



January 12, 2015

Karen E. Shepherd
Commissioner of Lobbying
255 Albert Street, 10th Floor
Ottawa, ON K1A 0R5

via email

Dear Commissioner,

I am writing on behalf of the Canadian Vintners Association (CVA) Board of Directors regarding amendments to the Lobbyists' Code of Conduct. We recognize that the deadline for comments has passed, but we were unaware of the issue until now, and believe it is important to raise our concerns.

The CVA is the national association of the Canadian wine industry representing wineries across Canada responsible for more than 90% of annual wine production. Our members are engaged in the entire wine value chain, including grape growing, farm management, grape harvesting, wine production, bottling, retail sales, research and tourism.

As advocates for Canada's wine industry, the CVA is an active lobbying organization and our engagement with government representatives helps ensure sound public policy outcomes in the interests of our industry. In doing this, we fully accept and agree that our sector must be well represented and that the CVA conduct must be beyond reproach and in full compliance with the Lobbyist Act and code of conduct.

The CVA has grave concerns regarding some of the proposed amendments to the code of conduct, specifically the new proposal that would prohibit lobbyists from lobbying their friends (and those persons who work for friends). As the President and CEO for the CVA, my employment for both the federal government and industry associations spans almost thirty years, and raises a number of important questions:

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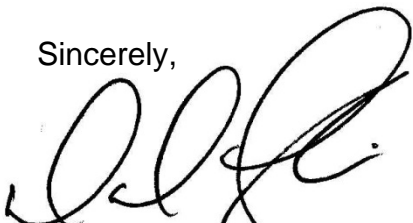
1. How would “friend” be defined?
2. Following years of interaction, friendships can develop with public officials. Would one have to cease having any dealings with that individual? At what point would the relationship change and what would be the criteria?
3. Would an old friend, with whom you have not had contact for several years, still be considered a friend?
4. Would a public servant be restricted from certain positions within government if there was a risk that they could be lobbied by a “friend”?

These are straightforward but reasonable questions that would impact the enforceability of the proposal, yet we see no concern raised by the Commissioner in the background paper that justifies such a significant change.

The Lobbying Act provides adequate measures to support transparency, but to further limit lobbying activities to any person who reports to that ‘friend’ is very severe. The draft code notes that a lobbyist “shall also not lobby other public office holders who work within that public office holder’s area of responsibility.” Once again, the reporting requirements for communications achieve the goal of transparency, and if there is untoward behaviour that may happen as a result of a friendship, business relationship or family connection, the public disclosure of the meeting and the registration of the person in question should be sufficient to meet the needs identified by the Lobbying Commissioner.

In closing, the prohibition created in the draft code of conduct is unwarranted in our view, and will significantly curtail legitimate activities, erode the development of sound public policy and place limits on legitimate efforts to interact in an ethical and responsible fashion.

Sincerely,



Dan Paszkowski
President and CEO

cc. Donna Mandeville, Senior Policy Analyst, Office of the Commissioner of Lobbying of Canada