

**An Act to Amend  
Chapter 34 of the Acts of 2001  
the Lobbyists' Registration Act**

Be it enacted by the Governor and Assembly as follows:

**Clause 1 requires the Registrar, appointed under the *Lobbyists' Registration Act*, to conduct an investigation where the Registrar has reason to believe that the investigation is necessary to ensure compliance with the Act or the regulations. Clause 1 also sets out the procedures for the investigation, the powers of the Registrar when conducting an investigation and reports to be completed by the Registrar respecting investigations.**

**1 Chapter 34 of the Acts of 2001, the *Lobbyists' Registration Act*, is amended by adding immediately after Section 15 the following Sections:**

15A (1) The Registrar shall conduct an investigation if the Registrar has reason to believe, including on the basis of information received from a member of the Assembly, a public officeholder or any other person, that an investigation is necessary to ensure compliance with this Act or the regulations.

(2) The Registrar may refuse to conduct or may cease an investigation with respect to any matter if the Registrar is of the opinion that

(a) the matter is one that could more appropriately be dealt with according to a procedure provided for under another Act;

(b) the matter is not sufficiently important;

(c) dealing with the matter would serve no useful purpose because of the length of time that has elapsed since the matter arose; or

(d) there is any other valid reason for not dealing with the matter.

(3) For the purpose of conducting the investigation, the Registrar may

(a) in the same manner and to the same extent as a superior court of record,

(i) summon and enforce the attendance of persons before the Registrar and compel them to give oral or written evidence on oath, and

(ii) compel persons to produce any documents or other things that the Registrar considers relevant for the investigation; and

(b) administer oaths and receive and accept information, whether or not it would be admissible as evidence in a court of law.

(4) The investigation must be conducted in private.

(5) Evidence given by a person in the investigation and evidence of the existence of the investigation are inadmissible against the person in a court or in any

other proceeding, other than in a prosecution of a person for an offence under section 131 of the *Criminal Code* (Canada) in respect of a statement made to the Registrar.

(6) Before finding that a person has contravened this Act or the regulations, the Registrar shall give the person a reasonable opportunity to present the person's views to the Registrar.

(7) The Registrar, and every person acting on behalf of or under the direction of the Registrar, may not disclose any information that comes to their knowledge in the performance of their duties and functions under this Section unless

(a) the disclosure is, in the opinion of the Registrar, necessary for the purpose of conducting an investigation under this Section or establishing the grounds for any findings or conclusions contained in a report under Section 15B;

(b) the information is disclosed in a report under Section 15B or in the course of a prosecution for an offence under section 131 of the *Criminal Code* (Canada) in respect of a statement made to the Registrar; or

(c) the Registrar believes on reasonable grounds that the disclosure is necessary for the purpose of advising a peace officer having jurisdiction to investigate an alleged offence under this or any other Act or an Act of Canada.

(8) Where, during an investigation under this Section, the Registrar believes on reasonable grounds that a person has committed an offence under this or any other Act or an Act of the Parliament of Canada, the Registrar shall advise a peace officer having jurisdiction to investigate the alleged offence and immediately suspend the Registrar's investigation.

(9) The Registrar shall immediately suspend an investigation under this Section if the Registrar discovers that the subject-matter of the investigation is also the subject-matter of an investigation to determine whether an offence under this or any other Act or an Act of the Parliament of Canada has been committed or that a charge has been laid with respect to that subject-matter.

(10) The Registrar may not continue an investigation under this Section until any investigation or charge regarding the same subject-matter has been finally disposed of.

15B (1) After conducting an investigation, the Registrar shall prepare a report of the investigation, including the findings, conclusions and reasons for the Registrar's conclusions, and submit it to the Speaker of the House of Assembly, who shall table the report in the Assembly if the Assembly is then sitting or, if it is not then sitting, file it with the Clerk of the Assembly.

(2) A report prepared under subsection (1) may contain details of any payment received, disbursement made or expense incurred by a consultant lobbyist or in-house lobbyist, as defined in subsections 6(1) and 7(1), in respect of any matter governed by this Act or the regulations if the Registrar considers publication of the details to be in the public interest.

15C The Registrar shall, within three months after the end of each fiscal year, prepare a report with regard to the administration of this Act during that fiscal year and submit it to the Speaker of the House of Assembly, who shall table the report in the Assembly if the Assembly is then sitting or, if it is not then sitting, file it with the Clerk of the Assembly.

15D (1) The Registrar may, at any time, prepare a special report concerning any matter within the scope of the powers, duties and functions of the Registrar if, in the opinion of the Registrar, the matter is of such urgency or importance that a report on it should not be deferred until the next annual report.

(2) The Registrar shall submit a special report prepared under subsection (1) to the Speaker of the House of Assembly, who shall table the report in the Assembly if the Assembly is then sitting or, if it is not then sitting, file it with the Clerk of the Assembly.

**Clause 2 requires a comprehensive review of the provisions and operation of the *Lobbyists' Registration Act* by a committee of the House of Assembly.**

**2 Chapter 34 is further amended by adding immediately after Section 18 the following Section:**

18A (1) A committee of the Assembly, designated or established for that purpose, shall conduct a comprehensive review of the provisions and operation of this Act and shall

- (a) commence the review no later than January 1, 2019; and
- (b) complete the review no later than October 1, 2019.

(2) A committee of the Assembly, that may be designated or established for that purpose, shall complete a further comprehensive review of the provisions and operation of this Act every five years after this Section comes into force.

(3) A comprehensive review completed under this Section must include recommendations respecting

- (a) whether terms, including “lobbyist”, “in-house lobbyist” and “consulting lobbyist”, should be defined in the Act or, where defined, amended;
  - (b) the public disclosure of the daily agendas of the Premier and members of the Executive Council;
  - (c) consequences for contraventions of this Act; and
  - (d) any other changes to this Act or its operation that the committee recommends.
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