
Commissioner of Lobbyists

Activity Plan 2014-17

Message from the Commissioner

I am pleased to present the Activity Plan for the Commissioner of Lobbyists which outlines the objectives for the 2014-17 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. 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

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Introduction

Every government should strive for, and be committed to, transparency and accountability in its actions, so that citizens can feel confident that the decision-makers are not influenced by special interests. In accordance with the *Lobbyist Registration Act*, the Government of Newfoundland and Labrador has implemented a Registry of Lobbyists which governs the activities of lobbyists in the province.

Additionally, the legislation provided for the appointment of a Commissioner of Lobbyists. The authority of the Commissioner is outlined in Section 18 and Section 27 of the *Act*. Section 27 of the *Act* deals with violations of the *Act* and is primarily initiated on a complaint basis. Section 18 of the *Act* provides for the issuance of Confidentiality Orders. The Commissioner may issue a Confidentiality Order if it is believed that the disclosure of certain information usually required under the *Act* may seriously prejudice the economic or financial interest or enterprise of the client of the lobbyist.

In addition to the requirements of the *Act*, the Commissioner of Lobbyists has also produced a Code of Conduct for lobbyists which details appropriate behaviour for persons lobbying the government. The Code may be viewed at http://www.servicenl.gov.nl.ca/registries/lobby/code_conduct.pdf.

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), 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.

Registration Activity	Total
Registered Lobbyists	270
Active Lobbyists	76
In-house Lobbyists	55
Consultant Lobbyists	21

The Registry of Lobbyists is available for free viewing at <http://www.servicenl.gov.nl.ca/registries/lobbyists.html> .

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

- 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.

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.

Issue1: 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. The objective and associated measure and indicators will be utilized for the 2014-15, 2015-16 and 2016-17 fiscal years. Each year, the Commissioner of Lobbyists will report on this objective in its annual report.

Objective	By March 31, 2015, 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

Issue2: 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.

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Objective	By March 31, 2015, 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

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