

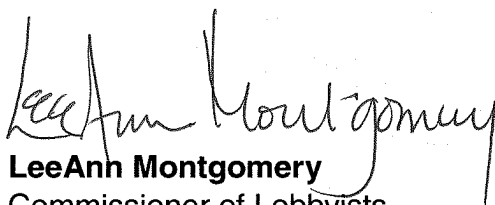
**COMMISSIONER OF LOBBYISTS
ACTIVITY PLAN
2020-2023**

Message from the Commissioner

I am pleased to present the Activity Plan for the Commissioner of Lobbyists which outlines the objectives for the 2020-2023 fiscal years. This plan was prepared under my direction and in accordance with the provisions of the **Transparency and Accountability Act**.

The Commissioner of Lobbyists is classified as a Category 3 Government Entity and, as such, must prepare an activity plan taking into consideration the strategic directions of the Provincial Government as communicated by the Minister of Justice and Public Safety. I have taken those strategic directions into account.

As Commissioner of Lobbyists, I am accountable for the preparation of this plan and the achievement of its objectives.



LeeAnn Montgomery
Commissioner of Lobbyists

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Overview

The Office of the Commissioner of Lobbyists is located at 120 Conception Bay Highway, Suite 114, Villa Nova Plaza, in Conception Bay South. 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 (RNCPC and CCMDRB). 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.

The Registry of Lobbyists is maintained by the Director of Commercial Registrations, employed by 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/CADOInternet/Lobbyist/Menu.aspx>

During fiscal year 2019-20, there were 216 active lobbyist registrations. Of these, 105 were consultant lobbyists and 111 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) 834-6159

Administrative Support:

Randy Doyle Tel: (709) 834-6173

Gerry Peach Tel: (709) 834-6171

Mandate

The Mandate of the Office of the Commissioner of Lobbyists is contained in the **Lobbyist Registration Act**. The Commissioner of Lobbyists is responsible for investigating alleged violations of the Act or the Code of Conduct, denying or cancelling a lobbyist's registration where the Act or Code has been breached, and ordering, upon application, that some or all registration information be kept confidential. The Commissioner may also recommend changes to the Code of Conduct. The Commissioner of Lobbyists does not present separate Lines of Business as they are reflected in the Mandate.

Vision

An environment where lobbying of government entities can take place in an open and transparent manner.

Values

- **Impartiality:** Each person must work to ensure that all parties are treated fairly.
- **Integrity:** Each person must ensure the provision of unbiased advice.
- **Leadership:** Each person must create opportunities to advance the priorities of the Office.
- **Trust:** Each person must ensure that lobbying activities are carried out with the utmost transparency and accountability.

Who We Serve

The Office of the Commissioner of Lobbyists serves the citizens of Newfoundland and Labrador by providing an accessible Registry of Lobbyists and a mechanism to ensure that lobbyists act within the confines of the **Lobbyists Registration Act** and the Lobbyists' Code of Conduct. The office also serves individual and corporate lobbyists by providing information and direction to ensure compliance with the Act and the Code.

Strategic Issues

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**. Subsection 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 objective and associated indicators outlined below will be the focus of the Commissioner of Lobbyists over the three years of the plan. The Commissioner of Lobbyists will report on the objective and indicators in the annual reports for fiscal years 2020-23.

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

Indicators:

- All alleged violations investigated
- Reports prepared for each alleged violation

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 objective and associated indicators outlined below will be the focus of the Commissioner of Lobbyists over the three years of the plan. The Commissioner of Lobbyists will report on the objectives and indicators in the annual reports for fiscal years 2020-23.

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

Indicators:

- Investigations conducted for each request
- Decisions rendered for each request

Issue 3: Public Education and Awareness

Ensuring that the public is informed about the role of the Commissioner of Lobbyists is an important component of safeguarding accountability for registrants. The Commissioner often relies on members of the public to report alleged non-compliance with the **Lobbyist Registration Act** and/or the Code of Conduct. In order for this to happen, members of the public need to be made aware, where possible, of their rights and responsibilities under the Act. For 2020-23, the Commissioner of Lobbyists will engage in activities, to raise public awareness of the mandate of the Office and the role the public can play to

ensure compliance with the Act, through outlets such as social media and public engagement sessions.

Objective: By March 31, each year, the Commissioner of Lobbyists will have engaged in public education and awareness activities.

Indicators:

- Responded to inquires from the public
- Provided information to the public

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