

***COMMISSIONER OF LOBBYISTS***

***ACTIVITY PLAN***

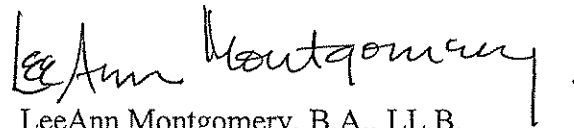
***FOR 2008 - 2011***

*Message from the Commissioner:*

I am pleased to present the Activity Plan for the Commissioner of Lobbyists which outlines the objectives for the 2008/2011 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 goals and objectives.

A handwritten signature in black ink that reads "LeeAnn Montgomery". The signature is written in a cursive style with a large initial "L" and "M".

LeeAnn Montgomery, B.A., LL.B.  
Commissioner of Lobbyists

## 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, supervised by a Deputy Registrar, 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/misc/data/gazette/wk/2005-10-07.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 between the Royal Newfoundland Constabulary Public Complaints Commission (RNC PCC) and the Office of the Commissioner of Lobbyists and is provided by a Manager – (RNC PCC), and a Secretary.

There are 83 lobbyists registered. Of these, 26 are now inactive or terminated. The remaining 47 active lobbyists comprise 17 consultants and 30 organizations with in-house lobbyists. In all, there are 137 individuals lobbying the Government of Newfoundland and Labrador.

The Deputy Registrar and the Registry of Lobbyists are located at the Confederation Building, East Block, Ground Floor, St. John's.

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

## 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:** The Office of the Commissioner of Lobbyists and the Registry of Lobbyists are available to the citizens of Newfoundland and Labrador through regular channels of communication.
- **Accountability:** Each person is responsible to ensure the provisions of the *Act* and the Code are upheld.
- **Impartiality and fairness:** The Commissioner adjudicates complaints of breaches of the *Act* or Code in a fair and impartial manner.
- **Independence:** The Commissioner ensures the independence of the Office is maintained.

### 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.

### Vision

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

### Mission

The Commission of Lobbyists, as a Category 3 government entity, has the options of adopting the Department of Justice mission indicating how it contributes to that mission, or developing its own mission. 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 direct role at this time.

Development of a mission with measures and indicators would be redundant to the objectives which are already developed in the current activity plan.

## Issues

In consideration of Government's strategic directions and those of the Department of Justice, the following areas have been identified as the key priorities of the Commissioner of Lobbyists for the next three years.

Objectives and Measures:

### **Issue 1: 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.

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 2008/09, 2009/10 and 2010/11 objectives.

Objective: The Commissioner of Lobbyists will have responded to all requests for Confidentiality Orders

Measure: All requests for Confidentiality Orders responded

Indicators: Investigations conducted for each request  
Confidentiality Orders issued for each request

### **Issue 2: Code of Conduct**

Newfoundland and Labrador is one of only two jurisdictions to have a Code of Conduct (Quebec being the other). The purpose of the Code of Conduct is to ensure that the public knows that lobbying must be guided by the highest principles of openness, transparency and accountability. The Code of Conduct helps maintain public confidence in the ethical nature and open-mindedness of government decision making. The Code of Conduct will be reviewed annually to ensure that it is still reflective of the needs of lobbyists in outlining the strict measures to which they must adhere, in order to maintain public confidence. This can be accomplished by reviewing the Orders for Confidentiality that have been requested the previous year and by closely monitoring Quebec's code for any changes. A revised Code will be issued to all registered lobbyists. 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 2008/09, 2009/10 and 2010/11 objectives.

Objective: The Commissioner of Lobbyists will have reviewed the Code of Conduct.

Measure: Code of Conduct reviewed

Indicator: Research completed on Codes of Conduct in other jurisdictions

Consultations with other jurisdictions completed