

RESOURCES

Under the *Lobbyists Act*, the Ethics Commissioner may issue interpretation bulletins or advisory opinions with respect to the enforcement, interpretation or application of this *Act* or the regulations under the *Act*.

Any questions relating to what constitutes “lobbying” activities may be directed to the Registrar.

Any questions on whether or not you are required to file as either a consultant lobbyist or an organization lobbyist should be directed to the Registrar.

Further information on the *Lobbyists Act* may be obtained from the website:

www.lobbyistsact.ab.ca

Lobbyists Registrar
Office of the Ethics Commissioner

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Office of the Ethics Commissioner

WHAT IS
LOBBYING?



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Definition:

The term “lobbying” is defined in *section 1(1)(f)* of the *Lobbyists Act*. In this brochure, “MLA” means “Member of the Legislative Assembly” and “Assembly” means the “Legislative Assembly.” Please refer to the *Act* (“the *Lobbyists Act*”) for the exact text.

For both Organization Lobbyists and Consultant Lobbyists:

For both organization and consultant lobbyists, “lobbying” includes communicating with a public office holder in an attempt to influence:

- (A) the development of any legislative proposal by the Government or a prescribed Provincial entity or by an MLA;
- (B) the introduction, amendment, passage or defeat of any bill or resolution in or before the Assembly;
- (C) the development or the enactment of any regulation or any order in council,
- (D) the development, establishment, amendment or termination of any program, policy, directive or guideline of the Government or a prescribed provincial entity;
- (E) the awarding of any grant or financial benefit by or on behalf of the Government or a prescribed Provincial entity;
- (F) a decision by the Executive Council or a member of 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 a prescribed Provincial entity or to the public, or

- (G) A decision by the Executive Council or a member of the Executive Council regarding privatization of any goods or services to the Government.

For Consultant Lobbyists Only

“Lobbying” also includes

- (A) arranging a meeting between a public office holder and any other individual, or
- (B) communicating with a public office holder in an attempt to influence the awarding of any contract by or on behalf of the Government or a prescribed Provincial entity.

Lobbying Does Not Include the Following

Section 3(2) says that “lobbying” does not apply to a submission made in any manner as follows:

- (a) In proceedings that are a matter of public record to a committee of the Assembly or to any body or person having jurisdiction or powers conferred by or under an *Act*;
- (b) To a public office holder by on behalf of a person or an organization concerning
 - (i) the enforcement, interpretation or application of any *Act* or regulation by the public office holder with respect to the person or organization, or
 - (ii) the implementation or administration of any program, policy, directive or guideline by the public office holder with respect to the person or organization;
- (c) To a public office holder on behalf of a person or organization in response to a request initiated by a public office holder for advice or comment on any matter referred to in section 1(1)(f)(i) of the *Act*;

- (d) To an MLA in his or her capacity as an MLA by a constituent of the Member, unless the submission concerns the introduction, passage or amendment in the Assembly of a private bill for the special benefit of that constituent.

Regulations

Section 20 of the *Act* allows the Lieutenant Governor in Council to make regulations. With respect to defining “lobbying,” this section allows for a regulation

(e) to determine what constitutes “to communicate with a public office holder” for the purpose of section 1(1)(f);

(f) respecting the determination of what constitutes time spent lobbying for the purpose of section 1(1)(h).

Interpretation Bulletins and Advisory Opinions

The *Act* allows the Ethics Commissioner to issue interpretation bulletins or advisory opinions. These documents, if any are issued, are available on the lobbyists registry website at :

www.lobbyistsact.ab.ca.

The interpretation bulletins and advisory opinions are not binding.