

Message From the Commissioner

I am pleased to present the Activity Plan for the Commissioner of Lobbyists which outlines the goals for the 2011-14 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 Minister of Justice. I have taken those strategic directions into account and have determined that none are applicable at this time.

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



LEEANN MONTGOMERY
Commissioner of Lobbyists

Table of Contents

INTRODUCTION..... 1

OVERVIEW..... 1

VISION..... 2

MANDATE 2

VALUES..... 2

WHO WE SERVE..... 3

MISSION..... 3

ISSUES..... 4



Introduction

As part of its commitment to enhanced transparency and accountability, the Government of Newfoundland and Labrador passed the *Lobbyist Registration Act* in December 2004. The *Act* was proclaimed on October 11, 2005 and the first Commissioner of Lobbyists, LeeAnn Montgomery, was appointed. In addition, a Registry of Lobbyists was established within the Department of Government Services.

The *Lobbyist Registration Act* also provided for the creation of a Code of Conduct for lobbyists. The Code was published in the Gazette on October 7, 2005 and is made available to all lobbyists who register in accordance with the Act.

The Code may be viewed on the world-wide web at http://www.gs.gov.nl.ca/registries/lobby/code_conduct.pdf

Overview

The Office of the Commissioner of Lobbyists is located at Suite E160 Bally Rou Place in the City of St. John's. Administrative support is shared among the Royal Newfoundland Constabulary Public Complaints Commission (RNCPC), Royal Newfoundland Constabulary Public Complaints Commission Panel of Adjudicators, Criminal Code Mental Disorder Review Board and the Office of the Commissioner of Lobbyists and is provided by a Manager and a Secretary. The Registry of Lobbyists is located at 59 Elizabeth Avenue, St. John's.

There are 130 lobbyists registered. Active lobbyists comprise 17 consultants and 48 organizations with in-house lobbyists.

The Registry of Lobbyists is available for free viewing on the world-wide web at <https://cado.eservices.gov.nl.ca/Lobbyist/Menu.aspx> .

Commissioner of Lobbyists:	LeeAnn Montgomery	Tel: (709)729-2918
Registrar:	Dean Doyle	Tel: (709)729-4043
Administrative Support:	Lorraine Roche Gerry Peach	

Vision

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

Mandate

The mandate of the Office of the Commissioner of Lobbyists is contained in the *Lobbyist Registration Act, Chapter L-24.1, SNL 2004*. 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 have 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.

Values

- Accessibility:** Each person works to ensure that the Office of the Commissioner of Lobbyists and the Registry of Lobbyists are available to the citizens of Newfoundland and Labrador.
- Accountability:** Each person is responsible to ensure the provisions of the *Act* and the Code are upheld.
- Independence:** Each person ensures the independence of the Office is maintained.
- Professionalism:** Each person supports government's vision for the province.

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.

Mission

Development of a mission with measures and indicators would be redundant to the objectives which are already developed in the current activity plan. Additionally, the Commission acts as an arm's length entity and it is not appropriate to adopt the Mission Statement of the Department of Justice. The Departmental Mission is focused on the work of the Department and the Commission does not have a direct role at this time.

Issues

The strategic directions of government and those of the Department of Justice have been considered and none are applicable at this time. The following areas have been identified as the key priorities of the Commissioner of Lobbyists for the next three years.

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 focus of the Commissioner of Lobbyists is consistent over three years of the plan. Each year the Commissioner will report on the results of the 2011-12, 2012-13 and 2013-14 objectives.

Objective	The Commissioner of Lobbyists will have addressed all alleged violations of the <i>Lobbyist Registration Act</i> or Code of Conduct.
Measure	All alleged violations addressed
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. Today, lobbying is more necessary, wide spread and complicated and it requires oversight to ensure that it is open, professional and practiced within legislative requirements.

The focus of the Commissioner of Lobbyists is consistent over three years of the plan. Each year the Commissioner will report on the results of the 2011-12, 2012-13 and 2013-14 objectives.

Objective	The Commissioner of Lobbyists will have addressed all requests for Confidentiality Orders.
Measure	All requests for Confidentiality Orders addressed
Indicators	Investigations conducted for each request
	Decisions rendered for each request

Office of the Commissioner of Lobbyists

Suite E160 Bally Rou Place

280 Torbay Road

St. John's, NL A1A 3W8

Telephone: (709) 729-2918

Fax: (709) 729-1302

Email: LeeAnnMontgomery@gov.nl.ca

Commissioner of Lobbyists