

LOBBYIST REGISTRARS AND COMMISSIONERS ANNUAL CONFERENCE

QUÉBEC PRESENTATION

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QUÉBEC

Table of contents

Table of contents	3
HIGHLIGHTS 2012-2013	5
SYNTHESIS OF THE 2010-2013 STRATEGIC PLAN	7
SYNTHESIS OF THE 2012-2013 ACTIVITIES	8
ORIENTATION 1 – GET ALL THE PLAYERS TO INCORPORATE THE CONCERN FOR TRANSPARENCY AND ETHICS INTO LOBBYING ACTIVITIES	8
Conferences and Training Workshops	8
Regional tour	8
Conventions and Information Stands.....	9
Information Requests.....	9
The Québec Lobbyists Commissioner’s Newsletter	9
Media Relations	10
Release of the list of new entries in the registry of lobbyists.....	10
Production and distribution of a poster for lobbyists and public office holders.....	10
Production and publication of advertising.....	11
Publication of articles.....	12
Awareness-raising operation among public office holders.....	13
The Québec Lobbyists Commissioner’s Web Site	13
ORIENTATION 2 – MAXIMIZE MONITORING AND CONTROLLING OF LOBBYING ACTIVITIES	14
Complaints and denunciations.....	14
Verifications made on the initiative of the Québec Lobbyists Commissioner	14
Investigations	15
Cases before the courts	15
Le Groupe SM International inc.....	15
Firme d’ingénierie BPR.....	16
Groupe Radio Simard et Radio Dégelis inc.	16
Fédération des médecins spécialistes du Québec and Association des radiologistes du Québec.....	16
ORIENTATION 3 - CONTRIBUTE TO A BETTER UNDERSTANDING OF THE RULES AND THEIR EVOLUTION 18	
Notice concerning lobbying activities carried out on behalf of the client of a colleague	18
Preparation of an information guide for the Conseil interprofessionnel du Québec.....	18
Submission of a major report containing proposals for legislative amendments.....	18
Appearance of the Commissioner before the Committee on Institutions	19
Partnership with Université Laval’s research chair on democracy and parliamentary institutions	19
Speech by the Commissioner at the Transparency International France seminar	20
Participation in the 34th Conference of the Council on Governmental Ethics Laws	20
Meeting with the Integrity Commissioner of the City of Ottawa	20
Participation in an OECD Forum on Transparency and Integrity in lobbying.....	20
Speech at the Centre d’études et de recherches internationales de l’Université de Montréal (CÉRIUM)	21
ORIENTATION 4 – ENHANCE THE STAFF’S COMMITMENT, QUALITY AND KNOW-HOW	22
Reference framework for recognition at work.....	22
Intranet site	22
Survey of staff satisfaction and organizational climate	22
Employee skills and training activities	23

REGISTRY OF LOBBYISTS	25
Change in the number of active lobbyists* registered in the registry of lobbyists (2002-2013).....	25
Considerable progress achieved in recent years: the figures speak for themselves.....	26
Lobbyists registering in the registry for the first time.....	26
Number of active lobbyists (with at least one active mandate during the year)	26
Returns and notices of change filed in the registry of lobbyists	26
Number of enterprises and organizations with at least one lobbyist registered in the registry of lobbyists	26
CONFIDENTIALITY ORDERS	27
Statistics on confidentiality orders issued by the Lobbyists Commissioner (2002-2013).....	28
PRIORITIES FOR 2013-2014	29

HIGHLIGHTS 2012-2013

Get all the players to incorporate the concern for transparency and ethics into lobbying activities...

4,482 subscribers to the Québec Lobbyists Commissioner's newsletter received the 5 issues produced and distributed during the 2012-2013 year.

1,416 people, including 445 lobbyists, 828 public office holders and 143 citizens, were made aware of the Commissioner's work during the 70 information and awareness-raising activities organized. The number of requests for training has increased by 71% over the last year.

498 public office holders at the municipal level stopped at the Québec Lobbyists Commissioner's information stand at five conventions to obtain information about the Act and the Code of Conduct for Lobbyists.

644 requests for information from lobbyists, public office holders, journalists and citizens were processed by the Québec Lobbyists Commissioner. The number of requests for information has increased by 59% during the past year alone.

3 Québec regions were visited by the Commissioner during the first three months of 2013, part of a tour of Québec's 17 administrative regions scheduled to end in November 2014.

878 public office holders in 440 municipalities, regional county municipalities and metropolitan communities were contacted as part of an awareness-raising operation concerning the lobbying of municipal bodies by consulting engineering firms.

To maximize the monitoring and controlling of lobbying activities...

593 monitoring and control activities were conducted during 2012-2013, an increase of 145 over the preceding year.

41 reports from citizens, public office holders and lobbyists were processed by the Québec Lobbyists Commissioner, an increase of 28% compared to the 32 reports processed in 2011-2012.

15 breaches of the Act or the Code of Conduct for Lobbyists were noted as part of the inquiries completed during the year.

8 lobbyists and senior officers received notices from the Lobbyists Commissioner concerning breaches of the Act or the Code observed during verifications or inquiries.

To help ensure that the rules are properly understood and their evolution

3,489 questionnaires were sent out to public office holders to survey their perception of the rules governing lobbying as part of a study conducted in conjunction with Université Laval's research chair on democracy and parliamentary institutions. The Commissioner commented on the study's findings at a press conference.

105 recommendations were made in a major report suggesting amendments to the Lobbying Transparency and Ethics Act, submitted by the Lobbyists Commissioner to the National Assembly on May 9, 2012.

2 appearances before the National Assembly's Committee on Institutions provided an opportunity to explain the Commissioner's objectives, activities and management for the years 2007-2012 to the parliamentary committee members, and also to highlight the proposed amendments to the Act set out in the report submitted to the National Assembly on May 9, 2012.

1 notice was issued and published by the Lobbyists Commissioner to specify that a lobbying activity conducted on behalf of the client of a colleague must be filed in the registry.

To improve staff commitment, quality and know-how...

622 hours (almost 90 days) were devoted to job-related professional development activities. All employees benefitted from professional development activities during the year.

7 activities were organized to promote staff motivation.

1 independent survey was conducted to measure staff satisfaction and the organizational climate. An action plan was drawn up to implement or maintain objectives to improve the organizational climate.

1 reference framework for workplace recognition was drawn up to maintain and strengthen staff motivation.

SYNTHESIS OF THE 2010-2013 STRATEGIC PLAN

In 2012-2013, the Québec Lobbyists Commissioner continued to work towards the objectives and orientations set out in the second strategic plan, adopted in the spring of 2010 and covering the three-year period from 2010 to 2013. Obtaining support for and compliance with the Act and the Code are the main focuses of the Québec Lobbyists Commissioner's 2010-2013 strategic plan.

The following presentation is based on the plan's four orientations, which are:

Issue 1			Issue 2
Adherence and Compliance with the <i>Lobbying Transparency and Ethics Act</i>			Communication and Collaboration
Orientation 1	Orientation 2	Orientation 3	Orientation 4
Get all the players to incorporate the concern for transparency and ethics into lobbying activities	Maximize monitoring and controlling of lobbying activities	Contribute to a better understanding of the rules and their evolution	Enhance the staff's commitment, quality and know-how

The first three years of implementation of the Québec Lobbyists Commissioner's strategic plan have led to a positive outcome. However, more work is needed if the plan's objectives are to be fully attained. For example, an extra effort will be required to ensure that lobbyists subscribe to and comply with the objectives of the Act and the Code, and to make public office holders even more aware of the key role they play in ensuring that the objectives of the Act are met.

As a result, the Québec Lobbyists Commissioner has decided to extend the 2010-2013 strategic plan for another year, until the end of the 2014 fiscal year. Given that the main objectives on which it is founded are still relevant, and that the next strategic plan will be based on the decisions made by the National Assembly following the scheduled review of the Act, the work of the Lobbyists Commissioner will continue to follow the 2010-2013 plan until March 31, 2014.

SYNTHESIS OF THE 2012-2013 ACTIVITIES

ORIENTATION 1 – GET ALL THE PLAYERS TO INCORPORATE THE CONCERN FOR TRANSPARENCY AND ETHICS INTO LOBBYING ACTIVITIES

To “get all the players to incorporate the concern for transparency and ethics into lobbying activities”, the Québec Lobbyists Commissioner believes that a range of actions must be implemented to inform and raise awareness among the players concerned, including in particular:

- holding conferences and training workshops for lobbyists, public office holders and citizens;
- attending conventions and information stands aimed mainly at public office holders;
- answering requests for information from lobbyists, public office holders and citizens;
- managing media relations;
- designing various information tools (leaflets, documents, Web site, etc.).

Providing information to encourage public office holders and citizens to subscribe to the aims of the Act and the Code of Conduct for Lobbyists is a key component of the Québec Lobbyists Commissioner’s mission.

Conferences and Training Workshops

In 2012-2013, the Lobbyists Commissioner and his staff members gave 70 conferences and offered training workshops to lobbyists, public office holders and citizens.

During this past year, 828 public office holders were made aware of their responsibilities with regard to the Act and the Code of Conduct for Lobbyists during 45 training activities offered to them. Moreover, 445 lobbyists were informed of their duties and obligations through their participation in 15 conferences and training workshops offered by the institution. Last, 10 others training activities were attended by 143 citizens. The number of requests for training has increased by 71% over the last year.

Regional tour

In January 2013, the Lobbyists Commissioner, Mtre. François Casgrain, began a tour of Québec’s 17 administrative regions. The regional tour, based on the theme *Miser sur la transparence* (“Aiming for transparency”), is scheduled to end in November 2014. During the first six months of 2013, the Lobbyists Commissioner travelled to the Estrie, Outaouais, Laval, Montréal, Laurentides and Lanaudière regions.

The Lobbyists Commissioner’s regional tour has three objectives. First, to make public office holders aware of the goals of the Lobbying Transparency and Ethics Act and Code of Conduct for Lobbyists, and of the key role they must play in ensuring compliance with the Act and Code. Second, to increase lobbyists’ understanding of the Act and encourage them to comply with the rules governing their

lobbying activities. Third, to interest citizens in the issue of transparency in order to increase their trust in Québec's democratic institutions and the people who direct them.

The tour also gives the Commissioner an opportunity to meet with elected officials, public administrators, business community representatives, university faculty members and students, media representatives and citizens' groups. The Commissioner hopes to promote the objectives of transparency targeted by the Act by addressing the individuals concerned directly and adapting his message to the regional context.

Conventions and Information Stands

The Québec Lobbyists Commissioner's team participated in five conventions and information stands. Especially intended for municipal public office holders, these conventions and information stands provided numerous opportunities for answering questions and heightening awareness of the reality of lobbying, and their responsibilities when they are subject to lobbying activities. During these five conventions and information stands, the Commissioner's team presented the Act to a total of 498 individuals.

Information Requests

During the year 2012-2013, the staff of the Québec Lobbyists Commissioner answered 406 information requests from lobbyists, public office holders and citizens. The number of information requests increased by 59% over the course of a single year.

Most of the requests were from lobbyists (354) who wished to obtain more precise information about the requirements of the Act concerning their activities. Public office holders (120) also asked to find out more about the question of influence communications to which the Act applies, and about the rules that govern them once they have left office and the mandates of certain lobbyists registered in the registry. The other requests came from citizen (54) and journalists (116) and focused mainly on the application of the Act in the municipal field.

The Québec Lobbyists Commissioner's Newsletter

Five issues of the Newsletter were distributed in May, June, August and December 2012 to over 4,500 subscribers, providing them with the latest news in matters of lobbying in Québec and generating a reflection on the lobbying phenomenon and its management. Since the start of the new fiscal year on April 1, 2013, two new issues of the newsletter were distributed in April and June 2013.

Media Relations

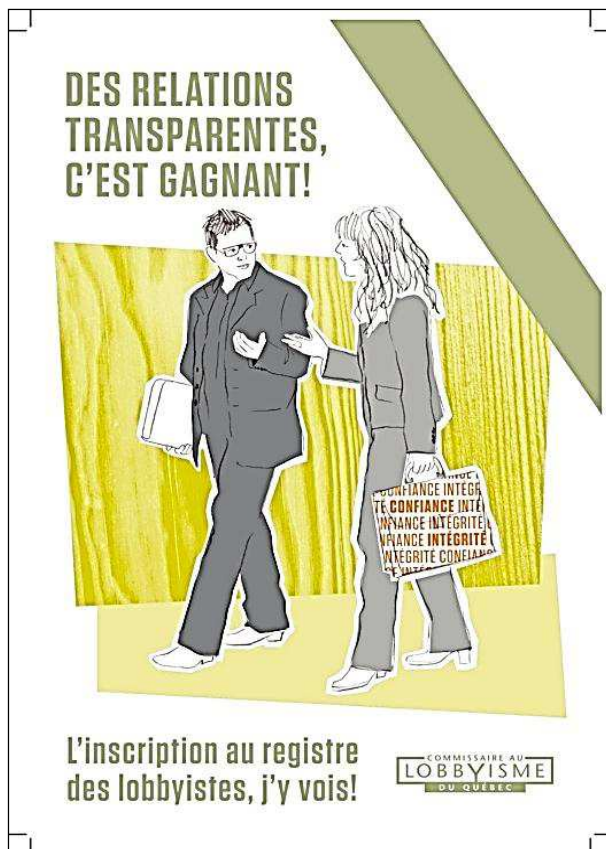
The Lobbyists Commissioner and Direction des communications answered more than one hundred interview or information requests (116) and issued 10 press releases. Most communications with the media concerned the application of the Act, the increase in the number of entries in the registry of lobbyists, and ongoing verifications and investigations.

On May 9, 2012, while submitting a report to the National Assembly containing proposed amendments to the Lobbying Transparency and Ethics Act, the Lobbyists Commissioner, Mtre. François Casgrain, held a press conference for press gallery journalists.

Release of the list of new entries in the registry of lobbyists

As of March 31, 2013, all the Members of the National Assembly, along with 108 journalists, received the list of new entries in the registry of lobbyists sent out weekly by the Québec Lobbyists Commissioner.

Poduction and distribution of a poster for lobbyists and public office holders



A poster has been designed to make public office holders and lobbyists more aware of the importance of transparency in connection with influence communications. The poster will be distributed, in particular, to chambers of commerce, municipalities, and the riding offices of MNAs visited by the Commissioner as part of the regional tour.

**Message at the top:
Transparent relationships : a winning
proposition!**

**Words on the suitcase :
confidence, integrity**

**Message down :
Registration in the registry of lobbyists : a
priority for me!**

Production and publication of advertising

The Québec Lobbyists Commissioner has produced a series of advertisements to mark the tenth anniversary of the creation of the institution.

**First message (beside boy and girl):
I'm 10 years old: trust is important for me!**



**Second message (on t-shirt of the boy and the girl):
On June 13, 2002, the *Lobbying Transparency and Ethics Act* was passed by a unanimous vote of the Québec's National Assembly.**

Another advertisement was also produced to remind journalists the existence of lobbyists register where they can find information about the lobbying activities.

First message: Transparency is only a click away



**Second message of this advertisement :
On June 13, 2002, the Lobbying Transparency and Ethics Act was passed by a unanimous vote of the Québec's National Assembly**

Last, an advertisement was produced in a smaller format for the magazine of the Fédération professionnelle des journalistes du Québec [Québec professional federation of journalists], giving the contact information for the institution's media relations representative. The advertisements appeared in specialized publications targeting public office holders and journalists.

Publication of articles

During the 2012-2013 year, the Québec Lobbyists Commissioner published two articles in specialized magazines for public office holders at the municipal level in order to increase understanding of the Act. Another article, published in a newspaper, made citizens more aware of their right to be informed about lobbying activities and of the supervisory measures contained in the Act and the Code of Conduct for Lobbyists.

Last, on August 16, 2012, the Lobbyists Commissioner, Mtre. François Casgrain, published a letter setting out his opinion in the newspaper *Le Devoir*, in which he summarized the application of the Lobbying Transparency and Ethics Act in the consulting engineering sector.

Awareness-raising operation among public office holders

In March 2013, the Québec Lobbyists Commissioner identified **440** municipalities and regional county municipalities, along with two metropolitan communities, that had been or were likely to be targeted by the lobbying activities of consulting engineering firms. As part of this operation, **878** public office holders, mainly mayors and municipal general managers, received a letter from the Lobbyists Commissioner informing them of the obligations that apply to consulting engineering firms that use influence communications to promote their projects in municipalities. The letter sent to public office holders by the Commissioner was also intended to make them more aware of certain types of lobbying activities that may be conducted by engineers and other professionals.

The Québec Lobbyists Commissioner's Web Site

In 2012-2013 there were 35 921 visits to the Lobbyists Commissioner's Web site.

ORIENTATION 2 – MAXIMIZE MONITORING AND CONTROLLING OF LOBBYING ACTIVITIES

Complaints and denunciations

During the last financial year, the Quebec's Lobbyists Commissioner received 41 new complaints and denunciations from citizens, public office holders and lobbyists, an increase of 28% compared to the 32 reports received in 2011-2012. Out of these 41 complaints and denunciations, 40 related to the practice of lobbying activities that may not have been included in the registry of lobbyists, as required by the Act. The other concerned a failure to follow the post-mandate rules preventing a public office holder from practicing lobbying activities for a period that varies from one to two years, depending on the office the person formerly held.

Verifications made on the initiative of the Québec Lobbyists Commissioner

In 2012-2013, in addition to the verifications made following the receipt of complaints and denunciations, the staff of the Direction de la vérification et des enquêtes (audit and investigations) performed 552 more verifications, or either through data collection, or as requests for information or documents from lobbyists and public office holders, or by consulting documents.

These verifications concerned compliance with the rules, and were aimed at bringing lobbyists to comply with the Act. 72% of these activities involved persons who were likely to have engaged in lobbying activities while they were not registered in the registry of lobbyists, and 28% of them involved people who had already registered.

These monitoring and control activities can be broken down as follows:

- 483 verifications (87,5%) concerned individuals likely to exercise, or to have exercised, lobbying activities. Of this total, 259 (83%) targeted individuals who were not registered in the registry of lobbyists. Of these verifications,
 - 114 were verifications by target group;
 - 269 were verifications following situations revealed by current events;
 - 100 resulted from cases where entry in the registry of lobbyists was refused.
- 58 verifications (10,5%) were intended to ensure the compliance of mandates entered in the registry of lobbyists.
- 11 verification activities concerned other topics (2%).

Investigations

During the year, the Lobbyists Commissioner completed three cases in which it used its powers of investigation. During these investigations, the Lobbyists Commissioner is entrusted with the powers and immunity of the commissioners appointed in accordance with the Act respecting Public Inquiry Commissions. The investigations led to the identification of 15 breaches of the Act, most of which were time-barred. Remind that penal proceedings must be instituted within one year in the case of a breach of the Lobbying Transparency and Ethics Act.

However, even when the breaches revealed by an investigation were time-barred, the Commissioner issued the offenders with notices setting out the breaches observed and asking them to regularize their situation by entering in the registry any lobbying activities that should have been registered.

Cases before the courts

Le Groupe SM International inc.

On January 25, 2012, the Court of Appeal confirmed the decision by Judge Daniel W. Payette of the Superior Court, who dismissed a motion for a declaratory judgment filed by David Cliche and Bernard Poulin of SM International inc. concerning the nature and scope of notices issued by the Lobbyists Commissioner. In the view of the Court of Appeal, the judge in first instance was right to direct the applicants to lay their arguments before the Court of Québec as part of the penal proceedings brought against them.

The case began in 2008, when six statements of offence were issued against lobbyist David Cliche and one statement of offence was issued against the most senior executive of the engineering consulting firm SM International, Bernard Poulin, concerning alleged breaches of the Lobbying Transparency and Ethics Act in connection with a wind energy development project in the Estrie region of Québec. A plea of not guilty was entered for each offence.

After the proceedings were filed, Mr. Cliche and Mr. Poulin filed a motion for a declaratory judgment at the Superior Court of Québec, requesting in particular that a notice issued by the Lobbyists Commissioner with potential to affect the penal proceedings be declared illicit.

On June 13, 2012, Judge Daniel W. Payette of the Superior Court (civil division) dismissed the motion for a declaratory judgment, stating that it was indissociably linked with the penal proceedings. He added that it was inappropriate for the Superior Court to rule on the scope of the notices before the Court of Québec had had an opportunity to complete the penal case. With respect to the request to have one of the notices declared illicit, the judge concluded that this was not an appropriate recourse in light of the circumstances described, the questions raised by the applicants concerning the nature of the notices, and the powers of the Court of Québec.

The applicants appealed against the decision to the Superior Court on July 11, 2013. The hearing was held on January 23, 2013, before judges Dufresne, Bouchard and Gascon. The Court of Appeal rejected the appeal, on the grounds that the judge in first instance had not exercised his discretion unreasonably.

As of March 31, 2013, the date of the hearing for the penal proceedings before the Court of Québec had not yet been set.

Firme d'ingénierie BPR

In 2009, following an investigation into the lobbying activities allegedly pursued by representatives of the BPR engineering group, the Québec Lobbyists Commissioner sent the Director of Criminal and Penal Prosecutions an investigation report setting out 84 breaches of the Act, for appropriate action. Because of the one-year time bar, most of the breaches could not be prosecuted.

In 2010, 16 statements of offence were served on enterprise lobbyists and a senior executive of the BPR group concerning alleged breaches of the Act: five on Mr. Francis Gagnon, four on Ms. Annie Lefebvre, three on Mr. Stephen Davidson, two on Ms. Geneviève Saint-Pierre, one on Mr. Yvon Tourigny and one on Mr. Jean D'Amour. Except for the last-named, who pleaded guilty, all the other offenders pleaded non-guilty.

On February 21, 2012, the trial of Ms. Geneviève Saint-Pierre was held at the Rimouski courthouse before presiding justice of the peace Luc Marchildon. The Québec Lobbyists Commissioner is currently awaiting the decision in this case.

Trials are still pending in the other cases, since the prosecuting attorneys are waiting to see the results from the Geneviève Saint-Pierre case.

Groupe Radio Simard et Radio Dégelis inc.

In 2011, following an investigation, the Lobbyists Commissioner forwarded an investigation report to the Director of Criminal and Penal Prosecutions concerning influence communications made to public office holders in the city of Rivière-du-Loup by individuals acting on behalf of an enterprise named Groupe Radio Simard.

A trial was held on June 20 and 21, 2013 at the courthouse in Rivière-du-Loup, and a decision is expected in the coming months.

Fédération des médecins spécialistes du Québec and Association des radiologistes du Québec

Following an investigation in 2008-2009 by the Québec Lobbyists Commissioner, four statements of offence were served on Mr. Gaétan Barette and Mr. Frédéric Desjardins, acting respectively for the Fédération des médecins spécialistes du Québec [Québec federation of medical specialists] and the Association des radiologistes du Québec [Québec association of radiologists], charged with engaging in lobbying activities without being registered in the registry of lobbyists. The accused pleaded not guilty to all the offences.

The trial has been postponed twice, and is now scheduled for January 2014. The defendants allege that some of the provisions of the Lobbying Transparency and Ethics Act are unconstitutional, on the basis that they infringe the right to freedom of expression, the right of every person to petition the National Assembly, and the right of freedom of association which protects the right to collective bargaining.

ORIENTATION 3 - CONTRIBUTE TO A BETTER UNDERSTANDING OF THE RULES AND THEIR EVOLUTION

Notice concerning lobbying activities carried out on behalf of the client of a colleague

On June 18, 2012, the Lobbyists Commissioner issued and published Notice no. 2012-02, stating that all lobbying activities carried out on behalf of the client of a colleague must be registered in the registry of lobbyists.

The purpose of this notice is to clarify the status of persons carrying out lobbying activities on behalf of a the client of a colleague, or any and all other persons working for the same firm or enterprise. The Lobbying Transparency and Ethics Act defines a “consultant lobbyist” as “any person, whether or not a salaried employee, whose occupation or mandate consists, in whole or in part, in lobbying on behalf of another person in return for compensation.” Consultant lobbyists are required to record all lobbying activities in the registry of lobbyists.

The fact that a third person (the colleague’s client) is not the direct client of the person communicating with the public office holder has no bearing on the status of this situation: from the moment this person communicates with a public office holder with a view to influencing a decision in favour of a colleague’s client, and compensation has been paid in exchange for such services rendered, he or she must be considered a consultant lobbyist. Consequently, such lobbying activities must be recorded in the registry of lobbyists and the third person (the colleague’s client) must be considered, under Section 9 of the Act, to be his or her client. Under the notice, the term “colleague” includes any and all people working for the same firm or enterprise.

Preparation of an information guide for the Conseil interprofessionnel du Québec

To help the members of the professional orders understand their obligations under the Act, the Lobbyists Commissioner has prepared an information document for the Conseil interprofessionnel du Québec, which will use it to draft its own guide. The Conseil interprofessionnel du Québec acts as an umbrella organization for 44 professional orders.

Submission of a major report containing proposals for legislative amendments

During the 2011-2012 year, the Lobbyists Commissioner conducted an in-depth review of the Act which led to the submission of a major report to the Members of the National Assembly on May 9, 2012. In the report, entitled “Proposition de modifications à la Loi sur la transparence et l’éthique en matière de lobbyisme”, the Commissioner made 105 recommendations concerning ways to improve the Act, some of which had been identified by the preceding Commissioner in 2008, and submitted a proposed draft for a new Act incorporating all his recommendations.

The proposed amendments are intended:

- to simplify, clarify and add precision to the Act;
- to re-establish the balance between the obligations of various influence groups;
- to enable a more uniform, more complete application of the Act by all players;
- to equip the Québec Lobbyists Commissioner with extra tools to allow more effective performance of the Commissioner's duties.

Appearance of the Commissioner before the Committee on Institutions

On April 17, 2013, the Lobbyists Commissioner appeared before the National Assembly's Committee on Institutions to answer questions from MNAs about the report entitled "Proposition de modifications à la Loi sur la transparence et l'éthique en matière de lobbyisme".

The Lobbyists Commissioner reminded the MNAs that the deficiencies and difficulties encountered in the application of the Act are nothing new. As examples of problems previously identified but still in existence, the Commissioner highlighted:

- the notion of "significant part", used to qualify an enterprise lobbyist or organization lobbyist;
- the procedure for entering information in the registry of lobbyists, and the information required;
- the requirement for lobbyists to obtain a signature key pair after verifying their identity with an authorized notary;
- the division of responsibilities between the Lobbyists Registrar and the Lobbyists Commissioner;
- the non-application of the Act to certain organization lobbyists;
- the wording of certain sections and the vocabulary used;
- the one-year time-bar on penal proceedings.

The Lobbyists Commissioner also appeared before the National Assembly's Committee on Institutions to discuss the orientations, activities and management of the institution for the years 2007-2012.

Partnership with Université Laval's research chair on democracy and parliamentary institutions

In 2008, the National Assembly of Québec and Université Laval jointly set up a research chair on democracy and parliamentary institutions. Since creation of the research chair, the Québec Lobbyists Commissioner has been one of the funding partners.

The Québec Lobbyists Commissioner has commissioned the chair to research changes in the perception of public office holders at the municipal, governmental and parliamentary levels concerning lobbying activities and their supervision. The goal of the research is to verify whether public office holders have assimilated the need to ensure transparency and ethics when they are the target of influence communications. Another objective is to measure the progress made since 2006,

when an initial set of data was gathered. For this purposes, in January 2012, a questionnaire was sent out to 3,489 public office holders working at the municipal and provincial levels.

The research findings were released on May 8, 2013 during a press conference at the National Assembly, and were discussed in two articles in the June 2013 newsletter.

The main research findings will be used to improve the information tools provided by the Québec Lobbyists Commissioner and to fine-tune the support offered to public office holders, in order to help them manage influence communications in their environment in a suitable way.

Speech by the Commissioner at the Transparency International France seminar

The Lobbyists Commissioner, Mtre. François Casgrain, addressed the members of Transparency International France during the seminar *Moralisation de la vie publique : quelle contribution peut apporter le Parlement?* (“The moralization of public life: what can Parliament contribute?”) held in Paris on October 25, 2012. His speech, *Déontologie parlementaire : l’exemple de l’encadrement du lobbying au Québec* (“Parliamentary ethics: the example provided by the supervisory framework for lobbying in Québec”) discussed the contribution that Parliament, and the various players involved in its activities, can make to the supervisory framework for lobbying activities and parliamentary ethics. Mtre. Casgrain also discussed the mission of and issues faced by the Québec Lobbyists Commissioner. His speech was published in the proceedings for the 2012 seminar of Transparency International France.

Participation in the 34th Conference of the Council on Governmental Ethics Laws

The Lobbyists Commissioner took part, from December 1 to 5, 2012, in the 34th Conference of the Council on Governmental Ethics Laws (COGEL) held in the United States in Columbus, Ohio. During the Conference, the Lobbyists Commissioner, Mtre. François Casgrain, was elected as a member of the COGEL steering committee. The next annual COGEL conference will take place in Québec City from December 8 to 11, 2013. Almost 300 conventioners will converge on the Château Frontenac Hotel for the Conference, organized jointly by Québec’s Chief Electoral Officer, the Ethics Commissioner, the Québec Lobbyists Commissioner and the Commission d’accès à l’information.

Meeting with the Integrity Commissioner of the City of Ottawa

The Lobbyists Commissioner took the opportunity, as part of his trip to the Outaouais region during the regional tour, to meet with the Integrity Commissioner of the City of Ottawa, Robert Marleau, who is responsible for overseeing and applying the rules governing lobbying adopted by the City of Ottawa, which came into effect on September 19, 2012.

Participation in an OECD Forum on Transparency and Integrity in lobbying

The Lobbyists Commissioner took part in a Forum of the OECD on Transparency and Integrity in lobbying in Paris on June 27 and 28, 2013. The event brought together 76 stakeholders from 22 countries concerned by integrity in the public sector. Entitled “How to Win Back Trust”, this forum was interested in the following questions:

- Creating rules and guidelines on lobbying : How to balance comprehensiveness with feasibility?
- Open Government in 21st century : What level of transparency in lobbying practices?
- Integrity in public decision making : What safeguards could influence behaviour?
- Compliance and enforcement : How to make transparency and integrity in lobbying a reality

Speech at the Centre d'études et de recherches internationales de l'Université de Montréal (CÉRIUM)

On July 10, as part of the CÉRIUM (Université of Montréal centre for international study and research) summer school, the Lobbyists Commissioner, Mtre. François Casgrain, spoke about transparency in the service of healthy governance, before an audience of students and union representatives.

ORIENTATION 4 – ENHANCE THE STAFF’S COMMITMENT, QUALITY AND KNOW-HOW

There is no doubt that the performance of the institution is largely dependent on the skills and motivational level of its staff. Consequently, the development and improvement of the staff are among the priorities of the 2010-2013 Strategic Plan.

Motivational activities

Seven activities to increase staff motivation took place during the year. They included a meeting to present the actions plans of each division, a group activity to mark the 10th anniversary of the creation of Québec Lobbyists Commissioner, a dinner as part of the Entraide fund-raising campaign, and a “recognition-at-work dinner” to highlight the considerable contribution made by the employees of the Québec Lobbyists Commissioner to the achievement of the institution’s mission. Several meetings involving the administrative divisions took place to facilitate the flow of information about the operations of each division.

Reference framework for recognition at work

The institution has drawn up a reference framework for recognition at work to maintain and strengthen staff motivation.

Intranet site

In September 2012, the Québec Lobbyists Commissioner launched its Intranet site online. This in-house communication tool for employees offers an integrated set of tools and services, including in-house news, information documents, a telephone directory and access to the institution’s databases.

Survey of staff satisfaction and organizational climate

In May 2012, the Québec Lobbyists Commissioner conducted a survey to all employees to measure their level of satisfaction and the organizational climate. The results of the survey were presented to the employees in October 2012. They show a high level of employee satisfaction (79%) with respect to the general working atmosphere within the institution. More specifically, the employees appreciate their working environment and the quality of the interpersonal relations between colleagues (supervision, teamwork, etc.). The results also show that the Lobbyists Commissioner has a strong ability to attract and retain staff, in particular because of the interest of the work itself, the institution’s mission, its motivating leadership and the working environment. An action plan has been drawn up to implement or maintain certain objectives to improve the organizational climate.

Employee skills and training activities

With the goal of maintaining and developing their knowledge and skills, all employees took part in job-related professional development activities during the 2012-2013 year. A total of 622 hours, or almost 90 days, of training was provided. Several training sessions were organized in-house and were given by staff members of the Québec Lobbyists Commissioner.

REGISTRY OF LOBBYISTS

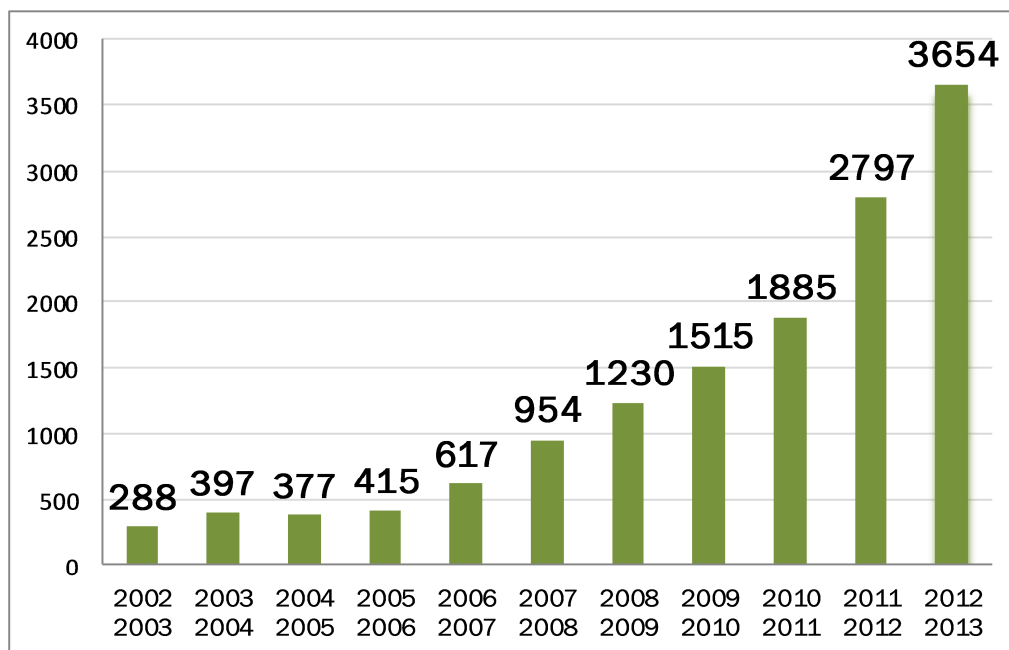
Between April 1, 2012 and March 31, 2013, the number of lobbyists with at least one active mandate during the year increased by 31% compared to the same period in 2011-2012.

As of March 31, 2013, the number of active lobbyists was 3,654, compared to 2,797 on March 31, 2012. The lobbyists duly registered in the registry consisted of

- 297 consultant lobbyists
- 2,101 enterprise lobbyists working for 401 enterprises
- 1,256 organization lobbyists working for 283 organizations

Between April 1, 2012 and March 31, 2013, 1,118 lobbyists registered in the registry for the first time, 91 as consultant lobbyists and 1,027 as enterprise lobbyists or organization lobbyists.

Change in the number of active lobbyists* registered in the registry of lobbyists (2002-2013)



* A lobbyist is considered to be active if he or she reports at least one active mandate during a fiscal year.

Considerable progress achieved in recent years: the figures speak for themselves

Lobbyists registering in the registry for the first time

- Since 2002-2003, the first year in which the Act applied, 5,047 lobbyists have registered at one time or another in the registry of lobbyists.
- Over the last two years alone, 2,248 have registered for the first time in the registry of lobbyists. Almost half (45%) of the lobbyists who registered a mandate in the registry for the first time did so during the last two years.

Number of active lobbyists (with at least one active mandate during the year)

- As of March 31, 2013, 3,654 active lobbyists were registered in the registry of lobbyists, an increase of 31% over the previous year, when there were 2,797 active lobbyists.
- The number of lobbyists with at least one active mandate during the year has increased by 94% over the last two years, and tripled over the last four years.

Returns and notices of change filed in the registry of lobbyists

- The total number of returns and notices filed in the registry has increased by 19% over the last year. In 2012-2013, 1,307 returns and notices were filed in the registry of lobbyists, compared to 1,102 in 2011-2012.
- Compared to 2010-2011, the total number of returns and notices filed in the registry has increased by 61%.

Number of enterprises and organizations with at least one lobbyist registered in the registry of lobbyists

- The number of enterprises and organizations with at least one lobbyist registered in the registry increased by 33% over the last year. As of March 31, 2013, there were 684, compared to 514 on March 31, 2012.
- Compared to 2010-2011, the number of enterprises and organizations with at least one lobbyist registered in the registry increased by 81%.

Distribution by category of active lobbyists* registered in the registry of lobbyists (2002-2013)

Year	Consultant Lobbyists	Enterprise Lobbyists	Organization Lobbyists	Total
2002-2003	83	41	164	288
2003-2004	131	59	207	397
2004-2005	116	59	202	377
2005-2006	103	118	194	415
2006-2007	142	220	255	617
2007-2008	164	357	433	954
2008-2009	186	517	527	1 230
2009-2010	204	694	617	1 515
2010-2011	226	908	751	1 885
2011-2012	247	1 534	1 016	2 797
2012-2013	297	2 101	1 256	3 654

* A lobbyist is considered to be active if he or she reports at least one active mandate during a fiscal year.

CONFIDENTIALITY ORDERS

The Lobbyists Commissioner may, at the request of a person who is required to effect a registration in the registry of lobbyists, order that some or all of the information contained in the return that must be filed for registration purposes be kept confidential if the information relates to an investment project of the client or enterprise concerned the disclosure of which would likely seriously prejudice the economic or financial interest of the client or enterprise.

During the 2012-2013, the Lobbyists Commissioner received seven requests for a confidentiality order. Two were granted, two were rejected and two others were withdrawn by the applicant. The remaining request was not duly completed by the applicant, and so has not been processed by the Commissioner.

In addition, during the period covered by this report, one request was received to renew an confidentiality order that was about to expire, and four confidentiality orders were lifted by the Commissioner.

Statistics on confidentiality orders issued by the Lobbyists Commissioner (2002-2013)

	2007-2008	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013
ORDERS ISSUED	2	2	3	1	2	2
REQUESTS REJECTED	---	---	2	---	3	2
REQUESTS WITHDRAWN	1	2	---	---	---	2
ORDERS EXTENDED	---	1	2	3	1	---
ORDERS RENEWED	---	---	---	---	3	1
ORDERS LIFTED	---	2	---	3	---	4
TOTAL	3	5	7	4	9	8¹

¹ This number includes one request that was not duly completed by the applicant and could not be processed by the Commissioner.

PRIORITIES FOR 2013-2014

The following priorities have been selected by the institution for 2013-2014 to make concrete progress concerning its four strategic objectives:

To encourage various players to subscribe to the goals of transparency and ethical conduct, the Québec Lobbyists Commissioner intends:

- to increase the number of awareness-raising activities targeting the parliamentary, governmental and municipal sectors, in particular by scheduling activities as part of the regional tour.

To maximize the monitoring and controlling of lobbying activities, the Québec Lobbyists Commissioner intends:

- to review the monitoring, verification and inquiry strategy to optimize interventions and maximize impacts;
- to take steps to encourage certain groups of professionals, who are currently unwilling or fail to register, to register in the registry of lobbyists.

To help ensure that the rules are properly understood and their evolution, the Québec Lobbyists Commissioner intends:

- to continue efforts to ensure that the Act is amended in line with the recommendations made by the Commissioner in the report proposing amendments to the Lobbying Transparency and Ethics Act submitted to the National Assembly in May 2012;
- to define what should be included in the future registry of lobbyists, taking into account possible amendments to the Act.

If the Act is amended, the following priority would be added:

- to implement the new Act.

If responsibility for the registry of lobbyists is given to the Lobbyists Commissioner:

- to launch work to develop a new registry of lobbyists and take responsibility for keeping the registry.

To improve staff commitment, quality and know-how, the Québec Lobbyists Commissioner intends:

- to consolidate institutional processes and tools for document management and client relations management (CRM).