



Interpretation Bulletin #7
Issued October 28, 2011

***Are lawyers who engage in lobbying activity on behalf of a client
required to register as lobbyists?***

PURPOSE

To clarify whether lawyers are required to register when lobbying on behalf of clients.

TYPES OF LOBBYISTS TO WHICH THIS BULLETIN APPLIES

- consultant lobbyists
- in-house lobbyists (organizations)
- in-house lobbyists (persons and partnerships)

LEGISLATION

This Interpretation Bulletin considers the following section of the *Lobbyists Registration Act, 1998* (the “LRA”): s. 1(1) “lobby”.

INTERPRETATION

Any person must register if he or she is paid to lobby a public office holder. There is no exemption in the *LRA* for lawyers. Lawyers who are retained by clients to engage in lobbying must register as a consultant. This obligation also extends to lawyers who are employed by an organization, company or partnership and are required to lobby as a significant part of their duties (see Interpretation Bulletin #3 for more information on in-house lobbyists).

Lobbying is communication with a public office holder in an attempt to influence legislation, regulations, policies or programs, decisions to privatize government services, awarding grants or benefits, or (in the case of consultant lobbyists) to arrange meetings or attempt to influence the awarding of a contract. When making such representations lawyers are required by the *Rules of Professional Conduct* (Law Society of Upper Canada) to disclose the interest being advanced (see Rule 4.06(2)). Accordingly, there can be no claim for privilege or confidentiality of the communication or the object of the communication.

Lawyers must ensure they are compliant with the *Lobbyists Registration Act, 1998* if they are engaging in lobbying activity.

AUTHORITY

This Interpretation Bulletin is provided pursuant to section 15 of the Lobbyists Registration Act, 1998. It is intended solely to provide information and is not intended to be a substitute for the advice of counsel. The Bulletin is not a binding statement of how the legislation will be interpreted or applied in a particular circumstance. Final interpretation of the law is the responsibility of the courts.

HISTORY OF THIS BULLETIN

This Interpretation Bulletin was issued by Lobbyists Registrar Lynn Morrison on October 28, 2011.

DO YOU NEED MORE INFORMATION?

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