



ommissioner of Lobbyists

Annual Report 2017-18

Message from the Commissioner

In keeping with the requirements of a Category 3 entity under the **Transparency and Accountability Act**, I am pleased to present the 2017-18 Annual Report of the Office of the Commissioner of Lobbyists. This report covers the period of April 1, 2017 to March 31, 2018.

As Commissioner of Lobbyists, I am accountable for the preparation of this report and the actual results reported.

A handwritten signature in blue ink that reads "LeeAnn Montgomery". The signature is written in a cursive style with a period at the end.

LEEANN MONTGOMERY
Commissioner of Lobbyists

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Overview

The Office of the Commissioner of Lobbyists is located at 689 Topsail Road, St. John's. Administrative support is shared among the Royal Newfoundland Constabulary Public Complaints Commission (RNCPC), the Criminal Code Mental Disorder Review Board (CCMDRB) and the Office of the Commissioner of Lobbyists and is provided by a manager (RNCPC) and a secretary.

The Registry of Lobbyists is maintained by the Director of Commercial Registrations, Service NL. This office is located at 59 Elizabeth Avenue, St. John's, and the Registry of Lobbyists is available at <https://cado.eservices.gov.nl.ca/Lobbyist/Menu.aspx>. During fiscal year 2017-18, there were 164 active lobbyist registrations. Of these, 68 were consultant lobbyists and 96 were organizations with in-house lobbyists.

A "consultant" lobbyist is one who, for remuneration or other gain, reward or benefit, undertakes to lobby on behalf of a client. A consultant lobbyist is not an employee of the client or organization, whereas an "in-house" lobbyist is employed by the organization to lobby on its behalf.

An "in-house" lobbyist is defined by section 6(1)(b) of the **Lobbyist Registration Act**, which states: "in-house lobbyist" means a person who is employed by an organization:(i) 20% of whose duties as an employee, as assessed in a 3-month period, are to lobby on behalf of that organization; or (ii) a part of whose duties as an employee is to lobby on behalf of that organization if the employee's duties to lobby together with the duties of other employees to lobby would constitute 20% of time at work of one full-time employee, assessed in a 3 month period, were those duties to lobby to be performed by only one employee."

Who We Are

Commissioner of Lobbyists:

LeeAnn Montgomery Tel: (709) 729-2918

Administrative Support:

Randy Doyle Tel: (709) 729-1009
Gerry Peach Tel: (709) 729-0950

Highlights and Partnerships

Registrants

An online registry for registrants exists and there is no fee to access this information. The online registry can be found at <https://cado.eservices.gov.nl.ca/Lobbyist/Menu.aspx>.

Historical Total: There were 59 new lobbyist registrations between April 1, 2017 and March 31, 2018 – 26 by consultant lobbyists and 33 by organizations with in-house lobbyists. There have been 328 lobbyist registrations since the Act came into force in 2005 - 128 by consultant lobbyists and 200 by organizations with in-house lobbyists.

Active Registrations: 164 registrations are active and ongoing - 68 by consultant lobbyists and 96 by organizations with in-house lobbyists.

Over the last fiscal year, the Commissioner of Lobbyists has also experienced an increase in inquiries regarding what constitutes lobbying activities.

Activities

Issue 1: Investigating Alleged Violations of the Act or Code of Conduct

The Commissioner of Lobbyists is responsible for investigating alleged violations of the **Lobbyist Registration Act** or the Code of Conduct. Section 27(1) of the Act states: “Where the commissioner believes, on reasonable grounds, that a provision of this Act or of the Code of Conduct has been violated, he or she may investigate that violation and where the commissioner believes there is sufficient reason to proceed, may conduct an inquiry into that violation.” The Commissioner of Lobbyists will report on the following objective and indicators again in 2018-19.

Objective: By March 31, 2018, the Commissioner of Lobbyists will have addressed all alleged violations of the **Lobbyist Registration Act** or Code of Conduct.

Indicators	Actual Results
All alleged violations investigated	There was one alleged violation reported and investigated.
Reports prepared for each alleged violation	There was one report prepared regarding the alleged violation. The Commissioner determined that there was no violation of the Act or the Code of Conduct.

Issue 2: Confidentiality Orders

Pursuant to section 18(1) of the **Lobbyist Registration Act**, a lobbyist may request the Commissioner of Lobbyists to issue a confidentiality order. This is done when the lobbyist feels that the disclosure of some or all of the information contained in the registration may seriously prejudice his or her economic or financial interest or enterprise.

In smaller jurisdictions like Newfoundland and Labrador, it is not uncommon to receive no formal requests for Confidentiality Orders. However, this does not diminish the important function the office serves. The Commissioner of Lobbyists will report on the following objective and indicators again in 2018-19.

Objective: By March 31, 2018, the Commissioner of Lobbyists will have addressed all requests for Confidentiality Orders.

Indicators	Actual Results
Investigations conducted for each request	There were no requests for confidentiality orders and thus no investigations were needed.
Decisions rendered for each request	There were no requests for confidentiality orders and thus no decisions required.

Opportunities and Challenges Ahead

Ensuring that the public is informed about the mandate and authority of the Office of the Commissioner of Lobbyists continues to be an ongoing challenge. The Office relies on the public to report alleged non-compliance with the **Lobbyist Registration Act** and/or the Code, which will only happen if individuals know their rights and responsibilities under the Act. The public has an opportunity to become part of the process and contribute to ensuring that transparency and accountability remain key elements in any lobbying activity.

Financial Report

The budget of the Office of the Commissioner of Lobbyists is contained within the Administrative Support (Professional Services) budget of the Department of Justice and Public Safety and, as a result, the Office is not required to provide a separate audited statement. While the Office of the Commissioner of Lobbyists does not appear as a separate line in the Program Expenditures and Revenues of the Consolidated Revenue Fund, the approximate budget is provided below:

Approximate Budget Office of the Commissioner of Lobbyists	
Salaries	\$25,000
Operating Costs	\$20,000
Total	\$45,000

To Reach Us

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