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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

QUEBEC

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: Quebec – Lobbying Transparency and Ethics Act, T-11.0; Lobbying Transparency and Ethics Act Exclusions Regulation, CQLR c T-11.011, r 1

Website/landing page

<https://www.commissairelobby.qc.ca/en/lobbyists-registry/>

Registration URL/ How to Register

<https://www.lobby.gouv.qc.ca/servicespublic/informationnel/Inscription/TransElect.aspx>

Does lobbying legislation apply to charities?

Yes, section 3 defines an “organization lobbyist” to include nonprofit groups.

Exemptions

Yes, section 1(11) of the Lobbying Transparency and Ethics Act Exclusions Regulation indicates that any person whose job or function is to lobby on behalf of a nonprofit group not constituted to serve management, union or professional interests, nor composed of a majority of members that are profit-seeking enterprises or representatives of profit seeking enterprises, is exempted from the registration requirements under the Act.

Registration threshold

There is no specific threshold of hours that triggers registration, however, to be captured under the Act and within the definition of an “organization lobbyist”, a significant portion of a person’s job must consist of lobbying.

What activities count as lobbying?

According to section 2 of the Act, lobbying activities include any oral or written communication with a public office holder in an attempt to influence or that may reasonably be considered by the initiator of the communication as capable of influencing a decision concerning:

- i. the development, introduction, amendment or defeat of any legislative or regulatory proposal, resolution, policy, program or action plan;
- ii. the issue of any permit, licence, certificate or other authorization;
- iii. the awarding of any contract, otherwise than by way of a call for public tenders, or of any grant or other financial benefit or the granting of any other form of benefit determined by government regulation;
- iv. the appointment of any public office holder within the meaning of the Act respecting the Ministère du Conseil exécutif or the appointment of any deputy minister or other holder of a position referred to in section 55 of the Public Service Act or any holder of a position referred to in section 57 of that Act; or
- v. the arranging by a lobbyist of a meeting between a public office holder and any other person.

Penalties for not registering

Under section 60 of the Act, a person who fails to register will be guilty of an offence and liable for a fine between \$500 and \$25,000.

Grassroots lobbying definition

Grassroots communication/lobbying is not defined under the Act.

Does lobbying legislation apply to volunteers?

The Act appears to apply to volunteer lobbyists since compensation is not part of the definition of “enterprise lobbyist” or “organization lobbyist” under section 3.

Additional

An Act to transfer responsibility for the registry of lobbyists to the Lobbyists Commissioner and implement the Charbonneau Commission recommendation regarding the prescription period for bringing penal proceedings (Bill 6) received assent on June 19, 2019 and will be coming into force on December 19, 2021.

Note that these amendments largely consist of transferring responsibility for the registry of lobbyists from the Lobbyists Registrar to the Lobbyists Commissioner, and allowing electronic filing of returns and public access to online information. In addition, the amendments add a limitation period of 7 years for initiating penal proceedings under the Act.

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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