

# Lobbyists' Registration Act

CHAPTER 34 OF THE ACTS OF 2001

*as amended by*

2002, c. 30, ss. 11-13; 2010, c. 33, ss. 29-33;  
2010, c. 57; 2018, c. 1, Sch. A, s. 122



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CHAPTER 34 OF THE ACTS OF 2001  
amended 2002, c. 30, s. 11-13; 2010, c. 33, ss. 29-33;  
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**An Act to Provide for  
the Registration of Lobbyists**

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(The table of contents is not part of the statute)

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WHEREAS free and open access to government is an important matter of public interest;

AND WHEREAS lobbying public-office holders is a legitimate activity;

AND WHEREAS it is desirable that public-office holders and the public be able to know who is engaged in lobbying activities;

AND WHEREAS a system for the registration of paid lobbyists should not impede free and open access to government:

*Preamble enacted 2010, c. 57, s. 1.*

**Short title**

**1** This Act may be cited as the *Lobbyists’ Registration Act*. 2001, c. 34, s. 1.

**Interpretation**

**2 (1)** In this Act,

(a) “Crown” means Her Majesty in right of the Province;

(b) “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, but does not include communication between an organization and its members, officers or employees or between a person or partnership and its shareholders, officers or employees;

(c) “lobby” means to communicate with a public-office holder, directly or through grass-roots communication, in an attempt to influence

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

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

(iii) the making or amendment of any regulation as defined in the *Regulations Act*,

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

(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, or

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

and, in relation to a consultant lobbyist referred to in Section 5,

(viii) 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

(ix) to arrange a meeting between a public-office holder and any other person;

(d) “organization” means

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

(ii) a trade union or labour organization,

- (iii) a chamber of commerce or board of trade,
- (iv) an association, a charitable organization, a coalition or an interest group,
- (v) a government, other than the Government of the Province, or
- (vi) 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;
- (e) “prescribed” means prescribed by the regulations;
- (f) “public-office holder” means
  - (i) a member, officer or servant of the House of Assembly or any person on the staff of a member,
  - (ii) a person who is appointed to any office or body by or with the approval of the Governor in Council or a minister of the Crown, other than
    - (A) a judge or a justice of the peace,
    - (B) an adjudicator of the Small Claims Court,
    - (C) a member of an administrative tribunal exercising a judicial function,
    - (D) the Ombudsman, or
    - (E) a review officer appointed pursuant to the *Freedom of Information and Protection of Privacy Act*,
  - (iii) an officer, director or employee of a government agency within the meaning of the *Auditor General Act*,
  - (iv) *repealed 2002, c. 30, s. 11.*

or

- (v) any officer or employee of the Crown, or any employee of an officer or minister, not otherwise referred to in paragraphs (ii) to (iv),
- (g) “Registrar” means the Registrar referred to in Section 4;
- (h) “regulations” means the regulations made pursuant to this Act unless otherwise specified.

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

(a) securities of the corporation, to which are attached more than fifty 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.

(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.

(4) For greater certainty, “contributed” in clauses 6(4)(h) and 7(4)(f) includes a contribution in kind and does not include a membership fee payment. 2001, c. 34, s. 2; 2002, c. 30, s. 11; 2010, c. 33, s. 29; 2010, c. 57, s. 2.

### Act does not apply

3 (1) This Act does not apply to any of the following persons when acting in their official capacity:

(a) members, officers and servants of the House of Assembly or persons on the staff of those members;

(b) members, officers or servants of the Senate or House of Commons of Canada, the legislative assembly of another province of Canada or persons on the staff of those members;

(c) employees in the public service of the Province;

(d) employees of the Government of Canada or of the government of another province of Canada;

(e) members of a council or other statutory body charged with the administration of the civil or municipal affairs of a regional municipality, town or municipality of a county or district, including the Conseil scolaire acadien provincial, and persons employed by such members or officers or employees of a regional municipality, town or municipality of a county or district, including the Conseil scolaire acadien provincial;

(f) an officer, director or employee of the Union of Nova Scotia Municipalities;

(g) *repealed 2018, c. 1, Sch. A, s. 122.*

(h) 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 those members or employees of the council;

(i) diplomatic agents, consular officers or official representatives in Canada of a foreign government;

(j) 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; and

(k) such other classes of employees of government agencies, within the meaning of the *Auditor General Act*, as may be prescribed.

(2) This Act does not apply in respect of

(a) any oral or written submission made in proceedings that are a matter of public record to a committee of the House of 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 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 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 an oral or written request from a public-office holder for advice or comment in respect of any matter referred to in subclauses 2(1)(c)(i) to (viii);

(d) any oral or written submission made to a member of the House of 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 paragraphs 2(1)(c)(viii) or (ix) concerning a private bill for the special benefit of that constituent; or

(e) any communication made to a public-office holder by a trade union with respect to the administration or negotiation of a collective agreement or matters related to the representation of a member or former member of a bargaining unit who is or was employed in the public service as defined in the *Public Service Act*.

(3) This Act does not apply to a barrister of the Supreme Court of Nova Scotia in respect of the drafting of any legislative proposal for introduction in the House of Assembly or any consequential consultation. 2001, c. 34, s. 3; 2010, c. 33, s. 30; 2018, c. 1, Sch. A, s. 122.

**Designation of Registrar**

4 The Governor in Council shall appoint or designate a person as the Registrar for the purpose of this Act. 2001, c. 34, s. 4.

**Consultant lobbyists**

5 (1) In this Section and Section 5A,

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

(b) "consultant lobbyist" means an individual who, for payment, undertakes to lobby on behalf of a client;

(c) "payment" means money or anything of value and includes a contract, promise or agreement to pay money or anything of value;

(d) "undertaking" means an undertaking by a consultant lobbyist to lobby on behalf of a client.

(2) A consultant lobbyist shall file a return with the Registrar

(a) within ten days after commencing performance of an undertaking; and

(b) within thirty days after the expiration of each six-month period after the date of filing the previous return.

(3) Where, on the coming into force of this Section, a consultant lobbyist is performing an undertaking, the consultant lobbyist shall file a return with the Registrar not later than ten days after this Section comes into force.

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

(a) the name and business address of the consultant lobbyist and, where applicable, the name and business address of the firm where the consultant lobbyist is engaged in business;

(b) the name and business address of the client and the name and business 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;

(c) where the client is a corporation, the name and business 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;

(d) where the client is a corporation that is a subsidiary of any other corporation, the name and business address of that other corporation;



(e) where the client is a coalition, the name and business address of each partnership, corporation or organization that is a member of the coalition;

(f) where the client is funded, in whole or in part, by a government or a government agency, 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;

(g) the name and business address of any entity or organization, other than a government or a government agency, 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, seven hundred and fifty dollars or more toward the consultant lobbyist's activities on behalf of the client;

(h) the name and business address of any individual who, to the knowledge of the consultant lobbyist, made a contribution described in clause (g) on behalf of an entity or organization described in that clause;

(i) the subject-matter in respect of which the consultant lobbyist has undertaken to lobby and any other prescribed information respecting the subject-matter;

(j) in the case of an agreement entered into before the coming into force of Section 5A and within twenty-four months after the coming into force of Section 5A, whether the payment to the consultant lobbyist is, in whole or in part, contingent on the consultant lobbyist's degree of success in lobbying as described in subclauses 2(1)(c)(i) to (viii);

(k) particulars to identify any relevant legislative proposal, bill, resolution, regulation, policy, program, decision, grant, contribution, ~~financial~~ [financial] benefit or contract;

(l) the name of any department of the Government of the Province or a government agency, within the meaning of the *Auditor General Act*, in which any public-office holder is employed or serves whom the consultant lobbyist has lobbied or expects to lobby;

(m) whether the consultant lobbyist has lobbied or expects to lobby a member of the House of Assembly in the member's capacity as a member or a person on the staff of a member of the House of Assembly;

(n) where the consultant lobbyist has undertaken to lobby as described in subclauses 2(1)(c)(i) to (viii), the techniques of communication, including grass-roots communication, that the consultant lobbyist has used or expects to use to lobby; and

(o) such additional information as may be prescribed with respect to the identity of a person or entity described in this Section.

(5) A consultant lobbyist shall provide the Registrar with any change to the information in the return of the consultant lobbyist 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 thirty days after the change occurs or the knowledge is acquired.

(6) *repealed 2002, c. 30, s. 12.*

(7) A consultant lobbyist shall advise the Registrar that the consultant lobbyist has completed an undertaking in respect of which the consultant lobbyist has filed a return or that the undertaking has been terminated not later than thirty days after the completion or termination of the undertaking.

(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 thirty days after the Registrar makes the request.

(9) This Section does not apply in respect of anything that an employee undertakes to do on the sole behalf of the employee's employer or, where the 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. 2001, c. 34, s. 5; 2002, c. 30, s. 12; 2010, c. 33, s. 31; 2010, c. 57, s. 3.

#### **Contingent payment to consultant lobbyist prohibited**

**5A (1)** A consultant lobbyist shall not receive any payment that is, in whole or in part, contingent on the consultant lobbyist's degree of success in lobbying as described in subclauses 2(1)(c)(i) to (viii).

(2) A client of a consultant lobbyist shall not make any payment to a consultant lobbyist that is, in whole or in part, contingent on the consultant lobbyist's degree of success in lobbying as described in subclauses 2(1)(c)(i) to (viii).

(3) Notwithstanding subsections (1) and (2), where a consultant lobbyist, before the coming into force of this Section, has entered into an agreement that provides for payment that is, in whole or in part, contingent on the consultant lobbyist's degree of success in lobbying as described in subclauses 2(1)(c)(i) to (viii), such payment is permitted for a maximum period of twenty-four months after this Section comes into force. 2010, c. 57, s. 4.

#### **In-house lobbyists**

**6 (1)** In this Section,

(a) "employee" includes an officer who is compensated for the performance of the officer's duties;

(b) "in-house lobbyist" means an individual who is employed by a person or partnership other than an organization

(i) a significant part of whose duties as an employee, as determined in accordance with the regulations, is to lobby on behalf of the person or partnership or, where the person is a corporation, on behalf of any subsidiary of the corporation or any corporation of which the corporation is a subsidiary, or

(ii) a part of whose duties as an employee is to lobby on behalf of the person or partnership or, where the person is a corporation, on behalf of any subsidiary of the corporation or any corporation of which the corporation is a subsidiary, if the employee's duties to lobby together with the duties of other employees to lobby would constitute a significant part of the duties of one employee, as determined in accordance with the regulations, were those duties to lobby to be performed by only one employee.

(2) An in-house lobbyist shall file a return with the Registrar

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

(b) within thirty days after the expiration of each six-month period after the date of filing the previous return.

(3) An individual who is an in-house lobbyist on the coming into force of this Section shall file a return with the Registrar within two months after the day on which this Section comes into force and after that in accordance with clause (2)(b).

(4) An in-house lobbyist shall set out in the return the following information:

(a) the name and business address of the in-house lobbyist;

(b) the name and business address of the employer;

(c) where the employer is a corporation, the name and business address of each subsidiary of the corporation that, to the knowledge of the in-house lobbyist, has a direct interest in the outcome of the in-house lobbyist's activities on behalf of the employer;

(d) where the employer is a corporation that is a subsidiary of any other corporation, the name and business address of that other corporation;

(e) where applicable, the fiscal year of the employer;

(f) a general description of the employer's business or activities;

(g) where the employer is funded, in whole or in part, by a government or government agency, the name of the government or

government agency, as the case may be, and the amount of funding received by the employer from that government or government agency;

(h) the name and business address of any entity or organization, other than a government or government agency, that, to the knowledge of the in-house lobbyist, contributed, during the entity's or organization's fiscal year that precedes the filing of the return, seven hundred and fifty dollars or more toward the in-house lobbyist's activities on behalf of the employer;

(i) the name and business address of any individual who, to the knowledge of the in-house lobbyist, made a contribution described in clause (h) on behalf of an entity or organization described in that clause;

(j) where the in-house lobbyist is lobbying at the time the return is filed, the subject-matter in respect of which the in-house lobbyist is lobbying and any other prescribed information respecting the subject-matter;

(k) the subject-matters in respect of which the in-house lobbyist has lobbied or expects to lobby during the fiscal year of the employer in which the return is filed or, where the employer does not have a fiscal year, during the calendar year in which the return is filed, and any other prescribed information respecting those subject-matters;

(l) particulars to identify any relevant legislative proposal, bill, resolution, regulation, policy, program, decision, grant, contribution or financial benefit;

(m) the name of any department of the Government of the Province or a government agency, within the meaning of the *Auditor General Act*, in which any public office holder is employed or serves whom the in-house lobbyist has lobbied or expects to lobby during the fiscal year of the employer in which the return is filed or, where the employer does not have a fiscal year, during the calendar year in which the return is filed;

(n) whether the in-house lobbyist has lobbied or expects to lobby a member of the House of Assembly in the member's capacity as a member or a person on the staff of a member of the House of Assembly during the fiscal year of the employer in which the return is filed or, where the employer does not have a fiscal year, during the calendar year in which the return is filed;

(o) the techniques of communication, including grass-roots communication, that the in-house lobbyist has used or expects to use to lobby during the fiscal year of the employer in which the return is filed or, where the employer does not have a fiscal year, during the calendar year in which the return is filed; and

(p) such additional information as may be prescribed with respect to the identity of a person or entity described in this Section.

(5) An in-house lobbyist shall provide the Registrar with any change to the information in the return of the in-house lobbyist and any information required to be provided under subsection (4), the knowledge of which the in-house lobbyist acquired only after the return was filed, not later than thirty days after the change occurs or the knowledge is acquired.

(6) An in-house lobbyist who ceases to be an in-house lobbyist or to be employed by the employer of the in-house lobbyist shall advise the Registrar of that not later than thirty days after the in-house lobbyist ceases to be an in-house lobbyist or ceases to be employed by the employer.

(7) An in-house lobbyist shall provide the Registrar with any information that the Registrar may request to clarify any information that the in-house lobbyist has provided to the Registrar under this Section not later than thirty days after the Registrar makes the request. 2001, c. 34, s. 6; 2010, c. 33, s. 32.

#### **In-house lobbyists for organizations**

7 (1) In this Section,

(a) “employee” includes an officer who is compensated for the performance of the officer’s duties;

(b) “in-house lobbyist” means an individual who is employed by an organization

(i) a significant part of whose duties as an employee, as determined in accordance with the regulations, is to lobby on behalf of the organization, or

(ii) a part of whose duties as an employee is to lobby on behalf of the organization if the employee’s duties to lobby together with the duties of other employees to lobby would constitute a significant part of the duties of one employee, as determined in accordance with the regulations, were those duties to lobby to be performed by only one employee;

(c) “senior officer” means the most senior officer of an organization who is compensated for the performance of the senior officer’s duties.

(2) 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 thirty days after the expiration of each six-month period after the date of filing the previous return.

(3) Where, on the coming into force of this Section, the organization employs an in-house lobbyist, the senior officer of the organization shall file a return with the Registrar within two months after the day on which this Section comes into force and after that in accordance with clause (2)(b).

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

- (a) the name and business address of the senior officer;
- (b) the name and business address of the organization;
- (c) a description in summary form of the organization's business or activities and any other prescribed information to identify its business or activities;
- (d) a general description of the membership of the organization, including the names of the directors and officers of the organization;
- (e) where the organization is funded, in whole or in part, by a government or government agency, 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;
- (f) the name and business address of any entity or other organization, other than a government or government agency, 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, seven hundred and fifty dollars or more toward the lobbying activities of the organization's in-house lobbyists;
- (g) the name and business address of any individual who, to the knowledge of the senior officer, made a contribution described in clause (f) on behalf of an entity or organization described in that clause;
- (h) the name of each in-house lobbyist employed by the organization;
- (i) where any in-house lobbyist is lobbying at the time the return is filed, the subject-matter in respect of which the in-house lobbyist is lobbying and any other prescribed information respecting the subject-matter;
- (j) the subject-matters and any other prescribed information respecting those subject-matters in respect of which any in-house lobbyist
  - (i) has lobbied during the period for which the return is filed, and
  - (ii) expects to lobby during the next following six-month period;

(k) particulars to identify any relevant legislative proposal, bill, resolution, regulation, policy, program, decision, grant, contribution or financial benefit;

(l) the name of any department of the Government of the Province or a government agency, within the meaning of the *Auditor General Act*, in which any public office holder is employed or services whom any in-house lobbyist

(i) has lobbied during the period for which the return is filed, and

(ii) expects to lobby during the next following six-month period;

(m) whether any in-house lobbyist

(i) has lobbied a member of the House of Assembly in the member's capacity as a member or a person on the staff of a member of the House of Assembly during the period for which the return is filed, and

(ii) expects to lobby a member of the House of Assembly in the member's capacity as a member or a person on the staff of a member of the House of Assembly during the next following six-month period;

(n) the techniques of communication, including grassroots communication, that any in-house lobbyist

(i) has used to lobby during the period for which the return is filed, and

(ii) expects to use to lobby during the next following six-month period;

(o) any other prescribed information relating to the identity of the senior officer, the organization, any in-house lobbyist or any department, agency, board or commission referred to in clause (l); and

(p) 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.

(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 in the return of the senior officer not later than thirty days after the Registrar makes the request. 2001, c. 34, s. 7; 2010, c. 33, s. 33.

#### **Certification of returns or documents**

8 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 the individual's knowledge and belief on the return or other document or,

where it is submitted in electronic or other form in accordance with subsection 9(1), in the manner that is specified by the Registrar. 2001, c. 34, s. 8.

#### **Filing of returns, information or documents**

**9 (1)** Returns to be filed with the Registrar and information and other documents to be given to the Registrar under this Act shall be in a form approved by the Registrar.

**(2)** Returns, information and other documents shall be submitted to the Registrar in a manner permitted by the Registrar.

**(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 purpose of this Act.

**(4)** Subject to subsection (5), the date on which the Registrar received 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 purpose of this Act.

**(5)** In the prescribed circumstances, a return, information or another document is deemed to have been received by the Registrar on the date determined in accordance with the regulations. 2001, c. 34, s. 9.

#### **Form of storage of returns and documents**

**10 (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.

**(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. 2001, c. 34, 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.

**(2)** The Registry shall be organized in the manner and kept in the form that the Registrar determines.

**(3)** The Registry shall be available for public inspection in the manner and during the time that the Registrar determines.



(4) For greater certainty, the Registrar may make the Registry available electronically on-line, including through the Internet. 2001, c. 34, s. 11.

#### **Verification of information**

12 The Registrar may verify the information contained in any return or other document submitted to the Registrar under this Act. 2001, c. 34, s. 12.

#### **Registrar may refuse**

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 this Act or the regulations or that contains information or statements not requested in the return or other documents.

(2) Where the Registrar refuses to accept a return or other documents 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.

(3) Notwithstanding the provisions of this Act respecting times for filing a return or submitting another document, where 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.

(4) Where the Registrar accepts another return or document within the extension of time referred to in subsection (3), the return is deemed to have been filed or the other document is deemed to have been submitted on the day on which the return or the other document that was refused was received by the Registrar. 2001, c. 34, s. 13.

#### **Registrar may remove return**

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 5(6);

(b) fails to advise the Registrar of the matters required by subsection 5(7) or 6(6) 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.

(2) The Registrar may remove a return without giving notice to the individual who filed the return and without holding a hearing.

(3) When a return is removed from the Registry, the individual who filed it is deemed, for the purposes of the individual's existing and future obligations under this Act, not to have filed the return. 2001, c. 34, s. 14.

#### **Advisory opinions and interpretation bulletins**

15 (1) The Registrar may issue advisory opinions and interpretation bulletins with respect to the enforcement, interpretation or application of this Act or the regulations.

(2) Advisory opinions and interpretation bulletins issued pursuant to subsection (1) are not binding. 2001, c. 34, s. 15.

#### **Delegation of Registrar's powers and duties**

16 (1) The Registrar may delegate, in writing, any of the Registrar's powers or duties under this Act to a person employed in the Registrar's office and may authorize that person to delegate any of those powers or duties to another person employed in that office.

(2) A delegation may be made subject to such conditions and restrictions as the person making the delegation considers appropriate. 2001, c. 34, s. 16.

#### **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. 2001, c. 34, s. 17.

#### **Offences and penalties**

18 (1) Every individual who fails to comply with subsection 5(2), (3), (4), (5) or (8), Section 5A, subsection 6(2), (3), (4), (5) or (7) or subsection 7(2), (3), (4) or (5) is guilty of an offence.

(2) 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.

(3) Every

(a) consultant lobbyist within the meaning of subsection 5(1); or

(b) in-house lobbyist within the meaning of subsection 6(1) or 7(1),

is guilty of an offence if, in the course of lobbying a public-office holder, the consultant lobbyist or in-house lobbyist knowingly places the public-office holder in a position of real or potential conflict of interest as described in subsection (4).

(4) A public-office holder is in a position of conflict of interest if the public-office holder engages in an activity that is prohibited by Section 7 or 22 of the *Members and Public Employees Disclosure Act* or that would be so prohibited if the public-office holder were a member of the House of Assembly or a public employee as defined by that Act.

(5) An individual who is guilty of an offence under this Section is liable on summary conviction, for a first offence, to a fine of not more than twenty-five thousand dollars and, for a second or subsequent offence, to a fine of not more than one hundred thousand dollars.

(6) 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. 2001, c. 34, s. 18; 2010, c. 57, s. 5.

### Regulations

19 (1) The Governor in Council may make regulations

(a) respecting the determination of when the duties of an employee to lobby on behalf of an employer constitute a significant part of the employee's duties as an employee for the purpose of the definition of "in-house lobbyist" in subsections 6(1) and 7(1);

(b) requiring a fee to be paid on the filing of a return or a class of returns under Section 5, 6 or 7, 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 or inability to pay the fee;

(d) respecting the entering or recording of any return or other document pursuant to subsection 10(1);

(e) prescribing additional information with respect to the identities of persons or entities referred to in clauses 5(4)(o) and 6(4)(p), so long as the regulations do not require the setting out in the return of the names of individuals or other information that might identify individuals, if their names or the other information are not otherwise required pursuant to Section 5 or 6;

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

(g) defining any word or expression used but not defined in this Act;

(h) deemed necessary or advisable to carry out effectively the intent and purpose of this Act.

(2) The exercise by the Governor in Council of the authority contained in subsection (1) is regulations within the meaning of the *Regulations Act*. 2001, c. 34, s. 19; 2002, c. 30, s. 13.

**Proclamation**

**20** This Act comes into force on such day as the Governor in Council orders and declares by proclamation. 2001, c. 34, s. 20.

Proclaimed  
(except ss. 2(1)(f)(iv) & 5(6)) - September 13, 2002

In force  
(except ss. 2(1)(f)(iv) & 5(6)) - October 1, 2002  
ss. 2(1)(f)(iv) & 5(6) not proclaimed in force

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