



Notice No. 2005-07

June 30, 2005

This notice is issued and published by the Lobbyists Commissioner pursuant to section 52 of the *Lobbying Transparency and Ethics Act* (R.S.Q., c.T-11.011). It replaces Notice No. 2003-01 dated February 14, 2003, pertaining to the expression “a significant part” in section 3.

Subject: Lobbying on behalf of an enterprise or organization: In which cases must the senior officer register his or her enterprise or organization in the registry of lobbyists, and whose name must be filed in the registry?

Website: www.commissairelobby.qc.ca

In recognition that it is in the public interest to know who is attempting to influence parliamentary, government and municipal institutions, the Act was passed to foster transparency in the lobbying of public office holders and to ensure that lobbying activities are properly conducted.

In the case of an enterprise or organization, sections 3, 8 and 25 make it clear that the Act applies to lobbying on behalf of the enterprise or organization by persons holding jobs or functions within it.

The senior officer of the enterprise or group on whose behalf a lobbyist engages in lobbying activities is responsible for registering the lobbyist’s name in the registry.

To assess the “significant part” referred to in section 3, all lobbying of institutions to which the Act applies on behalf of the enterprise or organization must be taken into consideration.

In which cases must the senior officer file a return in the registry?

The senior officer must file a return in the registry if the conditions set out under either of the following tests are satisfied:

1. Test measuring the qualitative significance of lobbying

If a lobbying activity is engaged in by a member of the board of directors or a manager of the enterprise or organization, this in itself makes it significant enough for that enterprise or organization that the senior officer must file a return in the registry.

The senior office must also file a return in the registry with respect to any lobbying activity that has a significant impact for the enterprise or organization or its members. This is the case for any communication that enables a major project to be implemented or ensures the development of the enterprise or organization.

2. Test measuring the quantitative significance of lobbying

When, in a fiscal year, lobbying of institutions to which the Act applies on behalf of the enterprise or organization involves more than 12 days' work, the senior officer must file a return in the registry, within the time prescribed by the Act.

In making his or her assessment, the senior officer must take into account the time each person devotes both to communications with public office holders and to preparing and following up lobbying activities.

Whose name must be filed in the registry?

Once the senior officer of an enterprise or organization establishes the obligation to register the enterprise or organization in the registry, the senior officer must file, in addition to the other information required under section 10 of the Act, the name of all persons, including himself or herself, if applicable, who communicate with public office holders on behalf of the enterprise or organization in an attempt to influence a decision.

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Lobbyists Commissioner