

**Region of Waterloo**  
**Planning, Development, and Legislative Services**  
**Administration**

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**To:** Administration and Finance Committee  
**Meeting Date:** June 6, 2023  
**Report Title:** Considerations for Implementing a Lobbyist Registry

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**1. Recommendation**

That the Regional Municipality of Waterloo defer the consideration of a Lobbyist Registry to the 2024 Plan and Budget as set out in report PDL-CAS-23-004 dated June 6, 2023.

**2. Purpose / Issue:**

A lobbyist registry aims to improve transparency and accountability in the interactions between lobbyists and Region of Waterloo public officials or staff. This report provides an update on direction from the previous Council to develop a lobbyist registry with the area municipalities and includes considerations for the policy framework for a by-law and Lobbyist Code of Conduct.

**3. Strategic Plan:**

The establishment of a lobbyist registry aligns with the Region's strategic plan for 2019-2023 to involve and inform the community in decision-making in order to inspire public trust and confidence in government. A lobbyist registry with rules of conduct for lobbyists and a searchable database of their interactions contributes to public expectations for transparency and accountability.

This initiative specifically supports Strategic Focus Area #5, Responsive and Engaging Public Service, with a focus on Strategic Objective 5.1 to enhance opportunities for public engagement, input, and involvement in Regional Municipality of Waterloo initiatives.

**4. Report Highlights:**

- Lobbying is a legitimate and legal activity that enables individuals, groups, and companies to communicate with elected officials and municipal staff in order to influence or advocate for a particular position or outcome related to a municipal

issue or decision. A lobbyist registry can enhance Regional transparency and integrity by documenting communication in a centralized online database that is accessible to the public and interested stakeholders.

- Staff have prepared a draft by-law and Lobbyist Code of Conduct (Appendix 2) for consideration. There has been no stakeholder or public consultation on these documents at this time. Should Council wish to proceed with a lobbyist registry, staff will undertake a consultation on these documents and will return with an implementation plan and recommended documents for approval.
- Previous direction from Council was to develop the program in consultation with area municipalities. Staff have consulted with area municipal staff and only the City of Waterloo expressed an interest in moving forward at this time. A regional approach could ensure consistency and transparency, however, other regional municipalities have implemented lobbyist registries without including their Area municipalities. The draft by-law has been structured in a way that would allow the area municipalities to pass their own similar by-laws at a later date.
- Lobbyist registry software is estimated to cost approximately \$10,000 annually.

## **5. Background:**

Under Part V.1 of the Municipal Act, 2001, municipalities in Ontario can establish and maintain a registry of persons who lobby public office holders to ensure lobbying activities are conducted in a responsible and ethical manner. The Act outlines the parameters for the establishment of the registry, including the requirements for registration and the information that must be disclosed.

Staff presented a report on May 4, 2022 on the legislative framework for lobbyist registries in Ontario. Based on this report, the previous Regional Council directed staff to develop a lobbyist registry program with a lobbyist policy, a Code of Conduct, a Lobbyist Registry By-law, and a comprehensive online registry. Staff was also instructed to develop the program in consultation with area municipalities and through public engagement.

## **6. Area Municipality Communication and Public/Stakeholder Engagement:**

### **Area Municipality Communication:**

The previous term of Regional Council directed staff to investigate collaboration on a lobbyist registry with all seven local area municipalities. When consulted, area municipal staff indicated that they did not have the staff capacity or resources to proceed with a lobbyist registry at this time, but would like to be kept informed. City of Waterloo staff

indicated a desire to be informed of developments for future consideration. A consistent approach across the Region would provide clarity for elected officials, the public, and lobbyists. However, currently no regional municipality shares a lobbyist registry with all of its area municipalities.

Should Council wish to proceed with a lobbyist registry without area municipal involvement staff will ensure that the registry is prepared in a way that allows for future collaboration and that area municipal staff are informed of future developments.

**Public/Stakeholder Engagement:**

If Council provides direction to proceed with the lobbyist registry a public and stakeholder consultation is recommended for the draft by-law and Lobbyist Code of Conduct. Appendix 1 lays out the key discussion items for consideration in this engagement.

**7. Financial Implications:**

There are no funds in the 2023 budget for costs related to a lobbyist registry. A scan of other municipalities showed that software has traditionally been a significant cost for creating a lobbyist registry, with implementation costs ranging from \$100,000 to \$250,000, plus yearly fees. A new Canadian company, J-SAS Inc. has established a turn-key solution, built specifically for public sector lobbyist registries. The cost of this solution is based on population, and for Waterloo Region would be approximately \$10,000 annually. Additional costs may arise for advice, investigations, and enforcement by the Integrity Commissioner as the Lobbyist Registrar, at an hourly rate of up to \$800.00 per hour based on our existing agreement.

**8. Conclusion / Next Steps:**

Staff seek Council's direction on the further consideration of a Lobbyist Registry as part of the 2024 Plan and Budget process.

**9. Attachments:**

Appendix 1: Program Development Considerations

Appendix 2: Draft Lobbyist Registry By-law & Lobbyist Code of Conduct

Appendix 3: Lobbyist Registry software product screenshots

**Prepared By:** Theresa Mendler, Manager Strategic Community Planning Initiatives

**Reviewed By:** Tim Brubacher, Deputy Clerk/Manager Council & Administrative Services

William Short, Regional Clerk/Director Council & Administrative Services

**Approved By:** Rod Regier, Commissioner, Planning, Development & Legislative Services