[Français](http://www.ontario.ca/fr/lois/loi/98l27)

Lobbyists Registration Act, 1998

S.O. 1998, CHAPTER 27  
Schedule

**Consolidation Period:** From April 1, 2024 to the [e-Laws currency date](http://www.e-laws.gov.on.ca/navigation?file=currencyDates&lang=en).

Last amendment: [2019, c. 1, Sched. 4, s. 28](http://www.ontario.ca/laws/statute/S19001" \l "sched4s28).

Legislative History: [2002, c. 17, Sched. F, Table](http://www.ontario.ca/laws/statute/S02017" \l "schedfstable); [2002, c. 18, Sched. K, s. 12, 13](http://www.ontario.ca/laws/statute/S02018" \l "schedks12) (But see [Table of Public Statute Provisions Repealed Under Section 10.1 of the *Legislation Act, 2006*](http://www.ontario.ca/laws/public-statute-provisions-repealed-under-section-101-legislation-act-2006) - December 31, 2012); [2006, c. 21, Sched. F, s. 118](http://www.ontario.ca/laws/statute/S06021" \l "schedfs118); [2006, c. 35, Sched. C, s. 62](http://www.ontario.ca/fr/lois/loi/S06035" \l "schedcs62); [TMAL 4 AU 09 - 1](https://www.ontario.ca/fr/lois/avis-des-modifications-autorisees-apportees-aux-lois-codifiees); [2010, c. 25, s. 25](http://www.ontario.ca/laws/statute/S10025" \l "s25); [2014, c. 7, Sched. 18](http://www.ontario.ca/laws/statute/S14007" \l "sched18s1); [2014, c. 13, Sched. 8](http://www.ontario.ca/laws/statute/S14013" \l "sched8s1); [2015, c. 20, Sched. 22](http://www.ontario.ca/laws/statute/S15020" \l "sched22s1); [2018, c. 3, Sched. 5, s. 31](https://www.ontario.ca/laws/statute/s18003" \l "BK7) (see: [2019, c. 1, Sched. 3, s. 5](http://www.ontario.ca/laws/statute/S19001" \l "sched3s5)); [2018, c. 17, Sched. 45, s. 8](http://www.ontario.ca/laws/statute/S18017" \l "sched45s8s1); [2019, c. 1, Sched. 4, s. 28](http://www.ontario.ca/laws/statute/S19001" \l "sched4s28).

CONTENTS

|  |  |
| --- | --- |
| [Interpretation](#BK0) | |
| [1.](#BK1) | Definitions |
| [Application](#BK2) | |
| [2.](#BK3) | Crown bound |
| [3.](#BK4) | Restriction on application |
| [Prohibited Lobbying Activities](#BK5) | |
| [3.1](#BK6) | Consultant lobbyists and public funds |
| [3.2](#BK7) | Consultant lobbyists and contingent payments |
| [3.3](#BK8) | Consultant lobbyists and conflicts of interest |
| [3.4](#BK9) | Lobbyists placing public office holders in conflict of interest |
| [Registration of Lobbyists](#BK10) | |
| [consultant lobbyists](#BK11) | |
| [4.](#BK12) | Duty to file return, consultant lobbyists |
| [in-house lobbyists (persons and partnerships)](#BK13) | |
| [5.](#BK14) | Duty to file return, persons and partnerships |
| [in-house lobbyists (organizations)](#BK15) | |
| [6.](#BK16) | Duty to file return, organizations |
| [Certification, Submission and Storage of Returns and Other Documents](#BK17) | |
| [7.](#BK18) | Certification |
| [8.](#BK19) | Form of returns, etc. |
| [9.](#BK20) | Storage |
| [Registrar and Registry](#BK21) | |
| [10.](#BK22) | Registrar |
| [11.](#BK23) | Registry |
| [12.](#BK24) | Verification of information |
| [13.](#BK25) | Refusal to accept return or other document |
| [14.](#BK26) | Removal from registry |
| [15.](#BK27) | Advisory opinions and interpretation bulletins |
| [16.](#BK28) | Delegation of powers |
| [17.](#BK29) | Recovery of fees |
| [Investigations and Penalties](#BK30) | |
| [17.1](#BK31) | Investigation by registrar |
| [17.2](#BK32) | Referral instead of investigation |
| [17.3](#BK33) | Suspension of investigation in case of criminal investigation or charge laid |
| [17.4](#BK34) | Registrar’s powers on investigation |
| [17.5](#BK35) | Notice after investigation |
| [17.6](#BK36) | Registrar’s finding of non-compliance |
| [17.7](#BK37) | Reconsideration of registrar’s finding |
| [17.8](#BK38) | Judicial review |
| [17.9](#BK39) | Penalties |
| [17.10](#BK40) | Confidentiality |
| [17.11](#BK41) | Procedure — non-application of Statutory Powers Procedure Act |
| [17.12](#BK42) | Annual report |
| [Whistle-Blowing Protection](#BK43) | |
| [17.13](#BK44) | Whistle-blowing protection |
| [Offences and Punishment](#BK45) | |
| [18.](#BK46) | Offences |
| [Review of Act](#BK47) | |
| [18.1](#BK48) | Review of Act |
| [Regulations](#BK49) | |
| [19.](#BK50) | Regulations |

Interpretation

Definitions

**1** (1)  In this Act,

“chief executive officer” means, with respect to an organization, the individual who holds the most senior executive position in the organization, regardless of the actual title of the position; (“chef de la direction”)

“client” means a person, partnership or organization on whose behalf a consultant lobbyist undertakes to lobby; (“client”)

“consultant lobbyist” means an individual who, for payment, undertakes to lobby on behalf of a client; (“lobbyiste-conseil”)

“grass-roots communication” means appeals to members of the public through the mass media or by direct communication that seek to persuade members of the public to communicate directly with a public office holder in an attempt to place pressure on the public office holder to endorse a particular opinion; (“appel au grand public”)

“lobby” means,

(a) in relation to a consultant lobbyist referred to in section 4 and an in-house lobbyist referred to in section 5 or 6, to communicate with a public office holder in an attempt to influence,

(i) the development of any legislative proposal by the Government of Ontario or by a member of the Legislative Assembly,

(ii) the introduction of any bill or resolution in the Legislative Assembly or the passage, defeat or amendment of any bill or resolution that is before the Legislative Assembly,

(iii) the making or amendment of any regulation as defined in Part III (Regulations) of the Legislation Act, 2006,

(iv) the development or amendment of any policy or program of the Government of Ontario or the termination of any program of the Government of Ontario,

(v) a decision by 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 to the public,

(vi) a decision by the Executive Council, a committee of the Executive Council or a minister of the Crown to have the private sector instead of the Crown provide goods or services to the Crown,

(vii) the awarding of any grant, contribution or other financial benefit by or on behalf of the Crown, and

(b) in relation to a consultant lobbyist referred to in section 4 only,

(i) to communicate with a public office holder in an attempt to influence the awarding of any contract by or on behalf of the Crown, or

(ii) to arrange a meeting between a public office holder and any other person; (“exercer des pressions”)

“organization” means,

(a) a business, trade, industry, professional or voluntary organization,

(b) a trade union or labour organization,

(c) a chamber of commerce or board of trade,

(d) an association, a charitable organization, a coalition or an interest group,

(e) a government, other than the Government of Ontario, and

(f) a corporation without share capital incorporated to pursue, without financial gain to its members, objects of a national, provincial, territorial, patriotic, religious, philanthropic, charitable, educational, agricultural, scientific, artistic, social, professional, fraternal, sporting or athletic character or other similar objects; (“organisation”)

“payment” means money or anything of value and a contract, promise or agreement to pay money or anything of value; (“paiement”)

“prescribed” means prescribed by the regulations made under this Act; (“prescrit”)

“public office holder” means,

(a) any minister, officer or employee of the Crown,

(b) a member of the Legislative Assembly and any person on his or her staff,

(c) a person who is appointed to any office or body by or with the approval of the Lieutenant Governor in Council or a minister of the Crown, other than a judge or a justice of the peace,

(d) an officer, director or employee of any agency, board or commission of the Crown,

(e) a member of the Ontario Provincial Police, and

(f) an officer, director or employee of,

(i) Repealed: 2015, c. 20, Sched. 22, s. 1.

(ii) Ontario Power Generation Inc. and each of its subsidiaries, or

(iii) Repealed: 2014, c. 7, Sched. 18, s. 1.

(iv) Independent Electricity System Operator; (“titulaire d’une charge publique”)

“registrar” means the registrar appointed by section 10;  (“registrateur”)

“regulations” means the regulations made under this Act unless otherwise specified. (“règlements”) 1998, c. 27, Sched., s. 1 (1); 2006, c. 21, Sched. F, s. 118; 2010, c. 25, s. 25 (1, 2); 2014, c. 7, Sched. 18, s. 1; 2014, c. 13, Sched. 8, s. 1; 2015, c. 20, Sched. 22, s. 1; 2018, c. 17, Sched. 45, s. 8 (1); 2019, c. 1, Sched. 4, s. 28.

Subsidiary corporation

(2)  For the purposes of this Act, a corporation is a subsidiary of another corporation if,

(a) securities of the corporation, to which are attached more than 50 per cent of the votes that may be cast to elect directors of the corporation, are held, otherwise than by way of security only, directly or indirectly, whether through one or more subsidiaries or otherwise, by or for the benefit of the other corporation; and

(b) the votes attached to those securities are sufficient, if exercised, to elect a majority of the directors of the corporation. 1998, c. 27, Sched., s. 1 (2).

Public body

(3)  In this Act, a reference to an agency, board or commission of the Government of Ontario is deemed to be a reference to a public body designated in regulations made under the Public Service of Ontario Act, 2006. 2010, c. 25, s. 25 (3).

**Section Amendments with date in force (d/m/y)**

[2006, c. 21, Sched. F, s. 118](http://www.ontario.ca/laws/statute/S06021" \l "schedfs118) - 25/07/2007

[2010, c. 25, s. 25 (1-3)](http://www.ontario.ca/laws/statute/S10025" \l "s25s1) - 1/01/2011

[2014, c. 7, Sched. 18, s. 1](http://www.ontario.ca/laws/statute/S14007" \l "sched18s1) - 1/01/2015; [2014, c. 13, Sched. 8, s. 1 (1-2)](http://www.ontario.ca/laws/statute/S14013" \l "sched8s1s1) - 01/07/2016

[2015, c. 20, Sched. 22, s. 1](http://www.ontario.ca/laws/statute/S15020" \l "sched22s1) - 15/10/2015

[2018, c. 3, Sched. 5, s. 31](http://www.ontario.ca/laws/statute/S18003" \l "sched5s31) - no effect - see [2019, c. 1, Sched. 3, s. 5](http://www.ontario.ca/laws/statute/S19001" \l "sched3s5) - 26/03/2019; [2018, c. 17, Sched. 45, s. 8 (1)](http://www.ontario.ca/laws/statute/S18017" \l "sched45s8s1) - 06/12/2018

[2019, c. 1, Sched. 4, s. 28](http://www.ontario.ca/laws/statute/S19001" \l "sched4s28) - 01/04/2024

Application

Crown bound

**2** This Act binds the Crown. 1998, c. 27, Sched., s. 2.

Restriction on application

**3** (1)  The following persons are not required to register under section 4, 5 or 6 when acting in their official capacity:

1. Members of the Senate or House of Commons of Canada, the legislative assembly of another province, the council or legislative assembly of a territory, or persons on the staff of these members.

2. Employees of the Government of Canada or of the government of another province or of a territory.

3. Members of a council or other statutory body charged with the administration of the civil or municipal affairs of a municipality as defined in the Municipal Act, 2001 and members of a local board as defined in the Municipal Affairs Act, persons on the staff of these members or officers or employees of a municipality or local board.

4. Members of the council of a band as defined in subsection 2 (1) of the Indian Act (Canada) or of the council of an Indian band established by an Act of the Parliament of Canada, persons on the staff of these members or employees of the council.

5. Diplomatic agents, consular officers or official representatives in Canada of a foreign government.

6. Officials of a specialized agency of the United Nations in Canada or officials of any other international organization to whom there are granted, by or under any Act of the Parliament of Canada, privileges and immunities. 1998, c. 27, Sched., s. 3 (1); 2002, c. 17, Sched. F, Table; 2010, c. 25, s. 25 (4).

Same

(2)  An individual is not required to register under section 4, 5 or 6 in respect of,

(a) any oral or written submission made in proceedings that are a matter of public record to a committee of the Legislative Assembly or to any body or person having jurisdiction or powers conferred by or under an Act;

(b) any oral or written submission made to a public office holder by an individual on behalf of a person, partnership or organization, with respect to,

(i) the enforcement, interpretation or application of any Act or regulation made under any Act by that public office holder and with respect to that person, partnership or organization, or

(ii) the implementation or administration of any policy, program, directive or guideline by that public office holder and with respect to that person, partnership or organization;

(c) any oral or written submission made to a public office holder by an individual on behalf of a person, partnership or organization, in direct response to a written request from a public office holder for advice or comment in respect of any matter referred to in clause (a) or subclause (b) (i) of the definition of “lobby” in subsection 1 (1); or

(d) any oral or written submission made to a member of the Legislative Assembly by an individual on behalf of a constituent of the member with respect to any personal matter of that constituent unless the submission is made in respect of a matter referred to in subclause (a) (i) or (ii) of the definition of “lobby” in subsection 1 (1) concerning a private bill for the special benefit of that constituent. 1998, c. 27, Sched., s. 3 (2); 2010, c. 25, s. 25 (5).

Same

(3)  Nothing in this Act shall be construed as requiring the disclosure of the name or identity of any individual if that disclosure could reasonably be expected to threaten the safety of that individual. 1998, c. 27, Sched., s. 3 (3).

**Section Amendments with date in force (d/m/y)**

[2002, c. 17, Sched. F, Table](https://www.ontario.ca/laws/statute/S02017" \l "schedfstable) - 1/01/2003

[2010, c. 25, s. 25 (4-5)](https://www.ontario.ca/laws/statute/S10025" \l "s25s4) - 1/01/2011

Prohibited Lobbying Activities

Consultant lobbyists and public funds

**3.1**No consultant lobbyist shall undertake to lobby on behalf of a client where,

(a) the client is prohibited from engaging a lobbyist to provide lobbyist services using public funds or other revenues under section 4 of the Broader Public Sector Accountability Act, 2010; and

(b) compensation of the consultant lobbyist is to be paid from public funds or other revenues that the client is prohibited from using under that section. 2014, c. 13, Sched. 8, s. 2.

**Section Amendments with date in force (d/m/y)**

[2014, c. 13, Sched. 8, s. 2](http://www.ontario.ca/laws/statute/S14013" \l "sched8s2) - 01/07/2016

Consultant lobbyists and contingent payments

**3.2**(1)  No consultant lobbyist shall undertake to lobby when the payment to the consultant lobbyist is, in whole or in part, contingent on his or her degree of success in lobbying. 2014, c. 13, Sched. 8, s. 3.

Contingent payment provision void

(2)  A provision in a contract entered into or renewed on or after the day this section comes into force that provides for a contingent payment to a consultant lobbyist as described in subsection (1) is void. 2014, c. 13, Sched. 8, s. 3.

Same – in existing contracts

(3)  If a provision in a contract that is in force on the day this section comes into force provides for a contingent payment to a consultant lobbyist as described in subsection (1), that provision is void as of the first anniversary of the day this section comes into force. 2014, c. 13, Sched. 8, s. 3.

**Section Amendments with date in force (d/m/y)**

[2014, c. 13, Sched. 8, s. 3](http://www.ontario.ca/laws/statute/S14013" \l "sched8s3) - 01/07/2016

Consultant lobbyists and conflicts of interest

**3.3**(1)  No consultant lobbyist shall undertake to provide advice on a subject matter to a public office holder for payment where the consultant lobbyist is lobbying any public office holder on the same subject matter. 2014, c. 13, Sched. 8, s. 4.

Same

(2)  No consultant lobbyist shall undertake to lobby a public office holder on a subject matter where the consultant lobbyist is under contract with any public office holder to provide advice on the same subject matter for payment. 2014, c. 13, Sched. 8, s. 4.

**Section Amendments with date in force (d/m/y)**

[2014, c. 13, Sched. 8, s. 4](http://www.ontario.ca/laws/statute/S14013" \l "sched8s4) - 01/07/2016

Lobbyists placing public office holders in conflict of interest

Consultant lobbyists

**3.4**(1)  No consultant lobbyist shall, in the course of lobbying a public office holder, knowingly place the public office holder in a position of real or potential conflict of interest as described in subsections (3) and (4). 2014, c. 13, Sched. 8, s. 5.

In-house lobbyists

(2)  No in-house lobbyist (within the meaning of subsection 5 (7) or 6 (5)) shall, in the course of lobbying a public office holder, knowingly place the public office holder in a position of real or potential conflict of interest as described in subsections (3) and (4). 2014, c. 13, Sched. 8, s. 5.

Definition — conflict of interest, member of the Assembly

(3)  A public office holder who is a member of the Legislative Assembly is in a position of conflict of interest if he or she engages in an activity that is prohibited by section 2, 3 or 4 or subsection 6 (1) of the Members’ Integrity Act, 1994. 2014, c. 13, Sched. 8, s. 5.

Definition — conflict of interest, other persons

(4)  A public office holder who is not a member of the Legislative Assembly is in a position of conflict of interest if he or she engages in an activity that would be prohibited by section 2, 3 or 4 or subsection 6 (1) of the Members’ Integrity Act, 1994 if he or she were a member of the Legislative Assembly. 2014, c. 13, Sched. 8, s. 5.

**Section Amendments with date in force (d/m/y)**

[2014, c. 13, Sched. 8, s. 5](http://www.ontario.ca/laws/statute/S14013" \l "sched8s5) - 01/07/2016

Registration of Lobbyists

consultant lobbyists

Duty to file return, consultant lobbyists

**4** (1)  A consultant lobbyist shall file a return with the registrar not later than 10 days after commencing performance of an undertaking. 1998, c. 27, Sched., s. 4 (1).

Where one return sufficient

(2)  A consultant lobbyist who undertakes to lobby is required to file only one return under subsection (1) even though he or she may, in connection with that undertaking, communicate with one or more public office holders on one or more occasions or arrange one or more meetings between a public office holder and any other person. 1998, c. 27, Sched., s. 4 (2).

(3)  Repealed: 2014, c. 13, Sched. 8, s. 6 (1).

Contents of return

(4)  A consultant lobbyist shall set out in the return the following information with respect to the undertaking:

1. The name and business address of the consultant lobbyist and, if applicable, the business name and address of the firm where the consultant lobbyist is engaged in business.

1.1 Whether the consultant lobbyist was, at any time before the filing of the return,

i. a minister,

ii. a person employed in the office of a minister,

iii. a deputy minister, associate deputy minister or assistant deputy minister, or anyone of equivalent classification,

iv. a chief executive officer or chair of the board of directors of an agency, board or commission of the Crown,

v. a senior employee of an agency, board or commission of the Crown who reports directly to its chief executive officer,

vi. a chief executive officer or chair of the board of directors of,

A. Repealed: 2015, c. 20, Sched. 22, s. 2.

B. Ontario Power Generation Inc. or a subsidiary of it,

C. Ontario Power Authority, or

D. Independent Electricity System Operator, or

vii. a senior employee of an entity listed in subparagraph vi who reports directly to its chief executive officer.

2. The business name and address of the client and the business name and address of any person, partnership or organization that, to the knowledge of the consultant lobbyist, controls or directs the activities of the client and has a direct interest in the outcome of the consultant lobbyist’s activities on behalf of the client.

3. If the client is a corporation, the business name and address of each subsidiary of the corporation that, to the knowledge of the consultant lobbyist, has a direct interest in the outcome of the consultant lobbyist’s activities on behalf of the client.

4. If the client is a corporation that is a subsidiary of any other corporation, the business name and address of that other corporation.

5. If the client is an organization, the business name and address of each partnership, corporation or entity that is part of the organization.

6. If the client is funded, in whole or in part, by a government, the name of the government or government agency, as the case may be, and the amount of funding received by the client from that government or government agency during that government’s fiscal year that precedes the filing of the return.

7. The business name and address of any entity or organization that, to the knowledge of the consultant lobbyist, contributed (during the entity’s or organization’s fiscal year that precedes the filing of the return) $750 or more toward the consultant lobbyist’s activities on behalf of the client. However, this paragraph does not apply with respect to contributions made by a government.

8. The name and business address of any individual who, to the knowledge of the consultant lobbyist, made a contribution described in paragraph 7 on behalf of an entity or organization described in that paragraph.

9. The following information:

i. The subject matters in respect of which the consultant lobbyist has undertaken to lobby, and any prescribed information respecting those subject matters.

ii. The goal of the lobbying.

10. Repealed: 2014, c. 13, Sched. 8, s. 6 (12).

11. Particulars to identify any relevant legislative proposal, bill, resolution, regulation, policy, program, decision, grant, contribution, financial benefit or contract.

12. The name of any ministry of the Government of Ontario or agency, board or commission of the Crown in which any public office holder is employed or serves whom the consultant lobbyist has lobbied or expects to lobby.

13. Whether the consultant lobbyist has lobbied or expects to lobby a minister in his or her capacity as a minister or a minister or other member of the Legislative Assembly in his or her capacity as a member, or a person on the staff of a minister or other member of the Legislative Assembly. The information under this paragraph must include the name of the office of the minister, if the minister is being lobbied in his or her capacity as a minister, for example, “the office of the Minister of [insert name of ministry]”, or the name of the office of the member, for example, “the office of the Member for [insert name of riding]”, if the minister or other member is being lobbied in his or her capacity as a member.

14. If the consultant lobbyist has undertaken to lobby as described in clause (a) or subclause (b) (i) of the definition of “lobby” in subsection 1 (1), the techniques of communication, including grass-roots communication, that the consultant lobbyist has used or expects to use to lobby.

14.1 Information confirming that,

i. the consultant lobbyist has not been engaged by a client under circumstances where the client is an organization that is prohibited from engaging lobbyist services under the Broader Public Sector Accountability Act, 2010, and

ii. where the consultant lobbyist has provided services to such a client, an attestation, in a form satisfactory to the registrar, from the head of the client organization confirming that the consultant lobbyist has not been paid for lobbyist services with public funds or other revenues that are not permitted to be used for that purpose.

15. Such additional information as may be prescribed with respect to the identity of a person or entity described in this section. However, the regulations cannot require the consultant lobbyist to set out on the return the names of individuals or other information that might identify individuals, if their names are not otherwise required by this subsection.

16. Any other prescribed information. However, the limitations in paragraphs 7 and 15 also apply to this paragraph. 1998, c. 27, Sched., s. 4 (4); 2010, c. 25, s. 25 (6); 2014, c. 13, Sched. 8, s. 6 (2-14); 2015, c. 20, Sched. 22, s. 2.

Changes to return and new information

(5)  A consultant lobbyist shall provide the registrar with any change to the information in his or her return and any information required to be provided under subsection (4), the knowledge of which the consultant lobbyist acquired only after the return was filed, not later than 30 days after the change occurs or the knowledge is acquired. 1998, c. 27, Sched., s. 4 (5); 2014, c. 13, Sched. 8, s. 6 (15).

Transitional

(5.1)  A consultant lobbyist who has filed a return with the registrar before section 4 of the Broader Public Sector Accountability Act, 2010 applies to a client shall provide the information required by paragraph 14.1 of subsection 4 (4) to the registrar within 30 days of the day on which that section begins to apply. 2010, c. 25, s. 25 (7).

Confirmation of return

(6)  A consultant lobbyist shall provide the registrar with confirmation of the information contained in his or her return within 30 days either before or after the expiration of the first and each subsequent year from the date of filing the return and shall include an updated version of every attestation required under paragraph 14.1 of subsection (4) with that confirmation. 1998, c. 27, Sched., s. 4 (6); 2010, c. 25, s. 25 (8); 2014, c. 13, Sched. 8, s. 6 (16).

Completion or termination of undertaking

(7)  A consultant lobbyist shall advise the registrar that he or she has completed an undertaking in respect of which he or she has filed a return or that the undertaking has been terminated not later than 30 days after the completion or termination of the undertaking. 1998, c. 27, Sched., s. 4 (7).

Information requested by registrar

(8)  A consultant lobbyist shall provide the registrar with any information that the registrar may request to clarify any information that the consultant lobbyist has provided to the registrar under this section not later than 30 days after the registrar makes the request. 1998, c. 27, Sched., s. 4 (8); 2014, c. 13, Sched. 8, s. 6 (17).

Restriction on application

(9)  This section does not apply in respect of anything that an employee undertakes to do on the sole behalf of his or her employer or, if his or her employer is a corporation, in respect of anything that the employee, at the direction of the employer, undertakes to do on behalf of any subsidiary of the employer or any corporation of which the employer is a subsidiary. 1998, c. 27, Sched., s. 4 (9).

Definition

(10)  In this section,

“undertaking” means an undertaking by a consultant lobbyist to lobby on behalf of a client. 2014, c. 13, Sched. 8, s. 6 (18).

**Section Amendments with date in force (d/m/y)**

[2010, c. 25, s. 25 (6-8)](http://www.ontario.ca/laws/statute/S10025" \l "s25s6) - 1/01/2011

[2014, c. 13, Sched. 8, s. 6 (1-18)](http://www.ontario.ca/laws/statute/S14013" \l "sched8s6s1) - 01/07/2016

[2015, c. 20, Sched. 22, s. 2](http://www.ontario.ca/laws/statute/S15020" \l "sched22s2) - 4/06/2015

**4.1**Repealed: 2014, c. 13, Sched. 8, s. 7.

**Section Amendments with date in force (d/m/y)**

[2010, c. 25, s. 25 (9)](http://www.ontario.ca/laws/statute/S10025" \l "s25s9) - 1/01/2011

[2014, c. 13, Sched. 8, s. 7](http://www.ontario.ca/laws/statute/S14013" \l "sched8s7) - 01/07/2016

in-house lobbyists (persons and partnerships)

Duty to file return, persons and partnerships

**5** (1)  The senior officer of a person or partnership that employs an in-house lobbyist shall file a return with the registrar,

(a) within two months after the day on which that person becomes an in-house lobbyist; and

(b) within 30 days either before or after the expiration of each six-month period after the date of filing the previous return. 2014, c. 13, Sched. 8, s. 8 (1).

Transitional

(2)  If, on the coming into force of subsection 8 (1) of Schedule 8 to the Public Sector and MPP Accountability and Transparency Act, 2014, the person or partnership described in subsection (1) employs an in-house lobbyist, the senior officer of the person or partnership shall file a return with the registrar within two months after the day on which subsection 8 (1) of Schedule 8 to the Public Sector and MPP Accountability and Transparency Act, 2014 comes into force and after that in accordance with clause (1) (b). 2014, c. 13, Sched. 8, s. 8 (1).

Contents of return

(3)  The senior officer of a person or partnership described in subsection (1) shall set out in the return the following information:

1. The name and business address of the senior officer.

2. The business name and address of the person or partnership.

3. If the person is a corporation, the business name and address of each subsidiary of the corporation that, to the knowledge of the senior officer, has a direct interest in the outcome of the lobbying activities of the in-house lobbyists employed by the person.

4. If the person is a corporation that is a subsidiary of any other corporation, the business name and address of that other corporation.

5. A description in summary form of the person’s or partnership’s business or activities and any other prescribed information to identify the person’s or partnership’s business or activities.

6. If the person or partnership is funded, in whole or in part, by a government, the name of the government or government agency, as the case may be, and the amount of funding received by the person or partnership from that government or government agency during that government’s fiscal year that precedes the filing of the return.

7. The business name and address of any entity or organization that, to the knowledge of the senior officer, contributed (during the entity’s or organization’s fiscal year that precedes the filing of the return) $750 or more toward the lobbying activities of the in-house lobbyists employed by the person or partnership. However, this paragraph does not apply with respect to contributions made by a government.

8. The name and business address of any individual who, to the knowledge of the senior officer, made a contribution described in paragraph 7 on behalf of an entity or organization described in that paragraph.

9. The name of each in-house lobbyist employed by the person or partnership.

10. The name of any in-house lobbyist employed by the person or partnership who was, at any time before the filing of the return,

i. a minister,

ii. a person employed in the office of a minister,

iii. a deputy minister, associate deputy minister or assistant deputy minister, or anyone of equivalent classification,

iv. a chief executive officer or chair of the board of directors of an agency, board or commission of the Crown,

v. a senior employee of an agency, board or commission of the Crown who reports directly to its chief executive officer,

vi. a chief executive officer or chair of the board of directors of,

A. Repealed: 2015, c. 20, Sched. 22, s. 3.

B. Ontario Power Generation Inc. or a subsidiary of it,

C. Ontario Power Authority, or

D. Independent Electricity System Operator, or

vii. a senior employee of an entity listed in subparagraph vi who reports directly to its chief executive officer.

11. If any in-house lobbyist is lobbying at the time the return is filed,

i. the subject matters in respect of which he or she is lobbying, and any prescribed information respecting those subject matters, and

ii. the goal of the lobbying.

12. If any in-house lobbyist has lobbied or expects to lobby during the period for which the return is filed,

i. the subject matters in respect of which he or she has lobbied or expects to lobby, and any prescribed information respecting those subject matters, and

ii. the goal of the lobbying.

13. Particulars to identify any relevant legislative proposal, bill, resolution, regulation, policy, program, decision, grant, contribution or financial benefit.

14. The name of any ministry of the Government of Ontario or agency, board or commission of the Crown in which any public office holder is employed or serves whom any in-house lobbyist has lobbied or expects to lobby during the period for which the return is filed.

15. Whether any in-house lobbyist has lobbied or expects to lobby a minister in his or her capacity as a minister or a minister or other member of the Legislative Assembly in his or her capacity as a member, or a person on the staff of a minister or other member of the Legislative Assembly, during the period for which the return is filed. The information under this paragraph must include the name of the office of the minister, if the minister is being lobbied in his or her capacity as a minister, for example, “the office of the Minister of [insert name of ministry]”, or the name of the office of the member, for example, “the office of the Member for [insert name of riding]”, if the minister or other member is being lobbied in his or her capacity as a member.

16. The techniques of communication, including grass-roots communication, that any in-house lobbyist has used or expects to use to lobby during the period for which the return is filed.

17. The name of any in-house lobbyist who has been identified in the last return filed and has ceased to be an in-house lobbyist or to be employed by the person or partnership.

18. Such additional information as may be prescribed with respect to the identity of a person or entity described in this section. However, the regulations cannot require the senior officer to set out on the return the names of individuals or other information that might identify individuals, if their names are not otherwise required by this subsection.

19. Any other prescribed information. However, the limitations in paragraphs 7 and 18 also apply to this paragraph. 2014, c. 13, Sched. 8, s. 8 (1); 2015, c. 20, Sched. 22, s. 3.

Changes to return and new information

(4)  The senior officer shall provide the registrar with any change to the information in the return filed under subsection (1) and any information required to be provided under subsection (3), the knowledge of which the senior officer acquired only after the return was filed, not later than 30 days after the change occurs or the knowledge is acquired. 2014, c. 13, Sched. 8, s. 8 (1).

Information requested by registrar

(5)  The senior officer shall provide the registrar with any information that the registrar may request to clarify any information that the senior officer has provided to the registrar under this section not later than 30 days after the registrar makes the request. 2014, c. 13, Sched. 8, s. 8 (1).

(6)  Repealed: 2014, c. 13, Sched. 8, s. 8 (1).

Definitions

(7)  In this section,

“employee” includes an officer who is compensated for the performance of his or her duties; (“employé”)

“in-house lobbyist” means an individual (other than one described in subsection (8)) who is employed by a person or partnership or is a director of a person who is compensated for the performance of his or her duties if,

(a) as part of his or her duties as an employee or director, the individual spends at least 50 hours a year, or such other number of hours as may be prescribed, lobbying on behalf of the person or partnership or, if the person is a corporation, on behalf of any subsidiary of the person or any corporation of which the person is a subsidiary, or

(b) the individual’s duties as an employee or director involve lobbying on behalf of the person or partnership and his or her duties to lobby, taken together with the duties to lobby of other employees and other directors who are compensated for the performance of their duties, constitute at least 50 hours a year, or such other number of hours as may be prescribed; (“lobbyiste salarié”)

“person” does not include a corporation referred to in clause (f) of the definition of “organization” in subsection 1 (1). (“personne”)

“senior officer” means the most senior officer of a person or partnership who is compensated for the performance of his or her duties. (“premier dirigeant”) 1998, c. 27, Sched., s. 5 (7); 2014, c. 13, Sched. 8, s. 8 (2, 3).

Exclusions, in-house lobbyist

(8)  The following individuals are not in-house lobbyists:

1. Officers of the Assembly who are appointed by order of the Assembly and the individuals employed in the office of such officers.

2. Public servants employed under Part III of the Public Service of Ontario Act, 2006.

3. Such other classes of employees of Crown agencies as may be prescribed. 1998, c. 27, Sched., s. 5 (8); 2006, c. 35, Sched. C, s. 62; 2018, c. 17, Sched. 45, s. 8 (2, 3).

**Section Amendments with date in force (d/m/y)**

[2006, c. 35, Sched. C, s. 62](http://www.ontario.ca/laws/statute/S06035" \l "schedcs62) - 20/08/2007

[2014, c. 13, Sched. 8, s. 8 (1-3)](http://www.ontario.ca/laws/statute/S14013" \l "sched8s8s1) - 01/07/2016

[2015, c. 20, Sched. 22, s. 3](http://www.ontario.ca/laws/statute/S15020" \l "sched22s3) - 4/06/2015

[2018, c. 17, Sched. 45, s. 8 (2, 3)](http://www.ontario.ca/laws/statute/S18017" \l "sched45s8s1) - 06/12/2018

in-house lobbyists (organizations)

Duty to file return, organizations

**6** (1)  The senior officer of an organization that employs an in-house lobbyist shall file a return with the registrar,

(a) within two months after the day on which that person becomes an in-house lobbyist; and

(b) within 30 days either before or after the expiration of each six-month period after the date of filing the previous return. 1998, c. 27, Sched., s. 6 (1); 2014, c. 13, Sched. 8, s. 9 (1).

(2)  Repealed: 2014, c. 13, Sched. 8, s. 9 (2).

Contents of return

(3)  The senior officer of an organization shall set out in the return the following information:

1. The name and business address of the senior officer.

2. The business name and address of the organization.

3. A description in summary form of the organization’s business or activities and any other prescribed information to identify its business or activities.

4. A description of the membership of the organization and such other information as may be prescribed with respect to the membership, including the names of officers or directors of the organization. However, a regulation cannot require the senior officer to set out on the return the names of other individuals who are members or to set out other information that might identify such other individuals.

5. If the organization is funded, in whole or in part, by a government, the name of the government or government agency, as the case may be, and the amount of funding received by the organization from that government or government agency during that government’s fiscal year that precedes the filing of the return.

6. The business name and address of any entity or other organization that, to the knowledge of the senior officer, contributed (during the entity’s or organization’s fiscal year that precedes the filing of the return) $750 or more toward the lobbying activities of the organization’s in-house lobbyists. However, this paragraph does not apply with respect to contributions made by a government.

7. The name and business address of any individual who, to the knowledge of the senior officer, made a contribution described in paragraph 6 on behalf of an entity or organization described in that paragraph.

8. The name of each in-house lobbyist employed by the organization.

8.1 The name of any in-house lobbyist employed by the organization who was, at any time before the filing of the return,

i. a minister,

ii. a person employed in the office of a minister,

iii. a deputy minister, associate deputy minister or assistant deputy minister, or anyone of equivalent classification,

iv. a chief executive officer or chair of the board of directors of an agency, board or commission of the Crown,

v. a senior employee of an agency, board or commission of the Crown who reports directly to its chief executive officer,

vi. a chief executive officer or chair of the board of directors of,

A. Repealed: 2015, c. 20, Sched. 22, s. 4.

B. Ontario Power Generation Inc. or a subsidiary of it,

C. Ontario Power Authority, or

D. Independent Electricity System Operator, or

vii. a senior employee of an entity listed in subparagraph vi who reports directly to its chief executive officer.

9. If any in-house lobbyist is lobbying at the time the return is filed,

i. the subject matters in respect of which he or she is lobbying, and any prescribed information respecting those subject matters, and

ii. the goal of the lobbying.

10. If any in-house lobbyist has lobbied or expects to lobby during the period for which the return is filed,

i. the subject matters in respect of which he or she has lobbied or expects to lobby, and any prescribed information respecting those subject matters, and

ii. the goal of the lobbying.

11. Particulars to identify any relevant legislative proposal, bill, resolution, regulation, policy, program, decision, grant, contribution or financial benefit.

12. The name of any ministry of the Government of Ontario or agency, board or commission of the Crown in which any public office holder is employed or serves whom any in-house lobbyist has lobbied during the period for which the return is filed.

13. Whether any in-house lobbyist has lobbied or expects to lobby a minister in his or her capacity as a minister or a minister or other member of the Legislative Assembly in his or her capacity as a member, or a person on the staff of a minister or other member of the Legislative Assembly, during the period for which the return is filed. The information under this paragraph must include the name of the office of the minister, if the minister is being lobbied in his or her capacity as a minister, for example, “the office of the Minister of [insert name of ministry]”, or the name of the office of the member, for example, “the office of the Member for [insert name of riding]”, if the minister or other member is being lobbied in his or her capacity as a member.

14. The techniques of communication, including grass-roots communication, that any in-house lobbyist has used or expects to use to lobby during the period for which the return is filed.

15. Any other prescribed information relating to the identity of the senior officer, the organization, any in-house lobbyist or any ministry, agency, board or commission referred to in paragraph 12.

16. The name of any in-house lobbyist who has been identified in the last return filed and has ceased to be an in-house lobbyist or to be employed by the organization.

17. Any other prescribed information. However, the limitations in paragraphs 4 and 6 also apply to this paragraph. 1998, c. 27, Sched., s. 6 (3); 2014, c. 13, Sched. 8, s. 9 (3-13); 2015, c. 20, Sched. 22, s. 4.

Changes to return and new information

(3.1)  The senior officer shall provide the registrar with any change to the information in the return filed under subsection (1) and any information required to be provided under subsection (3), the knowledge of which the senior officer acquired only after the return was filed, not later than 30 days after the change occurs or the knowledge is acquired. 2014, c. 13, Sched. 8, s. 9 (14).

Information requested by registrar

(4) The senior officer shall provide the registrar with any information that the registrar may request to clarify any information that the senior officer has provided in his or her return not later than 30 days after the registrar makes the request. 1998, c. 27, Sched., s. 6 (4); 2014, c. 13, Sched. 8, s. 9 (15).

Definitions

(5) In this section,

“employee” includes an officer who is compensated for the performance of his or her duties; (“employé”)

“in-house lobbyist” means an individual who is employed by an organization if,

(a) as part of his or her duties as an employee, the individual spends at least 50 hours a year, or such other number of hours as may be prescribed, lobbying on behalf of the organization, or

(b) the individual’s duties as an employee involve lobbying on behalf of the organization and his or her duties to lobby, taken together with the duties of other employees to lobby, constitute at least 50 hours a year, or such other number of hours as may be prescribed; (“lobbyiste salarié”)

“senior officer” means the most senior officer of an organization who is compensated for the performance of his or her duties. (“premier dirigeant”) 1998, c. 27, Sched., s. 6 (5); 2014, c. 13, Sched. 8, s. 9 (16).

**Section Amendments with date in force (d/m/y)**

[2014, c. 13, Sched. 8, s. 9 (1-16)](http://www.ontario.ca/laws/statute/S14013" \l "sched8s9s1) - 01/07/2016

[2015, c. 20, Sched. 22, s. 4](http://www.ontario.ca/laws/statute/S15020" \l "sched22s4) - 4/06/2015

Certification, Submission and Storage of Returns and Other Documents

Certification

**7** Every individual who submits a return or other document to the registrar under this Act shall certify that the information contained in it is true to the best of his or her knowledge and belief on the return or other document or, if it is submitted in electronic or other form in accordance with subsection 8 (1), in the manner that is specified by the registrar. 1998, c. 27, Sched., s. 7.

Form of returns, etc.

**8** (1) Returns to be filed with the registrar and information and other documents to be given to the registrar under this Act must be in a form approved by the registrar. 1998, c. 27, Sched., s. 8 (1).

Manner of filing, etc.

(2) Returns, information and other documents must be submitted to the registrar in a manner permitted by the registrar. 1998, c. 27, Sched., s. 8 (2).

Date of filing

(3) Subject to subsection (5), the date on which the registrar receives a return is the date on which the return is considered to have been filed for the purposes of this Act. 1998, c. 27, Sched., s. 8 (3).

Date on which information, etc., provided

(4) Subject to subsection (5), the date on which the registrar receives information or a document other than a return is the date on which the information or document is considered to have been provided to the registrar for the purposes of this Act. 1998, c. 27, Sched., s. 8 (4).

Deemed receipt

(5) In the prescribed circumstances, a return, information or another document shall be deemed to have been received by the registrar on the date determined in accordance with the prescribed rules. 1998, c. 27, Sched., s. 8 (5).

Storage

**9** (1) Subject to the regulations, any return or other document that is received by the registrar may be entered or recorded by any information storage device, including any system of mechanical or electronic data processing, that is capable of reproducing the stored return or other document in intelligible form within a reasonable time. 1998, c. 27, Sched., s. 9 (1).

Evidence

(2) In any prosecution for an offence under this Act, a copy of a return or other document that is reproduced from an information storage device referred to in subsection (1) and certified under the registrar’s signature as a true copy is admissible in evidence without proof of the signature or official character of the person appearing to have signed the copy and, in the absence of evidence to the contrary, has the same probative force as the original would have if it were proved in the ordinary way. 1998, c. 27, Sched., s. 9 (2).

Registrar and Registry

Registrar

**10** The Integrity Commissioner is hereby appointed as registrar. 1998, c. 27, Sched., s. 10.

Registry

**11** (1) The registrar shall establish and maintain a registry in which shall be kept all returns filed under this Act as revised by other documents submitted to the registrar under this Act. 1998, c. 27, Sched., s. 11 (1).

Form of registry

(2) The registry shall be organized in the manner and kept in the form that the registrar may determine. 1998, c. 27, Sched., s. 11 (2).

Access to registry

(3) The registry shall be available for public inspection in the manner and during the time that the registrar may determine. 1998, c. 27, Sched., s. 11 (3).

Verification of information

**12** The registrar may verify the information contained in any return or other document submitted to the registrar under this Act. 1998, c. 27, Sched., s. 12.

Refusal to accept return or other document

**13** (1) The registrar may refuse to accept any return or other document submitted to the registrar under this Act that does not comply with the requirements of this Act or the regulations or that contains information or statements not requested in the return or other document. 1998, c. 27, Sched., s. 13 (1).

Duty to inform

(2) If the registrar refuses to accept a return or other document under subsection (1), the registrar shall inform the individual who submitted it of the refusal and the reason for the refusal in the manner that the registrar determines. 1998, c. 27, Sched., s. 13 (2).

Extension of time

(3) Despite the provisions of this Act respecting times for filing a return or submitting another document, if a return or other document is refused by the registrar under subsection (1) and the individual cannot reasonably submit another by the time set out in this Act for filing or submitting it, the registrar shall provide the individual with a reasonable extension of time to file another return or submit another document. 1998, c. 27, Sched., s. 13 (3).

Deeming provision

(4) If the registrar accepts another return or document within the extension of time referred to in subsection (3), the return shall be deemed to have been filed or other document shall be deemed to have been submitted on the day on which the return or other document that was refused was received by the registrar. 1998, c. 27, Sched., s. 13 (4).

Removal from registry

**14** (1) The registrar may remove a return from the registry if the individual who filed the return,

(a) fails to confirm the information contained in it within the period required by subsection 4 (6);

(b) fails to advise the registrar of the matters required by subsection 4 (7) within the period required by the subsection; or

(c) fails to give the registrar any requested information relating to the return within the period specified by this Act. 1998, c. 27, Sched., s. 14 (1); 2014, c. 13, Sched. 8, s. 10.

Same

(2) The *Statutory Powers Procedure Act* does not apply with respect to the registrar’s decision to remove a return from the registry, and the registrar may remove the return without giving notice to the individual who filed the return and without holding a hearing. 1998, c. 27, Sched., s. 14 (2).

Effect of removal

(3) When a return is removed from the registry, the individual who filed it shall be deemed, for the purposes of his or her existing and future obligations under this Act, not to have filed the return. 1998, c. 27, Sched., s. 14 (3).

**Section Amendments with date in force (d/m/y)**

[2014, c. 13, Sched. 8, s. 10](http://www.ontario.ca/laws/statute/S14013" \l "sched8s10) - 01/07/2016

Advisory opinions and interpretation bulletins

**15** (1)  The registrar may issue advisory opinions and interpretation bulletins with respect to lobbyists’ conduct and with respect to any other matter respecting the enforcement, interpretation or application of this Act. 2014, c. 13, Sched. 8, s. 11 (1).

Code of conduct

(1.1)  The registrar’s power under subsection (1) to issue interpretation bulletins includes the authority to issue a lobbyists’ code of conduct. 2014, c. 13, Sched. 8, s. 11 (1).

Effect

(2) Advisory opinions and interpretation bulletins issued under subsection (1) are not binding. 1998, c. 27, Sched., s. 15 (2); 2014, c. 13, Sched. 8, s. 11 (2).

**Section Amendments with date in force (d/m/y)**

[2014, c. 13, Sched. 8, s. 11 (1-2)](http://www.ontario.ca/laws/statute/S14013" \l "sched8s11s1) - 01/07/2016

Delegation of powers

**16** (1) The registrar may delegate in writing any of his or her powers or duties under this Act to a person employed in the registrar’s office and may authorize him or her to delegate any of those powers or duties to another person employed in that office. 1998, c. 27, Sched., s. 16 (1).

(2)  Repealed: 2014, c. 13, Sched. 8, s. 12.

Conditions, etc.

(3)  A delegation may be made subject to such conditions and restrictions as the person making the delegation considers appropriate. 1998, c. 27, Sched., s. 16 (3).

**Section Amendments with date in force (d/m/y)**

[2014, c. 13, Sched. 8, s. 12](http://www.ontario.ca/laws/statute/S14013" \l "sched8s12) - 01/07/2016

Recovery of fees

**17** Any fee required by the regulations to be paid may be recovered in any court of competent jurisdiction as a debt due to the Crown. 1998, c. 27, Sched., s. 17.

**Section Amendments with date in force (d/m/y)**

[2002, c. 18, Sched. K, s. 12](http://www.ontario.ca/laws/statute/S02018" \l "schedks12) - see [Table of Public Statute Provisions Repealed Under Section 10.1 of the *Legislation Act, 2006*](http://www.ontario.ca/laws/public-statute-provisions-repealed-under-section-101-legislation-act-2006) - 31/12/2012

Investigations and Penalties

Investigation by registrar

**17.1**(1)  The registrar may conduct an investigation to determine if any person or persons have not complied with any provision of this Act or of the regulations. 2014, c. 13, Sched. 8, s. 13.

Time limit

(2)  The registrar shall not commence an investigation into an alleged non-compliance with this Act or the regulations more than two years after the date when the registrar knew or should have known about the alleged non-compliance. 2014, c. 13, Sched. 8, s. 13.

Refusal or cease to investigate

(3)  The registrar may refuse to conduct an investigation into any alleged non-compliance with this Act or the regulations or may cease such an investigation for any reason, including if the registrar believes that any of the following circumstances apply:

1. The matter could more appropriately be dealt with under another Act.

2. The matter is minor or trivial.

3. Dealing with the matter would serve no useful purpose because of the length of time that has elapsed since the matter arose. 2014, c. 13, Sched. 8, s. 13.

**Section Amendments with date in force (d/m/y)**

[2014, c. 13, Sched. 8, s. 13](http://www.ontario.ca/laws/statute/S14013" \l "sched8s13) - 01/07/2016

Referral instead of investigation

**17.2**  The registrar may, instead of commencing an investigation, or at any time during the course of an investigation, refer the matter to another person or body so that it may be dealt with as a matter of law enforcement or in accordance with a procedure established under another Act if the registrar is of the opinion that this would be more appropriate than conducting or continuing the investigation. 2014, c. 13, Sched. 8, s. 13.

**Section Amendments with date in force (d/m/y)**

[2014, c. 13, Sched. 8, s. 13](http://www.ontario.ca/laws/statute/S14013" \l "sched8s13) - 01/07/2016

Suspension of investigation in case of criminal investigation or charge laid

**17.3**(1)  The registrar may suspend an investigation if he or she discovers that,

(a) the subject matter of the investigation is also the subject matter of an investigation to determine whether an offence has been committed under this or any other Act of Ontario or of Canada; or

(b) a charge has been laid with respect to the alleged non-compliance. 2014, c. 13, Sched. 8, s. 13.

Resumption of suspended investigation

(2)  The registrar may resume a suspended investigation at any time, whether or not the other investigation or charge described in clause (1) (a) or (b) has been finally disposed of, but before resuming a suspended investigation the registrar shall consider the following:

1. Whether the registrar’s investigation may be concluded in a timely manner.

2. Whether the other investigation or charge will adequately deal with or has adequately dealt with the substance of the alleged non-compliance for the purposes of this Act. 2014, c. 13, Sched. 8, s. 13.

**Section Amendments with date in force (d/m/y)**

[2014, c. 13, Sched. 8, s. 13](http://www.ontario.ca/laws/statute/S14013" \l "sched8s13) - 01/07/2016

Registrar’s powers on investigation

**17.4**(1)  In conducting an investigation, the registrar may,

(a) require any person to provide any information that he or she may have if, in the opinion of the registrar, the information is relevant to the investigation;

(b) require any person to produce any document or thing that may be in his or her possession or under his or her control if, in the opinion of the registrar, the document or thing is relevant to the investigation;

(c) specify a date that is reasonable in the circumstances by which the information, document or thing must be provided or produced. 2014, c. 13, Sched. 8, s. 13.

Same

(2)  The registrar may summon any person who, in the registrar’s opinion, is able to provide information that is relevant to the investigation, and may require him or her to attend in person or by electronic meansand may examine him or her on oath or affirmation. 2014, c. 13, Sched. 8, s. 13.

Protection under Canada Evidence Act

(3)  A person shall be informed by the registrar of his or her right to object to answer any question under section 5 of the Canada Evidence Act. 2014, c. 13, Sched. 8, s. 13.

Court order

(4)  The registrar may apply to the Superior Court of Justice for an order directing a person to provide information, documents or things as required under subsection (1) or to attend and be examined pursuant to a summons issued under subsection (2). 2014, c. 13, Sched. 8, s. 13.

Privileges and right to counsel

(5)  A person required to provide information or to produce a document or thing under subsection (1) and a person examined under subsection (2) may be represented by counsel and may claim any privilege to which the person is entitled in any court. 2014, c. 13, Sched. 8, s. 13.

**Section Amendments with date in force (d/m/y)**

[2014, c. 13, Sched. 8, s. 13](http://www.ontario.ca/laws/statute/S14013" \l "sched8s13) - 01/07/2016

Notice after investigation

**17.5**(1)  If, after conducting an investigation, the registrar believes that a person has not complied with a provision of this Act or of the regulations, the registrar shall,

(a) give a notice to the person setting out,

(i) the alleged non-compliance,

(ii) the reasons why the registrar believes there has been non-compliance, and

(iii) the fact that the person may exercise an opportunity to be heard under clause (b) and the steps by which the person may exercise that opportunity;

(b) give the person a reasonable opportunity to be heard respecting the alleged non-compliance and any penalty that could be imposed by the registrar under this Act. 2014, c. 13, Sched. 8, s. 13.

Same

(2)  The notice must be in writing and delivered to the person personally, by email to the address provided by the person or by registered mail. 2014, c. 13, Sched. 8, s. 13.

Same

(3)  Except as provided in this section, the registrar need not hold a hearing and no person or body has a right to be heard by the registrar. 2014, c. 13, Sched. 8, s. 13.

**Section Amendments with date in force (d/m/y)**

[2014, c. 13, Sched. 8, s. 13](http://www.ontario.ca/laws/statute/S14013" \l "sched8s13) - 01/07/2016

Registrar’s finding of non-compliance

**17.6**(1)  If, after conducting an investigation and after giving a person that the registrar believed to have not complied with this Act or the regulations an opportunity to be heard, the registrar finds that the person has not complied with a provision of this Act or of the regulations, the registrar shall give a notice to the person setting out,

(a) the finding of non-compliance;

(b) any penalty imposed under section 17.9; and

(c) the reasons for the finding and for the imposition of any penalty. 2014, c. 13, Sched. 8, s. 13.

Notice

(2)  The notice must also advise the person that he or she may ask for reconsideration and judicial review of the registrar’s finding or of the penalty imposed, or both. 2014, c. 13, Sched. 8, s. 13.

Same

(3)  The notice must be in writing and delivered to the person personally, by email to the address provided by the person or by registered mail. 2014, c. 13, Sched. 8, s. 13.

**Section Amendments with date in force (d/m/y)**

[2014, c. 13, Sched. 8, s. 13](http://www.ontario.ca/laws/statute/S14013" \l "sched8s13) - 01/07/2016

Reconsideration of registrar’s finding

**17.7**(1)  Within 15 days after receiving notice of the registrar’s finding under subsection 17.6 (1), the person against whom the finding is made may request that the registrar reconsider the finding or the penalty imposed, or both. 2014, c. 13, Sched. 8, s. 13.

Same

(2)  A request for reconsideration must be in writing and must identify the grounds on which the reconsideration is requested. 2014, c. 13, Sched. 8, s. 13.

Same

(3)  If a person requests reconsideration of the registrar’s finding or of the penalty imposed, or both, the registrar shall reconsider his or her finding or the penalty imposed, or both, and give the person a notice of his or her decision. 2014, c. 13, Sched. 8, s. 13.

Same

(4)  The notice must be in writing and delivered to the person personally, by email to the address provided by the person or by registered mail. 2014, c. 13, Sched. 8, s. 13.

**Section Amendments with date in force (d/m/y)**

[2014, c. 13, Sched. 8, s. 13](http://www.ontario.ca/laws/statute/S14013" \l "sched8s13) - 01/07/2016

Judicial review

**17.8**Within 60 days after receiving the notice of the registrar’s finding under subsection 17.6 (1) or of the registrar’s decision under subsection 17.7 (3), the person against whom the finding is made may make an application for judicial review of the registrar’s finding or the penalty imposed, or both. 2014, c. 13, Sched. 8, s. 13.

**Section Amendments with date in force (d/m/y)**

[2014, c. 13, Sched. 8, s. 13](http://www.ontario.ca/laws/statute/S14013" \l "sched8s13) - 01/07/2016

Penalties

Registrar’s powers after finding of non-compliance

**17.9**  (1)  If the registrar’s finding under section 17.6 is that a person has not complied with a provision of this Act or of the regulations, the registrar may, taking into account the gravity of the non-compliance, the number of previous incidents of non-compliance committed by the same person and the number of previous convictions against the same person for offences under this Act, and if the registrar is of the opinion that it is in the public interest to do so, do either or both of the following:

1. Prohibit the person against whom the finding is made from lobbying for a period of not more than two years.

2. Subject to subsection (4), make public the following information:

i. The name of the person against whom the finding is made.

ii. A description of the non-compliance.

iii. Any other information that the registrar considers necessary to explain the finding of non-compliance. 2014, c. 13, Sched. 8, s. 13.

Registrar’s powers after conviction

(2)  If a person is convicted of an offence under this Act, the registrar may, taking into account the gravity of the offence, the number of previous convictions against the same person for offences under this Act and the number of previous incidents of non-compliance committed by the same person, and if the registrar is of the opinion that it is in the public interest to do so, do either or both of the things listed in subsection (1), with necessary modifications. 2014, c. 13, Sched. 8, s. 13.

Publication in registry

(3)  If the registrar makes information public under subsection (1) or (2) as described in paragraph 2 of subsection (1), he or she shall also include the information described in subparagraphs 2 i and ii of subsection (1) in the registry established and maintained under section 11. 2014, c. 13, Sched. 8, s. 13.

Limitation

(4)  The registrar shall not make any information public under subsection (1) until the time for making an application for judicial review under section 17.8 has expired and no application has been made. 2014, c. 13, Sched. 8, s. 13.

Delaying implementation of penalty

(5)  A person who requests reconsideration under section 17.7, or makes an application for judicial review under section 17.8, of the registrar’s finding against the person or the penalty imposed, or both, may at the same time apply in writing to the registrar to delay the implementation of the penalty, or any part of the penalty, until the matter has been finally disposed of, and upon receipt of such an application, the registrar may delay implementing the penalty until the matter has been finally disposed of if he or she is of the opinion that the delay would be just in the circumstances. 2014, c. 13, Sched. 8, s. 13.

**Section Amendments with date in force (d/m/y)**

[2014, c. 13, Sched. 8, s. 13](http://www.ontario.ca/laws/statute/S14013" \l "sched8s13) - 01/07/2016

Confidentiality

**17.10**(1)  Except as provided under this section, the registrar and anyone acting for or under the direction of the registrar shall not disclose to any person,

(a) whether the registrar is conducting an investigation under this Act; or

(b) any information, document or thing obtained in the course of conducting an investigation under this Act. 2014, c. 13, Sched. 8, s. 13.

Exceptions

(2)  The registrar and any person acting for or under the registrar’s direction shall not disclose to any person any information, document or thing obtained in the course of conducting an investigation under this Act except as necessary,

(a) to conduct an investigation under section 17.1;

(b) to refer a matter under section 17.2;

(c) to enforce a penalty imposed under section 17.9; or

(d) to comply with the requirements of section 17.12. 2014, c. 13, Sched. 8, s. 13.

Same

(3)  The registrar and any person acting for or under the registrar’s direction shall not give or be compelled to give evidence in any court or in any other proceeding in respect of information, documents or things obtained in the course of conducting an investigation under this Act except,

(a) in a prosecution for perjury;

(b) in a prosecution for an offence under this Act; or

(c) in an application for judicial review of a finding of or penalty imposed by the registrar. 2014, c. 13, Sched. 8, s. 13.

**Section Amendments with date in force (d/m/y)**

[2014, c. 13, Sched. 8, s. 13](http://www.ontario.ca/laws/statute/S14013" \l "sched8s13) - 01/07/2016

Procedure — non-application of *Statutory Powers Procedure Act*

**17.11**  The Statutory Powers Procedure Act does not apply to an investigation conducted by the registrar under section 17.1. 2014, c. 13, Sched. 8, s. 13.

**Section Amendments with date in force (d/m/y)**

[2014, c. 13, Sched. 8, s. 13](http://www.ontario.ca/laws/statute/S14013" \l "sched8s13) - 01/07/2016

Annual report

**17.12**  The annual report of the Integrity Commissioner (who is appointed as registrar under section 10 of this Act) required by section 24 of the Members’ Integrity Act, 1994 shall include,

(a) the number of investigations conducted by the Commissioner under this Act during the year, including the number of those investigations that were commenced, concluded or resumed during the year and the number of matters that the Commissioner refused to investigate or referred to another person or body during the year;

(b) a description in summary form of each investigation concluded or resumed, and of each matter referred, during the year; and

(c) any other information relevant to the administration of this Act the public disclosure of which the Commissioner believes to be in the public interest. 2014, c. 13, Sched. 8, s. 13.

**Section Amendments with date in force (d/m/y)**

[2014, c. 13, Sched. 8, s. 13](http://www.ontario.ca/laws/statute/S14013" \l "sched8s13) - 01/07/2016

Whistle-Blowing Protection

Whistle-blowing protection

**17.13**  (1)  No person shall retaliate against another person, whether by action or omission, or threaten to do so because,

(a) anything has been disclosed to the registrar; or

(b) evidence has been or may be given in a proceeding, including a proceeding in respect of the enforcement of this Act or the regulations. 2014, c. 13, Sched. 8, s. 14.

Interpretation, retaliate

(2)  Without in any way restricting the meaning of the word “retaliate”, the following constitute retaliation for the purposes of subsection (1):

1. Dismissing a person from employment or suspending or disciplining the person.

2. Imposing a penalty on a person.

3. Intimidating, coercing or harassing a person. 2014, c. 13, Sched. 8, s. 14.

May not discourage reporting

(3)  None of the following persons shall do anything that discourages, is aimed at discouraging or that has the effect of discouraging a person from doing anything mentioned in clause (1) (a) or (b):

1. A consultant lobbyist or an in-house lobbyist within the meaning of section 5 or 6.

2. A person or partnership that employs an in-house lobbyist within the meaning of section 5.

3. An organization that employs an in-house lobbyist within the meaning of section 6. 2014, c. 13, Sched. 8, s. 14.

May not encourage failure to report

(4)  No person mentioned in paragraphs 1, 2 and 3 of subsection (3) shall do anything to encourage a person to fail to do anything mentioned in clause (1) (a) or (b). 2014, c. 13, Sched. 8, s. 14.

Protection from legal action

(5)  No action or other proceeding shall be commenced against any person for doing anything mentioned in clause (1) (a) or (b) unless the person acted maliciously or in bad faith. 2014, c. 13, Sched. 8, s. 14.

**Section Amendments with date in force (d/m/y)**

[2014, c. 13, Sched. 8, s. 14](http://www.ontario.ca/fr/lois/loi/S14013" \l "sched8s14) - 01/07/2016

Offences and Punishment

Offences

Returns by consultant lobbyists

**18** (1)  Every individual who fails to comply with subsection 4 (1), (4), (5) or (8) is guilty of an offence. 2014, c. 13, Sched. 8, s. 15 (1).

Returns by senior officers

(2)  Every individual who fails to comply with subsection 5 (1), (2), (3), (4) or (5) is guilty of an offence. 2014, c. 13, Sched. 8, s. 15 (2).

Same

(3)  Every individual who fails to comply with subsection 6 (1), (3), (3.1) or (4) is guilty of an offence. 2014, c. 13, Sched. 8, s. 15 (3).

False or misleading statements

(4)  Every individual who knowingly makes a false or misleading statement in a return or other document submitted to the registrar under this Act is guilty of an offence. 1998, c. 27, Sched., s. 18 (4).

(5)-(7)  Repealed: 2014, c. 13, Sched. 8, s. 15 (4).

Public funds, etc.

(7.1)  Every individual who fails to comply with section 3.1 is guilty of an offence. 2014, c. 13, Sched. 8, s. 15 (5).

Contingent payments

(7.2)  Every individual who fails to comply with section 3.2 is guilty of an offence. 2014, c. 13, Sched. 8, s. 15 (6).

Conflict of interest

(7.3)  Every individual who fails to comply with section 3.3 is guilty of an offence. 2014, c. 13, Sched. 8, s. 15 (7).

Placing public office holders into conflict of interest

(7.4)  Every individual who fails to comply with section 3.4 is guilty of an offence. 2014, c. 13, Sched. 8, s. 15 (8).

Whistle-blowing retaliation

(7.5)  Every individual who contravenes subsection 17.13 (1), (3) or (4) is guilty of an offence. 2014, c. 13, Sched. 8, s. 15 (9).

Penalty

(8)  Upon conviction of an offence under this section, an individual is liable,

(a) for a first offence, to a fine of not more than $25,000; and

(b) for each subsequent offence, to a fine of not more than $100,000. 2014, c. 13, Sched. 8, s. 15 (10).

Limitation

(9) No proceeding in respect of an offence under this section shall be commenced more than two years after the time when the subject-matter of the proceeding arose. 1998, c. 27, Sched., s. 18 (9).

**Section Amendments with date in force (d/m/y)**

[2010, c. 25, s. 25 (10)](http://www.ontario.ca/laws/statute/S10025" \l "s25s10) - 1/01/2011

[2014, c. 13, Sched. 8, s. 15 (1-10)](http://www.ontario.ca/laws/statute/S14013" \l "sched8s15s10) - 01/07/2016

Review of Act

Review of Act

**18.1**  A committee of the Legislative Assembly shall,

(a) begin a comprehensive review of this Act no later than the fifth anniversary of the day on which section 16 of Schedule 8 to the *Public Sector and MPP Accountability and Transparency Act, 2014* comes into force; and

(b) make recommendations to the Assembly within one year after beginning that review concerning amendments to this Act. 2014, c. 13, Sched. 8, s. 16.

**Section Amendments with date in force (d/m/y)**

[2014, c. 13, Sched. 8, s. 16](http://www.ontario.ca/laws/statute/S14013" \l "sched8s16) - 01/07/2016

Regulations

Regulations

**19** The Lieutenant Governor in Council may make regulations,

(a) Repealed: 2014, c. 13, Sched. 8, s. 17 (1).

(b) requiring a fee to be paid on the filing of a return or a return of a class of returns under section 4, 5 or 6, or for any service performed or the use of any facility provided by the registrar;

(c) prescribing the fee referred to in clause (b) or the manner of determining it, and providing for a difference in or the waiver of the fee for filing a return based on the manner in which the return is submitted to the registrar;

(d) respecting the entering or recording of any return or other document under subsection 9 (1);

(d.1) governing any notice required to be given by this Act, including prescribing when a notice given by registered mail is deemed to be received;

(e) prescribing any matter or thing that by this Act is to be or may be prescribed;

(f) generally for carrying out the purposes and provisions of this Act. 1998, c. 27, Sched., s. 19; 2014, c. 13, Sched. 8, s. 17.

**Section Amendments with date in force (d/m/y)**

[2002, c. 18, Sched. K, s. 1](http://www.ontario.ca/laws/statute/S02018" \l "schedks12)3 - see [Table of Public Statute Provisions Repealed Under Section 10.1 of the *Legislation Act, 2006*](http://www.ontario.ca/laws/public-statute-provisions-repealed-under-section-101-legislation-act-2006) - 31/12/2012

[2014, c. 13, Sched. 8, s. 17 (1, 2)](http://www.ontario.ca/laws/statute/S14013" \l "sched8s17s1) - 01/07/2016

**20** Omitted (provides for coming into force of provisions of this Act). 1998, c. 27, Sched., s. 20.

**21** Omitted (enacts short title of this Act). 1998, c. 27, Sched., s. 21.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[Français](http://www.ontario.ca/fr/lois/loi/98l27)

[Back to top](#Top)