



ommissioner of Lobbyists

Annual Report 2022-23

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 2022-23 Annual Report for the Office of the Commissioner of Lobbyists. This report demonstrates the work of the Office for the period of April 1, 2022 to March 31, 2023, which is the third year of the 2020-23 Activity Plan.

As the Commissioner of Lobbyists, I am accountable for the preparation of this Annual Report and the results reported within. My signature below affirms my commitment to openness and accurate reporting.

A handwritten signature in blue ink that reads "Hilary Wicks Morrow". The signature is written in a cursive style with a large, sweeping flourish at the end.

Hilary Wicks Morrow
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 (RNCPCC), the Criminal Code Mental Disorder Review Board (CCMDRB) and the Office of the Commissioner of Lobbyists and is provided by a manager (RNCPCC) and a secretary (RNCPCC and CCMDRB).

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

During fiscal year 2022-23, there were 60 new lobbyist registrations. Of these, 28 were consultant lobbyists and 32 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.

An in-house lobbyist is defined by paragraph 6(1)(b) of the **Lobbyist Registration Act** (the Act) which states that an "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."

Mandate

The Mandate of the Office of the Commissioner of Lobbyists is contained in the 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.

Primary Clients

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.

Vision

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

Who We Are

Commissioner of Lobbyists: Tel: (709) 834-6159

Administrative Support:

Randy Doyle Tel: (709) 834-6173

Vacant Tel: (709) 834-6171

Highlights and Partnerships

Registrants

The Registry of Lobbyists is maintained by the Director of Commercial Registrations, Digital Government and Service NL (DGSNL). This office is located at 59 Elizabeth Avenue, St. John's, and the Registry of Lobbyists is accessible at:

<https://cado.eservices.gov.nl.ca/CADOInternet/Lobbyist/Menu.aspx>.

Historical Total: There were 60 new lobbyist registrations between April 1, 2022 and March 31, 2023. Of these, 28 were by consultant lobbyists and 32 by organizations with in-house lobbyists. There have been 590 lobbyist registrations since the Act came into force in 2005: 282 by consultant lobbyists and 308 by organizations with in-house lobbyists.

Active Registrations: 304 registrations are active and ongoing – 161 by consultant lobbyists and 143 by organizations with in-house lobbyists.

The Commissioner of Lobbyists often receives inquiries regarding what constitutes lobbying activities. Lobbying is a legitimate activity in Newfoundland and Labrador and is held to the strictest of guidelines to ensure accountability and full disclosure.

Report on Performance

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

The Commissioner of Lobbyists is responsible for investigating alleged violations of the 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.

Objective: By March 31, 2023, 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 were no alleged violations of the Act or Code of Conduct.
Reports prepared for each alleged violation	As there were no allegations, there were no reports prepared or issued during 2022-23.

Issue 2: Confidentiality Orders

Pursuant to Subsection 18(1) of the **Lobbyist Registration Act**, a lobbyist may request the Commissioner of Lobbyists to issue a confidentiality order. This is conducted 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 common for the Commissioner to receive no formal requests for Confidentiality Orders. However, this does not diminish the important function the office serves.

Objective: By March 31, 2023, 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 decision required.

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.

Objective: By March 31, 2023, the Commissioner of Lobbyists will have engaged in public education and awareness activities.

Indicators	Actual Results
Responded to inquiries from the public	The Commissioner of Lobbyists responded to all questions and inquiries from the public in 2022-23. Questions included inquiries on whether certain activities could be considered lobbying under the Act. Questions also included providing general information on the Act, the Code of Conduct, and the registration of lobbyists.
Provided information to the public	In early 2022-23, the Commissioner of Lobbyists continued to observe public health guidelines so in-person educational activities could not proceed as planned. The Commissioner of Lobbyists did respond to any questions received from the public in a timely manner. This engagement included answering questions on the Act, the Code of Conduct, and what could be considered lobbyist activities. In January 2023, the Commissioner of Lobbyist position became vacant. As such, no educational activities proceeded after that date.

Opportunities and Challenges Ahead

In 2022-23, the Commissioner of Lobbyists position became vacant. The Department of Justice and Public Safety, along with the Independent Appointments Commission worked to post the vacancy online and identify suitable candidates. The position remained vacant past March 31, 2023. The role of the Commissioner of Lobbyists is an important one to ensure transparency and accountability remain key elements in lobbying activities occurring in the province. The Independent Appointments Commission merit-based process provides qualified candidates in the Commissioner of Lobbyists appointment. It is anticipated that the appointment of a new Commissioner of Lobbyists will be made next fiscal and represents an opportunity to bring renewed perspective to the Commissioner's role.

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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