

Dear Sir/Madam,

Thank you for the opportunity to comment on the proposed new Lobbyist's Code of Conduct. While I believe some of the proposed changes are positive I do take exception to four of the rules. Specifically,

Rule 5 stipulates that the lobbyist shall neither use nor disclose confidential information received from a public office holder (poh). Putting aside the fact that it is likely an offence for a poh to disclose confidential information, this rule seems to place the onus on the lobbyist to determine what is and what is not confidential information (unless so informed by the individual disclosing the information).

Rules 7 and 8 stipulate that a lobbyist shall not arrange meetings with or lobby a poh that is a relative or friend. I believe that this rule should not include the word "friend" as this casts the net too widely. Is a former work colleague a friend? Perhaps, or is he or she just an acquaintance? In my view the fact that a poh is a friend or acquaintance should not preclude responsible "rules based" lobbying.

Finally, Rule 10 states that a lobbyist should not promise or provide hospitality that the poh is not allowed to accept. This again puts the onus on the lobbyist to understand the myriad rules in various government departments before offering hospitality. Often, the offer of the hospitality (to a dinner for example) causes the poh to consult with his/her ethics advisors which in turn leads to either the acceptance or rejection of the hospitality. Indeed some departments issue blanket authorizations or restrictions for certain major events but this direction often comes well after the hospitality has been offered. Under this rule however, it appears the lobbyist would need to know or seek guidance from the department before making the offer in order to avoid a breach I would argue that the onus should rest with the poh to determine what hospitality he/she can or cannot accept.

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