

Lobby Registration Act

professional lobbyists in our parliamentary system. I see nothing wrong with that. Indeed, I think that the professional lobbyist has an important part to play in our parliamentary system.

We must be careful that we put in place certain standards in order to ensure that the activities of paid lobbyists respect the fundamental ethics of our parliamentary practices and proceedings. All of us in this House have our own standard of ethics. In addition to that we are guided by the provisions of the Senate and House of Commons Act in terms of how we conduct ourselves *vis-à-vis* conflict of interest. As well there is a move to provide further guidelines governing conflict of interest for Members of Parliament.

The difficulty is to find the lobbyists. I will quote for the House how the Bill attempts to do that, and I am not suggesting in any way that this is at all adequate, because that is a judgment that should be made, and hopefully will be made, by a parliamentary committee. The Bill says a lobbyist is:

- Any person who, for payment, attempts to influence, directly or indirectly
- (a) the introduction, passage, defeat, or amendment or any legislation before either House of Parliament, or
 - (b) a decision to be taken on any matter coming within the administrative jurisdiction of a Minister of the Crown, whether or not that matter has come or is likely to come before either House of Parliament for legislative action.

At least that is an attempt at a definition. I would like to see a parliamentary committee take that and go to work on it, either improve it or change it or throw it out. It is conceivable that Parliament, in its wisdom, may decide that, we should not legislate in this area. We should not have a Bill governing the conduct and registration of lobbyists. We should at least take a look at the question. That is what the Bill attempts to do. It attempts essentially to put in place a registry. That is why I suggest in the Bill that the registry, since it concerns both Houses Of Parliament, be administered by the Clerk of the Senate and the Clerk of the House of Commons.

Under this registry, paid lobbyists would be required to register at the beginning of each calendar year. They would have to submit their name and business address, the name and address of the person on whose behalf they are employed to lobby, and the duration of the employment for that purpose. Finally, Mr. Speaker, the Bill would also outline penalties for non-compliance.

I want to take a look at other countries because I think the House should learn from what has happened in other jurisdictions. I took a look at Australia, which is probably closest to us in terms of the way they administer their affairs and the fact that it is a federal state with a Westminster type of Parliament. In Australia there are two registers. One is a special register for lobbyists representing foreign Governments and agencies. That is not a bad idea. I believe an argument could be made for that kind of registry in and of its own right. The other is a general register of lobbyists and their clients. Both of these are kept by the Department of the special Minister of State in Canberra. He is a Minister for Parliament. The registers are confidential and are only for the use of Ministers

and officials on a need-to-know basis. Under the Australian system, lobbyists can actually be denied access to government Ministers and officials if those lobbyists are not on the register. Furthermore, Ministers and senior public servants can be dismissed for non-compliance.

I move on to the United Kingdom. There is no legislation in the United Kingdom, and consequently no form of mandatory registration. What they have in the United Kingdom is a very strong code of personal conduct regarding the activities of lobbyists. Their actions are governed by two major public institutions. These are the Public Relations Consultants Association and the Institute of Public Relations. Both of these groups have codes of conduct and are empowered to expel members for violations of these codes. Nothing, however, prevents expelled members from continuing to lobby the Government. The United Kingdom Government is very interested in what we are doing. It has expressed great interest in what comes out of this legislation, and indeed the Government's Green Paper and its intention to proceed with a Bill.

Finally, Sir, we have to take a look at the jurisdiction nearest to us, and perhaps the one with which we are most familiar, and that is the United States. The activities of the congressional lobbyists in the United States are covered under the provisions of the 1946 Regulation of Lobbying Act. The Act required lobbyists to register with the Secretary of the Senate and the Clerk of the House of Representatives. They must also provide detailed information on themselves, their clients and their individual or individuals lobbied.

There has long been a consensus, however, that the American lobbying Act is in serious need of review. Indeed, it is legislation that really is almost unenforceable because the Act lacks definitive punitive powers. It only deals with lobbyists who are dealing with Congress. It does not cover lobbyists who are dealing with the executive branch of Government, nor does it cover lobbyists who are dealing with the very powerful regulatory agencies that are in place in the United States. We must be careful not to make the mistake that they made in the U.S. in 1946 in bringing in a Bill that is, to all intents and purposes, ineffective and consequently one that is itself the subject of lobbyists, because now they are in a catch-22 situation. The lobbyists are so strong they do not want this Bill changed so they constantly keep pressuring Congress to leave the lobbyist Bill alone, for their purposes saying it is all right the way it is. We must not get ourselves in that kind of a situation.

I hope that either this Bill or its subject matter or the Government's Green Paper—preferably both—would be referred to an appropriate Standing Committee very quickly. I would like that committee to take a look at the provisions of this Bill, which I do not believe are adequate and which I believe casts far too broad a net. In the spirit of the way in which we operate in private Members' time here it is a means of getting this before the House. It is merely a parliamentary vehicle. Let us take a look at it and see how seriously flawed it is. Let us take a look at the American experience to see how flawed that experience is and how ineffective it is. Let us take