

## **GOVERNMENT RELATIONS AND PUBLIC POLICY BULLETIN**

*June 2005*

### **CEOS NOW RESPONSIBLE FOR LOBBYIST REGISTRATION**

New rules governing communications between corporations and federal public officials will take effect June 20, 2005. One of the most significant changes will subject all communications with federal public officials to lobbyist registration requirements. The requirements will apply regardless of whether a communication is solicited or attempts to influence an official. Another major change will make a company's most senior paid corporate officer responsible for the company's in-house lobbyist registration, rather than the employee actually lobbying.

### **EXEMPTIONS**

The new rules require no registration where lobbying does not constitute a significant part of an in-house lobbyist's duties and where lobbying duties two or more employees share would not constitute a significant part of a single employee's duties. "Significant part" is defined as 20% or more of an individual's time. Registration also is not required where people are not paid for their lobbying activities and are employed by neither the company nor its affiliates. Communications that simply request information are also exempt from registration.

### **PENALTIES**

Those failing to register face up to \$25,000 in fines and 6 months' imprisonment. False or misleading registration can lead to fines up to \$100,000 and 2 years' imprisonment. The new rules also oblige the Registrar to report to the police incidents where reasonable grounds suggest that a criminal offence has been committed.

### **WHAT DOES THIS MEAN FOR YOU?**

Your company's in-house lobbyists' current registrations will be terminated and your most senior officer will need to re-register on your company's behalf by no later than August 19, 2005. Your registrants must comply with the new rules' requirement to register every 6 months. Note that these changes apply to the federal lobbyists registry; provincial and municipal regulations, codes, and by-laws may also cover your organization's activities.

### **McMILLAN BINCH MENDELSON GOVERNMENT RELATIONS AND PUBLIC POLICY GROUP**

Led by a former Deputy Minister, our Public Policy Group has a long history of leadership on government relations, economics and public policy issues, garnered through our well-established relationships at all levels of government. Our public policy lawyers regularly advise corporations, associations, and governments on public policy issues and have taken the lead in initiating changes to legislation in key areas of governmental activity, including taxation, competition law, and regulation of foreign investment.

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*The foregoing provides only an overview. Readers are cautioned against making any decisions based on this material alone. Rather, a qualified lawyer should be consulted.*

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*For further information on whether the Act applies to your organization, what steps are required in order to comply, and assistance with registration, please contact Mike Richmond at 416-865-7832 or any member of the McMillan Binch Mendelsohn Government Relations and Public Policy Group.*

Mike Richmond	416.865.7832	mike.richmond@mbmlex.com
Alain Breault	514.987.5037	alain.breault@mbmlex.com
David G. Butler	416.865.7005	david.butler@mbmlex.com
A. Neil Campbell	416.865.7025	neil.campbell@mbmlex.com
John F. Fox	416.865.7123	john.fox@mbmlex.com
Bill Hearn	416.865.7240	bill.hearn@mbmlex.com
Marc I. Leiter	514.987.5019	marc.leiter@mbmlex.com
Ivan A. Luksic	416.865.7923	ivan.luksic@mbmlex.com
Graham W.S. Scott, Q.C.	416.865.7247	graham.scott@mbmlex.com

## McMILLAN BINCH MENDELSON

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TORONTO | TEL: 416.865.7000 | FAX: 416.865.7048

MONTRÉAL | TEL: 514.987.5000 | FAX: 514.987.1213

[www.mbmlex.com](http://www.mbmlex.com)