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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

NEW BRUNSWICK

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: New Brunswick – Lobbyists’ Registration Act Chapter 2014 c.11

Website/landing page

<http://laws.gnb.ca/en/showdoc/cs/2014-c.11>

Registration URL/ How to Register

<https://www.pwx1.snb.ca/snb9000/product.aspx?productid=A001PREGLOBBY&l=e>

Does lobbying legislation apply to charities?

Yes, section 1 defines an “organization” to include an association, a charitable organization, a coalition, or an interest group.

Exemptions

No exemptions are applicable to nonprofits and charities.

Registration threshold

According to Section 5(1), a consultant lobbyist is required to file a return within 15 days of commencing performance of an undertaking to lobby on behalf of a client. Section 15(1) requires a senior officer of an organization which employs an in-house lobbyist to file a return within 2 months of the day the person becomes an in-house lobbyist.

According to Section 9, an in-house lobbyist is defined as a person employed by an organization where a significant part of their employment duties (alone or along with other employees) are lobbying on behalf of the organization.

What activities count as lobbying?

Section 1 defines lobbying as communication with a public office holder in an attempt to influence:

- i. the development of any legislative proposal by the NB government or by a member of the Legislative Assembly,
- ii. the introduction of any public bill or any resolution in the Legislative Assembly or the passage, defeat or amendment of any public Act or any resolution that is before the Legislative Assembly,
- ii. the making or amendment of a regulation as defined in the Regulations Act,
- iv. the development, amendment or termination of any policy or program of the government,
- v. a decision by the Executive Council to transfer from the Crown for consideration all or part of, any interest in or asset of, any business, enterprise or institution that provides goods or services to the Crown or to the public,
- vi. a decision by the Executive Council, a committee of the Executive Council or a minister of the Crown to have the private sector instead of the Crown provide goods or services to the Crown, or
- vii. the award of any grant, contribution or other financial benefit by or on behalf of the Crown.

With specific regard to a consultant lobbyist, lobbying includes arranging a meeting between a public official and another person, or communicating with a public official in an attempt to influence the award of a contract by or on behalf of the Crown.

Penalties for not registering

If a person is convicted of an offence under this Act, section 37(5) imposes a maximum fine of \$25,000 for a first offence and \$100,000 for a subsequent offence.

Grassroots lobbying definition

“Grassroots” communication/lobbying is not defined under the Lobbyists’ Registration Act.

Does lobbying legislation apply to volunteers?

The Act does not apply to a volunteer who does not receive a payment or other benefit.

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