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This document accompanies  
an IntegralOrg video toolkit

# **LOBBYING by Nonprofits and Charities: What nonprofits and charities need to know when lobbying across Canada**



For nonprofits and charities  
that lobby in the jurisdiction of

# **CANADA (Federal)**

The following accompanies an IntegralOrg video toolkit: *LOBBYING by Nonprofits and Charities:  
What nonprofits and charities need to know when lobbying across Canada.*

This information is meant as a summary only of what IntegralOrg deemed to be useful and relevant  
points of lobbying legislation in this jurisdiction current as of as of May 4, 2020.

Consult the appropriate legislation and read the disclaimer included in this document.

# Legislation: Federal - Lobbying Act RSC 1985 c 44

## Website/landing page

<https://lobbycanada.gc.ca/en>

## Registration URL/ How to Register

<https://lobbycanada.gc.ca/en/registration-and-compliance/how-to-register-and-report-your-lobbying-activities/>

## Does lobbying legislation apply to charities?

Yes, section 2(1) includes charities and voluntary organizations.

## Exemptions

There are no exemptions for nonprofits or charities.

## Registration threshold

According to section 5(1), consultant lobbyists shall file a return if they receive payment for lobbying on behalf of a person or organization. In-house lobbyists under section 7(1) shall file returns to the Commissioner if the corporation or organization employs one or more individuals to lobby and those lobbying activities constitute a significant part of the individual's employment duties.

## What activities count as lobbying?

According to section 5(1) and 7(1) of the Act, lobbying means communicating with public office holders regarding:

- i. the development of any legislative proposal by the Government of Canada or by a member of the Senate or the House of Commons,
- ii. the introduction of any Bill or resolution in either House of Parliament or the passage, defeat or amendment of any Bill or resolution that is before either House of Parliament,
- iii. the making or amendment of any regulation,
- iv. the development or amendment of any policy or program of the Government of Canada,
- v. the awarding of any grant, contribution or other financial benefit by or on behalf of Her Majesty in right of Canada.

Lobbying activities also include the time preparing for communications (researching, drafting, planning, compiling, travelling, etc) with public office holders. For instance, a one-hour meeting may require seven hours of preparation and two hours of travel time. In this case, the time related to lobbying with a public office holder would be a total of 10 hours.

Lobby Canada provides these examples of activities that do not count as lobbying:

- i. communications restricted to a straightforward request for publicly available information,
- ii. preparation and presentation of briefings to parliamentary committees,
- iii. employees making submissions to federal public office holders on the employer's behalf with respect to the enforcement, interpretation or application by that official of any existing federal statute or regulation, or
- iv. routine dealings with government inspectors and other regulatory authorities.

### Penalties for not registering

According to section 14(1), every individual who fails to file a return, or knowingly makes a false or misleading statement in any return, is guilty of an offence and liable on summary conviction, to a fine up to \$50,000, 6 months in prison or both; and on proceedings by way of indictment, a fine up to 200,000, 2 years in prison or both.

### Grassroots lobbying definition

Section 5(2)(j) defines "grassroots communication" as ... appeals to members of the public through the mass media or by direct communication that seek to persuade those members of the public to communicate directly with a public office holder in an attempt to place pressure on the public office holder to endorse a particular opinion.

### Does lobbying legislation apply to volunteers?

The registration requirements only apply to consultant lobbyists that receive payment and in-house lobbyists that are employees.

#### DISCLAIMER

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