

INTRODUCTION

The *Lobbyists Registration Act* (the "LRA" or the "Act") was passed by Parliament in 1988 and came into force on 30 September 1989. The purpose of the Act, as stated in its preamble, is to make transparent the activities of paid lobbyists without impeding access to government. The Act attempts to accomplish this by providing for the registration of paid lobbyists who engage in certain lobbying activities.

Lobbying can be generally defined as attempting to influence government decisions either directly or indirectly. Not all lobbyists or all lobbying activities are covered by the Act, however. As mentioned above, the Act is concerned with the activities of paid lobbyists; unpaid lobbyists do not have to register. Similarly, the statute is framed to cover only direct attempts to influence certain government decisions. Thus, a lobbyist has to register only if there has been some form of direct contact or communication with a person holding public office.

The Act can be best characterized as an information disclosure statute; it seeks to disclose who is lobbying government on whose behalf. It does not attempt to regulate lobbyists or the manner in which they conduct their activities.

The Committee was charged with the task of studying the *Lobbyists Registration Act* by an Order of Reference of the House of Commons dated 19 November 1992. This Order has its origin in the Act itself, which provides that, three years after coming into force, the Act is to be referred to a committee of Parliament for a comprehensive review of its administration and operation.

Our Committee held public hearings in Ottawa from 2 February 1993 to 25 February 1993, during which time the Minister of Consumer and Corporate Affairs appeared before us and we heard testimony from several witnesses. We pursued our task with great enthusiasm realizing that the review would require us to examine not only the *Lobbyists Registration Act* itself but also a number of the principles upon which our system of democratic government is based.

Fundamental to the Committee's review of the Act, are two beliefs: first, that the public has a right to know who is attempting to influence government decisions; second, that everyone has the right to make his or her views known to government.

The principles of transparency, clarity, access to government, and administrative simplicity have served as guideposts for the development and administration of the Act. At an early stage, it became evident that our review would require us to evaluate the Act against these often competing principles.

Overall, the Committee can say that the Act has added a measure of transparency to the activities of lobbyists. The public now has an opportunity to know who, for pay, is attempting to influence certain government decisions. The act of lobbying has been legitimized and, for the most part, institutionalized as part of the way in which our country is governed.

It is an important goal of the Act to ensure that unnecessary barriers are not put in the way of those wishing to present their case to government. The Committee acknowledges that the Act has neither created such barriers nor impeded open access to government.

The objectives of clarity and administrative simplicity, although not specifically mentioned in the preamble of the LRA, have served to reinforce transparency and access. Thus, the Act and the regulations have been drafted in a manner so as to make clear to whom they apply. The Lobbyists Registration Branch has