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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

PRINCE EDWARD ISLAND

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: Prince Edward Island – Lobbyists Registration Act R.S.P.E.I. 1988, c L-16.01

Website/landing page

<https://www.princeedwardisland.ca/en/information/justice-and-public-safety/prince-edward-island-lobbyists-registry-overview>

Registration URL/ How to Register

<https://www.princeedwardisland.ca/en/service/register-lobby-government-prince-edward-island>

Does lobbying legislation apply to charities?

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

Exemptions

There are no exemptions for nonprofits and charities.

Registration threshold

A consultant lobbyist is required by section 4(2) to file a return within 10 days of commencing the performance of lobbying on behalf of a client. Section 7(2) requires the senior office of an organization that employs an in-house lobbyist to file a return within 2 months after the day on which that person becomes an in-house lobbyist.

According to section 7(b) an in-house lobbyist is an individual employed by an organization whose employment duties (alone or together with other employees) are to lobby on behalf of the organization for at least 50 hours in a 3-month period.

What activities count as lobbying?

Section 1 defines lobbying as communication with a public office holder (either directly or through grassroots communication) in an attempt to influence:

- i. the development of a legislative proposal by the Government or by a member of the Legislative Assembly,
- ii. the introduction of a bill or resolution in the Legislative Assembly or the passage, defeat or amendment of any bill or resolution that is before the Legislative Assembly,
- iii. the making or amendment of any regulation made by a Minister or the Lieutenant Governor in Council,
- iv. the development or amendment of a policy or program of the Government or the termination of any program of the Government,
- v. a decision by the Executive Council to transfer from the Crown, for consideration, all or part of, or 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 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 also includes communication with a public office holder in an attempt to influence the award of a contract by or on behalf of the Crown, or arrange a meeting between a public-office holder and any other person.

Penalties for not registering

An individual who is guilty of an offence under this Act is liable on summary conviction to a maximum fine of \$25,000.

Grassroots lobbying definition

Section 1 defines “Grass-roots communication” as appeals to members of the public through mass media or direct communication to persuade them to communicate directly with a public-office holder in an attempt to place pressure on that public-office holder to endorse a particular opinion. Communication between a person, partnership or organization and its members, officers or employees does not constitute grass-root communication.

Does lobbying legislation apply to volunteers?

Registration requirements only apply to consultant and in-house lobbyists who are compensated to perform lobbying activities.

DISCLAIMER

All information or advice provided as part of this presentation is intended to be general in nature and you should not rely on it in connection with the making of any decision.

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