

# **Submission to the Standing Committee on Access to Information, Privacy and Ethics**

Statutory Review of the Lobbying Act

March 16, 2026

## Review of the Lobbying Act

Canada's nonprofit and charitable sector is a major contributor to the country's economy and civic life. The sector contributes \$226 billion annually to Canada's GDP (8.2%), employs more than 2.7 million people, and mobilizes millions of volunteers who contribute nearly 1.2 billion hours of service each year, equivalent to roughly 714,000 full-time jobs.<sup>12</sup>

Nonprofits also play an important role in public policy discussions. Unlike commercial actors, charities and nonprofit organizations typically engage in public policy discussions to share frontline knowledge about community needs and program impacts. Through consultations, policy dialogue, and participation in advisory processes, nonprofit organizations provide government with practical insights drawn from their work in communities across the country.

Imagine Canada welcomes the Standing Committee's review of the Lobbying Act, which plays an important role in promoting transparency and accountability in federal decision-making. However, recent changes to the interpretation of the in-house lobbying registration threshold risk creating unintended compliance challenges for nonprofit organizations, particularly smaller and grassroots groups. Our concern is ensuring that compliance expectations remain proportionate for organizations whose policy engagement is occasional and mission-driven.

## Interpretation Changes to the In-House Lobbying Threshold

On July 16, 2025, the Commissioner of Lobbying issued an interpretation bulletin clarifying how the "significant part of duties" threshold should be calculated under the Lobbying Act.<sup>3</sup>

Under this interpretation:

- The threshold is considered met when employees collectively spend eight hours or more on lobbying activities within any consecutive four-week period.
- Time spent preparing for communications with public office holders, participating in communications, and drafting written communications counts toward this threshold.
- Once the threshold is met, the most senior paid officer must register the organization within two months in the federal Registry of Lobbyists.

This interpretation significantly changes how the registration threshold is calculated. In practice, it may require organizations to register after substantially fewer hours of policy engagement than many had previously understood to trigger registration.

Because this change was introduced through interpretive guidance rather than legislative amendment, it represents a significant shift in how compliance expectations are applied under the Act.

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<sup>1</sup> Statistics Canada. [Non-profit institutions and volunteering: Economic contribution, first quarter to fourth quarter 2024](#). The Daily, March 28 2025.

<sup>2</sup> Statistics Canada, *Survey on Giving, Volunteering and Participating*, 2023 results (released 2025).

<sup>3</sup> Office of the Commissioner of Lobbying of Canada, [Interpretation Bulletin: Significant Part of Duties](#), July 16, 2025.

## Implications for Nonprofit Organizations

For many nonprofit organizations, particularly smaller ones, the revised interpretation creates new administrative and compliance challenges.

Unlike corporations or professional lobbying firms, most nonprofits do not employ dedicated government relations staff. Policy engagement is typically carried out by executive directors, program staff, or senior leaders whose primary responsibilities lie elsewhere.

Nonprofit organizations frequently engage with government through activities such as:

- participating in consultations
- contributing to policy roundtables
- collaborating in sector coalitions
- sharing research or community expertise with public officials

Under the new interpretation, relatively limited engagement in these activities may trigger registration requirements. This creates several practical challenges:

### **Administrative burden**

Smaller organizations must track staff time across multiple activities to determine whether the threshold has been reached.

### **Ambiguity**

Many organizations struggle to interpret which activities qualify as lobbying under the Act.

### **Compliance risk**

Organizations may inadvertently fail to register or may over-register to avoid potential penalties.

### **Potential chilling effect**

Some organizations may reduce participation in policy discussions due to perceived administrative complexity.

These challenges are particularly significant for grassroots organizations representing marginalized or under-resourced communities. Reduced participation from these groups risks narrowing the diversity of perspectives informing federal policy development.

## International Context

Canada's lobbying transparency regime captures a broader range of in-house advocacy activities than lobbying frameworks in several comparable jurisdictions. Under Canada's Lobbying Act, organizations must register when lobbying activities constitute a "significant part of the duties" of employees.

In several comparable jurisdictions, however, lobbying regimes focus primarily on professional or consultant lobbyists, rather than occasional advocacy conducted by organizations. For example:

## United Kingdom

The UK's *Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014* requires registration only for consultant lobbyists who lobby on behalf of third parties. In-house advocacy conducted by charities or nonprofit organizations generally falls outside the register.<sup>45</sup>

## United States

Under the *Lobbying Disclosure Act of 1995*, individuals must spend at least 20 percent of their working time lobbying before registration obligations apply.<sup>6</sup>

These approaches reflect a distinction between professional lobbying activity and occasional policy engagement by organizations representing community or public interest perspectives.

## Recommendations

Nonprofit organizations participate in public policy discussions primarily to share evidence and community experience with government. To ensure the *Lobbying Act* continues to promote transparency while supporting meaningful civic participation, Imagine Canada recommends the following.

### 1. Clarify the definition of “significant part of duties”

Clarify the definition of “significant part of duties” so that registration requirements capture sustained lobbying activity rather than occasional engagement. One approach could be restoring the commonly understood threshold of approximately 32 hours of lobbying activities within a four-week period.

Organizations have historically structured their compliance practices around this interpretation. A threshold at this level better reflects sustained lobbying activity than occasional participation in consultations, meetings, or policy discussions, while preserving transparency and avoiding unintended barriers to participation in federal policy discussions by community organizations.

### 2. Provide clearer guidance tailored to nonprofit organizations

The Office of the Commissioner of Lobbying should develop additional guidance to help charities and nonprofits understand their obligations under the Act.

Possible supports could include:

- plain-language guidance materials
- scenario-based examples of activities that do and do not qualify as lobbying
- online tools to help organizations assess whether the registration threshold has been reached

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<sup>4</sup> United Kingdom. [Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014](#).

<sup>5</sup> UK House of Commons Library. [Lobbying in UK Politics](#). Research Briefing SN04633.

<sup>6</sup> United States. [Lobbying Disclosure Act of 1995](#), Public Law 104-65. U.S. Government Publishing Office

### **3. Clarify the treatment of coalition and sector-wide advocacy**

Guidance under the Act should clarify how registration obligations apply when organizations participate in coalitions, umbrella organizations, or joint advocacy initiatives.

Clear guidance would help organizations understand when individual members must register and reduce confusion around collective advocacy efforts.

### **4. Introduce proportionate reporting approaches for smaller organizations**

Parliament should consider options to reduce administrative burden for smaller nonprofit organizations. For example, this could apply to organizations below a defined size threshold based on factors such as staff size, operating budget, or annual revenue. Possible approaches could include:

- simplified reporting requirements for organizations below a defined size threshold
- extended reporting timelines for organizations with limited administrative capacity

These measures would maintain transparency while recognizing the operational realities faced by many nonprofit organizations.

### **About Imagine Canada**

Imagine Canada is a national charitable organization dedicated to strengthening Canada's charities and nonprofit organizations. Through research, advocacy, and sector-wide initiatives, we work to ensure the sector has the resources, policy environment, and public trust needed to support communities across the country.

Canada's nonprofit sector includes more than 170,000 charities and nonprofit organizations, contributes 8.2% of national GDP, and employs over 2.7 million people.

We would welcome the opportunity to provide additional information to the Committee.

Sincerely,



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