



THE CANADIAN CHAMBER OF COMMERCE
LA CHAMBRE DE COMMERCE DU CANADA

*Office of the President and Chief Executive Officer
Cabinet de la présidente et chef de la direction*

July 10, 2008

Ms. Karen Sheperd
Interim Commissioner of Lobbying of Canada
255 Albert Street, 10th Floor
Ottawa, Ontario K1A 0R5

Dear Ms. Sheperd,

I am writing to seek greater clarity with respect to the new reporting requirements for lobbyists that came into effect on July 2, 2008. The Canadian Chamber of Commerce remains committed to working constructively and transparently with our government. In this regard, we are seeking clarification on these new reporting requirements to ensure that we are in full compliance with all reporting requirements expected of us.

The Canadian Chamber of Commerce is Canada's largest and most representative business organization. We are the national leader in public policy advocacy on business issues and *the Voice of Canadian Business*TM. The Canadian Chamber of Commerce is a diverse network of 175,000 organizations, including chambers of commerce, boards of trade, business associations and businesses of all sizes, from all sectors of the economy and all regions of Canada.

501-350, rue Sparks St. In particular, we would like clarification with respect to the following issues:

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- (1) What is meant by a pre-arranged communication that is initiated by someone other than the Designated Public Office Holder (DPOH)? Does this mean that someone from the Canadian Chamber of Commerce, or someone on behalf of the Canadian Chamber, has to initiate the communication? What if the opportunity for the communication was arranged in advance, but not at our request? For example, what is the reporting protocol for receptions/events where the Canadian Chamber and DPOHs are both invited by the group organizing the function? What is the reporting protocol if someone from the Canadian Chamber were situated at a head table containing a DPOH for lunch at an event organized by a third party? Are purely social conversations reportable?

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Le porte-parole des entreprises canadiennes^{MD}

- (2) We are uncertain how to determine who “occupies a position of comparable rank” to associate and/or assistant deputy ministers and is thus a DPOH. For example, do those on a full-time secondment to a government department (such as a visiting scholar in residence) occupy a position of comparable rank? Do Canadian ambassadors? Are interactions with members of advisory panels established by the Minister ones that must be reported?
- (3) Representatives from the Canadian Chamber are frequently invited by DPOHs to events or meetings where other DPOHs are present. In such instances, a pre-arranged oral communication frequently takes place with a DPOH, but was initiated by a different DPOH. Are such communications subject to reporting requirements?
- (4) It is unclear whose communications need to be reported, as there seems to be a discrepancy in the legislation. In the return filed under section 7, we are required to name each of our employees that engage in any lobbying activities. However, the monthly return must contain all oral, pre-arranged communications with a DPOH. Do we need to include in the monthly return those instances where employees who do not engage in lobbying activities have occasion to speak with a DPOH, for example at a reception/event? Or is it only the reportable communications made by those employees listed in our section 7 return?
- (5a) We would also like greater clarity regarding when a communication is initiated by a DPOH. Frequently, the Canadian Chamber is contacted by those working at a division or branch of the Federal Public Administration in order to arrange a meeting with the Senior Executive of this division or branch. Those arranging the meeting are doing so on behalf of the DPOH. We understand that this interaction would not have to be reported, as it is initiated by a DPOH. Do you agree?
- (5b) The Canadian Chamber sits on numerous government advisory committees at the request of the government, under the signature of a DPOH. Are oral communications associated with these committees, including follow-up meetings, reportable?
- (6) Another issue arises with respect to the subject matter of the communication. In some instances, for example on issues of national security, providing greater detail on the subject of communication can be seen to imperil Canada’s national security. What level of detail regarding the subject matter is required in such instances?
- (7) We have some questions regarding communications that involve grants, contributions, contracts or other financial benefits. Does the need to always report such interactions pertain if the funding decision being discussed regards a funding decision to a third party and there are no direct financial benefits for the party inquiring?



- (8) The Canadian Chamber often invites DPOHs to meetings with our members. We understand that we must report these meetings. Would the attendees need to report as well?

I thank you in advance for your answers to these questions. As we indicated previously in our February 2008 letter on the proposed *Lobbyist Registration Regulations*, the Canadian Chamber believes clear instructions need to be given to Canadians, through an advertisement campaign with detailed instructions on a website. I appreciate your efforts to provide us with greater clarity regarding our reporting requirements and reiterate our commitment to fully comply with all such requirements.

Sincerely,

A handwritten signature in black ink that reads "Perrin Beatty". The signature is written in a cursive style with a large initial "P".

Perrin Beatty