



ANNUAL REPORT 2008-2009
of the Registrar, *Lobbyists Act*

March 31, 2009

Mr. Neil R. Wilkinson
Ethics Commissioner
Office of the Ethics Commissioner
1250, 9925 – 109 Street
Edmonton, Alberta
T5K 2J8

Dear Mr. Wilkinson:

It is my honour and privilege to submit to you the second Annual Report of the Registrar, *Lobbyists Act*, covering the period from April 1, 2008 to March 31, 2009.

Thank you for the opportunity to serve the people of Alberta over the past year as the Registrar, *Lobbyists Act*, pursuant to the *Lobbyists Act*, S.A. 2007, c. L-20.5.

Yours very truly,

Noela Inions, Q.C.
Registrar, *Lobbyists Act* and General Counsel
Office of the Ethics Commissioner

REMARKS OF THE REGISTRAR, *LOBBYISTS ACT*

This is my second annual report as Registrar, *Lobbyists Act*.

Much has already been accomplished under the *Lobbyists Act*, although there is still much to do. Attached in Appendix 1 is a table that provides an overview of some key past, present and future factors that will affect the readiness of the launch of the registry. The factors include the registry software, registry environment and roll-out, website hosting, managed IT Services (MITS), update for the privacy impact assessment (PIA), the new Registrar, informational materials, educational sessions, notice to lobbyists, new and amended legislation and initial registration.

REGISTRY ROLL-OUT

Over the year, a roll-out team was identified and met by teleconference on a weekly basis in order to coordinate the third parties and diverse activities required to build the registry. Bi-weekly meetings were held, as needed, with representatives of Alberta Justice. The registry software developer, Rob Wright of AAD Inc. and the Registrar met by teleconference on a daily basis to the extent possible, from the beginning of July 2008 until the end of March 2009.

CONTRACTS AND RFPS

This has been a busy year in terms of the number of new contractual arrangements that have been required. The arrangements included two Requests for Proposals (RFPs), which included development of the registry software and provision of managed information technology support (MITS) services.

The first RFP was for software development and utilized source code from Ontario's lobbyists registry. AAD Inc. was the successful vendor. Three amendments were negotiated in conjunction with the software development contract, which included the initial enhancement of the software, expediting enhancement of the software and ongoing enhancement, maintenance and support for the software application.

The second RFP was for MITS services, which are office-wide. Long View Systems was the successful vendor. The MITS services, as well as transition-in services, are to commence on April 1, 2009. Before this fiscal year, IT services were obtained under a shared services arrangement with the Office of the Information and Privacy Commissioner (OIPC). OIPC provided IT services until May 31, 2008, after which services were obtained from a private vendor, Compugen. Compugen also did two projects for OEC this year. The first project entailed a new server and separating OEC from OIPC. The second project involved the installation and configuration of the infrastructure and network for the registry.

The contractual arrangements with Compugen included a Change Request for higher service levels that were required to support the registry equipment. An extension of the MITS Contract was negotiated for the month of April 2009 to cover the possibility that a new contract would not yet be in place under the RFP.

During this fiscal year, there were a total of 15 contractual arrangements, 13 of which were new. Before this year, the service contracts at OEC consisted of extensions of two longstanding arrangements with OIPC and the Legislative Assembly Office (LAO). In the past, the OIPC shared services

contract covered HR, finance, legal and IT services. As of April 1, 2008, OIPC no longer provided legal services. Legal services are now provided by the Registrar, who is also General Counsel. Efforts are currently underway to secure a new website host.

The assistance of the Office of the Auditor General (conflict of interest provisions for contracts), LAO (website hosting), OIPC (shared HR and finance services) and Risk Management Services (liability and indemnity) is gratefully acknowledged.

EDUCATION

The Registrar, *Lobbyists Act*, and General Counsel attended the annual Registrar Network meeting, as well as the Canadian Conflict of Interest Network meeting in Quebec City in September 2008. The Registrars' meeting provided an excellent opportunity for knowledge sharing with other lobbyists registration offices.

After Bill 2, the *Lobbyists Amendment Act* and the new regulations are in place, the content of all materials on the *Lobbyists Act* website will need to be reviewed and updated. This would also be an opportune time to issue additional materials under the *Lobbyists Act*, such as Questions and Answers, Advisory Opinions and Interpretation Bulletins, as needed.

There is lively interest in presentations about the *Lobbyists Act* to be given after the *Lobbyists Amendment Act* and new regulations are in place. To the extent possible, the presentations will include an internal view of a new website that will house the registry and trial registrations in the lobbyists registry. Examples of presentations that have been given over the past year pertaining to the *Lobbyists Act* are listed below.

Date	Presentations Given
April 8, 2008	Orientation Session for new Members of the Legislative Assembly and Staff, Edmonton
May 20, 2008	Policy Options Project (CIDA) for the Chinese Delegation, Edmonton
September 9, 2008	Developments under the Alberta <i>Lobbyists Act</i> for the Lobbyists Registrars and Commissioners Conference, Quebec City
October 9, 2008	Lobbyists Act for Fuel Tax Preparers Annual Meeting, Calgary
October 28, 2009	Lobbyists Registration for Health Law Subsection, CBA, Edmonton
November 18, 2009	Lobbyists Registration for École Avalon High School, Edmonton
November 28, 2008	Budget Submission for Standing Committee on Legislative Offices, Edmonton
February 3, 2009	Lobbyists Registry Update for Alberta Liberal Caucus, Edmonton
February 13, 2009	Annual Report Review for Standing Committee on Legislative Offices, Edmonton

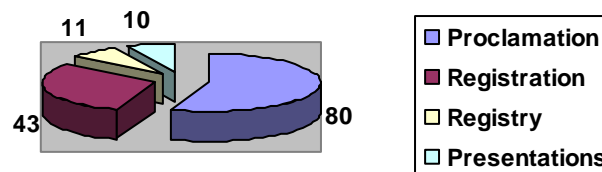
COMMUNICATIONS

A communications plan has been developed for implementation of the *Lobbyists Act*. The plan includes posting informational materials on the website, arranging and providing presentations, and holding a media session prior to the “go live” date of the registry.

REQUESTS FOR INFORMATION

Lobbyists and interested parties have called and asked for information or for meetings to learn more about duties and requirements under the *Lobbyists Act*. As shown in the Figure below, the total number of requests for information was 108. The requests have been categorized as: relating to proclamation or the status of the registry; what one would have to do to register (registration requirements); the development of the registry itself; and requests for meetings or presentations. Some requests related to more than one category so the individual figures will exceed 108.

REQUESTS FOR INFORMATION: TOTAL: 108



LEGISLATIVE REVIEW

It is anticipated that the *Lobbyists Act* will be proclaimed into force when the lobbyists registry is ready to go live, which is expected to be in the Fall of 2009.

The changes proposed in the *Lobbyists Amendment Act* will clarify and strengthen the legislation. For example, as the Registrar conducts the investigations, it will be the Registrar who will prepare the subsequent investigation report. The scope of the Act will be broader as the meaning of “public office holder” will include the additional category of a board, committee or council. The prohibition on lobbying and providing paid advice on the same subject matter will be broader and will include organization lobbyists, regardless of the number of hours spent lobbying.

There is a mandatory two year legislative review. Two years is a short time to gather much experience with this piece of legislation. Nevertheless, this timeframe provides an important opportunity for dialogue on key policy issues such as exclusion of not-for-profit organizations and exceptions for public office holders requesting advice.

Various Justice officials, primarily Joan Neatby, have worked diligently to keep OEC informed and to seek our input into these types of legislative developments under the *Lobbyists Act*.

CONSULTATION

Over the past year there has been consultation and liaison with other offices of the Legislative Assembly such as Elections Alberta (e.g., electronic registries, server room requirements), the Ombudsman's Office (internal procedures), the OIPC (acceptance of our PIA) and the LAO (issuing news releases and website hosting).

Additionally, over the past year there has been consultation with other lobbyists registration offices. This is a valuable source of knowledge, other approaches and practical solutions. Lobbyists Registrars have been hosted at the Alberta office, and the Registrar has conducted site visits to other jurisdictions, whenever possible, combined with other travel to minimize cost. The Registrar has attended meetings and conducted site visits at registries and Registrars / Commissioners' offices located in Toronto (both provincial and municipal), Quebec City, Montreal and Ottawa. There have been many informal surveys conducted about approaches in other jurisdictions, e.g., RFPs and e-payment. Trial registrations have been conducted in other lobbyists registries.

I thank Mr. Don Hamilton, the past Ethics Commissioner for the secondment opportunity to act as the first Registrar, *Lobbyists Act*, for the Province of Alberta. I have appreciated the opportunity to work with the new Ethics Commissioner, Mr. Neil Wilkinson. I thank the Office of the Ethics Commissioner staff, Karen South, Senior Administrator, and Gail Simpson, Val Henkel and Louise Read for their support during this ground-breaking phase of building the registry and implementing the *Lobbyists Act*.

Martin Mesman (registries) and Bill Moulton (procurement) of Service Alberta provided invaluable assistance in guiding us through building an electronic registry and complying with the competitive bid process. Numerous third parties were involved in various aspects of building the registry, such as installation and testing of the separate SuperNet line, e.g., State Farm, Bell, Axia and SuperNet Alberta. I thank the staff of our IT service provider, Compugen, for their efforts.

The collaborations and partnerships developed over the past year made it possible to obtain essential expertise and build the registry on time and within budget.