

COMPLIANCE WITH THE ACT HELPS OPEN DOORS

For consultant lobbyists, enterprise lobbyists and organization lobbyists, complying with the objective of transparency is a winning proposition. Lobbyists who record their mandates in the registry of lobbyists will have a better chance of meeting with public office holders.

In the current context, there is increasing public pressure for the decisions made by public institutions to be transparent, and as a result, public office holders are doing more to protect the integrity of their decision-making processes. By dealing only with lobbyists registered in the registry of lobbyists in accordance with the Act, public office holders can help strengthen citizens' trust in public institutions. This means that registered lobbyists find more doors opening before them.

AVOID RUNNING INTO CLOSED DOORS

Public office holders are now more likely to ask the lobbyists who approach them if they are registered in the registry of lobbyists. They can also check the registry themselves, and increasingly refuse to deal with lobbyists who are not registered. Lobbyists therefore have everything to gain from registering in the registry of lobbyists before contacting public office holders.

COMMISSIONER OF LOBBYING

The commissioner of lobbying is appointed by the National Assembly of Québec and, to ensure his or her independence, reports only to the National Assembly. The Commissioner's mission is to promote transparency and proper conduct in the lobbying of public office holders at the parliamentary, governmental and municipal levels, and to ensure compliance with the Lobbying Transparency and Ethics Act and the Code of Conduct for Lobbyists.

The mission of Québec's Commissioner of Lobbying helps strengthen public confidence in public institutions and the persons who direct them by providing leadership and expertise for the supervision of influence communications.

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LOBBYISTS

COMPLIANCE WITH THE ACT BENEFITS EVERYBODY!

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The bond of trust between citizens and their institutions is a key element in healthy democracy and good governance. This is one of the key reasons why, in 2002, Québec's National Assembly unanimously passed the Lobbying Transparency and Ethics Act.

The Act recognizes that lobbying is a legitimate means of access to parliamentary, governmental and municipal institutions. In return, the Act requires people who attempt to influence the decision-making process to act transparently and to record the subject-matter of their lobbying activities in the registry of lobbyists. They must also comply with the lobbyists' Code of Conduct.

WHAT IS LOBBYING?

The Lobbying Transparency and Ethics Act defines lobbying or lobbying activities as any oral or written communication with a public office holder in an attempt to influence a decision concerning

- the development, introduction, amendment or defeat of any legislative or regulatory proposal, resolution, policy, program or action plan;
- the issue of any permit, licence, certificate or other authorization;
- the awarding of any contract, otherwise than by way of a call for public tenders, or of any grant or other financial benefit or the granting of any other form of benefit determined by government regulation;
- the appointment of any public office holder within the meaning of the Act respecting the Ministère du Conseil exécutif (who is either a member of the board of directors or a member of a government agency or government corporation) or of an administrator of state (who is either the Secretary-General, Associate Secretary-General or Deputy Secretary of the Conseil exécutif, the Secretary, Deputy Secretary or Associate Secretary of the Conseil du trésor, or a deputy minister or assistant or associate deputy minister).

WHO ARE PUBLIC OFFICE HOLDERS?

AT THE PARLIAMENTARY LEVEL:

Members of the National Assembly and persons on their staff; ministers and persons on their staff

AT THE GOVERNMENTAL LEVEL:

Government employees, and the employees of government enterprises

AT THE MUNICIPAL LEVEL:

Mayors and wardens; municipal councillors; persons on their staff; municipal employees; the employees of municipal and supra-municipal bodies

WHO ARE LOBBYISTS?

Whatever their professional qualifications, lobbyists are people who, in return for compensation, communicate with public office holders to influence their decisions on behalf of a client, enterprise or organization. The communications involved may be delivered in writing, by telephone or in person.

For example, lobbyists may be

- professionals (architects, engineers, accountants, urban planners, lawyers, notaries, etc.);
- business development consultants, government relations advisors, strategic communications consultants or public relations officers;
- property developers, or the representatives of enterprises or organizations.

COMPLIANCE WITH THE LOBBYING TRANSPARENCY AND ETHICS ACT

In accordance with the Lobbying Transparency and Ethics Act, all lobbyists must register in the registry of lobbyists and comply with the Code of Conduct for Lobbyists.

Registration is required to identify precisely all lobbying of public office holders by lobbyists.

Lobbyists who fail to comply with the Lobbying Transparency and Ethics Act are liable to penal, civil and disciplinary penalties.

ASSESSING A PERSON'S SITUATION

The interactive tool “*Lobbyisme ou non?*” can be used to assess a person’s situation in connection with lobbying. It is available on the website www.commissairelobby.qc.ca

Personnel members at the Commissioner of Lobbying office can also answer requests for information.

REGISTERING IN THE REGISTRY OF LOBBYISTS

The registry of lobbyists is administered by

the Ministère de la Justice du Québec. It is the key mechanism created by the Act to ensure transparency in the lobbying of public office holders.

Lobbying activities can be registered via the website at www.lobby.gouv.qc.ca or by calling the following numbers:

MONTRÉAL AND SURROUNDING AREA:	514 864-5762
QUÉBEC CITY AND SURROUNDING AREA:	418 528-5762
TOLL FREE:	855 297-5762

RETURNS IN THE REGISTRY: A TRUE REFLECTION OF LOBBYING ACTIVITIES

The returns filed by lobbyists in the registry must provide an accurate image of their lobbying activities and clearly identify the public institutions that have been, or will be, lobbied.

The period covered by the lobbying activities must be in proportion to the type of activities, the scope of the representations made, or the complexity of the activities.

All returns filed in the registry must be updated if changes occur during the year. In addition, returns must be renewed annually.

A return filed in the registry must contain enough information to allow anyone consulting the registry to ascertain to know precisely, at that point in time, what decision the lobbyist is attempting to influence.

CODE OF CONDUCT FOR LOBBYISTS

Lobbyists are also required by the Act to comply with the Code of Conduct for Lobbyists.

The Code of Conduct for Lobbyists sets out the values and specifies the obligations that govern lobbyists in their dealings with public office holders in terms of respect for institutions, honesty, integrity and professionalism.

The Code is available on the Commissioner of Lobbying website at www.commissairelobby.qc.ca