

# CANADA WILL INTRODUCE A FOREIGN INFLUENCE TRANSPARENCY REGISTRY - GOVERNMENT OF CANADA OPENS CONSULTATIONS ON THE REGISTRY THRU MAY 9, 2023

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Public Safety Canada, the federal department responsible for national security and the safety of Canadians announced consultations on a foreign influence transparency registry today.<sup>[1]</sup> Until May 9, 2023, interested stakeholders can review the government's [Consultation Paper](#) and then respond anonymously to a [six-question online survey](#).

The Consultation Paper [Enhancing Foreign Influence Transparency: Exploring Measures to Strengthen Canada's Approach](#) provides background and context on the consultation and notes that:

To enhance foreign influence transparency and address malign foreign influence, **the Government of Canada will introduce a registry to complement existing legislative tools and authorities.** A foreign influence registry could impose strict disclosure requirements for individuals and entities acting on behalf of foreign principals for influence purposes. If individuals or entities acting on behalf of foreign principals fail to register, they could face significant administrative and/or criminal penalties. The rules may not only apply to Canadian citizens, but could capture any individual or entity undertaking registrable activities in Canada or towards Canadians, at the direction of a foreign principal. This could include, for example, permanent residents, or foreign residents residing in Canada.

To ensure there is compliance with such measures, as well as to enhance transparency and awareness of malign foreign influence in Canada, the government could require individuals or entities to publicly register. To implement a register and oversee the overall administration of the law, an approach to governance will need to be designed. The outcomes of this consultation process will help the Government determine how best to do this.

Key elements of a foreign influence transparency registry under consideration include:

- Arrangements
- Registrable Activities

- Exemptions
- Information Disclosure
- Compliance

The Consultation Paper goes on to address these elements, poses questions for consultees, and provides information about foreign agent registration approaches taken in the US, Australia and the UK. You can also find summaries of these approaches, as well as the foreign agent registry in Israel, in the McMillan bulletin [A Foreign Affair at Home Not Abroad – Canada to Consult on the Merits of a Foreign Agent Registry](#), which was published earlier this year.

If you have questions about participating in the Government of Canada's consultation on a foreign influence transparency registry, McMillan LLP, together with its public affairs arm, McMillan Vantage, is here to help. For more information, please contact Timothy Cullen or Stevie O'Brien.

[1] [Public Safety Canada: Consultation on a foreign influence transparency registry](#).

by [Timothy Cullen](#) and [Stevie O'Brien](#)

### **A Cautionary Note**

The foregoing provides only an overview and does not constitute legal advice. Readers are cautioned against making any decisions based on this material alone. Rather, specific legal advice should be obtained.

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