



Office of the Commissioner
of Lobbying of Canada

Commissariat au lobbying
du Canada

Modernizing the *Lobbying Act*

Recommendations from the Commissioner of Lobbying

Presented to the Standing Committee on Access, Privacy and Ethics
at the beginning of its study of the *Lobbying Act*

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Nancy Bélanger

Commissioner of Lobbying of Canada



lobbycanada.gc.ca

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Introduction

On September 17, 2025, the Standing Committee on Access to Information, Privacy and Ethics (ETHI) adopted a motion to study the effectiveness of the *Lobbying Act*. On February 12, 2026, by unanimous consent and in accordance with section 14.1, the House of Commons ordered ETHI to be the committee designated to review the Act. The committee subsequently invited me, as Commissioner of Lobbying, to appear on March 9, 2026.

Based on my experience administering the federal lobbying regime over the past eight years, I have identified a number of changes that I believe would improve the operation of the *Lobbying Act*. The references listed with the recommendations provide examples from other Canadian jurisdictions that are relevant to understanding the recommendations.

As Commissioner of Lobbying, I present these recommendations for Parliamentarians to consider as part of their review of the *Lobbying Act* and the associated regulations. Once the Committee has heard from all witnesses, I may present a further submission to provide any necessary clarifications regarding the operation of the *Lobbying Act* or any of my recommendations as well as provide any additional information the Committee may require to complete its study.

In addition, I take this opportunity to stress the importance of establishing a new funding mechanism that recognizes and reinforces the independence of the Office of the Commissioner of Lobbying.

The following outlines the elements that together constitute lobbying under the *Lobbying Act*:

Lobbying is



Communicating with federal public office holders

directly (written, oral) or indirectly (appeals to the public)



about a registrable matter

legislative proposal, bill or resolution, regulation

(developing, introducing, passing, defeating, amending)

policy or program (developing, amending)

grant, contribution or other financial benefit (awarding)

contract (awarding)

arranging a meeting between a federal official and any other person

for consultant and in-house lobbyists

only applies to consultant lobbyists



by a consultant for a client

for money or anything of value

- or -

by an in-house lobbyist for an employer

in performing work-related duties

Consultant lobbyists

Each consultant must register after undertaking to lobby, without exception

In-house lobbyists

Senior officer registers once collective lobbying reaches the registration threshold

Recommendations

Recommendation 1

Registration by default for employers with in-house lobbyists

Paragraph 7(1)(b) of the *Lobbying Act* (Act)

References:

Amend the Act to introduce registration by default for organizations and corporations whose employees lobby on their behalf (i.e., in-house lobbyists), unless a limited exemption based on objective criteria applies. This amendment would eliminate the “significant part of duties” registration threshold for employers.

British Columbia, *Lobbyists Transparency Act*, ss. 1(4) and 3(3)

Recommendation 2

Clarification of who qualifies as in-house lobbyists

Subsections 7(3) and 7(6) of the Act
Paragraphs 5(a) and 5(b) of the *Lobbyists Registration Regulations*

References:

Amend the Act to deem members of boards of directors to be “employees” of the organizations or corporations on whose boards they sit and to clarify that partners and sole proprietors qualify as “employees” of their respective organizations or corporations. This amendment would ensure that the lobbying engaged in by such board members, partners and sole proprietors is reflected in their respective organizations’ or corporations’ registrations and associated communication reports.

British Columbia, *Lobbyists Transparency Act*, s. 1(1) definition of “in-house lobbyist”

Ontario, *Lobbyists Registration Act*, s. 5(7)

Yukon, *Lobbyist Registration Act*, s. 2 definitions of “directing mind” and “in-house lobbyist”

Recommendation 3

Registration with respect to the awarding of contracts

Paragraphs 5(1)(a) and 7(1)(a) of the Act

References:

Amend the Act so that communications with public office holders about the awarding of a government contract — excluding those occurring in the context of an established and transparent procurement process or those below a defined monetary threshold — qualify as a registrable matter for organizations and corporations. Given that communications about the awarding of government contracts is already a registrable matter for consultant lobbyists, these same exclusions could also be applied to such communications by consultant lobbyists.

British Columbia, *Lobbyists Transparency Act*, s. 1(1) definition of “lobby” and Guidance document, *Procurement* (April 22, 2020)

Quebec, *Lobbying Transparency and Ethics Act*, s. 2

Recommendation 4

Registration with respect to the awarding of grants and contributions

Paragraphs 5(1)(a) and 7(1)(a) of the Act

References:

Amend the Act to exclude communications with public office holders about the awarding of grants, contributions and other financial benefits that are below a defined monetary threshold or that are awarded in the context of either an established and transparent process or a recurring operational funding model.

British Columbia, *Lobbyists Transparency Act*, s. 1(1) definition of "lobby" and Guidance document, *Government Funding* (May 27, 2025)

Currently, all communications with public office holders about the awarding of any grant, contribution or other financial benefit qualify as a registrable matter for both employers and consultant lobbyists.

Quebec, *Lobbying Transparency and Ethics Act*, s. 2

Recommendation 5

Registration filing deadlines

Subsections 5(1.1) and 7(2) of the Act

References:

Amend the Act to harmonize the deadline for filing consultant and employer registrations by adopting a single deadline of 10 calendar days after they begin to lobby.

British Columbia, *Lobbyists Transparency Act*, ss. 3(1) and (3)

Currently, the deadline for filing employer registrations is two months after the requirements for registration are met, whereas the deadline for filing consultant registrations is 10 days from when a consultant undertakes to lobby.

Ontario, *Lobbyists Registration Act*, ss. 4(1) and 6(1)

Quebec, *Lobbying Transparency and Ethics Act*, s. 14

Recommendation 6

Disclosure of all employees who lobby for their employer

Paragraphs 7(3)(d), (f) and (f.1) of the Act

References:

Amend the Act to harmonize the disclosure requirements for corporations so that they, like organizations, must list in their registrations all employees who lobby, regardless of their status as employee or senior officer or of the extent of their lobbying.

British Columbia, *Lobbyists Transparency Act*, s. 4(1)(c) (the term "organization" covers corporation)

Ontario, *Lobbyists Registration Act*, s. 5(3) item 9

Quebec, *Lobbying Transparency and Ethics Act*, ss. 10 and 13

Recommendation 7

Disclosure of all entities that control and have a direct interest in the outcome of the lobbying

Paragraphs 5(2)(b) through (e), 7(3)(b) through (d) of the Act

References:

Amend the Act to harmonize the disclosure requirements for employers so that they, like consultants, must disclose in their registrations any entity that controls or directs their organization's and corporation's activities and that has a direct interest in the outcome of their lobbying.

British Columbia, *Lobbyists Transparency Act*, ss. 4(1)(f) through (g.2)

Saskatchewan, *Lobbyists Act*, ss. 8(1)(d) and (f)

Recommendation 8

Disclosure of all funding provided to support lobbying activities

New and subsections 5(2) and 7(3) of the Act

References:

Amend the Act to require the disclosure, in both consultant and employer registrations, of all non-government sources of funding beyond a defined monetary threshold that are provided to a client or employer for the purposes of lobbying.

Alberta, *Lobbyists Act*, s. 2(d)(ii) of Schedule 1 and s. 2(d) of Schedule 2

British Columbia, *Lobbyists Transparency Act*, s. 4(1)(g.3)

Ontario, *Lobbyists Registration Act*, ss. 4(4) item 7 and 5(3) item 7

Recommendation 9

Disclosure of each lobbying appeal to the public (grassroots lobbying)

New and subsections 5(3) and 7(4) of the Act
Sections 6 and 9 of the *Lobbyists Registration Regulations*

Amend the Act and Regulations to require consultant lobbyists and employers to report and provide detailed information about each instance of grassroots lobbying. Such detailed information could include the subject of the grassroots lobbying, a description of the members of the public targeted by the grassroots lobbying as well as the identification of the government institutions to which and the public office holders to whom the grassroots lobbying is directed.

Recommendation 10

Status of staff who work for Ministers and Leaders of the Opposition

Subsection 2(1) of the Act
Item 14 in the Schedule to the *Designated Public Office Holder Regulations*

References:

Amend the Act so that all members of the staff of ministers of the Crown and ministers of state as well as of the Leader of the Opposition in both the House and the Senate qualify as designated public office holders, regardless of how they are appointed.

British Columbia, *Lobbyists Transparency Act*, ss. 1(1) definition of “public office holder” and 4.2(1) definition of “senior public office holder”

Currently, only those staff members appointed pursuant to subsection 128(1) of the *Public Service Employment Act* qualify as designated public office holders. It is worth noting that, at present, staff in the Office of the Government Representatives in the Senate do not qualify as designated public office holders under the Act or the Regulations.

Recommendation 11

Inclusion of director general-level positions in the definition of “designated public office holder”

Subsection 2(1) of the Act
Schedule to the *Designated Public Office Holder Regulations*

Amend the Act so that individuals occupying director general-level positions qualify as designated public office holders. Consideration could be given to reduce the post-employment five-year restriction on lobbying for such individuals.

Recommendation 12

Monthly communication reports for all lobbying of designated public office holders

Subsections 5(3) and 7(4) of the Act
Sections 6,7,9 and 10 of the *Lobbyists Registration Regulations*

References:

Amend the Act and Regulations to expand the disclosure requirements for monthly communication reports to include all communications about registrable matters with designated public office holders, regardless of whether such communications are oral or written or whether they are arranged in advance and regardless of who initiated the communication.

British Columbia, *Lobbyists Transparency Act*, ss. 4.1 and 4.2

Recommendation 13

Disclosure of all lobbyists and clients who participate in lobbying designated public office holders

Subsections 5(3) and 7(4) of the Act
Sections 6,7,9 and 10 of the *Lobbyists Registration Regulations*

References:

Amend the Act and Regulations to require that, in addition to identifying designated public office holders, monthly communication reports also identify each individual who is a party to the communication, including public office holders, consultant lobbyists, clients, any representatives of a client, in-house lobbyists and any other representatives of an employer.

British Columbia, *Lobbyists Transparency Act*, s. 4.2(2)(c)

Recommendation 14

Application of the Lobbyists' Code of Conduct

Section 10.3 of the Act

Amend the Act to harmonize the application of the *Lobbyists' Code of Conduct* so that all senior officers and employees who lobby on behalf of a corporation, like those who lobby on behalf of an organization, must comply with the requirements of the Code. The most senior officer responsible for an organization or corporation should also be required to comply with the Code, regardless of whether such an officer lobbies on behalf of their organization or corporation.

Recommendation 15

Five-year restriction on lobbying

Paragraphs 10.11(1)(b) and (c) of the Act

References:

Amend the Act to harmonize the five-year restriction on lobbying so that all former designated public office holders are prohibited from engaging in any lobbying activities for the duration of their five-year restriction on lobbying, regardless of whether they work as a consultant or for an organization or corporation. Currently, former designated public office holders who are employed by a corporation may lobby up to a significant part of their own work.

British Columbia, *Lobbyists Transparency Act*, s. 2.2

Quebec, *Lobbying Transparency and Ethics Act*, ss. 28-30

Recommendation 16

Compliance with the Act as a responsibility for both employers and in-house lobbyists

New and section 14 of the Act

Amend the Act to recognize that the employer is accountable for compliance with the Act and to require employees to inform the senior responsible officer of their lobbying activities. It should remain the responsibility of the senior officer to register when the registration requirements for employers are met.

Recommendation 17

Additional compliance measures

New and sections 10.4, 14 and 14.01 of the Act

Amend the Act to allow for a range of additional compliance measures, including mandatory training, administrative monetary penalties and temporary prohibitions on lobbying.

References:

Alberta, *Lobbyists Act*, s. 18

British Columbia, *Lobbyists Transparency Act*, ss. 7.1-7.92

Ontario, *Lobbyists Registration Act*, ss. 17.1-17.9

Recommendation 18

Referrals to an appropriate authority

Paragraph 10.4(6)(c) and subsection 10.4(7) of the Act

Amend the Act so that, in addition to a "peace officer", the Commissioner of Lobbying may refer matters to an appropriate or relevant authority, including provincial lobbying regulators, where the Commissioner has reasonable grounds to believe that there has been a contravention of any federal or provincial legislation.

References:

British Columbia, *Lobbyists Transparency Act*, s. 7.92(6)

Ontario, *Lobbyists Registration Act*, s. 17.2

Canada, *Conflict of Interest Act*, s. 49(1)(a)

Recommendation 19

Enforcement of the Commissioner of Lobbying's orders by the Federal Court

Subsection 10.4(2) of the Act

References:

Amend the Act to include a mechanism for the Federal Court to enforce orders (summons to appear, production orders) issued by the Commissioner of Lobbying.

Canada, *Broadcasting Act*, s. 13; *Canadian Human Rights Act*, s. 57

Recommendation 20

Regulation-making power

New and section 12 of the Act

Amend the Act to enable the Commissioner of Lobbying to make regulations with respect to the content of the disclosures required to be made in the Registry of Lobbyists, subject to an appropriate oversight process.

Recommendation 21

Immunity from civil and criminal proceedings

New

References:

Amend the Act to provide an immunity from civil and criminal proceedings to the Commissioner of Lobbying and anyone acting on behalf or under the direction of the Commissioner in the performance of their duties.

British Columbia, *Lobbyists Transparency Act*, s. 9.2

Quebec, *Lobbying Transparency and Ethics Act*, s. 40

Canada, *Auditor General Act*, s. 18.2(1); *Access to Information Act*, s. 66(1); *Conflict of Interest Act*, s. 50(2); *Official Languages Act*, s. 75(1); *Privacy Act*, s. 67(1); *Public Servants Disclosure Protection Act*, s. 45