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ADVOCACY -

Sector representation wins amendment to Alberta law

Passage of Alberta's *Lobbyist Act*, as it was originally constituted, could stifle valuable co-operation between the government and the nonprofit sector, according to the Resource Centre for Voluntary Organizations.

In a recent issue of its *Connections* newsletter, RCVO says the legislation, which is currently in committee and to which public reaction is invited, defines public office holders far too broadly. It includes MLAs; everyone on their staff; all employees of government departments; people appointed to a body or office by the Lieutenant Governor in Council or member of Cabinet; employees, officers, directors or members of provincial entities.

The concern, says, RCVO, is that "productive day-to-day conversations that currently take place between public office holders and anyone in the nonprofit sector may in future be classified as lobbying. This could have a substantial chilling effect on the willingness of the nonprofit sector to communicate with government officials and negatively affect vital working relationships."

The definition of public office holder should comprise only elected and senior level government officials, the Centre contends.

Circumscribe nonprofit inclusion

The legislation as introduced specifically included nonprofits in its scope, contrary to the practice in most other provinces, RCVO contends. "The norm in other Canadian legislation is that an organization does not have to register as a lobbyist unless total time of all paid staff in lobbying activities surpasses 20% of one person year," a requirement the Centre finds reasonable.

However, Robyn Crawford of **Calgary Chamber of Voluntary Organizations** reports that a major uprising of the nonprofit sector has made it likely charities and nonprofits "serving the public good:" will in fact be exempt from the legislation, according to an

amendment introduced by government House Leader **Dave Hancock**.

Crawford says “nonprofits responded in a big way” to the threats implicit in the legislation. “Hundreds of them signed on to a joint submission to government, wrote their MLAs, met with government, presented at public hearings and encouraged their colleagues to get involved as well.

“It is the first time in anyone’s memory that the sector as a whole has got involved in something like this, and used consistent communications and messaging.”

The proposed legislation also prohibits lobbying on a subject matter and holding a contract for providing paid advice to government on the same subject matter at the same time, not just for an individual, but also when two individuals are associated with each other – such as spouses, business partners, employers/employees or directors of corporations.

This provision, says RCVO, will require nonprofits to dedicate time and resources to uncovering contracts held by board and employee partners and spouses. “This prohibition may also influence the willingness of organizations to accept government contracts, to avoid being muzzled by this prohibition.”

Vote on the amendment is expected within a couple of weeks, following which the act itself will be presented to the legislature.

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