

Developing a Code of Conduct for Lobbying for persons carrying on lobbying activities – A Public Consultation Paper.

Standards in Public Office Commission

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Appendix 2 -Template submission response.

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What do you consider should be included in a Code of Conduct for persons carrying on lobbying activities?

It is important for the final Code of Conduct to require:

- respect for democratic institutions
- persons carrying on lobbying activities to provide information to public officials about themselves, their clients and the purpose of their lobbying activities
- restrictions on offering gifts, including hospitality
- persons carrying on lobbying activities and heads of organisations to inform others of everyone's respective obligations under the Act and the Code.

What do you consider should not be included in a Code of Conduct for persons carrying on lobbying activities?

“5) Disclosure of Interests” and “6) Preserving Confidentiality”

Depending on the availability of compliance resources, it may not be practicable to codify obligations regarding lobbyist-client relationship interests and confidentiality. The provisions dealing with the lobbyist-client relationship were removed from the Canadian Lobbyists' Code of Conduct in order to focus resources on the lobbyist-public official relationship.

Do you think the Code of Conduct should contain different provisions in relation to different descriptions of persons carrying on lobbying activities?

It is our experience that some persons carrying on lobbying activities do not see themselves as lobbyists and therefore do not register despite being required to do so under the law. Providing examples of professional work that qualifies as lobbying could be useful. That said, the challenge would be to find the right level and balance of detail so as not to become too prescriptive or too long.

Any other comments, views or suggestions?

We reviewed the draft code and have the following comments:

“1) Demonstrating Respect for Public Bodies”

We suggest that “working” be removed from the last paragraph. Personal or political relationships can also create a perception of preferential access.

A person carrying on lobbying activities should not use a former or existing ~~working~~ relationship with an elected or appointed public official to secure preferential access or treatment.

“3) Ensuring Accuracy of Information”

We support the requirement regarding material changes in provided factual information and an ongoing professional obligation to provide accurate and updated information to public bodies/officials.