR's mandate for transparency in lobbying communications. The City Clerk's Office (City Clerk's) has provided ongoing administrative, financial, and information services. The Offices of the City Manager and City Solicitor have worked with the TLR to expand the By-law with new provisions. Working in collaboration, the City Manager, the City Clerk, the City Solicitor, and the Accountability Officers have all supported the TLR's achievement within the City's accountability framework. Council,

POH, lobbyists, members of the public and the media have all been instrumental in enabling the TLR to promote and enhance transparency in City government decision-making processes.

## 2. Modernization Initiatives

### A. Launch of the New Registry System:

The TLR launched a new modern Registry system in January of 2020, as part of a State of Good Repair Project (SOGR) that was approved by Council in March of 2015. Thanks to the many upgrades offered by the new technology, the Registry now provides information that is easily accessible, searchable, and is available across many web platforms and by mobile device. Transparency has been enhanced by this important upgrade. The capacity for easy and instantaneous registrations assists lobbyists with completing their registration requirements expeditiously and therefore, provides the public with more immediate disclosure. I wish to thank all staff and contributors from the TLR and City Clerk's Office, Business and Planning Unit (Clerk's IT) for their dedication and commitment to the SOGR.

### B. Continuous Improvements to the New Registry System:

Since its launch in 2020, the TLR continued its commitment to ongoing improvements to the new Registry. In 2021, the Registry was again upgraded to achieve efficiencies in the registration process to allow fully electronic transactions (paperless). Because lobbyists are able to complete their registrations with fewer steps in the transaction, delivery to the public of information on the Registry can be more instantaneous.

In 2022, the Subject Matters (SM) disclaimer requirements were expanded to require lobbyists to include the intended outcomes of the lobbying activity in their registration. In addition to having information about who spoke to whom about what, the Registry will now also have information about the intended outcomes of the lobbying communications, such as securing a contract, changing a by-law, requests for funding, creation of a program, etc. The categories for intended outcomes reflect the definition of lobbying as stated in the By-law. These changes serve the public interest because a more detailed description of lobbying activities is provided on the Registry.

### C. Using Open Data to Improve Operations:

As part of its commitment to clean and accurate data on the Registry, the TLR also created new practices to ensure integrity of the Registry data. Audits of the

Registry data were initiated using the TLR's Data Set, available in Open Data. This practice is now performed regularly and ensures that the Registry data is as clean and accurate as possible. In addition, the TLR has been using Open Data to extract the information it provides to stakeholders with respect to who is lobbying

whom, and about which subject matters. This information is being used to provide the public with more fulsome accounts of how lobbying impacts City decision making.

D. Improvements in Technology for the Inquiries and Investigations Unit (Investigations Unit):

The Investigations Unit acquired new technology, including the expanded use of the digital Case Management System (CMS) and modified conventional investigation procedures to ensure timely and effective case file advancement.

### 3. Expansion of By-law Provisions

Several improvements to the legislative framework were made to guarantee the TLR's mandate continued to succeed under the By-law:

A. Expansion of Enforcement Powers:

a) Allowance for Administrative Monetary Penalties

In 2017, Bill 68, *Modernizing Ontario's Municipal Legislation Act, 2016 (the Bill)* was passed by the Ontario government. It granted Council's request to amend COTA to expand the range of sanctions available to the Registrar to include the authority to impose administrative sanctions, including administrative monetary penalties.

The TLR has since worked in collaboration with the Offices of the City Manager and City Solicitor, to create the policy, legislative and operational requirements to incorporate these administrative monetary penalties into the range of penalties available. Once these new enforcement tools are put in place, enforcement measures will include: terms and conditions imposed by the Registrar, bans, provincial prosecutions, and administrative monetary penalties.



b) Limitation Period Extension

Another significant amendment to COTA was granted by the Bill. The limitation period for prosecutions under the Provincial Offences Act (POA) was extended from 6 (six) months to 2 (two) years. Council approved the following change to the By-law, in order to implement this new enhancement to the Registrar's enforcement powers. The time limit for investigations of POA charges under the By-law was extended from 6 (six) months to 2 (two) years. The Registrar's authority to uphold the By-law through investigation and prosecution, where appropriate, was strengthened by the expansion of the limitation period.

c) New Amendments to Lobbying By-law

In 2018, Council amended the Lobbying By-law in order to clarify and more accurately reflect City Council's direction regarding lobbying regulation in the following ways:

- i) Amendment to ss.140-42 A. of the By-law to clarify that all persons that are either engaged in lobbying or have retained a person to engage in lobbying are not permitted to provide gifts, entertainment or any other favour (e.g. meals, trips) to public office holders. This amendment clarifies that the intention of the prohibition on bestowing favours to a public office holder applies both to the lobbyist as well as the organization that has hired the lobbyist.
- ii) Amendment to s.140-3C (3) in order to increase the clarity of, and more accurately reflect Council's direction regarding lobbying registration requirements for the City's employee unions and associations so that it reads:

140-3. Restriction on application (persons and organizations).

This chapter does not apply to any of the following persons when acting in their official capacity:

C. City; other bodies; employee representatives

(3) Persons making representations:

- (a) On behalf of employee or labour groups identified in Schedule B, when representing employees of the City or a local board (restricted definition) in a manner permitted by a collective agreement or relationship protocol; or

- (b) On behalf of employee or labour groups identified in Schedule B, when representing employees of the City or a local board (restricted definition) and communicating about the negotiation and administration of collective agreements or a relationship protocol.

This amendment provides a clearer understanding of exempted communications for unions and associations when they represent City employees and employees of local boards (restricted definition) under the By-law. The intention is to specify that only communications related to the negotiation and administration of collective agreements or relationship protocols would be exempted.

- iii) In 2017, Council approved changes to Toronto Municipal Code Chapter 195, Purchasing, which in part, amended the language defining the period when communication is prohibited during a solicitation. This is commonly called the "blackout period". This change required the amendment of ss. 140-5G and 140-41A of the By-law to reflect these changes and to ensure consistency across the Municipal Code chapters.

#### **4. Breach Prevention Strategies**

With our regulatory model now matured and a well-established body of precedent cases, the TLR has placed a stronger emphasis on preventing breaches. To achieve this, the Investigations Unit conducts regular environmental scans to identify potential issues, activities, or events within the City that could potentially lead to future violations. Subsequently, strategic interventions are carried out to prevent harm whenever possible.

In 2018 and in 2022, the breach prevention initiative focused on the Municipal Elections which took place in those years, specifically addressing compliance issues pertaining to lobbying and political activities by lobbyists. The Investigations Unit provided training, updated information bulletins and provided advanced opinions to lobbyists regarding all aspects of the Municipal Elections. Additionally, the Investigations Unit provided opinions regarding the post-term of office employment restrictions for former Councillors and their former staff.

Investigations Unit pinpointed late registrations as the primary area of concern for the 2019 breach prevention exercise. In 2020 and 2021, the emphasis shifted towards lobbying activities associated with the COVID-19 emergency.

## 5. COVID-19 Emergency

On March 17, 2020, the City entered into a State of Emergency in response to the COVID-19 Pandemic which was one of the most challenging crises in its history. The State of Emergency was officially terminated on May 9, 2022. Throughout the crisis the accountability and transparency codified in the By-law provided the public with assurance of integrity in the government decision making process. The TLR worked in collaboration with Clerk's IT, to expand the categories for reporting subject matters to include the lobbying activities related to the COVID-19 Emergency. This enabled lobbyists to disclose in a more comprehensive manner, the nature of their communications with POH and allowed the public to easily search lobbying communications that pertained to the pandemic.

The TLR sustained the delivery of its mandate during the COVID-19 Emergency, notwithstanding the challenges of the pandemic. From the onset of the COVID-19 Emergency and throughout, the TLR pivoted its operational strategies using technology to accelerate the business transformation required to modernize the operations of both its Lobbyist Registry Unit (Registry Unit) and the Investigations Unit. The Registry Unit leveraged the implementation of the new Registry, which included both the streamlining of registrations processes, and the augmentation of the auditing of its data to ensure clean, current, and accurate Registry information.

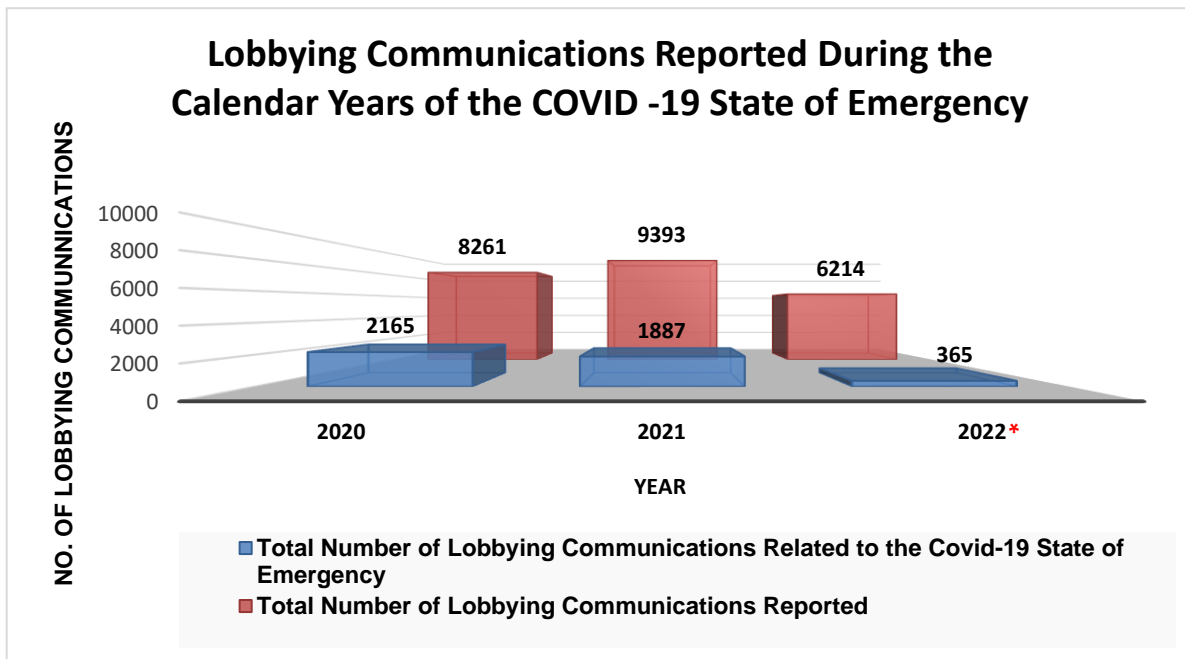
The Investigations Unit also applied innovative strategies to sustain its investigative and enforcement functions. The Investigations Unit adopted procedures and technology to remotely perform the tasks required to continue its work and took advantage of the increased use of electronic communications, which allowed for the remote preservation, collection, and review of evidence. The Investigations Unit also leveraged its recently modernized CMS, and other operational improvements to ensure timely and effective case file advancement.

The City stakeholder community, throughout the COVID-19 Emergency, supported the TLR's mandate and lobbying communications. Lobbyists continued the reporting of lobbying communications throughout the pandemic, thereby, demonstrating a willingness to comply with the By-law. Their compliance with the By-law, together with support of the many stakeholders underscored the success in delivering transparency and accountability notwithstanding the challenges of the pandemic, Council, POH, lobbyists, members of the public, and media have all contributed to the transparent index of lobbying activities disclosed by the Registry and made available to the public throughout the government pandemic response.

**Number of Lobbying Communications Reported During the Calendar Years Throughout the COVID-19 State of Emergency**

Year	Total Number of Lobbying Communications Reported	Total Number of Lobbying Communications Related to the Covid-19 Pandemic
2020	8,261	2,165
2021	9,393	1,887
2022	6,214	365

The following graph shows the number of lobbying communications reported in 2020, 2021, and 2022.



\*Volume of lobbying communications historically decreased during election years, due to paused Council Activities

## 6. Collaboration with Other Accountability Offices

Throughout the past term, the TLR reinforced the importance of sustaining the efficiency of the City's governance model, by working in collaboration with the Offices of the Auditor General, the Integrity Commissioner, and the Ombudsman to support the Memorandum of Understanding (MOU) which was executed by the 4 (four) Accountability offices in 2015. The TLR met regularly with the other Accountability Offices to discuss issues in common on City matters of public interest. The TLR supported collaboration under the MOU, which is the charter document supporting co-ordination and co-operation between the four Accountability Offices in advancing City matters of public interest and importance. The 4 (four) offices shared information, best practices and supported each other, where appropriate, while maintaining independent carriage of their individual mandates under COTA.

# Looking Towards the Future

The TLR looks forward to continuing its commitment to the following: improving the services that we deliver to our stakeholders; identifying and implementing ways in which the Registry and the regulatory scheme can be enhanced; and adapting to meet ever-changing regulatory challenges.

Below are the objectives for the TLR in 2023:

## 1. Modernization

The TLR will continue with the business transformation required to modernize the operations of both its Registry and Investigations Units throughout 2023. The Registry Unit will continue to support the implementation of the new Registry, which will include improving the audit of its data to ensure clean, current and accurate information, and will continue streamlining the registration processes. The Investigations Unit will continue to utilize technology, including the expanded use of the digital CMS, and the modification of conventional investigation procedures to ensure timely and effective case file advancement. The TLR will continue its commitment to innovation and to maximizing technology, in order to support its mandate with modernized operations.

## 2. Continuous Improvements to the Registry

Given the rapid pace of technological advancement, the TLR will continue to work closely with Clerk's IT to ensure modernization of the Registry. The TLR recognizes that continuous upgrades are required to guarantee that the Registry meets the demands of rapidly changing new technologies and heightened standards of data integrity. In 2023, the TLR will once again, work in collaboration with Clerk's IT to identify and implement new ways to improve the Registry to expedite registration and reporting.

## 3. Expansion of the Lobbying By-law Provisions

### A. Improvements to the Regulatory Framework

Improvements to the legislation are important to ensure the efficacy of the TLR's legislative mandates. The TLR will continue to conduct periodic reviews of the By-law and propose amendments as necessary.

## B. The Implementation of Administrative Sanctions

In 2022, the TLR continued its development of the policy and operational requirements for adding administrative monetary sanctions to the range of penalties available. The Registrar's enforcement powers were expanded through the *Modernizing Ontario's Municipal Legislation Act, 2017*, with the added authority to impose administrative sanctions, including administrative monetary penalties. The TLR has worked in collaboration with the City Manager and City Solicitor towards the implementation of this regime. The proposed new sanctions will expand the range of corrective actions from minor for less grievous infractions, to more punitive measures for more egregious breaches of the By-law. Once in place, the range of enforcement measures will be expanded to include: terms and conditions imposed by the Registrar, bans, provincial prosecutions, and administrative monetary penalties. Various approaches are used to enforce compliance with the By-law, including advice and training, reports to Council and prosecutions under the *Provincial Offences Act*. These new enforcement tools will be added to the spectrum of corrective actions imposed in the public interest, on an escalating scale, depending on the facts of the case and the seriousness of the breach

### 4. Preparation for the 2023 Municipal By-Election

In advance of the 2023 Municipal By-Election, as part of its breach prevention strategy, the TLR reviewed the compliance issues regarding lobbying and political activities for lobbyists. Preparations were undertaken in 2022 for the delivery in 2023 of education and outreach activities that will provide guidance to lobbyists to assist them in meeting their obligations under the By-law. The Registrar and Inquiries & Investigation Counsel engaged in consultations with City stakeholders, including the City Manager, the City Clerk, the City Solicitor, and lobbyists, regarding the upcoming By-Election. The purpose was to identify opportunities to provide information to lobbyists to encourage best practices and prevent non-compliance.

The TLR made preparations to undertake the following in 2023:

- A. a training session for lobbyists regarding lobbying activity and political activity, gifts, and general compliance; and
- B. deployment and dissemination of by-election specific interpretation bulletins related to lobbying and political activity; and,
- C. the allocation of resources for the provisions of advanced opinions and advice to lobbyists with the goal of pre-empting incidents of non-compliance.

## **5. Continued Collaboration with Stakeholders**

The TLR will continue its important role in the City's accountability framework through ongoing collaboration with the City Manager, the City Clerk, the City Solicitor, the other Accountability Officers and Council. Finally, the TLR will continue to work with lobbyists, POH, the public and other governments to ensure that City government continues to provide effective lobbyist regulation.



# Report on Activities in 2022

## Website

In 2022, there were 19,550 visits to the [TLR public website](#).

In addition to hosting the Registry, the TLR website provides important compliance information, including legislation, interpretation and advisory bulletins, tutorials, interactive tools, FAQs and links to other sites.

The TLR maintains and administers the Registry online via [www.toronto.ca/lobbying](http://www.toronto.ca/lobbying). The Registry meets the requirements of s. 165 of COTA, that the City maintains a Registry of persons who lobby POH, and that this Registry be available for public inspection.

### Lobbyist Registrar

Share Print



The Toronto Lobbyist Registrar ensures the public disclosure of lobbying activities and oversees the regulation of lobbyists' conduct.

For service from one of our Lobbyist Registry Advisors, please contact our office Monday to Friday between the hours of 9 a.m. and 4 p.m. by telephone at 416-338-5858 or by email at [lobbyistregistrar@toronto.ca](mailto:lobbyistregistrar@toronto.ca)

#### Contact Information

Toronto Lobbyist Registrar  
375 University Avenue, Suite 201  
Toronto, ON M5G 2J5  
Telephone: 416-338-5858  
TTY: 1-800-855-0511  
Fax: 416-338-5859  
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@TO\_LobbyistReg <sup>12</sup>

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/TOLobbyistReg <sup>12</sup>

to\_lobbyistregistrar <sup>12</sup>

#### Related Information

[Register as a Lobbyist / Log In](#)

[Search the Registry](#)

[Submit an inquiry regarding a potential breach of the Lobbying By-law](#)

[Memorandum of Understanding: Four Accountability Offices](#)

[Make a Complaint About Lobbyist Registrar Services](#)

#### Search the Registry & Register as a Lobbyist

Explore here to learn about searching the lobbyist registry and about registering as a lobbyist.

#### Guidelines & Regulatory Bulletins

Find out about the City of Toronto's lobbying guidelines and the latest regulatory bulletins on lobbying.

#### Submit an inquiry regarding a potential breach of the Lobbying By-law

The Registrar accepts confidential inquiries regarding allegations of potential breaches of the By-law. Learn how the Registrar Enforces the Lobbying By-law

#### What's New & Registry Insider Newsletter

News and updates from the Lobbyist Registrar, including the semi-regular newsletter.

#### Reports & Sanctions

View the most recent reports from the Toronto Lobbyist Registrar.

#### About the Lobbyist Registrar

Learn about the Lobbyist Registrar's duties and about oversight of the Toronto Lobbyist Registrar.

## Social Media

Follow us on



LinkedIn



The TLR maintains several social media platforms: Twitter, LinkedIn, Facebook and Instagram. In 2022, the TLR continued its use of social media as an outlet for news and information through these platforms, where information is posted about the By-law, Interpretation and Advisory Bulletins, Reports to Council, upcoming training sessions, and best practices in government ethics and lobbying regulation.

## Interpretation Bulletins and Advice

Through s. 169 of the *City of Toronto Act, 2006* (COTA), and Chapter 140 of the Toronto Municipal Code, Lobbying, the Registrar may provide interpretations pertaining to the administration, application and enforcement of the By-law.

The TLR also provided POH, lobbyists and members of the public with advice and interpretation of the By-law in the following ways: person-to-person by virtual platform, virtual training sessions, online education tools, telephone, mail, and email.

TLR staff provides information about:

- Registrations,
- Searching the Registry,
- Requirements for registration,
- Lobbyists' Code of Conduct,
- Status of unions, broader public sector, and not-for-profit organizations,
- Conduct of lobbyists at charitable and civic events,
- Lobbying by former senior POH,
- Grass-roots communications,
- Avoiding the placing of POH in a conflict of interest,
- Gifts and favours,
- Lobbying by former municipal election campaign team members, and
- Procurement.

In 2022, the TLR updated the Lobbying and Municipal Elections bulletins posted to the TLR website and disseminated them by email blast to all registered lobbyists. The public was made aware of this information through the TLR social media channels.

- [Lobbying Municipal Election and Third Party Advertisers](#)
- [Lobbying During a Transition Period](#)
- [Lobbying and Municipal Elections at the City of Toronto](#)

This guidance advised lobbyists about their obligations with respect to lobbying and political activity. The purpose of circulating these updates was to ensure that questions and or concerns could be addressed well in advance of the municipal election period and to identify situations of conflict of interest or undue influence, and to take appropriate preventive action.

Information about the application of the By-law with respect to many of these subjects is available in [Interpretation and Advisory Bulletins](#) on the [TLR public website](#).

## Educational Online Tools Available

The TLR has educational materials and interactive online tools available to provide information. Some examples include the following:

### 1. Online Interactive Questionnaire [“Do I need to Register as a Lobbyist?”](#)

For registrants using the Registry, this interactive tool is a guide which helps determine if registration with the TLR is required. There were 1,147 online users of this tool in 2022.

Alternatively, a copy of the [flow chart](#) is available for printing on the [Register as a Lobbyist](#) webpage for records.

### 2. Video Tutorials

There are [tutorial videos](#) available on the [Register as a Lobbyist](#) webpage to assist lobbyists in using the Registry.

## Open Data

The Registry is available in Open Data. Data from the Registry is available in machine-readable format on the City’s Open Data Portal at <https://open.toronto.ca/>.

## Registry Services

The online Registry is the mechanism for the disclosure of lobbying activities. The Registry provides all the information required of lobbyists in the By-law. The Registry's search capabilities enable all stakeholders to explore its data fields in order to learn who is lobbying whom and about what.

The By-law requires public disclosure of lobbying activities, guaranteeing access to information about how POH were lobbied as part of City government decision-making. The Registry information is easily available and accessible to the public on the TLR website in accordance with the By-law's requirements. The TLR's mandate ensures that the Registry is publicly available as a multi-stakeholder, online web-based platform.

The Registry delivers the information necessary to enable searches of lobbying activities by all stakeholders. Because the TLR enforces the By-law's provisions that require timely reporting of lobbying activities, the Registry successfully provides prompt access to such information.

The Lobbyist Registry & Stakeholder Outreach Advisors (Advisors) support the Registry's maintenance. Advisors review, check accuracy of and accept registrations, and any necessary updates. Advisors supervise compliance with registration and reporting requirements, as well as provide advice to lobbyists and the public about their obligations under the By-law.

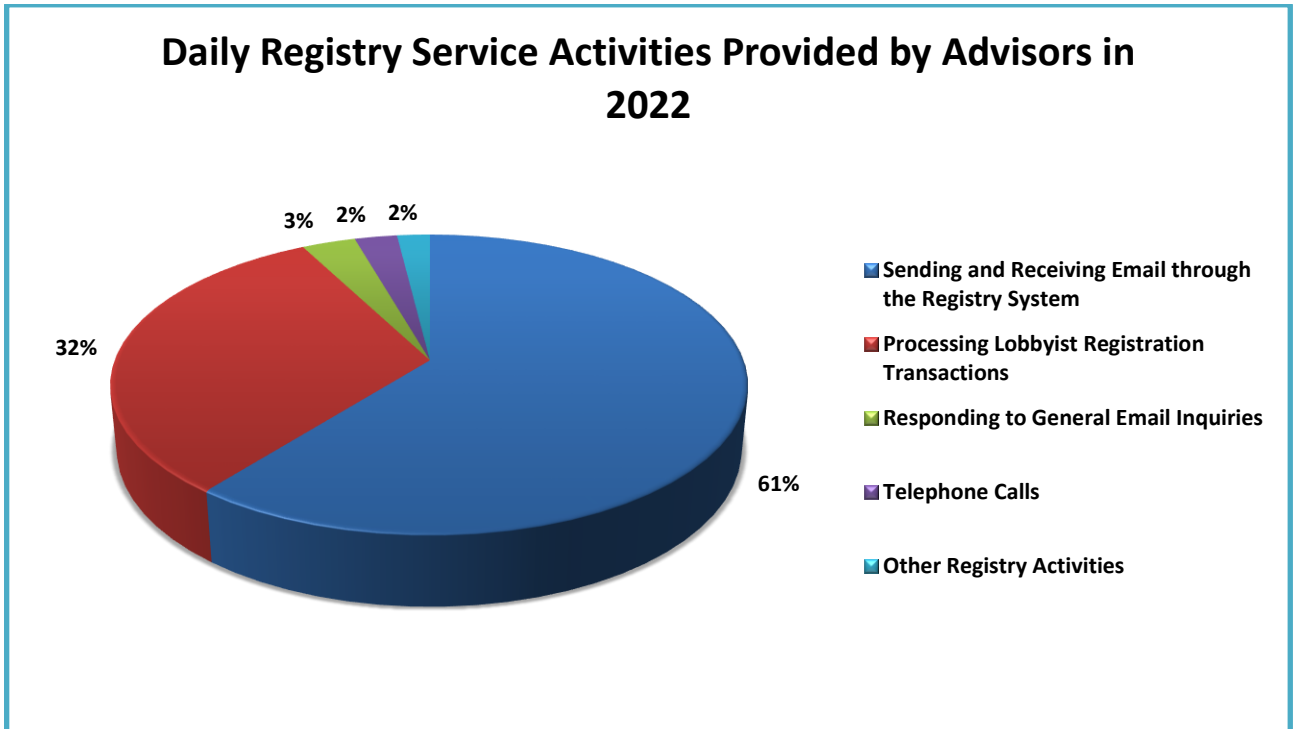
In 2022, there were 25,023 outgoing email messages sent to lobbyists by our Advisors through the Registry, in order to facilitate the completion of registration transactions.

### Number of Outgoing Emails Sent to Lobbyists in 2022



**Outgoing Emails Sent to  
Lobbyists in 2022**

The chart below outlines daily Registry service activities provided by Advisors in the year 2022 by percentage.



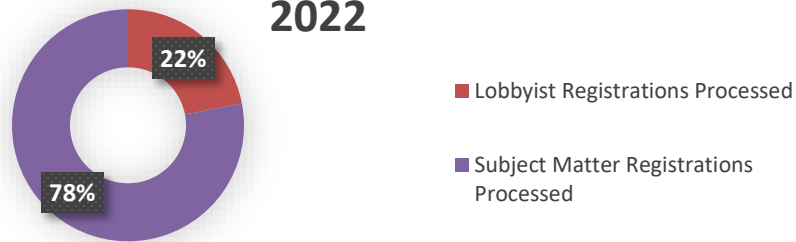
# Registration Statistics

## Registration Transactions

Since 2010, over 136,202 transactions have been processed through the Registry, and over 73,507 lobbying communications have been recorded.

The total number of registration transactions processed in 2022 was 13,071. In 2022, 2,857 lobbyist registrations were processed. This represents 22% of the total number of transactions processed. Additionally, 10,214 subject matter registration transactions were processed, representing 78% of the total number of transactions processed.

## Types of Registration Transactions Processed in 2022



### Lobbyist Registrations Processed

- 2,857

### Subject Matter Registrations Processed

- 10,214

The total number of active lobbyist registrations at the year-end was 1,072, and the total number of active subject matter registrations at the year-end was 3,197.

### Active Lobbyist Registrations

- 1,072

### Active Subject Matter Registrations Processed

- 3,197

## Lobbyist Registrations and Lobbying Communications Reported in 2022

*Registration Transactions Processed*

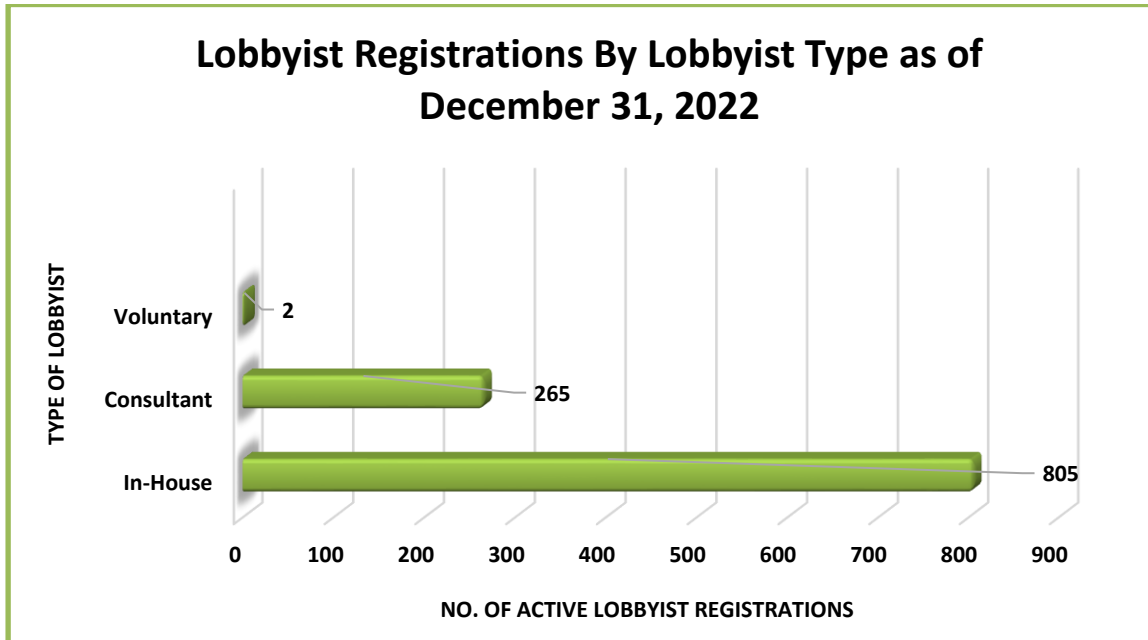
*January 1 to  
December 31, 2022*

<b>Lobbyist Registration Transactions</b>	
<i>New Lobbyists Submitted</i>	471
<i>Lobbyist Updates Submitted</i>	1,918
<i>Lobbyist Registrations Closed</i>	468
<i>Lobbyist Registration Transactions Processed</i>	2,857
<b>Subject Matter Registration Transactions</b>	
<i>New Subject Matters Submitted</i>	914
<i>Subject Matter Updates Submitted (reports of lobbying activities)</i>	8,291
<i>Subject Matters Withdrawn</i>	195
<i>Subject Matters Closed</i>	814
<i>Subject Matters Registration Transactions Processed</i>	10,071
<b>TOTAL Registration Transactions Processed</b>	<b>13,071</b>
<b>Active Lobbyist Registrations</b>	<b>1,072</b>
- <i>Consultant Lobbyists</i>	265
- <i>In-house Lobbyists</i>	805
- <i>Voluntary Lobbyists</i>	2
<b>Active Subject Matter Registrations</b>	<b>3,197</b>
- <i>Consultant Lobbyists</i>	1,176
- <i>In-house Lobbyists</i>	2,014
- <i>Voluntary Lobbyists</i>	7
<b>TOTAL No. of Lobbying Communications Reported in 2022</b>	<b>6,214</b>

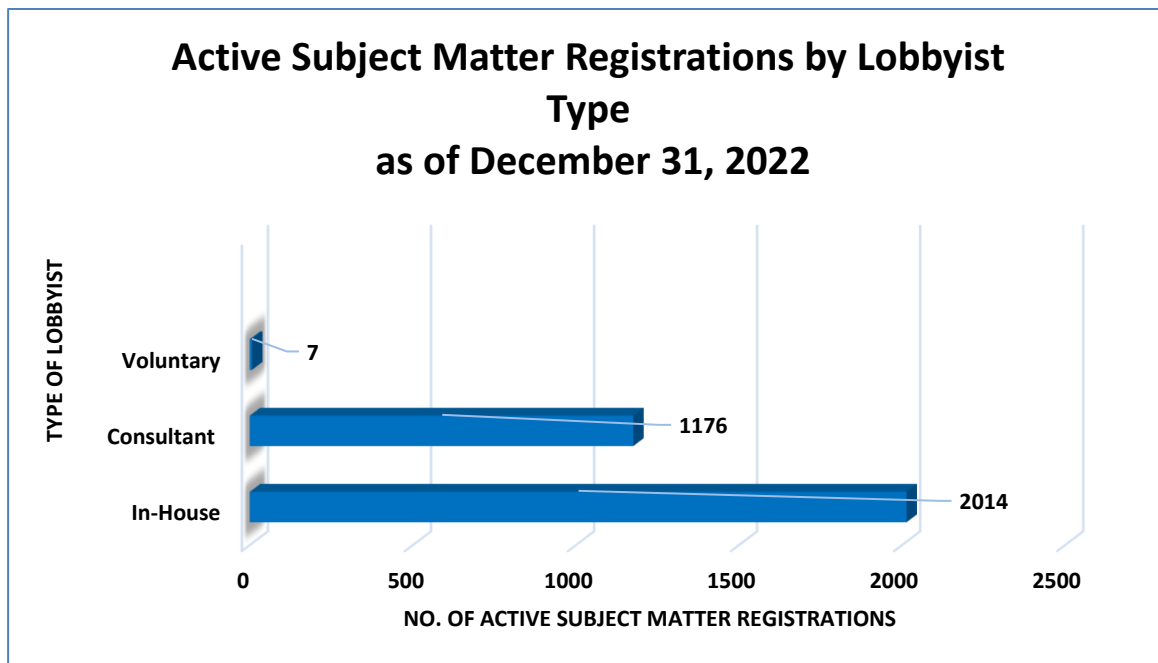
**Active Lobbyist and Subject Matter Registrations at December 31, 2022**



## Number of Active Lobbyist Registrations by Lobbyist Types as of December 31, 2022



## Number of Active Subject Matter Registrations by Lobbyist Type as of December 31, 2022

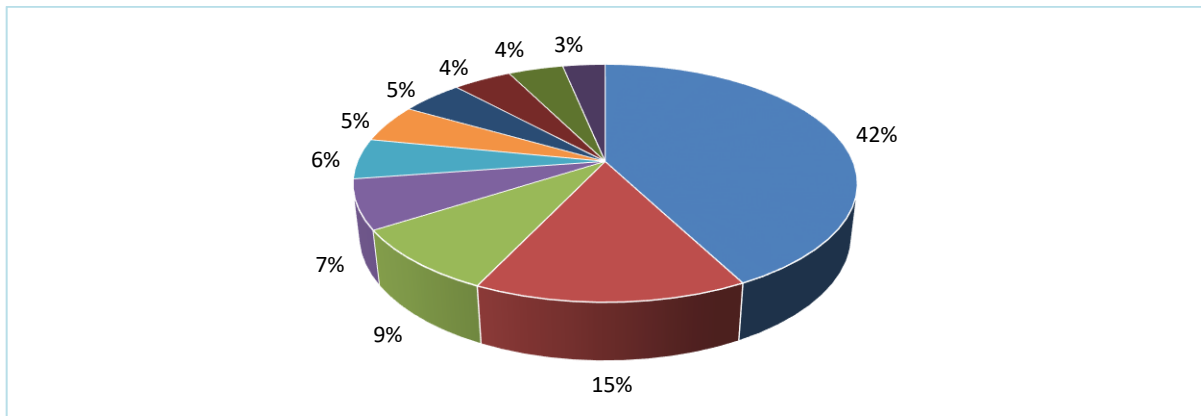


## Top 10 (ten) Registered Subject Matters (SM) in 2022



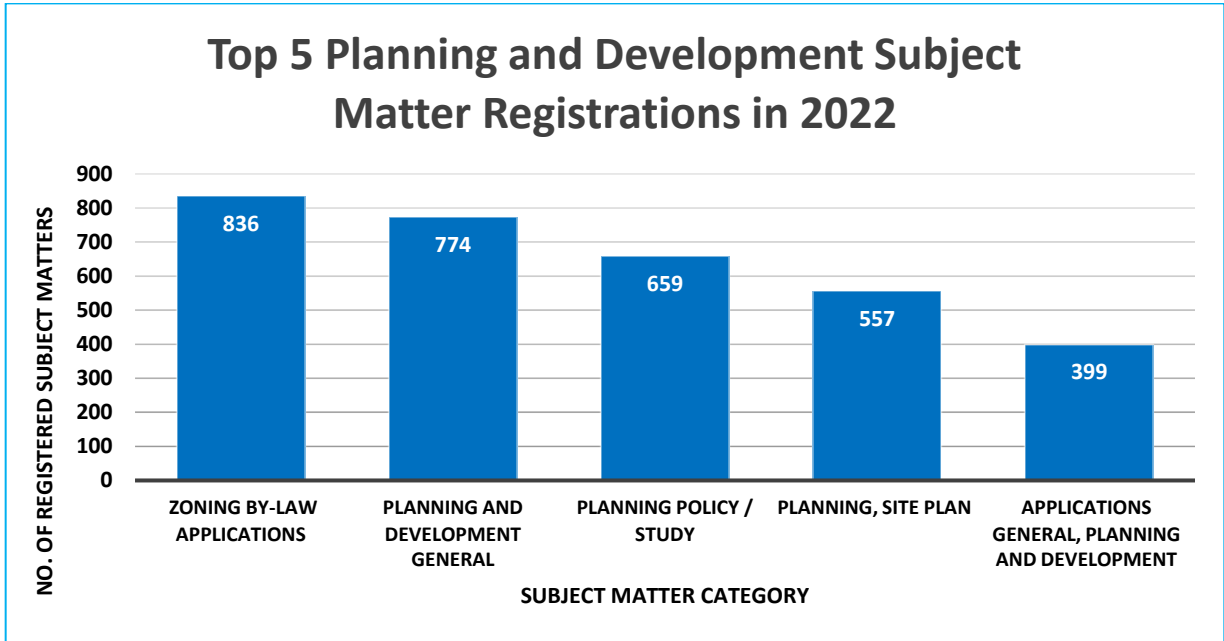
This table lists the 10 (ten) most frequently registered subject matters as of December 31, 2022.

Rank	Subject Matter Category	No. of Active Registrations
1.	Planning and Development	4128
2.	Economic Development	1438
3.	Technology Services	864
4.	Procurement	655
5.	Transportation	536
6.	By-law/Regulation	505
7.	Licences/Licensing	463
8.	Attractions/Tourism	437
9.	Building Permits	411
10.	Affordable Housing	317



## Top 5 (five) Planning and Development Subject Matters as of December 31, 2022

The chart lists the 5 (five) most frequently registered Planning and Development Subject Matters as of December 31, 2022:



## Lobbying Communications Related to the COVID-19 State of Emergency

In 2022, there were 6,214 lobbying communications reported with all POH. Of these, 365 communications or 5.87% were related to the COVID-19 State of Emergency.

### Number of Lobbying Communications Reported from January 1 to December 31, 2022

Total Lobbying Communications Reported in 2022

• 6214

Lobbying communications related to the COVID -19 State of Emergency in 2022

• 365

### The Top 10 (ten) Registered Subject Matters in 2022 Related to the COVID-19 State of Emergency

Restart and Rebuild related to COVID 19 Pandemic

COVID 19 Pandemic

Economic Development

Health and Safety

Budget

Parks/Open Space

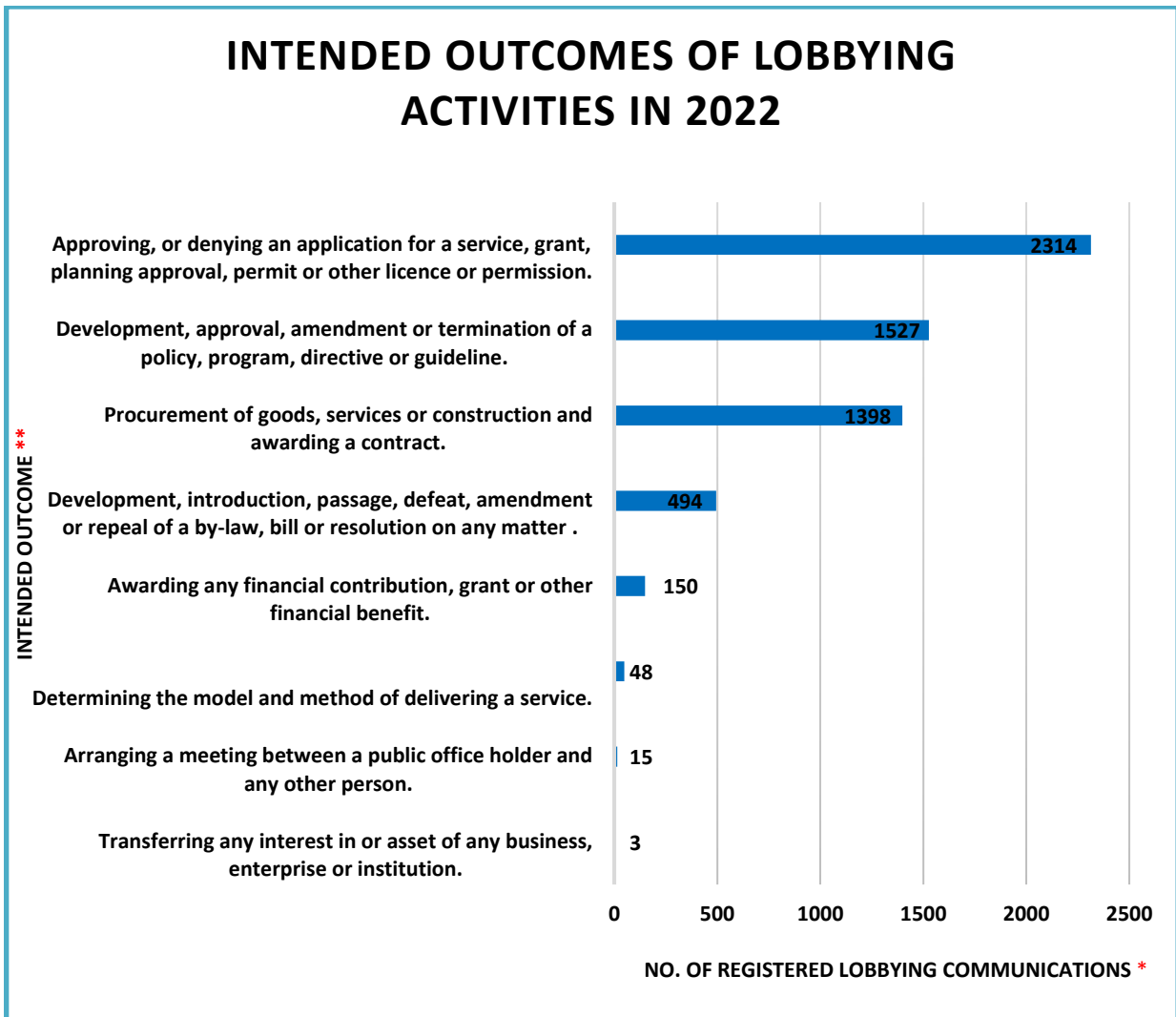
Transportation

Affordable Housing

Shelters

Public Health

## The Intended Outcomes of Lobbying Activities in 2022



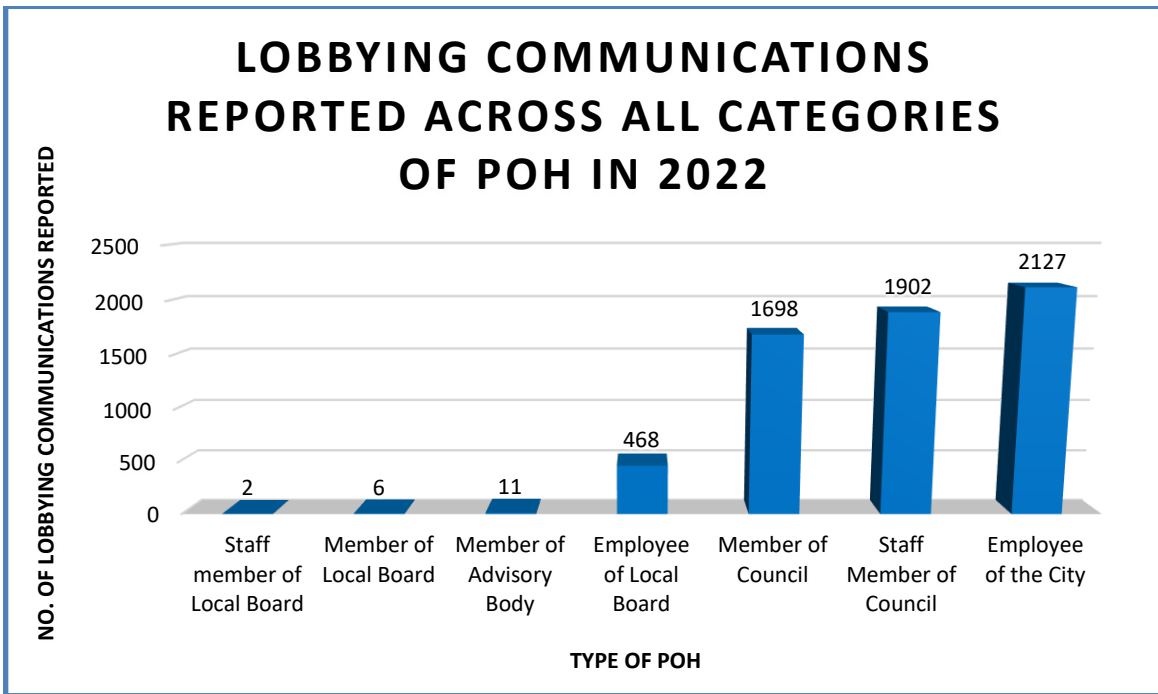
\* Represents all communications reported between February 8 and December 31, 2022, as that is when the selection was implemented

\*\* Please refer to Lobbying By-law definition of Lobby s.140-1

# Public Disclosure of Lobbying Activities

## Lobbying Communications Reported Across All Categories of POH in 2022

In accordance with the requirements of the By-law, lobbying communications were reported across all categories of POH. The public, therefore, is being provided with the transparency intended by the By-law. This affords the public a window into the decision-making processes undertaken by City government. The total number of lobbying communications reported in 2022 with all POH was 6,214.



## Most Frequent Recipients of Lobbying Communications Reported with City's Divisions in 2022

Rank	Division	No. Of Lobbying Communications Reported
1	Transportation Services Division	335
2	Economic Development & Culture Division	313
3	Technology Services Division	238
4	Municipal Licensing & Standards Division	181
5	Environment and Climate Division	108
6	City Manager's Office, 2 Key Concepts (C2K)	104
7	City Planning Division	92
8	Corporate Real Estate Management Division	90
9	Engineering & Construction Services Division	70
10	Solid Waste Management Division	62

## Number of Lobbying Communications in 2022 Outlined by Deputy City Managers' Portfolios (DCMs')

### Community and Social Services

Rank	Division	No. Of Lobbying Communications Reported
1	Economic Development & Culture	313
2	Housing Secretariat	45
3	Fire Services	30
4	Toronto Public Health	26
5	Parks, Forestry, and Recreation	23
6	Shelter, Support, and Housing Administration	22
7	Toronto Paramedics Services	13
8	DCM's Office	12
9	Social Development, Finance and Administration	5
10	Senior Services and Long-Term Care	3

## **Infrastructure & Development Services**

Rank	Division	No. Of Lobbying Communications Reported
1	Transportation Services	335
2	Municipal Licensing & Standards	181
3	City Planning	92
4	Engineering & Construction Services	70
5	Solid Waste Management	62
6	Toronto Water	41
7	Toronto Buildings	15
8	DCM's Office	12
9	Toronto Expansion Office	5
10	Policy, Planning, Finance & Administration	1

## **Corporate Services**

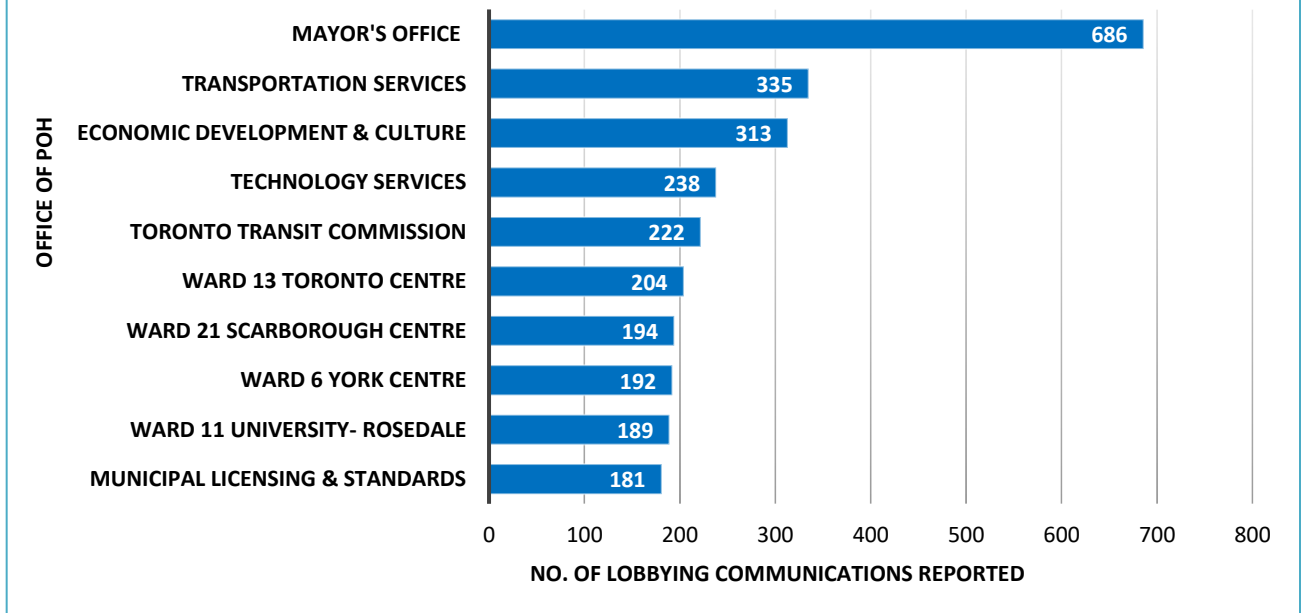
Rank	Division	No. Of Lobbying Communications Reported
1	Technology Services	238
2	Environment & Climate	108
3	Corporate Real Estate Management	90
4	Fleet Services	42
5	311 Toronto	2
6	DCM's Office	2



**Financial Officer & Treasurer**

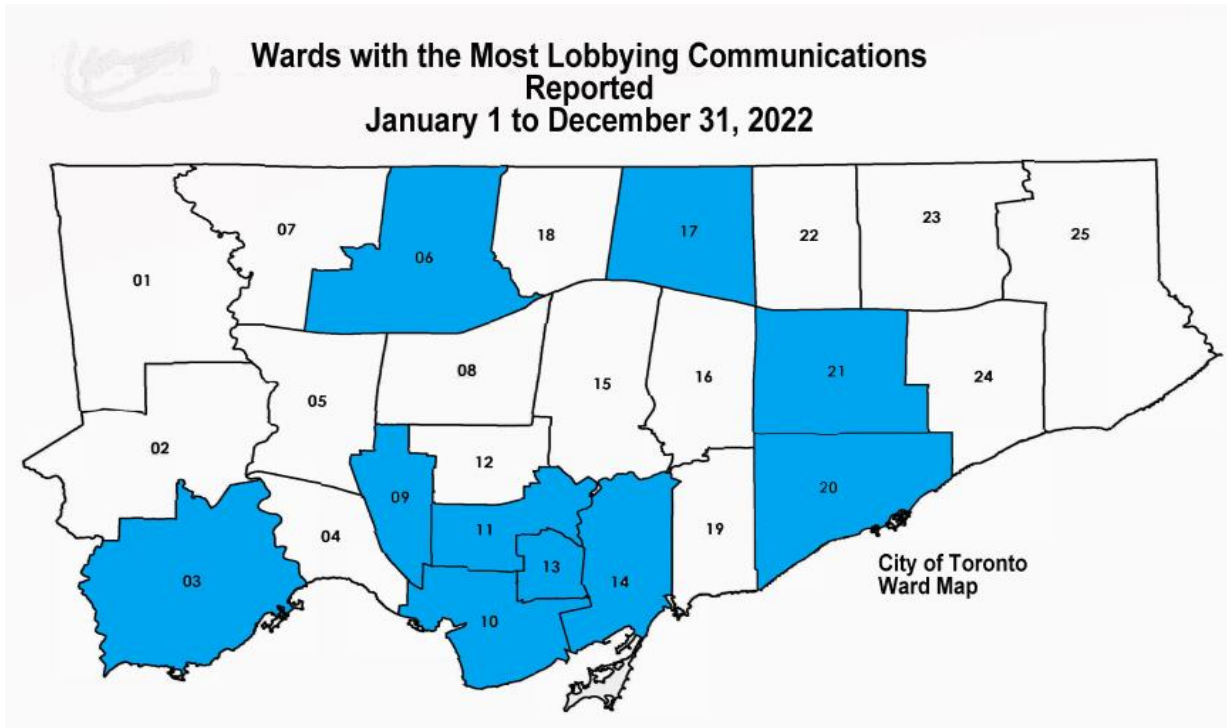
Rank	Division	No. Of Lobbying Communications Reported
1	Purchasing & Materials Management Division	34
2	Finance and Treasury Services DCM Office	8
3	Accounting Services Division	4
4	Office of the Controller Division	4
5	Revenue Services	3
6	Financial Planning	2

**Most Frequent Recipients of Lobbying Communications Reported with all POH from January 1 to December 31, 2022**



## Lobbying Communications Reported with Offices of Elected Officials in 2022

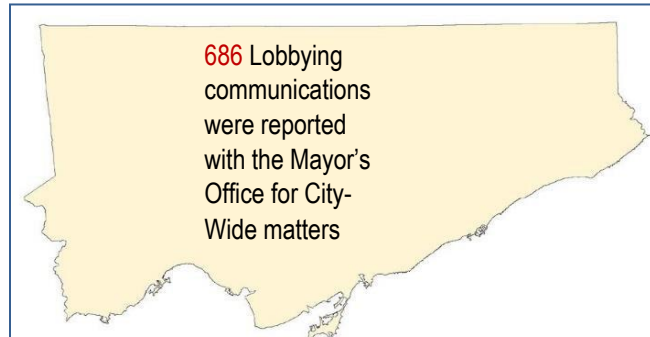
The offices of elected officials with the most frequent lobbying communications reported throughout 2022 has been represented below geographically, by ward office. In the map below, the wards with the most lobbying communications reported during 2022 are highlighted in light blue.



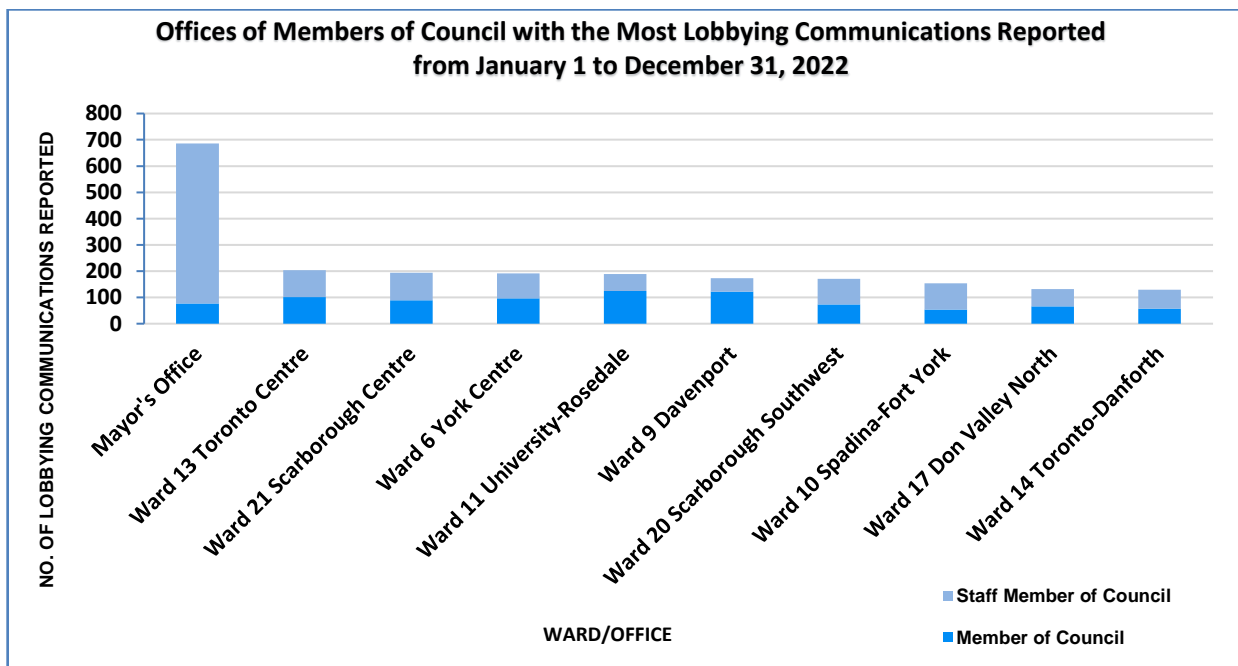
Ward Office	No. of Lobbying Communications Reported
Ward 13 Toronto Centre	204
Ward 21 Scarborough-Centre	194
Ward 6 York Centre	192
Ward 11 University-Rosedale	189
Ward 9 Davenport	173
Ward 20 Scarborough Southwest	171
Ward 10 Spadina-Fort York	154
Ward 17 Don Valley North	132
Ward 14 Toronto-Danforth	129
Ward 3 Etobicoke-Lakeshore	115

**No. of Lobbying Communications Reported with the Mayor's Office January 1 to December 31, 2022**

The total number of lobbying communications reported with the Mayor's office for City-Wide matters is 686 between January 1 and December 31, 2022.

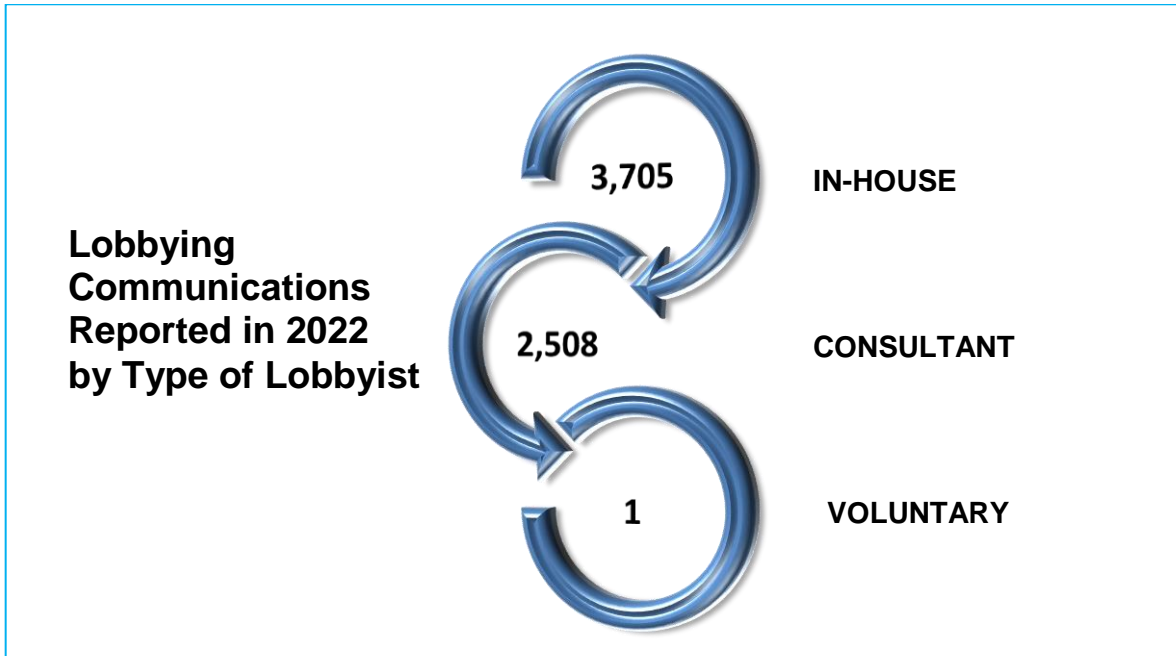


This chart shows the Offices of Members of Council with the greatest number of lobbying communications reported from January 1 to December 31, 2022.



## Total Number of Lobbying Communications Reported in 2022

The total number of lobbying communications reported in 2022 with all POH was 6,214.



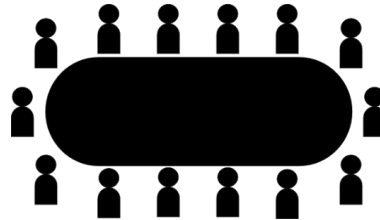
## Methods of Lobbying Communications Reported in 2022

The most frequent methods of lobbying communications were by emails, meetings (including in-person and virtual) and telephone.

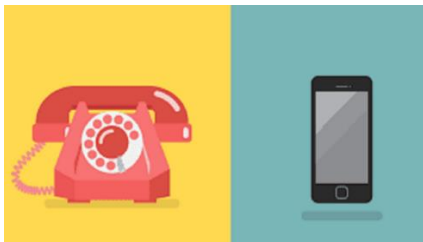
### Reported Methods of Lobbying Communications in 2022 by Percentage



**Emails - 45%**



**Meetings (In-Person and Virtual) - 28%**



**Telephone - 13%**



**Combinations of the above methods, plus written, social media, and text messages – 5%**

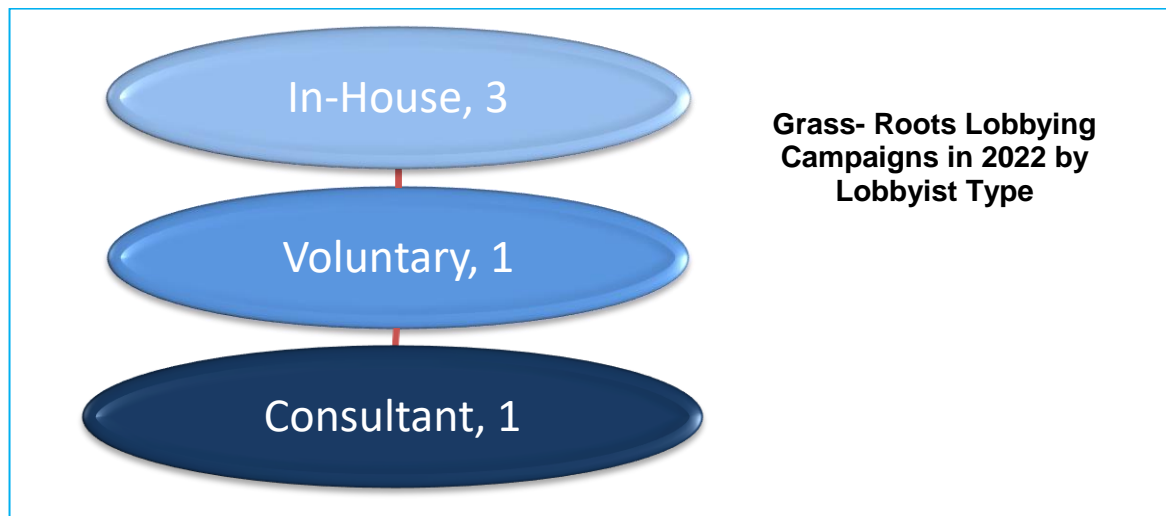
## The Number of Stakeholder Groups Engaged in Indirect Lobbying by Grass-roots Lobbying Campaigns in 2022

### A. The Number of Grass-roots Lobbying Campaigns

The Number of Grass-roots Lobbying Campaigns launched in 2022 was 5 (five).

### B. Types of Lobbyists Who Executed Grass-roots Lobbying Campaigns

Grass-roots lobbying campaigns have been executed by 3 (three) In-House lobbyists, 1 (one) consultant lobbyists, and 1 (one) voluntary lobbyists



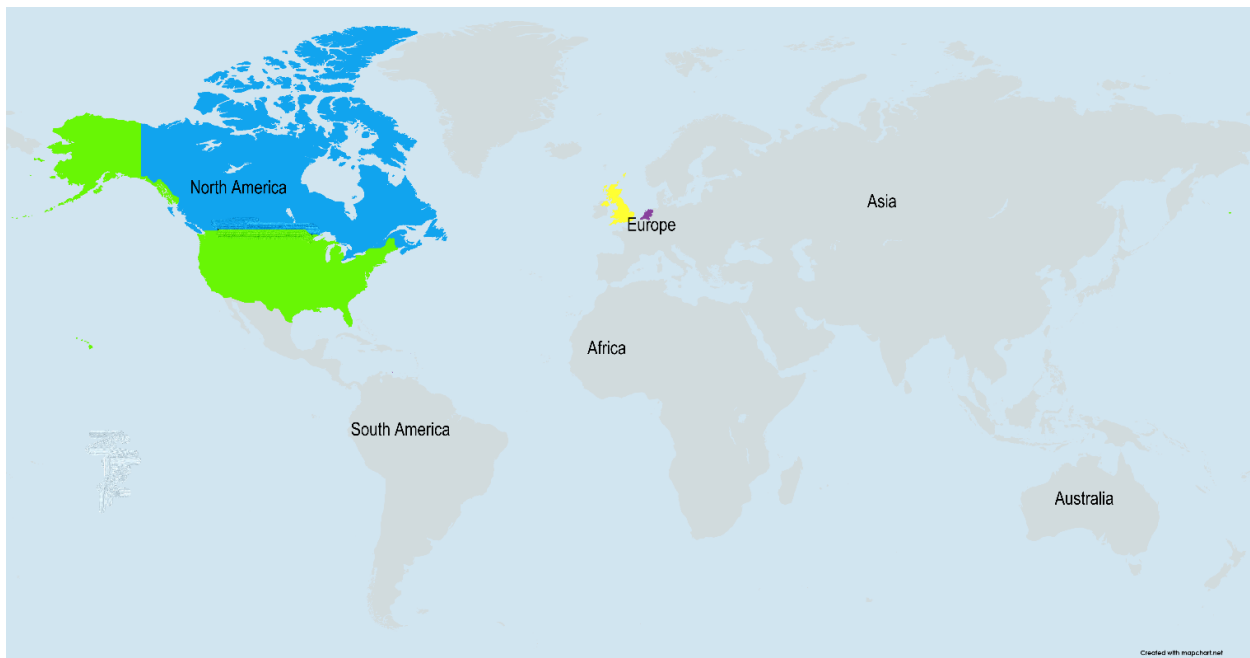
### C. Who Was Reached?

Of these 5 (five) grass-roots lobbying campaigns, 2 (two) were designed to reach the public, 3 (three) were aimed at communities of interest.

## Global Compliance 2022

Compliance is being achieved at an international level. Registered lobbyists, whose communications with POH appear in the Registry throughout 2022, originated from around the world. Places of origin included: Canada, United States of America, Netherlands, and United Kingdom.

### Places of Origin of Registered Lobbyists January 1 to December 31, 2022



#### Legend

Canada	
United States of America	
Netherlands	
United Kingdom	

# Advice, Investigations, Inquiries and Breach Prevention

With our well-established regulatory model and a robust body of precedent cases, the TLR now places greater importance on proactively preventing breaches. To achieve this, the Investigations Unit conducts regular environmental scans to identify potential issues, activities, or events within the City that could lead to future violations. Consequently, strategic interventions are implemented to mitigate harm whenever feasible.

In 2022, the breach prevention strategy once again targeted the Municipal Election, specifically addressing compliance issues regarding lobbying and political activities conducted by lobbyists. The Investigations Unit provided training, updated information and interpretation bulletins, and offered expert opinions to lobbyists on all aspects of the Municipal Election.

The 2022 election cycle resulted in a significant number of new councillors, 7 (seven) new and 2 (two) who returned after sitting out a term; the natural extension of this is the exit of the members they replaced. As in past election cycles the TLR received an influx of questions from both the exiting members and the public regarding the former councillors' post term of office roles and the one-year restriction on lobbying for former public office holders. Exiting members were provided with opinions regarding their prospective post term of office employment opportunities and queries from the public were answered as appropriate.

## Looking Forward to 2023

The Investigations Unit has identified procurement as the focus of the 2023 breach prevention exercise. As in 2016 the Investigations Unit will work with the Purchasing & Materials Management Division and City Legal to ensure that changes to the Purchasing and Financial Control By-laws integrate harmoniously with the Lobbying By-law. In particular, changes impacting the prohibition on lobbying during a blackout period will be the focus. Subsequent to the amendments to the respective by-laws the Investigations Unit will amend interpretation bulletins and guidelines and provide training and outreach to the relevant internal and external stakeholders.



## Embracing the New Normal: The Hybrid Model

The Investigations Unit is eagerly preparing for a significant transition in 2023 as they navigate the shift from remote work to a hybrid work model and return to the office. After 3 (three) years of adapting to the challenges brought about by the COVID-19 pandemic, the Investigations Unit recognizes the need to adjust their investigative approach, techniques, and tools to align with the new normal.

1. With restrictions easing and the world gradually transitioning to a post-pandemic era, the Investigations Unit anticipates a renewed focus on building in-person connections and enhancing collaboration among team members. While remote work has provided flexibility, face-to-face interactions are invaluable for fostering stronger relationships, promoting teamwork, and facilitating effective communication.
2. The Investigations Unit recognizes the importance of streamlining evidence gathering processes in this transition. They will leverage the technological advancements gained during the remote work period to improve their data collection, analysis, and storage capabilities. By adopting efficient tools and platforms, they can enhance the overall effectiveness and speed of their investigations.
3. Additionally, conducting on-site interviews will play a crucial role in the Investigations Unit's approach. Being physically present allows investigators to assess non-verbal cues, establish trust, and gather more comprehensive information. This aspect of in-person interaction can significantly enhance the quality and depth of their investigations.
4. Despite the return to the office, the Investigations Unit remains committed to maintaining the technological advancements they achieved during the remote work period. By continuing to leverage remote collaboration tools, digital evidence management systems, and other relevant technologies, they can ensure a seamless transition and capitalize on the benefits of both remote and in-person approaches.
5. As the Investigations Unit combines the strengths of remote and in-person work, they remain dedicated to upholding transparency, ethics, and accountability in their investigations. By adapting to the new normal and embracing the opportunities it presents, the Investigations Unit is well-positioned to continue their crucial work in the post-pandemic era.

## Selected Inquiries, Investigations and Advanced Opinions

In total, 18 (eighteen) advance opinions were given by the Investigations Unit in 2022, and over 315 consultations and/or pieces of advice were provided to stakeholders. In addition, 11 (eleven) investigations were commenced, 6 (six) inquiries were closed and 1 (one) report to Council on an inquiry was issued.

The following samples are abbreviated where necessary. The identities of those involved are anonymized. The decisions or advice articulated below is only applicable to these fact scenarios and is not intended to be utilized as precedent or advice.

### 1. Inquiry Report to Council

#### Report on an Inquiry for Prohibited Communications on a Request for Proposal

At its meeting on December 14 and 15, 2022, Toronto City Council adopted item CC2.2, Report on an Inquiry for Prohibited Communications on a Request for Proposal. The Lobbying By-law restricts communications during an active procurement to only those permitted by the Toronto Municipal Code, Chapter 195, Purchasing (the Purchasing By-law), applicable procurement policies and procurement documents (solicitations). This is commonly known as the “Blackout Period”.

This is a report on an inquiry into whether communications that occurred after the issuance of a Notice of Intended Procurement (“NOIP”), but before the issuance of the solicitation contravened the prohibition on lobbying during the ‘Blackout Period’ of a procurement.

The Blackout Period is a creature of the Purchasing By-law; the trigger and end are found in Section 195-13.9. The solicitation is the trigger and the award and execution of final form of contract is the end. Between these goalposts, no communication is allowed under both the Purchasing By-law and the Lobbying By-law.

The definition of “Solicitation” in the Purchasing By-law provides, in part, that a solicitation is a “written notice to suppliers, whether or not it is publicly advertised” and then articulates a non-exhaustive list of examples such as RFPs and RFQs; an NOIP is not a listed example. The definition of “Notice of Intended Procurement” provides, in part, that it is a “written notice published by the City.” Arguably, an NOIP as a “written notice” is a “written notice to suppliers” as contemplated in the definition of “solicitation” and as such, triggers the Blackout Period. The question of whether an NOIP triggers the

Blackout Period was a novel one. NOIPs were introduced in the 2017 revision of the Purchasing By-law, and the question of whether it triggers the Blackout Period has risen only once in the intervening years for the Toronto Lobbyist Registry Office and was not definitively answered.

To operate at its most robust it must be clear to the public, the profession and to public office holders, what triggers and ends a Blackout Period. This matter is being reported to highlight a trigger few were aware of and to give notice that the Toronto Lobbyist Registrar's Office and Purchasing and Materials Management Division are working together to ensure that their complimentary by-law sections and documentation on the subject of the Blackout Period are updated to reflect that an NOIP is one such trigger.

Council accepted the Lobbyist Registrar's findings

To read the report: [Report to Council on an Inquiry for Prohibited Communications on a Request for Proposal \(toronto.ca\)](#)

## 2. Registration Requirement Issue

**RE: PortsToronto Status Under Chapter 140, Toronto Municipal Code (Lobbying)  
Issue**

The status of the Toronto Port Authority, doing business as PortsToronto ("PT"), under Chapter 140 of the Toronto Municipal Code (the "Lobbying By-law").

### Law and Analysis

I have reviewed [Chapter 140 of the Toronto Municipal Code, Lobbying](#) (the "Lobbying By-law"), the City of Toronto's website page, [Serve Your City Boards-Committees-Tribunals](#); the [Canada Marine Act](#); the [Letters Patent issued to the Toronto Port Authority by the Minister of Transport](#) (the "Letters Patent"); [Air Canada v. Toronto Port Authority Et Al, 2011 FCA 347 \(CanLII\)](#); and the listing of government institutions on the website of the [Office of the Commissioner of Lobbying of Canada](#).

Based upon the information and review of reference materials above, it is my advice that when acting as a Crown agent by virtue of s. 7 and s. 28(2)(a) of the *Canada Marine Act (the "Act")*, and as specified under s. 7.1 of its Letters Patent, PT is exempt as a Crown agency from the Lobbying By-law by virtue of s. 140-3D, which provides:

s. 140-3

*This chapter does not apply to any of the following persons when acting in their official capacity:*

- D. *Members, persons on the staff of the members, or officers or employees of provincial or federal crown corporations, crown-controlled corporations or agencies, except for those listed in Schedule C, at the end of this chapter, that are required, or, to the extent the corporation or agency would be exempt as a crown agency, are requested to comply with this chapter.*

When the PT is performing activities outside its mandate as a Crown agent, the PT is operating as a private entity on its own account and is not exempt from the Lobbying By-law.

In *Air Canada v. Toronto Port Authority*, the Federal Court of Appeal (the "Court") considered whether the issuing of bulletins about the City Airport by the PT was subject to judicial review. At issue was whether the PT was acting as a "federal board, commission or other tribunal" when issuing the bulletins. In deciding this issue, the Court considered whether the PT was exercising a public or a private function and whether it was acting as a Crown agent when issuing the bulletins. The Court concluded that when issuing the bulletins, the PT was acting on its own account and not as a Crown agent. Accordingly, judicial review of these activities was not available. The Court concluded at paragraph 64 that the PT was "a Crown agent only for the purposes of engaging in port activities referred to in paragraph 28(2)(a)" of the *Canada Marine Act* and section 7.1 of the Letters Patent. By virtue of section 7 of the Act, the PT conducts other activities under paragraph 28(2)(b) of the Act and section 7.2 of the Letters Patent "on its own account, and not as a Crown agent":

[64] [Section 7](#) of the [Canada Marine Act](#) provides that a port authority, such as the Toronto Port Authority, is a Crown agent only for the purposes of engaging in port activities referred to in paragraph 28(2)(a) of the Act. Those activities are "port activities related to shipping, navigation, transportation of passengers and goods, handling of goods and storage of goods, to the extent that those activities are specified in the letters patent." Port authorities can engage in "other activities that are deemed in the letters patent to be necessary to support port operations" (paragraph 28(2)(b) of the Act) but, by virtue of section 7 of the Act, they conduct those activities on their own account, not as Crown agents.

[65] The letters patent of the Toronto Port Authority draw a distinction between matters on which it acts as a Crown agent and matters on which it does not. In [section 7.1](#), the letters patent set out what port activities under [paragraph 28\(2\)\(a\)](#) of the [Canada Marine Act](#) that the Toronto Port Authority may do – activities for which the Toronto Port Authority is a Crown agent. In [section 7.2](#), the letters patent set out all other activities that are necessary to support port operations – activities for which the Toronto Port Authority acts on its own account, and not as a Crown agent.

The Court considered s. 8(1) and s. 29(3) of the *Canada Marine Act*, which provide that PT must be financially self-sufficient and may pursue private purposes, such as revenue generation and enhancing its financial position, in concluding that the PT was acting in pursuit of private purposes and not as a “federal board, commission or other tribunal” when issuing the bulletins, at paragraphs 74 and 75:

[74] As noted above, the Toronto Port Authority received letters patent. One condition of receiving letters patent was that the Toronto Port Authority was and would likely remain “financially self-sufficient”: [Canada Marine Act, paragraph 8\(1\)\(a\)](#). Buttressing this condition is subsection 29(3) of the Act. It provides as follows:

29. (3) Subject to its letters patent, to any other Act, to any regulations made under any other Act and to any agreement with the Government of Canada that provides otherwise, a port authority that operates an airport shall do so at its own expense.

29. (3) Sous réserve de ses lettres patentes, des autres lois fédérales et de leurs règlements d'application ou d'une entente contraire avec le gouvernement du Canada, l'administration portuaire qui exploite un aéroport doit le faire à ses frais.

[75] [Subsections 8\(1\)](#) and [29\(3\)](#) of the [Canada Marine Act](#) are indications that, in operating and maintaining the City Airport under section 7.2 of the letters patent, the Toronto Port Authority may pursue private purposes, such as revenue generation and enhancing its financial position. For the Toronto Port Authority, to a considerable extent, the matters discussed in the bulletins have a private dimension to them.

The Lobbying Commission of Canada designates the PT as a “government institution” on its website list of government institutions.

The City’s website describes the PT as a “federal public authority” where the City nominates a Toronto resident to the board of directors. A City nominee to the PT board of directors is not a public office holder of the City. The PT is exempt from paying

property taxes to the City but makes payment in lieu of property taxes (PILT) to the City on its properties.

In my view, the exemption of the PT as a federal agency for property tax purposes by the City and its listing as a federal institution by the Lobbying Commissioner of Canada reflects the PT's status as a Crown Agent when carrying on certain activities under the [Canada Marine Act](#).

## Conclusion

For the above reasons, I conclude that when it is acting as a Crown agent under s. 7 and ss. 28(2)(a) of the Canada Marine Act as specified in s. 7.1 of the Letters Patent, the Toronto Port Authority is exempt from the Lobbying By-law under s.140-3D. When not acting as a Crown Agent, the Toronto Port Authority is not exempt from the Lobbying By-law.

## 3. 12 Month Prohibition on Lobbying for former Senior Public Office Holders

### Issue

A former senior public office holder beyond the 12-month prohibition period against lobbying asked of the impact on their status if they worked part-time for a City Councillor for 2 (two) months; specifically would they be able to lobby Toronto Councilors' and officials immediately after the 2-month contract ended, or would there be a Blackout Period?

### Law

TORONTO MUNICIPAL CODE CHAPTER 140, LOBBYING

s. 140-1. Definitions

SENIOR PUBLIC OFFICE HOLDER:

A. A member of City Council and any person on his or her staff

...

s. 140-9. Restriction on former senior public office holders.

A. Former senior public office holders shall not lobby current public office holders during the 12 months after the date he or she ceased to hold office or ceased to be employed as a senior public office holder by the City or a local board (restricted definition), or ceased to hold office as a member of the Board of Health.

## Analysis

The former public office holder was advised that part-time work with a councillor's office required them to sign a standard employment contract, making them once again a "Senior Public Office Holder" as defined in the Lobbying By-law and subject to the full 12-month prohibition on lobbying anyone at the City of Toronto when they left after 2 (two) months.

## 4. Compliance Reviews

The Investigations Unit conducts compliance reviews of lobbyists that fail to provide or correct information in their registrations when such a request is made of them by an Advisor.

Various reviews are carried out, and letters are sent out to ensure compliance for a range of reasons. These reasons include instances where lobbyists have failed to input the correct municipal address in matters related to planning, reported interactions with POH that never took place, or misidentified the specific POH who received the lobbying communication. Although these errors may appear insignificant at first glance, they are not. Inaccurate information can mislead the public and may be perpetuated through media reports, amplifying such mistakes. Section 143 of the By-law mandates that accurate and factual information must be provided via the Registry. Lobbyists must refrain from knowingly misleading anyone and should exercise due care when disseminating information to the public. The information provided by lobbyists through the Registry should be error-free.

Lobbyists are given an opportunity to rectify such deficiencies within a reasonable timeframe. Failure to correct a registration leads to further investigation through a formal inquiry process. It is worth noting that in 2022, all compliance reviews were resolved without requiring the involvement of the Investigations Unit for formal inquiry.

## Technological Change

2022 witnessed the completion of the inaugural year of utilizing the CSM. The Investigations Unit personnel successfully transitioned to handling fresh investigations, inquiries, and advance opinions through electronic means, thereby significantly reducing the substantial volume of paperwork. This transition proved particularly advantageous due to the ongoing requirement for remote work during the year. The CMS has emerged

as an invaluable tool in fostering enhanced collaboration within the Investigations Unit, facilitating expedited access to information, and consequently leading to improved response times.

In 2022, the Investigations Unit remained committed to expanding its arsenal of e-discovery techniques to cope with the growing influx of electronic evidence encountered in investigations. As part of this ongoing effort, the Investigations Unit has successfully acquired a cutting-edge e-discovery tool, to aid in efficiently managing the escalating volume of digital evidence. This software acquisition represents a significant stride forward, enabling the Investigations Unit to effectively analyze, organize, and extract valuable insights from electronic data, thereby enhancing the efficiency and effectiveness of investigations.



## Inquiries & Investigations Unit Statistics

The table below shows the source of requests for the 11 (eleven) new investigations and 3 (three) new inquiries in 2022:

### Source of Information or Request for Inquiry

Source of Request	New Investigations	New Inquiries
Members of Council or their staff	0	0
City staff	4	1
Toronto Lobbyist Registrar	5	1
Other Accountability Offices	1	0
Members of the Public	1	1

The following table shows the investigations and inquiries in 2022:

### Investigations and Inquiries

Investigations and Inquiries	2022
Investigations (new)	11
(completed)	11
Inquiries (new)	3
(completed)	6
(carried over to 2023)	5

The table below shows the outcomes of the 11 (eleven) investigations completed in 2022:

### Outcomes of Completed Investigations

Outcomes of the Investigations	Completed Investigations
Investigations Files Opened	3
Early Resolution Stream	8

The table below shows the outcomes of the 6 (six) inquiries completed in 2022:

### Outcomes of Completed Inquiries

Outcomes of the Inquires Completed	Completed Inquires
Breach of the Lobbying By-law substantiated	1
Breach of the Lobbying By-law not substantiated	5

The table below shows the resolutions for the 1 (one) substantiated file in 2022:

### Resolutions for Substantiated Files

Corrective Action	No. of Action Taken
Advice Given	1
Mandatory Lobbyist Training	1
Apology Provided	1
Commitment to Comply	1

# Education and Outreach

## Supporting Compliance

A key function of the TLR is to provide education and outreach to POH, the public and lobbyists about the By-law and the Registry. Promoting awareness of the By-law and the Registry is important for effective regulation. Engaging in educational activities about the By-law's application encourages best practices and helps to nurture a vibrant ethical culture. Outreach and education to all our stakeholders is key to providing enlightenment regarding the implications of their actions with respect to obligations and requirements under the By-law.

The TLR's continued emphasis on outreach has been essential to the success of the By-law. Widespread sharing of knowledge is a most effective tool to achieving transparency and compliance with the By-law.

## Supporting Stakeholders

The TLR's education and outreach activities have contributed to the increase in Registry activities. Both the TLR's Investigations and Registry Units, have been dedicated to undertaking the activities described below which raise awareness of the By-law and its application.

In order to support stakeholders with using the Registry, the Advisors hosted 5 (five) virtual training sessions for lobbyists, POH, and the public. Participants were provided with information about the Registry, which included a demonstration of its search functions and other capabilities, and also included an overview of compliance requirements. The TLR offers virtual training sessions by request, where an overview of registration and compliance under the By-law is provided. To request a training session, please contact [LobbyingBylawTraining@toronto.ca](mailto:LobbyingBylawTraining@toronto.ca).

In 2022, the TLR staff provided information to all stakeholders about the application of the By-law to their circumstances. The TLR provided POH, lobbyists and members of the public with advice and interpretation of the By-law in the following ways:

- telephone communication;
- written communication by mail;
- written communication by email;
- online interactive tools;

- tutorials and training sessions;
- written resource materials available online, including interpretation;
- bulletins, newsletters, and previous investigation reports; and
- Virtual assistance, support, and training.

Enabling our stakeholders to participate in educational activities about the By-law's application encourages best practices and helps nurture a vibrant ethical culture. Moreover, welcoming a variety of stakeholders for in-person consultations through meetings, emails, and telephone communication, provides customized advice and interpretation of the By-law which ensures that lobbyists are able to successfully comply.

## Supporting Public Office Holders

The TLR partnered with POH to ensure that information about the By-law and its application are easily available and understood. The Registrar hosted 31 (thirty-one) one-on-one meetings with POH, including Members of Council, their staff, and City staff. An overview of the application of the By-law was provided, where opportunities for collaboration were identified, and where access to online and printed materials was reviewed.

The TLR also partnered with the PMMD to attend, present and provide information at monthly orientation sessions. These sessions were (New) Vendor Days, where new potential vendors were introduced to the City's requirements for procurement. The TLR supported these sessions by providing information about lobbying regulations as they relate to purchasing. This knowledge for vendors, especially at the outset of their interactions with the City, exemplifies the value of collaborating with POH to ensure all of our stakeholders have the information they need to comply with the By-law. Working with PMMD, TLR staff participated in 9 (nine) Vendor Information Sessions on Doing Business with the City.

The Registrar also hosted 29 (twenty-nine) personal one-on-one orientation meetings with new City executives and senior management employees, where best practices were reviewed for situations in which the By-law may impact their meetings, discussions, and decisions. Information was disseminated to equip senior staff with the tools necessary to alert them to the relevancy of the By-law in their day-to-day encounters. References, tools and TLR staff support were provided. The Registrar also met with 14 (fourteen) exiting POH to review post-term lobbying restrictions. With support from the TLR's Investigations Unit, exiting POH were provided with valuable information regarding the statutory requirements which a former senior POH must consider when evaluating future opportunities relating to lobbying current senior POH.

The TLR also provided information and support to Councillors and their staff. In 2022, the City of Toronto welcomed 9 (nine) new Councillors. The TLR office held 5 (five) virtual onboarding sessions with newly elected council members and their staff. The Registrar provided orientation to 1 (one) interim Councillor.

The Registrar conducted 11 (eleven) training sessions with senior level POH's in 2022. At these training sessions the Registrar introduced new and previous City senior level staff to a wide knowledge base about lobbying polices, the By-law, and procedures.

The Registrar delivered numerous presentations to stakeholders in 2022, where she provided education about the obligations for lobbyists under the By-law. Key highlights include:

**1. Osgoode Lobbying and Government Relations Seminar**, held by Osgoode Hall Law School, Professional Development, York University on April 25<sup>th</sup>, 2022;

**2. Three Registrars & An Election Presentation** held on March 4<sup>th</sup>, 2022, along with The Honorable J. David Wake, Integrity Commissioner and Lobbyist Registrar, Province of Ontario, Karen Shepherd, Integrity Commissioner and Lobbyist Registrar, City of Ottawa;

**3. Advancing Public Affairs in a Time of Change Conference** held by Public Affairs Association of Canada and Fasken, on November 10<sup>th</sup>, 2022;

**4. Elections Visitor Program**, hosted by the City Clerk's Office, on October 24<sup>th</sup>, 2022. Participants included officials from the Cities of Calgary, Edmonton, and Montreal; and,

**5. New Councillor Orientation Session** hosted by the City Clerk's Office on November 1<sup>st</sup>, 2022. Participants included other City Divisions and Accountability Offices.

## Sharing Best Practices in Lobbying Regulation

The TLR meets regularly with regulators of lobbying in other jurisdictions and participates in Canadian and international conferences and seminars to share strategies in lobbying regulation. Due to the unique challenges of the pandemic, the TLR shared expertise and advice with governments in other jurisdictions using virtual meetings.

The TLR shares its expertise and provides advice to governments in many jurisdictions across Canada and internationally. In 2022, the TLR's collaborative exchanges were undertaken with the lobbying regulation authorities from other jurisdictions, including: Commissioner of Lobbying of Canada, Integrity Commissioner for the Province Ontario, Integrity Commissioner of Ottawa, Office of Ethics Commissioner of Alberta, Office of the Lobbyist Registrar Manitoba, Office of the Integrity Commissioner New Brunswick, Office of the Registrar of Lobbyists British Columbia, Integrity Commissioner and Lobbyist Registrar for Peel Region, Integrity Commissioner and Lobbyist Registrar for the City of Vaughan, Integrity Commissioner for the City of Winnipeg, Accountability Officer for the Town of Collingwood, and Integrity Commissioner and Lobbyist Registrar the City of Brampton.

In addition, the TLR senior staff participated in the following conferences virtually as instructors and contributors, sharing expertise with public service and government ethics executives:

### **1. Lobbyist Registrars and Commissioners Network (LRCN)**

The Inquiries & Investigations Counsel participated in the LRCN Annual Conference, which was held in Montreal, Quebec from October 3<sup>rd</sup> to 5<sup>th</sup>, 2022. They joined various jurisdictions in sharing news and information regarding legislative developments in the oversight of lobbyist registrations, standards of conduct, and duties of investigation and enforcement. LRCN shares information and best practices regarding emerging trends in lobbying regulation across Canada. Registrars and Commissioners of Lobbying from across Canada have been meeting and sharing information through this network since 2006.

### **2. Municipal Lobbyist Registrars of Ontario (MLRO)**

On January 24<sup>th</sup>, 2022, in collaboration with the Integrity Commissioner of Vaughan, the Registrar hosted the second meeting of the MLRO. The Registrar and the Commissioner established the MLRO as a networking forum where municipal Commissioners and

Registrars of Lobbying can meet to share best practices. The meeting was attended by Lobbyist Registrars and Commissioners from the following municipalities: City of Brampton, Region of Peel, City of Ottawa, Town of Collingwood, City of Vaughan, and City of Winnipeg. The Registrars and the Commissioners reviewed common legislative principles and strategies for successful implementation. The Registrar will be contributing and participating in this network on behalf of the TLR on an annual basis.

### **3. Canadian Bar Association (CBA)**

Stephen Littlejohn, is a long-time member of the Canadian Bar Association's Administrative Law Section, Law of Lobbying and Ethics Committee and in 2022 was a Member-At-Large of the National Executive Committee of the CBA Administrative Law Section. Mr. Littlejohn has made numerous presentations to the legal community about lobbying and ethics with an emphasis on the City's regime.

### **4. Council on Governmental Ethics Laws (COGEL)**

From December 5<sup>th</sup> to 7<sup>th</sup> 2022, The TLR's Inquiries & Investigations Counsel attended the 41<sup>st</sup> Annual COGEL Conference; he joined experts from Canada, the U.S. and the world to exchange information about the latest developments in lobbying regulation. TLR staff have participated in this conference with our international colleagues and peers in government ethics and accountability since 2008. This international organization brings together leaders in the fields of government ethics, freedom of information, elections, lobbying and campaign finance. COGEL members include governmental entities, educational institutions, and organizations (such as law firms and corporations).

## Staff

The staff of the TLR is a team of 8 (eight).

In addition to the Registrar, the TLR is staffed by 3 (three) Lobbyist Registry & Stakeholder Outreach Advisors, an Inquiries & Investigations Counsel, a Lobbyist Compliance Investigator, an Executive Assistant and an Administrative Assistant.

Lobbyist Registry & Stakeholder Outreach Advisors provide advice and interpretation; maintain the Registry; review, verify and approve registrations and updates; monitor compliance with registration and reporting requirements; develop and deliver information, training, and outreach programs and materials; and participate in the TLR's website projects.

Inquiries & Investigations Counsel provides advice on compliance issues; conducts assessments, inquiries and investigations on behalf of the Registrar; and develops policies and procedures to support TLR assessment, inquiry and investigation processes. The Lobbyist Compliance Investigator assists Inquiries & Investigations Counsel in these functions.

The Executive/Administrative Assistants provide administrative support and assistance to the Registrar, Lobbyist Registry & Stakeholder Outreach Advisors, and Inquiries & Investigations staff.

The TLR staff team is dedicated to professional development and continuing education. In 2022 TLR staff participated in conferences and seminars offered by the following institutions:

- Council on Governmental Ethics Laws (COGEL)
- Law Society of Ontario
- Lobbyist Registrars and Commissioner Network (LRCN)
- Ontario Bar Association (OBA)
- Osgoode Hall Law School Professional Development
- The Society of Ontario Adjudicators and Regulators (SOAR)



## Budget Summary

In accordance with Chapter 3 of the Toronto Municipal Code, the Registrar submits the TLR Operating and Capital Budget requests directly to Budget Committee for consideration and recommendation to Council.

On February 15, 2023, the Mayor's proposed 2023 Operating Budget of \$1.268 million gross and net, and 2023-2022 Capital Plan of \$1.750 million in project estimates for TLR were deemed adopted by City Council. TLR business, travel and PCard expenses are posted on the [Lobbyist Registrar's Expense Reports](#) page of the [TLR website](#).

## Financial Information

Each year, the TLR undergoes an external compliance audit as part of the City's annual attest audit. These audits are required under Chapter 3 of the Toronto Municipal Code to be conducted annually by independent auditors and are reported directly to Council. The external compliance audit report for the year of 2020 was adopted at City Council May 11 & 12, 2022. Due to the pandemic, the external compliance audit reports for the years of 2021 and 2022, will be submitted in 2023.

This report is made in the public interest.

Respectfully Submitted,

Cristina De Caprio  
Lobbyist Registrar  
City of Toronto