



Notice no. 2005-04

February 3, 2005

This notice is issued and published by the Lobbyists Commissioner pursuant to section 52 of the *Lobbying Transparency and Ethics Act* (R.S.Q., c.T-11.011).

Subject : Interpretation of the expression “the arranging (...) of a meeting between a public office holder and any other person” used in the second paragraph of section 2 of the *Lobbying Transparency and Ethics Act*.

Website: www.commissairelobby.qc.ca

The second paragraph of section 2 of the *Lobbying Transparency and Ethics Act* provides that “[t]he arranging by a lobbyist of a meeting between a public office holder and any other person is considered to be a lobbying activity”.

Every registration in the registry of lobbyists must mention the subject-matter of the lobbying activities, and particulars to identify such subject-matter. To be governed by the Act, a meeting arranged by a lobbyist or a person acting under the lobbyist’s authority on behalf of any other person must pertain to one of the subject-matters mentioned in subparagraph 1, 2, 3 or 4 of the first paragraph of section 2:

- “(1) the development, introduction, amendment or defeat of any legislative or regulatory proposal, resolution, policy, program or action plan,
- (2) the issue of any permit, licence, certificate or other authorization,
- (3) the awarding of any contract, otherwise than by way of a call for public tenders, or of any grant or other financial benefit or the granting of any other form of benefit determined by government regulation, or
- (4) the appointment of any public office holder within the meaning of the *Act respecting the Ministère du Conseil exécutif* (chapter M-30) or the appointment of any deputy minister or other holder of a position referred to in section 55 of the *Public Service Act* (chapter F-3.1.1) or any holder of a position referred to in section 57 of that Act[.]”

For example, the sole fact of arranging a meeting between a public office holder and any other person in relation to the awarding of a contract will be considered to be a lobbying activity requiring the filing of a return in the registry of lobbyists.

However, the arranging of a meeting between a public office holder and any other person regarding an appointment to the office of chief of staff to a minister does not constitute a lobbying activity within the meaning of the Act, since the appointment is not an appointment referred to in subparagraph 4 of the first paragraph of section 2 of the Act. That subparagraph concerns only the appointment of a public office holder within the meaning of the *Act respecting the Ministère du Conseil exécutif* (chapter M-30) or the appointment of a deputy minister or another holder of a position referred to in section 55 of the *Public Service Act* (chapter F-3.1.1) or of a position referred to in section 57 of that Act.

To determine if any of the subject-matters mentioned in the first paragraph of section 2 of the Act is involved, a lobbyist who arranges a meeting between a public office holder and any other person must be aware of, or enquire about the purpose of the communication that is to take place between that other person and the public office holder.

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Lobbyists Commissioner