

Lobbying Act Compliance Policy

Background

The current Canadian Federal Lobbying Act and its related Regulations came into force simultaneously on July 2, 2008. The Lobbying Act is based on four key principles: (i) free and open access to government is an important matter of public interest; (ii) lobbying public office holders is a legitimate activity; (iii) it is desirable that public office holders and the general public be able to know who is engaged in lobbying activities; and (iv) the system of registration of paid lobbyists should not impede free and open access to government.

The Act applies to individuals who are paid to lobby. People who lobby on a voluntary basis are not required to register. Telesat is subject to the Act and has been registered as an 'in-house lobbyist' with the Registrar at the Lobbyist Registration Office since 2005 (under the previous Lobbyist Registration Act).

Policy Application

The purpose of the *Act* is to require organizations to regularly report on activities, which constitute lobbying of designated public office holders that are defined as follows:

- a minister of the Crown or a minister of state and any person employed in his or her office who is appointed under subsection 128(1) of the Public Service Employment Act,
- any other public office holder who, in a department within the meaning of paragraph (a), (a.I) or (d) of the definition "department" in section 2 of the Financial Administration Act,
 - occupies the senior executive position, whether by the title of deputy minister, chief executive officer or by some other title, or
 - is an associate deputy minister or an assistant deputy minister or occupies a position of comparable rank, and
- any individual who occupies a position that has been designated by regulation under paragraph 12(c.1) (for example, the Heads of Government Agencies).

As part of Telesat's initial filing (and through periodic updates), Telesat submits a return containing the name of each senior officer or employee for whom a significant part of their duties involves lobbying as described in paragraph (1)(a) of the *Act*, and a second list including the name of each other senior officer for whom any part of their

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duties may involve lobbying, but without constituting a significant part.

Activities that **are** included in the definition of lobbying include:

- communications with federal public employees (including MPs, Senators, their staff etc.) regarding the development or amendment of legislation, regulations and or policy
- communications with federal public employees regarding any grant, contribution or other financial benefit

Activities that are part of the routine interaction between Telesat employees and designated public office holders **do not** have to be reported. For example, it is not the intent of the legislation to capture and report on activities such as:

- communication with public officials regarding the enforcement, interpretation or application of any existing statute or regulation
- normal sales or technical discussions with federal government employees
- written or oral requests for public information from federal government employees
- oral or written submissions made by Telesat to committees of the Senate or House of Commons in regard to proceedings that are on the public record.

Responsibilities & Procedures

The Act requires Telesat to report and to identify the subject matter of any communication that any employee named in its return has made or is expected to make with a public office holder in respect of any prescribed matter.

The head of Government and Regulatory Affairs, is responsible for compiling and maintaining a list of reportable lobbying activities and identifying the employees involved in each activity. Telesat's CEO is responsible for filing with the Office of the Registrar of Lobbyists, the returns identifying these reportable activities and applicable employees.

On behalf of Telesat's CEO, the head of Government and Regulatory Affairs, is responsible for filing a return, in the prescribed form and manner, not later than 15 days after the end of every month that:

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- sets out, with respect to every communication referred to in paragraph (1)(a) that is of a prescribed type and that was made in that month involving a designated public office holder,
 - the name of the designated public office holder who was the object of the communication,
 - the date of the communication,
 - particulars, including any prescribed particulars, to identify the subject-matter of the communication, and
 - any other information that is prescribed;
- if any information contained in the return filed under subsection (1) is no longer correct or additional information that the officer would have been required to provide under that subsection has come to the knowledge of the officer after the return was filed, provides the corrected or additional information; and
- if the employer no longer employs any employees whose duties are as described in paragraphs (1)(a) and (b), advises the Commissioner of that fact.

The head of Government and Regulatory Affairs will canvass all of Telesat's Directors and Senior Executives in advance of filing the required returns to ensure that all reportable lobbying activities are identified.

Managers and Directors are also required on an ongoing basis to advise the Executive Director of any communications with designated public office holders that needs to be reported.